



MINUTES

Tuesday, June 14, 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.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda and advised that the parties involved in Item 5b have requested a continuance to the July 12 meeting.

4. PUBLIC COMMENTS

- Tom Daniels, 1096 McNeil Street, Carthage - spoke about the limitations of a Town Council with regard to certain hearings and applications.
- Dorothy Brower, 102 E Monroe, Southern Pines - expressed displeasure at the lack of crosswalks on Pennsylvania Ave.
- Ariadny Degar, 23 Holly Pines Lane, Pinehurst - feels ARPA funds should be used to improve West Southern Pines.
- Felicia Winfield, 1760 W. New York, Southern Pines - asked for more transparency from the Town government.
- Jermain Livingston, 106 James Loop, Pineville - asked for the Council's plans for ARPA funds.
- Nora Bowman, 740 N Hale Street, Southern Pines - feels that ARPA funds should be used for all of Southern Pines.
- Arthur Mason, 795 W New Hampshire Ave, Southern Pines - asked for more funds to be devoted to youth programs.
- Tina McGillis, 160 S Gaines St. Southern Pines - expressed displeasure at the position of West Southern Pines in the Town Budget.
- Wilbert Davis, 330 W Carlisle Street, Southern Pines - spoke to the Planning Board regarding the clearing of his land without his permission and is unhappy with his recourse.
- Julene Hainsworth Allen, 1210 W. Michigan, Southern Pines - has a building set for demolition on Pennsylvania Ave and is asking for an extension to complete the sale of the property. She also expressed her displeasure at the destruction of the historical buildings within West Southern Pines.

a. Public Comment Note

The Town Council encourages public input and participation in its Council meetings. This part of the meeting is reserved for individuals who would like to bring issues to the attention of the Council and/or to share information. Comments on items that have a Public Hearing shall be reserved until the Council opens the specific hearing. Each speaker is allotted three minutes during this portion of the meeting.

5. PUBLIC HEARINGS

a. OA-02-22 Text Amendments to UDO

The Town Council is considering amendments to the UDO to require that multi-family developments with ten (10) or more dwelling units be developed only as part of an approved Planned Development, not a Special Use Permit.

Planning Director Grieve presented the application and staff report to the Council.

Councilmember Pate moved to open the hearing for OA-22-22 Text Amendments to the UDO, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion Passed

- Suzanne Coleman, 223 May Street, Southern Pines - does not feel that the UDO amendment is adequate for the Town's needs. Presented a slide show to the Council. Losing confidence in the current council to protect the town from the onslaught of development and asked for a reversal of the January 2022 UDO amendment allowing 4 stories instead of 3 stories.

- Caleb Harmon, 107 Edinburgh Drive, Southern Pines - feels the unique historical feeling of Southern Pines is being threatened by the increased development by investors outside of the community.

- Nora Bowman, 740 S Hales Street, Southern Pines - requested clarification on the proposed UDO amendment.

- Councilmember Pate responded.

Discussion ensued

- Wilbert Davis, 330 W Carlisle Street, Southern Pines - questioned the checks and balances in place for development.

- John McInerney, 460 Crest Road, Southern Pines - expressed approval of the proposed UDO amendment and requested clarification of the amendment from Planning Director Grieve and feels the Town is experiencing a density problem.

Discussion ensued

Councilmember Clement moved to close the hearing for OA-02-22, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

Councilmember Clement moved that after considering the criteria for text amendments

found in UDO §2.17.20, the first of which is consistency with the Comprehensive Long Range Plan, the Town Council finds that the requested text amendments are consistent with the Comprehensive Long Range Plan and are a reasonable way to implement the Comprehensive Long Range Plan and therefore the Town Council adopts the Resolution as adopted by the Planning Board that is included as an attachment to the staff report for OA-02-22; and therefore moves to approve OA-02-22. This motion was seconded by Mayor Pro Tem Murphy and the vote was unanimous.

Motion passed

b. PD-04-22 St. John Paul CDP

Both the applicant and opposing parties have requested that Council postpone the continuation of this hearing until July.

The parties involved have requested the hearing be continued till the July 12, 2022 Regular Business Meeting.

Councilmember Pate moved to approve the continuance of Hearing PD-04-22 to the July 12th meeting, seconded by Mayor Pro Tem Murphy, the vote was unanimous.

Motion passed

c. PD-07-22 Morganton Park South Apartments

An application by Mr. Bob Koontz of Koontz Jones Design, on behalf of developer Zimmer Development Company, for 269 multi-family residential units on 13.18 acres of land located within the Morganton Park South Planned Development. The proposed development is Phase 2 of the Morganton Park South Planned Development.

All involved parties are sworn in.

Council Disclosures - none were voiced.

Councilmember Pate moved to open the hearing for PD-07-22, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed

Principal Planner Pam Graham presented a PowerPoint presentation to the Council summarizing the application and staff report.

Planning staff report = Exhibit A

Principal Planner Graham's PowerPoint presentation = Exhibit B.

- Councilmember Pate asked if Planning Board Item 3 would always be included in the application? Town Engineer James Michel answered yes.

- Councilmember Petersen asked if the Planning Board Report was included in the Staff Report and Principal Planner Graham advised that while the 2 documents are almost identical, the actual report from the Planning Board was not included.

- Councilmember Petersen questioned the expense of infrastructure as it relates to this project. Town Engineer James Michel stated that the deficit of sewer lines along Morganton Road would not affect this project. Planner Graham clarified that she included that section

as an overall view of the area but not specific to this application.

- Councilmember Petersen questioned Principal Planner Graham on the UDO's stated intent of regulations and her opinion on where the staff stands on Item (G) or (K) and the the Planning Board's recommendation of a connector as a part of the project to connect to the soccer fields?

Planner Graham stated that she agrees with Item (G) 'promote creativity and innovation in the design that leads to more appropriate relationships between land and features' and feels the Planning Board was very astute to pick up on the potential opportunities available with a recreational facility adjacent to the site.

- Councilmember Petersen asked for Planner Graham's opinion on item (I) 'foster the development of a network of open spaces to serve a variety of recreation and environment purposes designed and located with respect to the existing unique natural features in environmentally sensitive areas' and does that also support a connector? Principal Planner Graham feels yes, it would, and that there are additional features within the design that are supported by this statement, including the way the pedestrian network runs along this new proposed connector road and allows pedestrians to move throughout this entire PDP site at build-out.

- Councilmember Petersen questioned if Principal Planner Graham feels that Item (K) 'integrate public spaces and amenities to promote community gathering and activities supports a connector? Principal Planner Graham answered yes.

complying with the UDO while allowing some flexibility.

- Councilmember Petersen asked Planner Graham to explain the significance of the paragraph (page 13 of the Staff Report) and her intent on including the passage 'The UDO sets the expectation for uniqueness in the design and development of Planned Developments in §3.5.14, allowing for a significant degree of deviation for the UDO. In §3.5.14(F)(3), the UDO specifically allows for alternative standards as long as the proposal meets the stipulation set forth ...' Planner Graham = Intent was to take language that was already included in the UDO as it applies to this proposal and tie it to this criteria to show that it is consistent with the CDP that came before and that it conforms to the UDO. The importance is complying with the UDO while still allowing some flexibility.

- Councilmember Petersen questioned if the linear park says it will be an average of 80 feet - does that 80 ft include the road? Planner Graham stated that no, the road is not included in the 80 feet.

- Councilmember Petersen questioned whether the applicant is requesting more units than allowed by the UDO and fewer parking than allowed in UDO? Planner Graham answered that the UDO allows for some flexibility in parking but the UDO and CDP do have a 16 dwellings per acre limit and they are asking for 20.4.

- Councilmember Pate questioned if it is only Phase 7 & 8 where residential units can go? Principal Planner Graham answered: yes

- Councilmember Petersen questioned the statement in the Staff Report 'the submitted orientation of buildings in Phase 2 is considered by staff to be inconsistent with both the CDP and the UDO'. Planner Graham confirmed the statement but clarified that the statement is based on their interpretation. Councilmember Petersen asked for confirmation

of the statement contained in the Staff Report 'The decision must be made as to whether the USO language intends to draw the building towards the public, connector road that provides access to the apartment complex, rather than the internal, private road that winds its way through the Phase 2 development'. Planner Graham confirmed the statement.

- Councilmember Clement questioned Planner Graham on her verbal statement that the project is 13.18 acres when the report states that the project is 12.7? Planner Graham stated that it is her belief that the original number of 12.7 came from conceptual plans and before the actual parcel lines had been clearly defined.

Tom Johnson, attorney with Williams Mullen, representing the applicant: Zimmer Development, introduced himself to the Council.

Zimmer Development Presentation (Exhibit C)

Adam Tucker of Zimmer Development, presented a history of his company and its work. Mr. Tucker then presented examples of the companies' work and plans for this development phase.

Bob Koontz of Koontz Jones Design - representing Zimmer Development, presented a detailed plan to the Council and answered questions.

- Councilmember Petersen questioned if the roads would have curbs and gutters - Mr. Koontz answered yes.

- Mayor Haney questioned the requested deviations for parking and density. Mr. Koontz - requesting the same parking allowance as Eagles Landing, which is currently working out well and reduces the overall impervious surface area.

- Councilmember Petersen questioned the number of 1, 2 & 3 bedroom apartments and the amount of parking space that would require. Mr. Koontz declined to answer.

- Councilmember Petersen questioned Mr. Koontz on the discrepancy between the acreage on the original application and the latest acreage amount. Mr. Koontz replied that the meets and bounds and all the subsequent documentation have the correct number. Mr. Tucker reiterated the point.

- Councilmember Pate clarified and voiced his support for the request for the reduction of parking spaces.

- Councilmember Pate questioned the math behind the number of units per acreage.

- Mayor Pro Tem Murphy commented on the idea of increased density concentration, eliminating traffic congestion by residents walking and that would then decrease density in other areas of the Town.

- Mayor Pro Tem Murphy spoke about considering:

- that teachers from out of town are looking for residences in town.

- the current udo deviations allow for architectural flexibility that will contribute to the branding of our town and maintaining the historic footprint when intentionally done.

- the current economic development in West Southern Pines and the possibility of a road extending out of WSP into this development.

- Councilmember Petersen questioned Mr. Koontz on the validity of the environmental and endangered species studies included in the applicants' report when the councilmembers cannot question the authors.

Mr. Tucker requested a 30 day continuance so that they can have some additional time to address the Council's questions.

Upon motion by Councilmember Petersen, seconded by Mayor Pro Tem Murphy and voted in favor of unanimously, the hearing will be continued to the July 12, 2022 Town Council Regular Business Meeting.

Motion passed

d. SU-03-22 Murray Hill Pines Apartments

Mr. Greg Jonczyk with Davis Park Leasing and Mr. Bob Koontz with Koontz Jones Design, on behalf of CLS HOLDINGS, LLC, have applied for a Special Use Permit for a 149-unit multi-family development. The dwelling units will look like detached single-family and duplex structures, however there is no subdivision of land and all dwelling units will be rented. The property proposed for development is approximately 17.04 acres zoned RM-1 and is located north of Long Street.

All involved parties are sworn in.

Council Disclosures - none were voiced.

Councilmember Clement moved to open the hearing for SU-03-22 Murray Hill Pines Apartments PD-07-22, seconded by Councilmember Pate; the vote was unanimous.

Motion passed

Planning Director Grieve presented the staff report and a PowerPoint presentation to the Council and entered them into the record. Town Planner I Jennifer Hunt was to present the report but has fallen ill.

Staff Report = Exhibit A

PowerPoint Presentation = Exhibit B

-Councilmember Petersen requested and received from Planning Director Grieve that the area is zoned RM1.

-Councilmember Petersen asked for the total acreage for the project. Planning Director Grieve 17.04 acres which, under the current UDO, would allow 203 units.

Nick Robinson of Robinson, Bradshaw and Slaughter, attorney for the applicant, addressed the Council. Mr. Robinson asked whether, in the interest of time, the Council would accept 3 of his 4 expert witnesses as they had previously testified before this Council as experts already?

- Councilmember Petersen requested Mr. Robinson stipulate as to what each person is an expert in?

Bob Koontz = land planning and site plan design

Travis Fluitt = traffic engineering

Kyle Winters = property valuation

Mayor Haney agreed to accept their expert status.

Mr. Robinson gave an overview of the application and agreed to Exhibits A & B.

Mr. Robinson put on the record a general objection with regard to any incompetent, immaterial or insubstantial evidence or any evidence by others that lacks in standing.

Mr. Robinson questioned Mr. Bob Koontz of Koontz Jones Design regarding the application, his history with the project and the project site. Mr. Koontz complied.

Mr. Koontz presented a PowerPoint to the Council.

Mr. Koontz a PowerPoint = Exhibit C

- Mayor Pro Tem Murphy clarified that the requested parking spot reduction would allow for increased green space.

Individual slides from Bob Koontz's PowerPoint presentation are entered as (exhibit D)

Mr. Robinson indicated that the applicant agrees to the conditions set forth in the staff report.

Mr. Robinson questioned Mr. Koontz if the application meets the criteria outlined in Section 2.21.7 A-F and Mr. Koontz agreed that it did.

- Mayor Haney confirmed that an easement agreement with Midland Atlantic would be executed.

- Mayor Pro Tem Murphy confirmed that the infrastructure construction would be phased out and a schedule agreed to ahead of time.

- Councilmember Petersen asked if curbs and gutters would be included for Long and Short Streets. Mr. Robinson indicated that water run off would be addressed in other ways congruent with State standards.

Mr. Robinson introduced Mr. Travis Fluitt of Kimely Horne, who had previously been accepted as an expert witness. Mr. Robinson then reviewed Mr. Fluitt's involvement in the project and that he authored the Traffic Impact Analysis Report from 5-16-22 (Exhibit E).

Mr. Fluitt indicated that the finding in the TIA report should be conservative as it was based on more units than are currently being proposed. Mr. Fluitt then gave an overview of his findings indicated in the report.

- Mayor Pro Tem Murphy questioned access to the site via Cox Street. Mr. Fluitt reviewed the findings in that area.

Mr. Robinson introduced Kyle Winters of Intefra Resources, who had previously been accepted as an expert on property valuation. Mr. Robinson then reviewed Mr. Winter's involvement with the project and his involvement in authoring the Property Valuation Report (Exhibit F).

Mr. Winters described the conclusions outlined in his report and how he came to those conclusions.

- Mayor Pro Tem Murphy questioned if the report considered an increase in value resulting in an increase in taxes in the area. Mr. Robinson stated that this wasn't a relevant consideration for this quasi-judicial process.

Mr. Robinson introduced Aaron Katz, Civil Engineer with Kimley Horne and reviewed his qualifications. Mr. Robinson then reviewed Mr. Katz's knowledge and involvement in the project Mayor Haney accepted him as an expert witness. Mr. Robinson then reviewed the application and Mr. Katz feels it meets the criteria set forth.

Mr. Robinson then closed his argument.

- Councilmember Petersen objected to the letter submitted by the applicant stating that

there are no endangered species threatened within the proposed property site being considered an expert opinion as the Council is unable to question the author.

Planning Director Grieve clarified that the use of a chain-link fence is restricted as per the UDO. Mr. Koontz stated that the current proposal indicates that their proposal states that they will continue the current fencing. Planning Director Grieve stated that they would not be able to do that as the current piece of fencing does not meet the standards.

- Mr. Koontz stated that the applicant agrees to bring the fencing up to current standards.

- Councilmember Petersen questioned if the Fire Department was consulted about the new project. Mr. Michel indicated that was done as part of the pre-application during TRC and would be reviewed again during the site plan review. Adding it as a condition is unnecessary as it's addressed as part of the building code.

Planning Director clarified that the Town cannot regulate the building design details of residential dwellings so the actual building might not match the conceptual architectural renderings provided during the applicant's presentation. The applicant indicated that they plan for the building to resemble the drawings.

Planning Director Grieve asked for clarification on off-premise sidewalks. Mr. Koontz indicated that there would be sidewalks on Long Street and a sidewalk connection from Short Street back to Murray Hill.

- Councilmember Petersen questioned Town Engineer Michel about an email from him to Town Planner Hunt regarding traffic. Mr. Michel indicated that this is a conceptual question because the conditions of the land itself will affect the outcome and that is not yet defined.

- Councilmember Petersen questioned Town Engineer Michel regarding the sewer requirements.

- Arthur Mason of 795 W New Hampshire Ave, Southern Pines, was sworn in and spoke to the Council regarding traffic in the project area.

Councilmember Pate moved to close the hearing for SU-03-22 Murray Hill Pines Apartments, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Councilmember Pate moved to adopt Attachment 'A' of the staff report as our Findings of Fact regarding the proposed Special Use Permit SU-03-22, seconded by Councilmember Clement; the vote was unanimous.

Motion passed

Councilmember Pate moved to approve the Special Use Permit SU-03-22 with the following additional conditions:

1. That a phasing plan be prepared prior to the approval of the project site plan that clearly identifies the timing of when development will take place for different portions of the project before Certificates of Occupancy for the structures will be approved. The phasing plan shall include technical issues as to what project infrastructure will be included with each phase, such as the Short Street improvements and asphalt lifts, which

must be completed by the TRC prior to the site plan approval.

2. That Exhibit D as submitted by the applicant at the June 14, 2022 Town Council hearing be incorporated into the project design requirements as presented to the Council and the public. This shall include the landscaping and open space that was presented as integral to the character of the proposed development, portions of which are above and beyond the requirements of the UDO.

3. The applicant and Town Engineer agree to work together in good faith to determine reasonable and practical improvements to Short Street to be made by the applicant and schedule the same.

4. The fencing around the full perimeter of the property will be replaced and extended where necessary, as stated at the meeting, to prevent trespassing on private property. The fencing shall not be chain link fence.

5. That the request for a full sidewalk connection to Murray Hill Road is part of the improvements made as stated by the applicant at the June 14, 2022 Town Council meeting.

Mr. Robinson asked wording in the Finding of Fact #1 be corrected "not".

Mayor Pro Tem Murphy seconded; the vote was unanimous.

Motion passed.

e. PD-02-22 Ace Hardware Phase 1 PDP

A PDP for the first phase of the Planned Development known as Southern Pines Ace Hardware. Phase 1 includes a new 64,825 square-foot commercial building located on 9.11 acres near the Moore County Airport, just west of where the existing Ace Hardware is presently located. The total Planned Development is 12.62 acres and an extension of Capital Drive will be built with this project to connect Airport Road and NC HWY 22 via Olive Tree Lane.

All involved parties are sworn in.

Council Disclosures - none were voiced.

Councilmember Clement moved to open the hearing for PD-02-22 Ace Hardware Phase I PDP, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed

Planning Director Grieve presented the application and staff report to the Council and entered it into the record. Mr. Grieve then gave a PowerPoint presentation and entered it into the record.

Staff Report = Exhibit A

PowerPoint = Exhibit B

Rhianna Smith of the Law Firm of Smith Bowers, attorney for the applicant, introduced herself and tendered Bob Koontz as their expert in land planning and site design. Mayor Haney accepted Mr. Koontz as an expert witness.

Bob Koontz of Koontz Jones Design presented the plan to the Council with a PowerPoint.
Bob Koontz PowerPoint = Exhibit C

Randy Saunders of 23 Goldenrod Drive, Whispering Pines advised the Council of an agreement currently being negotiated with the Moore County Airport for a land swap.

Councilmember Clement questioned the amount of landscaping - Mr. Koontz small planters in parking lot will be planted.

Ms. Smith introduced Rynal Stevenson of Remy Kemp Associates and reviewed his education and qualifications for the Council and submitted him as an expert in traffic analyst. Mayor Haney accepted. Mr. Stevenson reviewed his TIA Report Addendum dated 6-9-22 for the Council.

TIA Report Addendum 6-9-2022 = Exhibit D

- Councilmember Clement questioned if TIA took into consideration another business moving into the old Ace Hardware location. Mr. Stevensen indicated that was included in the analysis.

- Councilmember Petersen questioned the cut through being created. Private road but intend to allow public access. Ms. Smith added that the cut through adds additional access for emergency vehicles.

- Planning Director Grieve questioned if the parking lot design shown in the plan is the final plan? Mr. Koontz indicated that they were under the impression that parking was defined as heavy goods with a 1-4 ratio.

- Councilmember Pate moved to close the hearing for PD-02-22 Ace Hardware Phase I PDP, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Councilmember Petersen moved to Adopt Attachment 'A' of the Staff Report as our Findings of Fact regarding the proposed Preliminary Development Plan PD-02-22, seconded by Councilmember Clement; the vote was unanimous.

Motion Passed

Councilmember Clement moved to approve the Preliminary Development Plan PD-02-22, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

f. Second Public Hearing for FY 22-23 Annual Budget

Town Manager Reagan Parsons will present the proposed FY 22-23 budget. This is the second of two public hearings and Council proposes to adopt the budget following the public hearing.

Town Manager Parsons presented an overview of the proposed FY 22-23 Annual Budget.

No comments were made.

Councilmember Pate moved to close the hearing for the FY 22-23 Annual Budget, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

6. ACTION ITEMS

a. Consider Condemnation and Demolition of 891 W. Pennsylvania Avenue

Chief Building Inspector John Bullock and Code Enforcement Officer Lisa Webb request that Council condemn this unsafe structure and authorize the expenditure to proceed with demolition.

Julene Allen is the registered owner of the property in question and requests that the Council grant her a continuance so that she can complete the sale of the property. Ms. Allen presented a sales contract for the property to the Council to support her request. Council approved a 30 day continuance.

b. Consider WP-01-22: 760 N. Ridge St.

Julia McNeill, on behalf of John Baker and Lindsay Johnson, has submitted an application for a Watershed Protection Permit requesting 0.29 acres of 5/70 exemption allocation to install a concrete patio and swimming pool in the rear yard of an existing single-family residence. The proposed construction will result in 40.96% total impervious surface on the subject property which is located within a High Quality Watershed.

Lindsay Baker of 760 N Ridge Street, Southern Pines is requesting Watershed Protection Permit; 5/70 Exemption Allocation to install a concrete patio and in-ground pool at her home. Mrs. Baker provided to the Council a drawing of the overflow piping and river rock pads to support drainage, as well a letter from her neighbor in support of the project.

Councilmember Petersen moved to approve WP-01-22 Watershed Protection Permit; 5/70 Exemption Allocation for 760 N. Ridge Street, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

c. Consider Ordinance #1993: Defining & Creating Municipal Service District #1 Totaling 99.97+/- Acres Between 15-501 and West Morganton Road

The Town Council held a public hearing on May 10 and completed the first vote approving the establishment of the MSD. Per state statute, two votes must be conducted; this is the second vote.

Councilmember Pate motioned to approve Ordinance #1993 Defining & Creating Municipal Service District #1, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

d. Consider Adoption of the Fiscal Year 2022-2023 Budget, Setting a Tax Rate of 40 Cents Per \$100 Valuation and an Additional 40 Cents Per \$100 Valuation in Municipal Service District #1

This is the proposed FY 22-23 budget which has been presented by the Town Manager to take effect on July 1, 2022.

Councilmember Pate moved to adopt the Fiscal Year 2022-2023 Budget, Setting a Tax Rate of 40 cents per \$100 Valuation and an additional 40 Cents per \$100 Valuation in Municipal Service District #1. Seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

e. Consider Reimbursement Agreement with Midland Atlantic, LLC for Infrastructure and Expenses Related to the Initial Oversizing of a Parkway Between W. Morganton Road and 15/501

Per the agreement, the Town will reimburse Midland Atlantic, LLC for construction of the public infrastructure. The Town will then levy an additional property tax rate in the established MSD #1 to fund the debt service associated with this project.

Town Manager Parsons gave a brief overview of the item.

Councilmember Pate moved to approve the Reimbursement Agreement with Midland Atlantic, LLC for Infrastructure and Expenses Related to the Initial Oversizing of a Parkway between W. Morganton Road and 15/501. Seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

7. CONSENT AGENDA

Mayor Pro Tem Paul Murphy moved to approve the Consent Agenda, seconded by Councilmember Clement, the vote was unanimous.

Motion Passed

a. Appoint Vincent Collogan and Claudia Donahue to the Bicycle and Pedestrian Advisory Committee with Terms to Expire on 11/14/23

The Town has received two applications from individuals seeking appointment to the Bicycle and Pedestrian Advisory Committee. These appointees will fill the unexpired terms of Ken Howell and Robert Farrell, which both expire on November 14, 2023.

b. Adopt the 2021 Local Water Supply Plan

Staff requests that the Town Council adopt the prepared resolution to accept the information contained in the 2021 Local Water Supply Plan for the Town of Southern Pines. The approved resolution and plan will then be provided to the Water Supply Planning Section Supervisor at the Division of Water Resources of the North Carolina Department of Environmental Quality (DEQ).

c. Approve Town Council Meeting Minutes for May 2022

- May 4, 2022 Town Council Agenda Meeting Minutes
- May 10, 2022 Town Council Regular Business Meeting Minutes
- May 23, 2022 Town Council Work Session Minutes

d. Approve Resolution #1012 to Appropriate System Development Fees

Council must annually adopt this ordinance to appropriate system development fees (SDF).

e. Approve Resolution #1013 to Support NCDOT in Limiting Truck Traffic Along Certain Routes in Town

As discussed at the May work session, NCDOT has a process to consider the potential

elimination of through trucks on E. Indiana Avenue and E. Morganton Rd. The next step includes a Resolution of Support from Council to forward to NCDOT.

f. Approve Resolution #1014 Adopting the 2022-2032 Capital Improvement Plan (CIP)

Staff has updated the Town's 2022-2032 CIP to align with capital projects and transfers outlined in the FY 22-23 budget.

g. Approve Ordinances #2001 and #2002 Amending the FY 21-22 Budget

Staff recommends that Council approve the following ordinances to amend the FY 21-22 budget:

- Ordinance #2001 - Close the Building Renovation Capital Project Fund
- Ordinance #2002 - Authorize the Transfer of Unspent Funds & Interest from the Building Renovation Capital Project Fund to the General Capital Reserve Fund.

h. Approve Ordinances #2003-2005 and #2010-2015 Amending the Town's Capital Project Funds

The amendments to the Town's Capital Project Funds have been prepared in order to align with the FY 22-23 budget.

- Ordinance #2003 - Amending the Parking Lot Fund
- Ordinance #2004 Amending the Water Treatment Process Modernization Fund
- Ordinance #2005 - Amending the Sidewalks Phase II Budget
- Ordinance #2010 - Amending Sanitary Sewer Modernization Fund
- Ordinance #2011 - Amending Water and Sewer Improvements Fund
- Ordinance #2012 - Amending Reservoir Park Improvements Fund
- Ordinance #2013 - Amending Facility Modernization Fund
- Ordinance #2014 - Amending Warrior Woods Lift Station Fund
- Ordinance #2015 - Amending Pennsylvania - PeeDee Fund

i. Approve Ordinance #2007 to Amend the Code of Ordinances Chapter 50 Water and Sewer Use, Appendix A, Rates Fees and Charges

This amendment establishes the proposed water and sewer fees that will take effect July 1, 2022, as discussed during the budget process and planned in the FY 22-23 budget.

j. Approve Ordinance #2008 to Amend the Code of Ordinances 32.076 for FY 22-23 Solid Waste Fees

This amendment establishes the proposed solid waste fees that will take effect July 1, 2022, as discussed during the budget process and planned in the FY 22-23 budget.

k. Approve Ordinance #2009 Amending the Town's Code of Ordinances 32.092 Related to Recreation Fees

This amendment establishes the proposed recreation fees that will take effect July 1, 2022, as discussed during the budget process and planned in the FY 22-23 budget.

l. Approve Ordinance #2016 Amending CRF Fund 64 to Appropriate Water System Development Fees

This amendment recognizes the water SDF collected April 1, 2021 to March 30, 2022.

m. Approve Ordinance #2017 Amending CRF Fund 65 to Appropriate Sewer System Development Fees

This amendment recognizes the sewer SDF collected April 1, 2021 to March 30, 2022.

n. Authorize Execution of Contract with FORVIS, LLP to Audit the Town's FY 21-22 Financial Statements

This serves as the letter of engagement and contract with the professional auditing firm to review the Town's current year financial statements.

8. ADJOURNMENT

Upon a motion by Mayor Pro Tem Murphy, seconded by Councilmember Pate and carried unanimously, Council adjourned at 12:17 am on June 15, 2022.

Respectfully submitted:

Elizabeth Robertson, Town Clerk