



MINUTES

Tuesday, May 14, 2024: 6:00 PM

Town Council Business Meeting

**C. Michael Haney Room, Southern Pines Police Department
450 W. Pennsylvania Ave.**

1. CALL TO ORDER

Mayor Clement called the meeting to order. The following members of the Town Council were present: Mayor Taylor Clement; Bill Pate; Ann Petersen; Debra Gray; and Brandon Goodman.

2. PLEDGE OF ALLEGIANCE

Mayor Clement led the pledge.

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

a. Adopt Agenda

Mayor Clement requested a motion to approve the meeting agenda as presented. Councilmember Petersen so moved. Motion passed.

4. PUBLIC COMMENTS

Mayor Clement, with the Council's approval, gave an update on events she had attended since the last council meeting.

- Moore County Economic Development Partners breakfast & round table
- Arbor Day celebration at the ES Douglass Community Center
- Blanchie Carter Park dedication
- interview former Mayor Carol Haney for Mitchell's Mayors
- spoke at a Moore County Commissioners Meeting regarding House Bill 166
- several members of Council attended a Historic District Commission meeting regarding a town hall
- the Mayor and other municipal leaders met with State Representatives Ben Moss, Neil Jackson and Senator Tom McInnis regarding HB 166
- attending a meeting on preserving African-American heritage with Councilmember Gray
- Councilmember Goodman will be attending the next MPO meeting where the traffic circle will be discussed
- Anyone wishing to attend is invited to a block party on behalf of Reverend Dr. Paul Murphy on the last Saturday of the month.

Public comments were asked for and none were voiced.

5. CONSENT AGENDA

Mayor Pro Tem Pate moved to approve the Consent Agenda as presented, seconded by Councilmember Goodman; the vote was unanimous.

Motion passed.

a. Budget Amendments

FY 2023/2024 Budget Amendments

b. Approve Town Council Meeting Minutes for April 2024

Staff has prepared the following minutes for approval:

- April 9, 2024, Town Council Agenda Meeting Minutes
- April 23, 2024, Town Council Business Meeting Minutes

c. Approve Appointments: Historic District Commission

The Historic District Commission has two vacancies and the town has received two applications to fill those vacancies. The Planning Department recommends the following appointments:

- Talmadge Shepherd (Term to expire 5/13/28)
- Karl Ecker (Term to expire 5/13/28)

d. Approve Appointment: BPAC

The Bicycle and Pedestrian Advisory Committee (BPAC) has received an application to fill an open vacancy. Staff recommends that the Town Council appoint Mr. Kristopher Kendall to the open vacancy with a term to expire on May 13, 2027.

6. PUBLIC HEARINGS

a. OA-02-24 Cell Tower Distance from Residential

TowerCo 2013, LLC is proposing to amend the Unified Development Ordinance (UDO) Section 5.23(B) to allow towers and related structures greater than 50 feet to be, at least, 800 feet from any Rural Estate, Residential Single-Family, Residential Multi-Family, or Planned Development zoning districts (every residential district except Rural Residential) rather than the current UDO standard of, at least, 1,000 feet away.

Mayor Clement opened the public hearing for OA-02-24: Cell Tower Distance from Residential.

Planning Director Grieve reviewed the application and staff report for the Council.

Mayor Pro Tem Pate asked that "feet" be added to "50" on letter (c) of the code.

Discussion ensued.

Marc Tucker, attorney for the applicant, and Carie Fazel, representing Towerco, presented a more detailed background on the project utilizing a PowerPoint presentation to the Council. A third representative named Larry(?) was present but a whole name couldn't be heard.

Councilmember Petersen questioned if the ability of the structure to collapse within itself applied to both the monopole and the lattice structure design and was informed by Mr. Tucker and Ms. Fazel that both are designed to collapse upon themselves with the main difference between the two types of structures being how high the structure itself is.

Further discussion was had regarding the anticipated height of the structures and how variables such as lightning rods and other components might add to the overall height.

Additional discussion was held regarding where and approximately how many new locations structures could be placed should the new code be adopted. The applicant identified 14 areas that would be eligible if the OA-02-24 is approved.

Public Comments

Rita Woodland asked if there is a list of potential areas that the applicant was considering available for the public to review. Mayor Clement advised that the hearing was for a code change that would allow potential future installations, not to approve the installation of anything at this time.

No other public comments were voiced.

Public Hearing Closed.

Councilmember Gray requested clarification of the application being voted on and was informed that the current vote was for a code change to allow the installation of towers and related

structures greater than 50 feet to be, at least, 800 feet from every residential district except Rural Residential instead of the current code of 1000 feet.

Mayor Pro Tem Pate moved that after considering the criteria for a text amendment found in the UDO §2.17.10, the first of which is consistency with the Comprehensive Plan, the Town Council finds that the proposed text amendments are consistent with the Comprehensive Plan and are a reasonable way to implement the Comprehensive Plan for the reasons set forth in the Planning Board's resolution that was included as an attachment to the staff report for OA-02-24. This motion was seconded by Councilmember Gray and the vote was unanimous.

Motion passed.

Mayor Pro Tem Pate moved to approve OA-02-24 with modifications recommended by the Planning Board, Applicant, and Planning staff, and as written in the draft ordinance, in addition to the correction of lighting to lightening and adding the word 'feet' to 5.23c, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

b. System Development Fees Analysis

The Town Council of Southern Pines, NC will hold a public hearing giving all interested parties an opportunity to speak on the adoption of a proposed system development fee analysis.

Mayor Clement opened the public hearing for System Development Fees Analysis.

Town Manager Parson gave a brief overview of the request.

Brian Jann of Freese and Nichols, Inc. presented the Water and Wastewater System Development Fee Report dated March 2024 to the Council.

Councilmember Goodman questioned some of the figures used in the report and asked for clarification on how they were derived from which Town Engineer/Asst. Public Works Director James Michel answered along with Mr. Jann.

Discussion ensued.

Public comments were asked for and none were voiced.

Mayor Clement closed the public hearing.

No vote was taken - Action will be taken at the June 11th Business Meeting.

c. FY25 Budget Hearing

The first of two scheduled Public Hearings on the FY24-25 Budget supporting operations of the Town of Southern Pines. A second Hearing will occur in June the evening of requested adoption.

The proposed budget can be found on the Town website here: sopinesnc.info/budget/fy24-25

Mayor Clement opened the Public Hearing,

Town Manager Parsons presented the proposed budget to the Council.

Discussion ensued.

Public Comments

Lynn Thomson of 957 San Davis objected to the proposed increases in the water/sewer and garbage collection fees.

Mayor Clement closed the Public Hearing.

No action was taken - this item will be voted on at the June 11th Business Meeting.

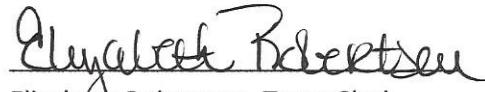
7. ACTION ITEMS

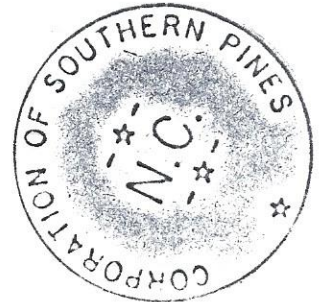
8. ADJOURNMENT

Councilmember Petersen thanked Katherine for her work in Town Attorney McCarley's absence.
Councilmember Petersen acknowledged town employee Carrie Hays for her recently published poetry.

Upon motion by Councilmember Goodman, seconded by Councilmember Petersen and carried unanimously, Council adjourned at 8:45 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk





MEMO

To: Town of Southern Pines Town Council
Reagan Parsons, ICMA-CM, Town Manager

From: Beth Robertson, NCCMC, Town Clerk

Date: May 9, 2024

Re: Bicycle & Pedestrian Advisory Committee

Background

The Town of Southern Pines Bicycle and Pedestrian Advisory Committee (BPAC) advises the Southern Pines Town Council regarding the Bike and Sidewalk Plan and set priorities for new facilities or enhancements of existing routes in the Bike and Sidewalk Plan. The BPAC also promotes walking and biking as alternative modes of transportation with emphasis on education of school age children on safe, effective bicycling and walking.

The committee is comprised of seven members who serve three-year terms. Presently, there is one vacancy on the committee, as only six members are actively serving.

Request

Mr. Kristopher Kendall has applied to join the BPAC Committee. Staff recommends that the Town Council review his application and consider appointing him to fill the vacant seat. His term would begin on May 15, 2024, and expire on May 14, 2027.

*Southern Pines is a beautiful and safe place. People choose Southern Pines over other places because of its charm, and we are proud to contribute to maintaining its appeal.
It's the Southern Pines Way.*





ORDINANCE #3044
AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE
TOWN OF SOUTHERN PINES
OA-02-24

THAT WHEREAS, after notice being duly given according to law, a public hearing was held before the Town Council of Southern Pines, North Carolina, at its regular meeting held on May 14th, 2024 at 6:00 PM for the purpose of considering an Ordinance amending the Unified Development Ordinance of the Town of Southern Pines, North Carolina; and.

WHEREAS, after the completion of said public hearing, and upon consideration of any comments, objections or presentations at the hearing, the Town Council of the Town of Southern Pines deems it advisable and in the best interest of the Town of Southern Pines that the Unified Development Ordinance of the Town of Southern Pines be amended as herein set forth below.

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines, North Carolina at its Regular Business Meeting assembled on the 14th day of May, 2024:

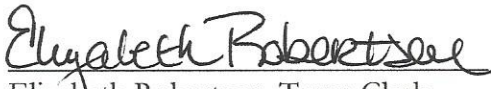
Section 1. That section 5.23(B) of the Unified Development Ordinance is hereby amended to add “unless the tower is a monopole style and does not exceed a total height of two hundred (200) feet excluding lightning protection systems, in which case this setback shall be reduced to eight hundred (800) feet.”

Section 2. That section 5.23(C) of the Unified Development Ordinance is hereby amended to add “feet” after fifty (50) to state, “Towers taller than fifty (50) feet are allowed by Special Use Permit in the RR, GB, and FRR districts.”

Section 3. That this Ordinance shall be and shall remain in full force and effect from the date of its adoption.

Adopted this 14th day of May, 2024.

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on May 14th, 2024, as shown in the Minutes of the Town Council meeting for that date.


Elizabeth Robertson, Town Clerk





ORDINANCE #3043
AMENDING THE MUNICIPAL SERVICE DISTRICT #1 SPECIAL REVENUE FUND

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following ordinance is hereby established:

Section 1: The project authorized is the Municipal Service District #1, described in Ordinance #1993, dated the 12th of April, 2022 and approved at two meetings, May 10th, 2022 and June 14th, 2022.

Section 2: The officers of this unit are hereby directed to proceed with the project within the terms of the ordinance documents, the rules and regulations of the appropriate state laws and the budget contained herein.

Section 3: The following additional revenue is anticipated to be available for the project:

Financing Proceeds	<u>\$7,100,000</u>
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Total Project Revenues:	<u>\$7,100,000</u>
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Section 4: The following additional amount is appropriated for the project:

Parkway Acquisition	<u>\$7,100,000</u>
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Total Project Costs:	<u>\$7,100,000</u>
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Section 5: The Finance Officer will hereby maintain a separate special revenue fund for the Municipal Service District project. The Finance Officer is hereby directed to maintain within the Special Revenue Fund sufficient specific detailed accounting records to provide accounting to the agency required by the agreement and federal and state regulations.

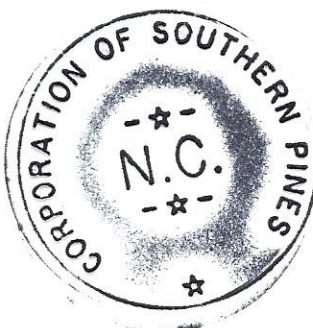
Section 6: Copies of the special revenue project ordinance shall be made available to the Finance Officer for direction in carrying out this project.

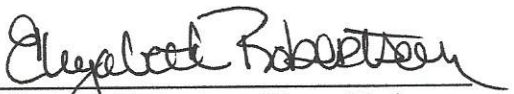
Section 7: The Finance Officer is directed to report annually on the financial status of each project element in Section 4 and on the total revenues received or claimed.

Section 8: The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission made to this board.

Section 9: This amendment becomes effective May 14, 2024.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 14, 2024, as shown in the minutes of the Town Council for that date.




Elizabeth Robertson, Town Clerk



ORDINANCE #3042
AMENDING & CLOSING THE PENNSYLVANIA/PEEDEE ROAD
WATERLINE REPLACEMENT FUND

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project budget is hereby adopted:

Section 1: The project authorized is to establish a fund for the purpose of upgrading existing 10" waterline with a 16" transmission main.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following amount is reduced for the project:

Design and Construction	<u>\$ 840,243</u>
Total Project Appropriation Reduction	<u>\$ 840,243</u>

Section 4: The following additional amount is appropriated for the project:

Transfer to Capital Project Fund – North Pressure Zone	<u>\$1,194,642</u>
Total Additional Project Appropriation	<u>\$1,194,642</u>

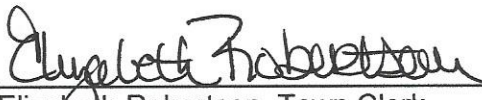
Section 5: The following revenue is anticipated to be available to complete this project:

Interest on Investments	\$ 174,374
Transfer In – System Development Fees, Water	<u>180,025</u>
Total Additional Project Revenues	<u>\$ 354,399</u>

Section 6: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this project.

Section 7: This ordinance becomes effective May 14, 2024.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 14, 2024, as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk





ORDINANCE #3041
AMENDING THE 2023/2024 FISCAL YEAR BUDGET
Legislative

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 14th day of May 2024 that the Operating Budget for the Fiscal Year 2023/2024 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Legislation	Contractual Services	10-410-4500	\$10,000	
Legislation	Professional Services	10-410-4600	\$12,500	
General Fund	Fund Balance Appropriations	10-397-1000	\$22,500	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 14, 2024, as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk





ORDINANCE #3040
AMENDING THE NORTH PRESSURE ZONE PROJECT FUND

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital reserve fund budget is hereby amended:

Section 1: The project authorized is to establish a fund for the purpose of increasing domestic water pressures for the Town's customers.

Section 2: The officers of this unit are hereby directed to proceed with the water capital reserve fund within the terms of the budget contained herein.

Section 3: The following additional amount is appropriated for the fund:

Construction	<u>\$1,194,642</u>
Total Additional Project Appropriation	<u>\$1,194,642</u>

Section 4: The following additional revenue is anticipated to be available to complete this fund:

Transfer In – Penn/PeeDee CPF	<u>\$1,194,642</u>
Total Additional Project Revenues	<u>\$1,194,642</u>

Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this fund.

Section 6: This ordinance becomes effective May 14, 2024.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 14, 2024, as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk





ORDINANCE #3039
AMENDING THE CAPITAL RESERVE FUND WATER SYSTEM DEVELOPMENT FEES

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital reserve fund budget is hereby amended:

Section 1: The project authorized is to establish a fund for the purpose of accounting for water system development fees to be utilized in the manner described in the Water Capital Reserve Fund Resolution.

Section 2: The officers of this unit are hereby directed to proceed with the water capital reserve fund within the terms of the budget contained herein.

Section 3: The following additional amount is appropriated for the fund:

Transfer to Water Capital Project Funds – Penn/PeeDeeWL	<u>\$180,025</u>
Total Project Appropriation	<u>\$180,025</u>

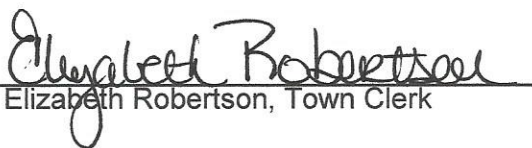
Section 4: The following additional revenue is anticipated to be available to complete this fund:

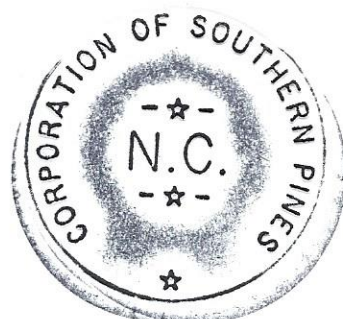
Water System Development Fees	<u>\$180,025</u>
Total Project Revenues	<u>\$180,025</u>

Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this fund.

Section 6: This ordinance becomes effective May 14, 2024.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 14, 2024, as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk





ORDINANCE #3038
AMENDING THE RECREATION IMPROVEMENT PROJECT FUND
BUDGET

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project budget is hereby amended:

Section 1: The project authorized is for the purpose of various recreation & park improvements.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following additional amount is appropriated for the project:

Design & Construction – Carriage House	<u>\$ 185,000</u>
Total Additional Project Appropriation	<u>\$ 185,000</u>

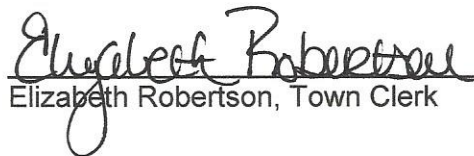
Section 4: The following additional revenue is anticipated to be available for this project:

Grant Proceeds	<u>\$ 185,000</u>
Total Additional Project Revenues	<u>\$ 185,000</u>

Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this project.

Section 6: This amended ordinance becomes effective May 14, 2024.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 14, 2024, as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

