



## **AGENDA**

**Tuesday, November 19, 2024: 3:00 PM**

**Town Council Work Session**

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

### **1. CALL TO ORDER**

### **2. PLEDGE OF ALLEGIANCE**

### **3. TOWN MANAGER'S COMMENTS**

### **4. ACTION ITEMS**

#### **a. Review and Request Adoption of the FY24 Audit**

Finance Director Brubaker-Speis and representatives of our 3rd party Audit firm will present the FY24 Audit and request adoption.

#### **b. Consider Re-Appointing Katherine Schirmer to the Appearance Commission: Term to Expire 12/31/2027**

Ms. Schirmer is a current member of the Appearance Commission and her term expires this month. She requests appointment to serve another 3-year term.

#### **c. Review of Skatepark Rules**

Staff will have additional information for the Council's consideration of the request to include BMX bikes at the new skate park. Alternatives for potential amendment prior to the Park opening will be made available.

### **5. COUNCIL UPDATES AND DISCUSSION**

#### **a. Planning Department Update**

Staff will update Council on applications advancing from the Planning Board to Council and have a follow-up discussion on Phase 2 implementation efforts related to the 2040 Comprehensive Plan.

#### **b. 2025 Town Council Meeting Calendar**

Staff has prepared a draft 2025 council meeting calendar.

### **6. COUNCIL ROUNDTABLE**

### **7. CLOSED SESSION**

#### **a. Town Manager's Annual Review**

Council will hold a closed session as authorized in N.C.G.S. §143-318.11(a)(6) to discuss a personnel matter.

### **8. ADJOURNMENT**

*Meetings/work sessions of the Southern Pines Town Council are now available on the Town's [YouTube channel](https://www.youtube.com/channel/UCXx2Qk). Video of the Town Council meetings will be live streamed on the channel for viewing either during the meetings or after they have concluded. Please note, the video is provided only for the purposes of viewing the meetings; public comments or questions are not accepted via the live stream. To receive notifications when new content is published, please "subscribe" to the Town's channel at <https://bit.ly/3hXx2Qk>*

**Town of Southern Pines**  
**Executive Summary**  
**Years Ended June 30, 2024 and 2023**

|                                                                                                                    | <b>Fiscal Year<br/>Ended<br/>June 30, 2024</b> | <b>Fiscal Year<br/>Ended<br/>June 30, 2023</b> | <b>\$<br/>Increase<br/>(Decrease)</b> | <b>%<br/>Increase<br/>(Decrease)</b> |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------------------|---------------------------------------|--------------------------------------|
| <b>I.</b> Unrestricted cash and cash equivalents ( <b>all funds</b> )                                              | 39,183,756                                     | 38,736,151                                     | 447,605                               | 1.2%                                 |
| <b>II.</b> <b>General fund</b> unassigned fund balance                                                             | 11,239,894                                     | 11,689,345                                     | (449,451)                             | -3.8%                                |
| <b>III.</b> <b>General fund</b> revenues (budgetary basis)                                                         |                                                |                                                |                                       |                                      |
| -Ad valorem taxes                                                                                                  | 12,847,195                                     | 12,224,926                                     | 622,269                               | 5.1%                                 |
| -Other taxes and licenses                                                                                          | 446,893                                        | 435,894                                        | 10,999                                | 2.5%                                 |
| -Unrestricted intergovernmental                                                                                    | 8,051,843                                      | 7,530,176                                      | 521,667                               | 6.9%                                 |
| -Restricted intergovernmental                                                                                      | 932,628                                        | 562,693                                        | 369,935                               | 65.7%                                |
| -Permits and fees                                                                                                  | 1,190,895                                      | 978,914                                        | 211,981                               | 21.7%                                |
| -Sales and services                                                                                                | 2,089,697                                      | 1,943,545                                      | 146,152                               | 7.5%                                 |
| -Investment earnings                                                                                               | 985,901                                        | 696,618                                        | 289,283                               | 41.5%                                |
| -Other                                                                                                             | 988,106                                        | 1,005,876                                      | (17,770)                              | -1.8%                                |
| Total                                                                                                              | 27,533,158                                     | 25,378,642                                     | 2,154,516                             | 8.5%                                 |
| <b>IV.</b> <b>General fund</b> expenditures (budgetary basis)                                                      |                                                |                                                |                                       |                                      |
| -General government                                                                                                | 8,153,277                                      | 6,255,669                                      | 1,897,608                             | 30.3%                                |
| -Public safety                                                                                                     | 10,221,390                                     | 9,043,370                                      | 1,178,020                             | 13.0%                                |
| -Transportation                                                                                                    | 1,346,874                                      | 1,322,343                                      | 24,531                                | 1.9%                                 |
| -Economic and physical development                                                                                 | 1,198,902                                      | 1,330,932                                      | (132,030)                             | -9.9%                                |
| -Cultural and recreational                                                                                         | 2,464,747                                      | 2,410,553                                      | 54,194                                | 2.2%                                 |
| -Debt service                                                                                                      | 1,355,990                                      | 1,541,117                                      | (185,127)                             | -12.0%                               |
| Total                                                                                                              | 24,741,180                                     | 21,903,984                                     | 2,837,196                             | 13.0%                                |
| <b>V.</b> <b>General Fund</b> Other financing sources and uses                                                     |                                                |                                                |                                       |                                      |
| -Issuance of debt                                                                                                  | 290,454                                        | 168,099                                        | 122,355                               | 72.8%                                |
| -Transfers from (to) other funds, net                                                                              | (4,984,587)                                    | 1,887,275                                      | (6,871,862)                           | -364.1%                              |
| -Sale of capital assets                                                                                            | 49,480                                         | 87,792                                         | (38,312)                              | -43.6%                               |
| -Other                                                                                                             | -                                              | (7,995)                                        | 7,995                                 | -100.0%                              |
| Total                                                                                                              | (4,644,653)                                    | 2,135,171                                      | (6,787,819)                           | -317.9%                              |
| <b>VI.</b> Increase (decrease) in <b>General Fund</b> fund balance                                                 | (1,852,675)                                    | 5,609,829                                      |                                       |                                      |
| Percentage of unassigned fund balance to <b>General Fund</b> budgetary basis expenditures and other financing uses | 45.43%                                         | 53.37%                                         |                                       |                                      |

**Town of Southern Pines**  
**Executive Summary**  
**Years Ended June 30, 2024 and 2023**

|                                       | <b>Fiscal Year<br/>Ended<br/>June 30, 2024</b> | <b>Fiscal Year<br/>Ended<br/>June 30, 2023</b> | <b>\$<br/>Increase<br/>(Decrease)</b> | <b>%<br/>Increase<br/>(Decrease)</b> |
|---------------------------------------|------------------------------------------------|------------------------------------------------|---------------------------------------|--------------------------------------|
| <b>VIII. Water and Sewer Fund:</b>    |                                                |                                                |                                       |                                      |
| OPERATING REVENUES                    |                                                |                                                |                                       |                                      |
| Charges for sales and services        | 11,976,527                                     | 10,685,587                                     | 1,290,940                             | 12.1%                                |
| OPERATING EXPENSES                    |                                                |                                                |                                       |                                      |
| Billings and collections              | 606,307                                        | 555,496                                        | 50,811                                | 9.1%                                 |
| Water treatment                       | 1,629,450                                      | 1,599,096                                      | 30,354                                | 1.9%                                 |
| Sewage treatment                      | 2,015,782                                      | 1,968,774                                      | 47,008                                | 2.4%                                 |
| Water extensions and maintenance      | 1,515,021                                      | 1,143,299                                      | 371,722                               | 32.5%                                |
| Sewer extensions and maintenance      | 1,228,370                                      | 1,169,973                                      | 58,397                                | 5.0%                                 |
| Chargeout for administrative expenses | 1,369,487                                      | 1,200,526                                      | 168,961                               | 14.1%                                |
| Depreciation and amortization         | 2,019,599                                      | 2,036,063                                      | (16,464)                              | -0.8%                                |
| Total                                 | 10,384,016                                     | 9,673,227                                      | 710,789                               | 7.3%                                 |
| OPERATING INCOME                      | 1,592,511                                      | 1,012,360                                      | 580,151                               | 57.3%                                |
| NONOPERATING REVENUES, net            | 2,480,295                                      | 2,095,498                                      | 384,797                               | 18.4%                                |
| CAPITAL CONTRIBUTIONS                 | 1,677,612                                      | 1,132,422                                      | 545,190                               | 48.1%                                |
| TRANSFERS FROM (TO) OTHER FUNDS, NET  | 77,535                                         | 743,022                                        | (665,487)                             | -89.6%                               |
| INCREASE IN NET POSITION              | 5,827,953                                      | 4,983,302                                      | 844,651                               | 16.9%                                |

# MEMO

**To:** Reagan Parsons, ICMA-CM, Town Manager  
**From:** Jessica Roth, ICMA-CM, Assistant Town Manager  
**Date:** November 19, 2024  
**Re:** Skatepark Rules

## Background

The Town has partnered with Skaters for Moore and Friends of the Skateparks Foundation to build a skatepark at Memorial Park. Construction is underway, with a planned ribbon cutting on December 11, 2024.

In compliance with NCGS Chapter 99E, Article 3, the Town Council adopted rules for the skatepark on October 22. William Dean, founder of Skaters for Moore, has requested that the Town reconsider 1) allowing freestyle bikes with certain limitations and 2) the enforcement of mandatory protective.

## Freestyle Bikes

Staff has recommended that freestyle bikes be prohibited from the Southern Pines skatepark, prioritizing safety and risk management specific to our community.

- **Different Riding Styles & Equipment:** Freestyle bikes typically move faster and require more space for tricks, which can clash with the slower, more compact movements of skateboards. Differing lines and trajectories taken by bikers and skaters can lead to increased collisions. Adding in the bikes' heavy frames, metal pegs, and handlebars, an accident involving a bike can be more dangerous and cause severe injuries.
- **Park Design & Size:** Our park was designed with a primary focus on skateboarding and, at 7,000 square feet, is also relatively small compared to other skateparks, especially many which permit bikes.
- **Increased Insurance Premiums:** When we obtained a pre-construction estimate, our insurance carrier stated that the Town's premium will double if bikes and skateboards are allowed to "co-mingle," i.e. the shared, simultaneous use of the park by both groups. We are expecting a site visit from the insurance company on November 18, which will allow the final quote to be provided. Staff has been uncomfortable committing the Town to anything that would automatically double a yet-to-be-determined ongoing expense.
- **Bike Prohibition or Segregation is Common:** Many skateparks either outright prohibit freestyle bikes or designate specific times or areas for their use to mitigate some of the safety concerns. Staff reviewed operating rules at other public skateparks in North Carolina and identified eight that prohibit bikes altogether:
  - Apex (13k SF)
  - Asheville (10k SF)
  - Belmont (6.5k SF)
  - Chapel Hill (10k SF)
  - Charlotte Renaissance Park (4k SF)
  - Hendersonville (size unknown)
  - Washington (size unknown)
  - Waynesville (8k SF)

We also identified four parks that allow bikes under certain restrictions:

- Atlantic Beach: bikes allowed Mon/Fri (5-7pm) and Wed/Sun (9-11am); no pegs are permitted
- Charlotte Grayson Skatepark: currently closed for renovations, but bikes have been allowed on Sunday afternoons
- Jacksonville MCCA Skatepark: bikes allowed on Wed/Sun
- Waxhaw: bikes are only allowed during Town-hosted freestyle bike events

The other public skateparks in North Carolina seemingly permit skateboards and bikes to co-mingle. Many of

these are much larger than Southern Pines and some are staffed to enforce rules & safety.

### Options to Consider Regarding Bikes:

1. **Maintain Status Quo.** Open the park with our current rules that prohibit bikes. Evaluate the inclusion of bikes in the future when we have a better understanding of our insurance premiums, the park's safety, and demand for bikes.
2. **Revise Rules to Allow Bikes At Certain Times and with Specific Conditions.** Suggested rules:
  - a. Bikes are only permitted during the posted days and times as determined by the Town Manager or his/her designee. Skateboards, in-line skates, roller skates, and/or scooters are not allowed if any bikes are in the park during these times.
  - b. Metal bike pegs are prohibited. If bikes have pegs, they must be plastic pegs or have peg sleeves.
3. **Open Park to Bikes at All Times.** The rules could be revised to strike the language prohibiting bikes, allowing them any time the park is open and co-mingling with other users. While state law releases the Town from liability for injuries or death, our overarching goal is to have a safe, fun skatepark that can be enjoyed by riders of all ages and experience levels. Our park is not large enough to physically segregate bikes from other users, which will likely increase the frequency and severity of accidents. Staff does not recommend this option.

### Protective Gear

Our rules require that all users wear protective gear. Staff empathizes with users who would prefer to make their own decisions about wearing helmets, kneepads, and elbow pads. Mr. Dean raised this with Council during the November 12<sup>th</sup> meeting, including the manner of enforcement.

State law is very specific about what local governments must do in order to be released from liability for "hazardous recreational activities," defined as skateboarding, inline skating, or freestyle bicycling. In order to comply:

- Our rules *must* require that *all* riders wear helmets, kneepads, and elbow pads.
- Before the park opens, we must post signage that specifically states the rules about protective gear *and* that we will issue citations for violating this rule.

Enforcement of protective gear (and other rules) will be handled civilly, rather than as a criminal misdemeanor. A draft of the current sign designs is included. These will be modified if Council adjusts any of the rules before opening.

Our insurance policy is another consideration, as it is being underwritten assuming the adoption and enforcement of this state-required rule. We are uncertain as to the cost of the premium if this rule were changed or how this would be treated if this rule were so minimally enforced that its more symbolic in nature.

Based on all of these facts, staff does not recommend any changes relative to protective gear.

### Legal Review

Town Attorney Mac McCarley has reviewed this request and the potential options. He recommends against any amendments and suggests leaving the rules as adopted on October 22.

### Timeline

Based on current construction progress, a ribbon cutting is tentatively scheduled for December 11 and we must post the rules before the park opens. If Council wishes to adjust any of the rules prior to opening, the November 19<sup>th</sup> meeting is the final regularly scheduled meeting before this event.

*We take great pride in the natural beauty, historical sites, local businesses, public spaces, and schools in Southern Pines. We want everyone to be able to access and enjoy these wonderful assets safely. It's the Southern Pines Way.*



# Skate Smart. Shred Hard.



**NO GEAR =** HELMETS, KNEEPADS & ELBOW PADS REQUIRED.  
**NO SKATING.** WE WILL GIVE YOU A TICKET FOR THIS - DON'T MAKE US DO THAT!

**SKATE AT YOUR OWN RISK.** BUT SKATE LIKE A PRO.

**HUMAN-POWERED** SKATEBOARDS, IN-LINE & ROLLER SKATES, &  
**LITTLE WHEELS ONLY.** SCOOTERS ONLY - NO BIKES OR MOTORS.

**RESPECT** KEEP MUSIC & NOISE AT A REASONABLE LEVEL. BE MINDFUL OF YOUNG  
**THE VIBE.** SKATERS & VISITORS WHO HAVE CURIOUS EARS & EYES!

**NO MODS.** NO OBSTACLES OR MODIFICATIONS. ENJOY & USE THE PARK AS IS.

**IT'S A PUBLIC PARK.** NO ALCOHOL, DRUGS, SMOKING, VAPING, OR GRAFFITI.

**SKATE HERE** NOT THE PLAYGROUND, NOT THE TENNIS OR PICKLEBALL  
**+ ONLY HERE.** COURTS, NOT THE PARKING LOT OR SIDEWALKS.

**PAW-FREE ZONE.** NO DOGS IN THE SKATE PARK.  
LEASHED DOGS ARE WELCOME AS SPECTATORS!

**HAVE FUN + SHRED :)** ENJOY THE RIDE & RETURN OFTEN!



# Southern Pines Skatepark Rules

1. This facility is for non-motorized skateboards, inline skates, roller skates, & scooters only. All bicycles and motorized equipment are prohibited.
2. Helmets, elbow pads, and kneepads are required. If you fail or refuse to wear this required gear, you will be subject to a citation.
3. All participants must:
  - a. Act within their skill level and use equipment according to its design & purpose.
  - b. Maintain control of their equipment and themselves.
  - c. Avoid any actions that may cause injury or death to themselves or others.
4. State law defines skateparks as a hazardous recreational activity. All participants, assistants, and observers, regardless of age, assume all inherent risks and are legally responsible for any damages, injuries, or death to themselves.
  - a. Participants & assistants are also legally responsible for any damages, injuries, or death caused to others or to property due to their actions.
5. The Town of Southern Pines is not liable for any damages, injuries, or death to individuals or property from participating in a hazardous recreational activity.
6. Failure or refusal to comply with any of the rules of the skatepark or Memorial Park may result in a citation and may also serve as grounds to be banned from the park/facility.

**NEED HELP?** Call 911 or the Southern Pines Police at 910-692-7031  
You're currently at **175 Memorial Park Court.**

**QUESTIONS OR COMMENTS?** Call Southern Pines Parks & Recreation at 910-692-2463

## **Issue of Mixed Usage with BMXers at the Skatepark**

**Hi, my name is William Dean, Founder & Director of Skaters for Moore, the driving force behind the new Memorial Park Skatepark Project. As construction comes to an end this month, the issue of park rules and insurance considerations have come to light. While I am not a BMXer, nor have ever been, I am here because BMX use at the park was recently prohibited at the work session regarding rules. Since several of our members who helped raise funds and designed the park, ARE BMX riders, and were rightfully upset at their exclusion from being able to use it. I speak for someone that helped us raise over \$5,000 when I say that he believes excluding bikes will cut out a whole group of young people that have bikes in their garage but no skateboard or scooter, yet, and would serve to turn families away from potential use in the future.**

**While I know my time is limited, I'll get right to the suggestions that have been made to try and make this an inclusive park for ALL action sports enthusiasts, and lay out a few options that have been floated since this became an issue:**

- 1. Full Inclusivity with no restrictions: We know this will raise the insurance costs, but since we are not privy to that information, we do not know by how much. If this route were to be considered, I'd make the suggestion that a "Skatepark Etiquette" class be taught by some of our volunteers on a regularly scheduled basis, as to mitigate the risk of collisions and improve relationships between the different classes of users at the park. We'd suggest allowing this regardless of which way you decide.**
- 2. Inclusion of BMX riders through segregated hours: Some skateparks have set aside certain days and hours for BMX riders only. It has been suggested that perhaps these hours could be set to a 3-4 hour period on one weekday and one weekend day**

**(Wednesday & Sunday Mornings, perhaps, OR Tuesdays and Thursday Evenings, with lights or Summer hours). While this is not ideal for everyone's schedule, this seems to be a compromise that might work.**

- 3. Town funding for a Pump Track for BMX users: This has been suggested as a way to satisfy those BMXers, if prohibited from using this public skatepark, but would be yet another capital project to consider moving forward. While I'd love a pump track in a future phase of the park, I don't believe this would solve the problem at hand.**
- 4. If BMXers would be allowed in some capacity, there can be regulations specific to bikes that could be discussed, such as no steel pegs, use of plastic copers, etc. to avoid damage to ledges and other parts of the park.**

**These are the suggestions I have gathered from our group and believe that these are some reasonable suggestions for including BMXers at the Memorial Park Skatepark. I'll be glad to take questions and discuss further should Council deem it appropriate.**

**\*\*\*In addition, with respect, I'd ask that while council has made rules regarding park use in compliance with NC General Statute 99E-21, especially as it comes to helmet and pad use, that you are made aware that iron-fisted enforcement of said rules may receive some backlash from certain groups of youth in the area. While I respect the laws established regarding this, the sentiment needs to be one of compliance through education versus citation, though it is spelled out plainly in the statute above.**

**Thank you for your time and thanks for your support of youth and families in the area.**



# MEMO

**To:** Town Council  
**From:** BJ Grieve, Planning Director  
**Date:** November 19, 2024  
**Re:** Phase 2 Comprehensive Plan Implementation.

The Southern Pines 2040 Comprehensive Plan was adopted on September 12, 2023. On October 24, 2023, the Town Council approved a list of projects that made up “Phase I” of implementing the new plan. At last month’s Work Session, I presented a status report on each of those Phase I projects. Most of the Phase I projects are now either complete or close to complete.

After reviewing the status of the Phase I implementation projects I also presented a list of potential Phase 2 implementation projects. The list of potential projects for the next phase of plan implementation was created from Chapter 6 of the plan as well as recent staff experiences, recent Town Council discussions, and feedback from the public. Unfortunately, time was short and we were not able to discuss the list.

Planning staff would like to discuss the attached list of potential Phase 2 implementation projects with the Town Council and get the Council’s approval of a list of Phase 2 implementation projects on which staff can begin work.

## Potential Phase 2 Implementation Projects:

1. Protect/Enhance Community Character (Goal 3):
  - a. More Character Districts. (Policy 3.1, 3.2)
  - b. Parking Code Revisions (Policy 3.2, 3.9)
  - c. Sidewalks with Commercial Development. (Policy 4.12, 8.1)
2. Expand housing options (Goal 7)
  - a. Promote Diversity of Housing (Policy 7.1)
  - b. Encourage more Workforce Housing (Policy 7.5)
  - c. Study Short Term Rental issue (Policy 7.7)
3. Improve Transportation Options (Goal 8):
  - a. Complete Streets Audit (Policy 5.3, 8.3)
  - b. Apply for NCDOT Multimodal Planning Grant
4. Expand Local Business & Employment (Goal 9):
  - a. Accessory Commercial Units. (Policy 9.4, 9.6)
5. UDO Cleanup
  - a. Sign Code Revisions (Policy 3.2, 3.11, 7.4)
  - b. Senate Bill 166 Updates
  - c. Remove Vestiges in UDO (ex. MRO, Chapter 6)



  
**Southern  
Pines**

NORTH CAROLINA

**2040 Comprehensive Plan**

Adopted September 12, 2023



# MEMO

**To:** Reagan Parsons, ICMA-CM, Town Manager  
**From:** Beth Robertson, NCCMC, Town Clerk  
**Date:** November 19, 2024  
**Re:** 2025 Town Council Meeting Calendar

Attached for consideration is a draft Town Council meeting calendar for 2025 that follows the current Town Council meeting schedule of business meetings on the 2nd Tuesday of the month and work sessions on the 4th Tuesday of the month. Guidance is needed the following items:

- 1) After discussion with the Finance Director the following are optional dates for the annual budget retreat:
  - Wednesday, April 9th
  - Thursday, April 10th
  - Wednesday, April 2nd
  - Thursday, April 3rd
- 2) Election day and the holidays in the month of November prevent the meetings from following the normal schedule and alternate days will need to be chosen.

### JANUARY

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### FEBRUARY

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### MARCH

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### APRIL

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| 9am  
Budget  
Retreat

### MAY

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### JULY

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### SEPTEMBER

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### OCTOBER

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### NOVEMBER

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| 9  | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 |    |    |    |    |    |    |

### DECEMBER

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    | 1  | 2  | 3  | 4  | 5  | 6  |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 |    |    |    |