



MINUTES

Tuesday, November 19, 2024: 3:00 PM

Town Council Work Session

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

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

4. ACTION ITEMS

a. Review and Request Adoption of the FY24 Audit

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

Town of Southern Pines Finance Director Tess Brubaker-Speis and Chad Cook, Audit Director with Forvis Mazars presented the Fiscal Year 2024 Audit results to the Council.

One deficiency was identified relating to the accounts payable cut off process and receiving construction invoices by the fiscal year cutoff.

Discussion ensued regarding the findings.

Mayor Pro Tem Pate moved to approve the adoption of the Fiscal Year 2024 Audit Report, seconded by Councilmember Goodman; the vote was unanimous.

Motion passed.

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.

Mayor Pro Tem Pate moved to re-appoint Katherine Schirmer to the Appearance Commission with a term expiring on December 31, 2027. The motion was seconded by Councilmember Petersen and the vote was unanimous.

Motion passed.

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.

Assistant Town Manager Jessica Roth reviewed the item for the Council.

Mayor Clement asked Mr. Mr. Dean to join Asst. Town Manager Roth at the microphone

Council adopted the Southern Pines Skatepark Rules on October 22, 2024, and the recommendation

at that time was to prohibit bike use due to concerns by the Town's insurance company. Mr. Dean requested that the Town reconsider the ban on bike use and upon consideration, the staff has 3 options for the Council to consider.

- 1) Make no changes to the adopted rules at this time and reevaluate the rules at a future date.
- 2) Revise the current rules to allow bikes at certain times and under specific conditions by segregating the groups by equipment. - staff recommendation.
- 3) Revise the rules to allow unrestricted co-mingling of groups. This option is not recommended by staff and would double the insurance premiums.

Mayor Pro Tem Pate questioned how the Town would enforce the rules and discussion ensued.. Volunteers teaching skate park etiquette was discussed..

When questioned, Town Attorney Mac McCarley shared that he agreed with the staff recommendation of segregating the groups.

Asst. Town Manager Roth presented a prepared Ordinance that incorporated the staff recommendations for Council approval.

Mayor Clement moved to approve the Ordinance revising the Skatepark Rules as presented by Asst. Town Manager Roth, seconded by Councilmember Gray.

Councilmember Petersen confirmed that the insurance would remain the same if groups are separated.

Councilmember Petersen questioned the Town Attorney on his satisfaction with the proposed rules as written and Attorney McCarley confirmed that he was.

Council voted unanimously to approve the ordinance to review the Skatepark rules as presented
Motion passed.

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. Planning Director BJ Grieve presented an update on the Planning Department.

b. 2025 Town Council Meeting Calendar

Staff has prepared a draft 2025 council meeting calendar.

Town Council discussed the meeting calendar for 2025 and the following decisions were made:

- Annual Budget Retreat = 4/3/2024
- November Business Meeting = 11/6/2024
- November Work Session = 11/18/2024
- July Business Meeting = 7/22/2024
- No Work Session for July or December

Mayor Clement advised the Council that she would not attend the February Town Council Business Meeting.

6. COUNCIL ROUNDTABLE

Mayor Clement

- Reviewed a letter regarding ETJs the Town has been asked to sign along with other municipalities. Mayor Clement suggests that we edit the letter to better fit our Town and then sign and send it.

Council concurs.

- Has learned that the Department of Transportation has granted golf courses the use of blue signage. Mayor Clement would like to ask the Department of Transportation not to grant the signs in our Town if possible since we have restricted signage ordinances and have nice signage in place and the Council concurred.

Councilmember Goodman

- questioned the Town policy or format with regard to how we communicate utility & street work to the citizens.

- Assistant Town Manager/Fire Chief Mike Cameron addressed the issue and described all the methods used by the Town to get information out to the citizens. .

- questioned if there are plans to replant trees at Pennsylvania & Ashe.

- Town Engineer James Michel advised that the project in that area was not completed, so nothing could be considered at this time.

Mayor Pro Tem Pate

- Asked if the Town has contacted Mr. Smith regarding drainage issues as he has contacted him again.

- Town Manager Parsons advised that he met with Mr. Smith, Public Works Director Cory Albers and Town Engineer Michel the previous Friday to address the issue. The Town stormwater system is functioning as it should and the issue is on private property.

7. CLOSED SESSION

Upon motion by Mayor Pro Tem Pate, seconded by Councilmember Petersen and voted unanimously, the Council entered into closed session at 6:17 pm.

Council returned to open session at 6:42 pm.

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

Upon motion by Mayor Pro Tem Pate, seconded by Councilmember Petersen and carried unanimously, Council adjourned at 6:42 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk





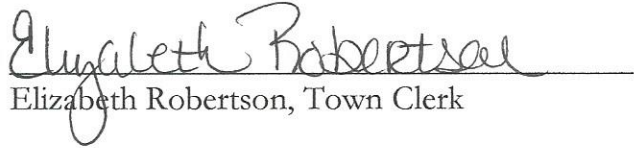
ORDINANCE #3096
AMENDING THE TOWN OF SOUTHERN PINES
CODE OF ORDINANCES CHAPTER 99 – SKATEPARK RULES

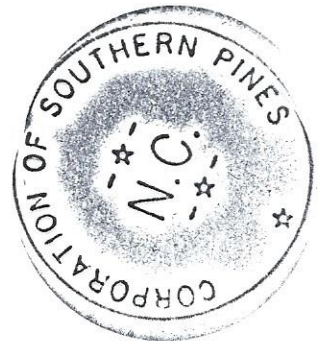
BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina, in regular session assembled at the November 19, 2024, Work Session that the Town's Code of Ordinances are amended as follows:

1. Amend the Code of Ordinances by deleting the current Chapter 99.03(C) in its entirety:
2. Adopt and replace as Chapter 99.03(C) as found in "Attachment A" in its entirety.

Adopted this 19th day of November 2024.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of November 19, 2024 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



ORDINANCE #3096
Attachment A

The Town's Code of Ordinances is amended to add the following new section to Chapter 99 Parks & Recreation, Park Use Regulations.

§ 99.03 SKATEPARK SAFETY & RULES

- (A) The Town owns and operates a skatepark at Memorial Park that is designed and maintained for the purpose of recreational skateboard use. The rules and regulations in this Section apply to that skatepark.
- (B) Skatepark participants may ride or use non-motorized skateboards, in-line skates, roller skates and scooters and must wear a helmet, elbow pads, and kneepads. Failure or refusal to wear the required protective equipment shall be grounds for exclusion from the skatepark.
- (C) **Bicycles 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.**
 - 1. Metal bike pegs are prohibited. If bicycles have pegs, they must be plastic pegs or have peg sleeves.**
- (D) A skatepark is classified by state law as a hazardous recreational activity. Skatepark participants as well as those who assist and/or observe participants assume the inherent risks for this activity.
 - 1. All participants, assistants, and observers assume the known and unknown inherent risks in these activities, irrespective of age, and are legally responsible for all damages, injury, or death to himself or herself that result from these activities.
 - 2. Participants and assistants are also legally responsible for all damages, injury, or death to other persons or property that result from their actions.
 - 3. The Town of Southern Pines is not liable to any person who voluntarily participates in hazardous recreational activities for any damage or injury to property or persons.
- (E) Hazardous recreational activity participants are required to do the following:
 - 1. Act within the limits of his or her ability and the purpose and design of the equipment used.
 - 2. Maintain control of his or her person and the equipment used.
 - 3. Refrain from acting in any manner that may cause or contribute to death or injury of himself or herself or other persons.