



MINUTES

Tuesday, March 8, 2022: 6:00 PM

Town Council Business Meeting

Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen. Mayor Haney advised that the Public Comments Period would be moved to the start of the council meeting starting at the April Business Meeting.

2. PLEDGE OF ALLEGIANCE

a. Girl Scout Troop 2301

The troop will lead the Pledge of Allegiance. Mayor Haney will issue a proclamation recognizing Girl Scout Day.

Mayor Haney presented members of Girl Scout Troop 2301 with a proclamation from the Town recognizing Girl Scout Day. The Girl Scouts then led the meeting in the Pledge of Allegiance.

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

4. PUBLIC HEARINGS

a. AX-01-22: 3900 Youngs Road

Michael Tveter and Jamie Tveter are requesting voluntary annexation of a 1.8 acre contiguous parcel of land that is currently outside of the corporate limits of the Town of Southern Pines.

Councilmember Bill Pate motioned to open the hearing, seconded by Mayor Pro Tem Murphy.

Motion passed. The vote was unanimous.

Town Planner BJ Grieve presented the staff report and gave a brief overview of the application.

Councilmember Petersen questioned the applicant, Mr. Tveter, if he had any plans to subdivide the property. Mr. Tveter stated that he intends to build a single family home on the property.

Councilmember Pate motioned to close the hearing, seconded by Mayor Pro Tem Murphy. Motion passed. The vote was unanimous.

Councilmember Pate moved to adopt an Ordinance approving the Voluntary Annexation request in application AX-01-22 for the property as defined in the submitted written metes and bounds description and to have the Ordinance effective immediately. The motion was seconded by Councilmember Petersen.

Motion passed. The vote was unanimous.

b. PD-01-22: Ace Hardware Conceptual Development Plan

Mr. Bob Koontz of Koontz Jones Design has submitted a Planned Development District – Conceptual Development Plan application for a commercial development containing GB (General Business) and OS (Office Services) uses. The property owner is Southern Pines Ace Land Company, LLC.

Councilmember Clement motioned to open the hearing, seconded by Councilmember Petersen.

Motion Passed. The vote was unanimous.

Planning Director Grieve the Town received a request from the applicant to continue the hearing until the regularly scheduled April 12, 2022 Town Council Business meeting.

Councilmember Clement motioned to continue the hearing to the Town Council Regular Business Meeting on April 12, 2022. Seconded by Councilmember Petersen.

Motion Passed. The vote was unanimous.

c. Z-01-22: Blue Farm Lots Initial Zoning

Benjamin Stout Real Estate Services, Inc. has submitted a request to zone 4.10 acres RS-2 (Residential Single-Family requiring 20,000 SF minimum lot size) following annexation into the corporate limits of the Town of Southern Pines in order to develop five (5) single-family dwellings on five (5) existing lots. The subject parcels are currently located within the Village of Whispering Pines' extra-territorial jurisdiction and are zoned RS (Residential Single-Family).

Mayor Pro Tem Murphy motioned to open the hearing seconded by Councilman Pate.

Motion passed. The vote was unanimous.

Town Planner Jennifer Hunt presented the application and staff report.

The applicant, Ben Stout of 1786 Metro Medical Drive, Fayetteville, addressed Council stating that the intent of the zoning request is to get water service for the 5 homes he plans to build on the property.

Scotty Malta of the Moore County Airport at 7825 Aviation Drive, Carthage told council that the airport does not object to the application but given that the property is under the

extended downwind pattern for the airport, they recommend that the property does include a navigation easement to avoid future problems.

Councilmember Clement motioned to close the hearing seconded by Mayor Pro Tem Murphy.

Motion passed. The vote was unanimous.

Councilmember Pate moved that after reviewing the proposed initial zoning and the criteria for consideration of zoning amendments, and after considering the comments received at the Town Council's public hearing and the Planning Board's written recommendation, the requested initial zoning is consistent with the Comprehensive Long-Range Plan and is a reasonable request for the reasons set forth in the written Planning Board Recommendation attached to staff report Z-01-22. The motion was seconded by Councilmember Clement. Motion Passed. The vote was unanimous.

Councilmember Pate moved to approve Z-01-22 as submitted and set forth in attachments to staff report Z-01-22, seconded by Councilmember Clement.

Motion Passed. The vote was unanimous.

5. ACTION ITEMS

a. Consider Approval of AR-06-22: The Murphy Insurance Agency Expansion

Jammin Management, LLC has applied for an Architectural Compliance Permit to add approximately 1,140 square feet to the back of an existing commercial structure that is located at 250 W. Pennsylvania Ave. The application is represented by Neal Smith Engineering and was presented at the March 2 agenda meeting.

Councilmember Clement moved to approve AR-06-22, seconded by Councilmember Pate.

Motion Passed. The vote was unanimous.

b. Consider Resolution of Intent to Consider Amending the Town Charter Relative to Municipal Election Structure

Per discussion at the January 24 Council work session, staff has prepared a draft Resolution of Intent that, once adopted by Council, is the first step in amending the Town's charter relative to the municipal election structure.

Councilmember Pate motioned to approve the Resolution of Intent to Consider Amending the Town Charter Relative to the Municipal Elections Structure, seconded by Mayor Pro Tem Murphy.

Motion Passed. The vote was unanimous.

c. Consider Condemning the Unsafe Structure at 274 N. Hale Street and Authorizing the Expenditure of \$6,925 for Demolition Work

Chief Building Inspector John Bullock and Code Enforcement Officer Lisa Webb presented, at the March 2 agenda meeting, the recommendation to condemn this unsafe structure. Council also needs to authorize the expenditure to proceed with demolition.

Councilmember Pate moved to approve the condemnation of the unsafe structure at 274 N. Hale Street and approve the request for funding of \$6,925 for demolition of said property, seconded by Mayor Pro Tem Murphy.

Motion passed. The vote was unanimous.

d. Consider Setting a Hearing on April 12, 2022 for RA-01-22: Hill Crest Road

Mr. Will Huntley, on behalf of Longleaf Pines Storage, LLC, has submitted a request to a small section of Hill Crest Road extending from its intersection with Bell Avenue between the parcels identified as PIN 857100865323 (PARID 00055046) and PIN 857100865141 (PARID 00047591). The purpose of the request is to allow the recombination of the aforementioned parcels. Pursuant to NCGS §160A-299 as well as UDO §2.29, in order for a public right-of-way to be abandoned, a public hearing regarding the request must be held and a Resolution to Vacate a Section of Town Right of Way must be adopted by the Town Council.

Tim Carpenter of LKC Engineering represents the applicant in regards to the site plan. The property in question bisects the applicant's project. Abandoning this right-of-way would eliminate this issue.

Councilmember Pate moved to approve Resolution 1003: Set a Public Hearing RA-01-22: Vacate a Section of Right-of-Way for Hill Crest Road, seconded by Mayor Pro Tem Murphy. Motion passed. The vote was unanimous.

e. Consider Written Decision for SU-02-21: Patrick's Pointe

Pursuant to UDO §2.14.6(F)(11), "A written decision must be approved for every quasi-judicial application..." Staff has prepared a draft written decision to document the findings and conclusions of the Town Council for this application, which was approved on February 28.

Planning Director confirmed that the town has received written confirmation that applicants agree with the conditions set forth within the written decision.

Councilmember Clement motioned to accept the Written Decision for SU-02-21 as prepared by the Town staff, seconded by Councilmember Pate.

Motion passed. The vote was unanimous.

6. CONSENT AGENDA

Councilmember Pate moved to approve the Consent Agenda, seconded by Mayor Pro Tem Murphy.

Motion passed. The vote was unanimous.

a. Approve AC Sandhills Property Use Agreement

The AC Sandhills soccer club has been using the Town's fields for a number of years without a formal agreement. Staff has negotiated an agreement with the club's staff and Board and recommends approval.

b. Approve Talamore Irrigation Agreement

The Town has an existing agreement with Talamore golf course, that allows for pumping from Reservoir Park under certain conditions to irrigate the golf course. Staff has negotiated a renewal agreement with the owners and recommends approval.

c. Approve January 2022 Meeting Minutes

Approve January 2022 Town Council Meeting Minutes

- i. January 5, 2022 Town Council Agenda Meeting Minutes
- ii. January 11, 2022 Town Council Business Meeting Minutes
- iii. January 24, 2022 Town Council Work Session Minutes

d. Approve Utility Construction Agreement with NCDOT

Council recently approved a Municipal Agreement with NCDOT and the Town of Aberdeen for the relocation of various water and sewer utilities as part of the US1 roadway project. The Utility Construction Agreement is between Southern Pines and NCDOT for the cost of relocating the Town's facilities.

e. Approve Updated Investment Policy

Staff has identified the need to update the Town's investment policy, which is adopted by Council.

f. Approve Ordinance #1973 Amending the FY 21-22 Budget for Street Resurfacing Projects

The Town has received bids for the FY 21-22 street resurfacing projects. Council will approve a budget amendment, as the low bid is an additional \$206,765 over this year's budget allocation of \$275,000.

g. Approve February 2022 Meeting Minutes

Approve February 2022 Meeting Minutes

- i. February 2, 2022 Town Council Agenda Meeting Minutes
- ii. February 8, 2022 Town Council Business Meeting Minutes
- iii. February 28, 2022 Town Council Work Session Minutes
- iv. February 28, 2022 Work Session CLOSED Meeting Minutes - **Confidential** (not for public release)

7. PUBLIC COMMENTS

- Chris Smithson of 920 N. Saylor Street, Southern Pines shared the following feedback:
 - The previous Council denied Patricks Pointe SUP but did not take any steps to ensure that a future Council wouldn't be presented with a similar project. He urged the Council to do something to prevent these projects in the future.

- Reconsider abandoning town right-of-ways and selling town property.
 - Requested improved streaming services during meetings.
 - Suggested a public comment period at both the beginning and end of the meeting.
 - He finds navigating the website to access old meeting packets difficult.
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- Marsh Smith of 568 Sandkey Road, Southern Pines laments the loss of the 'country' feel of the area and asks the council to take proactive actions against continued development by considering a requirement for developers to purchase a conservation easement of the same size as their proposed development within the designated watershed area as a condition of approving a high density development within the main town area, an area which already has the infrastructure in place to support such a development.

a. Public Comment Note

Effective with the April 12, 2022 business meeting, the Town Council plans to move the public comments section to the beginning of the business meetings. Public comments will be limited to three minutes per speaker.

8. ADJOURNMENT

Upon motion by Councilmember Petersen , seconded by Councilmember Clement and carried unanimously, Council adjourned at 6:47 pm.

Respectfully submitted:

Elizabeth Robertson

Elizabeth Robertson, Town Clerk