



MINUTES

Tuesday, September 13, 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.

4. CEREMONIAL MATTERS

a. Resolution #1028 to Formally Name the E.S. Douglass Community Center

Staff has worked with the West Southern Pines Community Connectors to prepare a resolution to formally name the Town's Community Center after Mayor Emanuel S. Douglass.

Mayor Haney presented Resolution #1028 Formally Naming the E.S. Douglass Community Center to Mr. Vincent Gordon and Rev. Dr. Paul Murphy.

Councilmember Pate moved to Resolution #1028 Formally Naming the E.S. Douglass Community Center, seconded by Councilmember Clement; the vote was unanimous.

Motion passed.

5. PUBLIC COMMENTS

Dorothy Brower of 102 Eastman Road, Southern Pines spoke to the Council of Lemuel Dowdy, about his legacy and his efforts within the community.

6. PUBLIC HEARINGS

a. PD-04-22: St. John Paul CDP

Mr. Pete Bogle of Bogle Firm Architecture has submitted an application for a Planned Development District – Conceptual Development Plan to allow a private school, athletic fields, cemetery, rectory and religious institution. The subject parcels are currently zoned RE (Rural Estate). This is a continuation of a public hearing that was originally opened on April 12, 2022 and continued at the request of both the applicant and neighbors..

This hearing is continued from the Town Council August Business Meeting.

Planning Director BJ Grieve gave an update and overview of the application and staff report.

Mr. Pete Bogle, architect, representing the applicant, gave a brief presentation to the Council.

Mr. Andy Petish, a lawyer representing families living near the proposed development, spoke to the Council.

Discussion ensued..

Father John Forbes of 75 Sawmill Road, Pinehurst addressed the Council regarding the need in the community for the larger church.

Mr. Andy Pettish reviewed agreed upon compromises between the groups.

Discussion ensued.

Mayor Haney asked for a motion to continue the hearing to the September Work Session.

Councilmember Petersen moved to continue the hearing for PD-04-22: St. John Paul to the Town Council September 26, 2022 Work Session Meeting, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

b. PD-09-22: Belle Meade CDP

Mr. Dan Jewell, on behalf of St. Joseph of the Pines, Inc. has submitted a Planned Development District – Conceptual Development Plan application to rezone the entire property and provide an additional 44 senior living townhome units at the Belle Meade Retirement Community.

Councilmember Pate moved to open the hearing for PD-09-22: Belle Meade CDP, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion Passed.

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

Councilmember Pate questioned if multi-family zoning would be allowed at a later date and was informed by Planning Director Grieve that it would not happen with this decision - it would have to be rezoned.

Dan Jewel, a Landscape Architect for the applicant, addressed the Council.

John MacInerney of 460 Crest Road, questioned how close the new buildings will be to the road and stated that in the past the Council had denied a proposal to put buildings closer to the road and was informed by Mr. Jewel that the applicant committed to having a 100 ft landscape buffer along Camp Easter Road.

Councilmember Pate moved to close the hearing for PD-09-22: Belle Meade CDP, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Councilmember Pate moved that after reviewing the proposed Conceptual Development Plan and the criteria for consideration of the Conceptual Development Plan, and after considering the comments received at the Town Council's public hearing and the Planning Board's written recommendation, the requested Conceptual Development Plan is consistent with the Comprehensive Long Range Plan and is a reasonable request for rezoning for the reasons set forth in the written Planning Board recommendation attached to staff report PD-09-22. Seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Councilmember Pate moved to approve PD-09-22: Belle Meade CDP as submitted, seconded by Mayor Pro Tem Murphy; the vote was unanimous.
Motion passed.

c. PD-10-22: Morganton Park North Phase 9 PDP

Mr. Bob Koontz has submitted an application on behalf of DHIC, LLC for Phase 9 of the Morganton Park North Planned Development. The proposed Phase 9 includes 300 multi-family residential units and +/- 20,000 square feet of mixed-use retail, restaurant, and/or office space on +/- 20.6 acres.

Mayor Haney swore in pending witnesses for the hearing. She asked Councilmembers to disclose the following relative to the application and property: any specialized knowledge; a fixed opinion not subject to change; close relation to the applicant or property owner; and/or a financial interest in the outcome. Mayor Haney swore in pending witnesses for the hearing.

Nick Robinson, attorney for the applicant

Councilmember Pate moved to open the hearing for PD-10-22: Morganton Park North Phase 9 PDP, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Principal Planner Pam Graham presented the application (Exhibit 2) and Staff Report (Exhibit 7) to the Council and noted an error in the Staff Report Attachment B, first finding.

Councilmember Petersen questioned the impact of the reduction in the width of the right-a-way with the elimination of the median on the extension of Carlisle Street.

Councilmember Pate questioned the open space calculations on the map shown during the applicants' presentation.

Principal Planner Graham shared that the Planning Staff and Planning Board did not feel the change created any issues with the overall design and pointed out alternate routes that could be taken in and out of the area.

Mayor Pro Tem Murphy asked if the reduction in width of the Carlisle Street right-a-way would benefit the wetlands and indicated that he was very pleased with the proposed extension of Carlisle Street Tanglewood Drive. Principal Planner Graham declined to answer as to the benefit to the wetlands but did express that she didn't feel there was a need for the additional right of way, or the additional asphalt that would be produced.

Upon question by Councilmember Petersen, Principal Planner Graham reviewed the calculations for the project acreage and number of dwellings per acre, verifying the stated statistics.

Principal Planner Graham advised the Council that an error was made in the Staff Report Section F Attachment B; there are no grounds that the application does not comply with the requirements for a CDP.

Town Manager Parsons questioned the request for deviation on height being for just the commercial building or both commercial and residential, with Principal Planner Graham advising that she thought the request was for both.

Nick Robinson of Bradshaw, Robinson, and Slawter, LLP, attorney for the applicant, introduced himself to the Council.

Mr. Robinson asked the Council to accept the planned witnesses as experts in their field since they have all testified before the Council before and been accepted as such previously. Mayor Haney accepted the witnesses as experts.

Mr. Robinson asked that the submitted application packet be entered into record as Exhibit 1 and the Staff report as Exhibit 2.

Mr. Robinson respectfully requests that Council accepts Attachment A of the Staff Report as their final decision.

Mr. Robinson called Mr. Bob Koontz of KoontzJones Design to testify in regards to the site plan design.

Mr. Koontz confirmed that he assisted in the development of the site plan included in the original packet, is familiar with the PDP application, that he feels the PDP application is complete and that the PDP application was deemed correct by staff on 7/18/22, Mr. Koontz also confirmed that he is familiar with and has visited the site and has knowledge of the surrounding properties.

Mr. Koontz described the project to the Council with the use of a PowerPoint presentation, entered into the record as Exhibit 3.

Town Manager Parsons asked if the walking trail could be connected to form a loop with Mr. Koontz advised that some research would need to be done on the wetlands before he could answer. Mr. Robinson stated that the applicant was willing to accommodate as long as the wetlands restrictions allow.

Mayor Pro Tem Murphy feels that the proposed design is very esthetically pleasing and feels intimate as the road narrows and widens as it flows through to Carlilse Street.

Mr. Koontz spoke in regards to the deviation request for parking, citing the number of 1 bedroom units in the project. Flexibility was requested in regards to the parking requirements in the commercial section - to be decided per the UDO once the tenants are confirmed. Councilmember Petersen questioned the need for the deviation based on speculation. Councilmember Pate stated that parking for multi-family developments is frequently a concern and that he likes this approach.

Mayor Pro Tem Murphy feels that not granting the deviation might limit the number of proposed tenants. Councilmember Pate verified that the final number of spots requested for the commercial parking would not be made until the tenants were confirmed. Discussion ensued. Councilmember Clement proposed setting a minimum and maximum number of parking spaces. 120 was proposed as a max and was accepted for the commercial parking. Councilmember Petersen agreed with Councilmember Pate regarding the benefit of commercial development for the Town but feels that too much multi-family development is being proposed.

Mr. Robinson questioned Mr. Koontz on his knowledge and agreement that the PDP met the requirements of the Town's UDO.

Mr. Robinson called Mr. Travis Fluitt, Traffic Engineer with Kinley Horne up to testify in regards to traffic engineering.

Mr. Fluitt confirmed that he was familiar with the TIA report and that he'd overseen the creation and signed / sealed the final report. TIA entered into record as Exhibit 4 and the TIA Executive Summary entered into record as Exhibit 4a

Mr. Fluit reviewed the area that was included in the report and gave a brief overview of the criteria and results.

Mr. Robinson confirmed that Mr. Fluit was present at the Town's Planning Board Meeting on August 18th and questioned him regarding the Planning Board's concern at the reduction of service level dropping from B to C at the intersection of Brucewood Road and Morganton Road. Mr. Fluit advised that Level C is considered an acceptable level of service and advised that the practical wait time at that intersection would go from it's current average delay of 14.8 seconds per vehicle to an average of 20.5 seconds per vehicle during am peak hour and from it's current 19 seconds of delay per vehicle to 25.9 seconds per vehicle in the pm peak hour. The TIA Handout is entered into record as Exhibit 5.

Mr. Robinson confirmed that Mr. Fluitt had submitted the TIA to the Town Engineer, Mr. James Michel, and that no significant changes had occurred as a result of his review.

Mr. Robinson confirmed that Mr. Fluitt had submitted the TIA to the NCDOT District Engineer, Mr. Matthew Kitchen, PE, and received approval for the TIA as submitted. Acceptance Letter from NCDOT is entered into record as Exhibit 6.

Mr. Fluitt is of the opinion that the street system is adequate to handle the projected traffic volumes generated by this project.

Councilmember Pate questioned the 2 F spots indicated on the TIA and Mr. Fluitt advised that 2 programs are used to determine traffic levels and that Sim Traffic showed much shorter delays, at Level B or C, as opposed to the second program, Synchro, which relies on equations that have a hard time predicting traffic at unsignalized intersections. Councilmember Clement questioned the reasoning behind the information used from different years in the traffic projections.

Mr. Robinson called Mr. Tim Carpenter of LKC Engineering, to testify in regards to Public Engineering. Mr. Carpenter confirmed that he was familiar with the Southern Pines UDO and the criteria for a valid PDP application. Mr. Carpenter feels that the PDP application meets the criteria set forth in the UDO.

Mr. Robinson concluded his argument.

Councilmember Clement verified with Principal Planner Graham that staff requests that Council include in their final motion that path improvements are needed from South Carlisle Street to Tanglewood Road.

No public comments were made.

Councilmember Clement moved to close the hearing for PD-10-22: Morganton Park North Phase 9 PDP, seconded by Councilmember Pate; the vote was unanimous.

Motion passed.

Councilmember Pate moved as to Finding of Fact #1, that the Town Council finds the application to be complete and that the facts submitted are relevant to the case because the request for Preliminary Development Plan approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices, the applicants have submitted adequate evidence addressing criteria for a Preliminary Development Plan, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation. Seconded by Mayor Pro Tem Murphy, the vote was unanimous.

Motion passed

Councilmember Pate moved that as to Finding of Fact #2, the Town Council finds that the application complies with UDO §2.18.5(H) Criteria for a Preliminary Development Plan Criteria 1-4, in accordance with Attachment A as provided by Town staff, seconded by Mayor Pro Tem Murphy; the vote was 4-1 as follows:

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Pate - aye

Councilmember Clement - aye

Councilmember Petersen - nay

Councilmember Pate made a motion to approve the Preliminary Development Plan for PD-10-22 with the following additional conditions:

- the change in right-of-way width from 80' to 60' for a portion of S. Carlisle Street as shown on plans is approved.
- the change in maximum allowable building height from 40' to 45' is approved.
- the parking count will include flexibility with a cap of no more than 120 spaces for the commercial uses being applied.
- the multi-use path that follows the southern edge of the wetlands will be improved to asphalt or compacted stone condition per Town specifications.

Seconded by Mayor Pro Tem Murphy; the vote was 4-1 as follows:

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Pate - aye

Councilmember Clement - aye

Councilmember Petersen - nay

Motion passed.

d. RA-02-22 Mechanic Street Right of Way Abandonment

Mr. Robert Koontz, on behalf of VG Pines Residential LLC, has submitted a request for the abandonment of portions of Mechanic Street from West Rhode Island Avenue to the right-of-way for US Highway 1.

Councilmember Clement moved to open the hearing for RA-02-22 Mechanic Street Right-of-Way, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Town Engineer James Michel presented the request and the staff report to the council.

Councilmember Petersen questioned if all the town's right-of-way can be found in Council minutes?

Town Engineer Michel advised that it was not done frequently in the past but has become more common in recent years.

Discussion ensued.

Nick Robinson, attorney for the applicant, is present.

Marguerite & Randy Ricker of 45 Village Green Circle spoke to the Council regarding their concerns that the developers' water management plans in the area are not sufficient with the aid of a PowerPoint presentation.

Town Manager Parsons clarified the water management plan process and gave background history on past requests to abandon the street.

Discussion ensued.

Mayor Pro Tem Murphy moved to close the hearing for RA-02-22 Mechanic Street Right-of-Way, seconded by Councilmember Clement; the vote was unanimous.

Motion passed.

Councilmember Pate moved that the proposed right-of-way vacation request is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property, Seconded by Mayor Pro Tem Murphy, the vote was 4-1 as follows:

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Pate - aye
Councilmember Clement - aye
Councilmember Petersen - nay
Motion passed.

Councilmember Pate moved to approve the Order to Vacate Sections of Town Right-a-Way as drafted RA-02-22. Seconded by Mayor Pro Tem Murphy, the vote was 4-1 as follows:

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Pate - aye
Councilmember Clement - aye
Councilmember Petersen - nay
Motion passed.

7. ACTION ITEMS

a. Consider AR-19-22: Morganton Park South Phase 1 Amendments

Mr. John Silverman of Midland Atlantic Properties is requesting approval of amendments to a previously issued Architectural Compliance Permit for Phase 1 of Morganton Park South.
Mayor Haney introduced the request.

Councilmember Clement stated that she was very pleased with the changes and that the applicant was willing to make changes to meet Town standards as discussed in prior meetings.

Councilmember Clement moved to approve AR-19-22: Morganton Park Souther Phase 1 Amendments, seconded by Mayor Pro Tem Murphy; the vote was 4-1 as follows:

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Pate - aye
Councilmember Clement - aye
Councilmember Petersen - nay
Motion passed.

b. Consider AR-20-22: Morganton Park South Phase 2 Apartments

KoontzJones Design requests approval of an Architectural Compliance Permit for "Morganton Park South Apartments," a 269-unit luxury apartment home community consisting of three buildings with residential units, a clubhouse, dog park, car wash and maintenance building located in Phase 2 of Morganton Park South.
Mayor Haney introduced the item

Mayor Pro Tem Murphy moved to approve AR-20-22: Morganton Park South Phase 2 Apartments, seconded by Councilmember Clement.

Councilmember Petersen requested time to comment, stating that she has a problem with the current design for 269 units and ingress/egress for 13 units per opening. She does not have an issue with the number of units but with the design that she feels is not up to UDO standards.

Councilmember Pate stated that he felt that Planning Director BJ Grieve had previously stated in his professional opinion that the UDO standard was not meant to be interpreted in such a way and that the design had sufficient ingress/egress.

Councilmember Petersen reiterated that she feels that this design is non-compliant and she does not support the approval of the design.

Councilmember Pate feels that this issue will be resolved once the UDO is revised.

Mayor Pro Tem Murphy feels the standard has to do with safety such as in the event of a fire, being able to exit safely.

Councilmember Petersen agrees and feels that safety was the original reasoning behind the UDO standard and that we are disregarding the rule by approving the deviation.

Mayor Haney does not agree that the rule is being disregarded but rather a difference in the interpretation of the standard.

Mayor Pro Tem does not feel that the deviation will result in a safety concern.

Councilmember Clement stated that this deviation has been requested several times and the staff has responded that with the wording of the current UDO standard, multi-family developments are not able to comply. The staff and the Council have agreed that the standard needs to be rewritten, so she does not feel they should adhere to a standard that they have already agreed needs to be revised and are in the process of trying to revise.

Town Manager Parsons stated that the UDO standard pre-dates the CLRP.

Councilmember Petersen stated that the community is very concerned about multi-family development and that she feels the Council should follow the rules or else re-write them.

Mayor Pro Tem Murphy feels that if we are considering community perspectives of multi-family development we need to be very careful that we don't exclude certain communities because implications for one segment of the town in referring to "community" might jeopardize some real opportunities in other parts of the Town.

moved to approve AR-20-22: Morganton Park South Phase 2 Apartments, seconded by ; the vote was 4-1 as follows:

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Pate - aye

Councilmember Clement - aye

Councilmember Petersen - nay

c. Consider Resolution #1025: Accept Roads within Arboretum Subdivision (RD-02-22)

Global Properties and Development, L.L.C. and The Arboretum Property Owners Association, Inc. are offering the road improvements and rights of way in the Arboretum for dedication to the Town of Southern Pines for perpetual maintenance.

Town Manager Parsons gave a brief overview of the item.

Councilmember Pate moved to approve Resolution #1025 - Accept Dedication of Roads within the Arboretum Subdivision (RD-02-22), seconded by Mayor Pro Tem Murphy; the vote was unanimous. Motion passed.

8. CONSENT AGENDA

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

Motion passed.

a. Appoint Lauren Cramer and Caitlin Girona to Appearance Commission with Terms to Expire on 9/13/2025

Ms. Cramer and Ms. Girona have applied for currently vacant positions on the Appearance Commission. Both applicants have attended a recent meeting and the Appearance Commission requests that Council approve their appointment.

b. Approve Resolution #1024: Set October 11, 2022 Hearing for AX-04-22: Sandhills Pediatrics & Pavilion Way

William Stewart, M.D., on behalf of S & S Partners, LLP, and Charles Gregg, on behalf of Morganton Park North Master Association, Inc., are requesting voluntary annexation of contiguous parcels that are currently outside of the corporate limits of the Town of Southern Pines.

c. Approve Resolution #1026: Notice of Intent for Lease with Welcome to Southern Pines, Inc.

Staff is finalizing the lease renewal with Welcome to Southern Pines, Inc. to operate a Welcome Center in the train station. In accordance with NCGS §160A-272, the Town Council must adopt a Resolution of Intent to provide notice of the proposed lease. This resolution will be included on the September 13 consent agenda, allowing Council to take action on the actual lease at the October 24 meeting.

d. Approve Resolution #1027: Notice of Intent for Lease with Verizon Wireless for the Weymouth Water Tank

Staff is finalizing the lease renewal with Verizon Wireless to place an antenna on the Town's Weymouth water tank on Ridge Street. In accordance with NCGS §160A-272, the Town Council must adopt a Resolution of Intent to provide notice of the proposed lease. This resolution will be included on the September 13 consent agenda, allowing Council to take action on the actual lease at the October 24 meeting.

e. Approve Ordinance #2022: Amendment to the America Rescue Plan Act Grant Special Revenue Fund

Finance staff have prepared an ordinance amending the America Rescue Plan Act Grant Special Revenue Fund.

f. Approve Ordinance #2023: Municipal Service District Special Revenue Fund

Finance staff have prepared an ordinance regarding the project budget of the Municipal Service District Special Revenue Fund for the Municipal Service District #1, established by Ordinance #1993.

g. Approve Ordinance #2024 to Establish a School Zone on Carlisle Street

The West Southern Pines Community Connectors group has requested that the Town establish a school zone and lower the speed limit on Carlisle Street near Southern Pines Elementary School. Council directed staff at the August work session to prepare an ordinance to make these changes. This ordinance will be included on the September 13th consent agenda, unless Council prefers otherwise.

h. Approve Ordinance #2025: Revisions to Water and Sewer Connection Fees

This ordinance establishes the annual increase to Water and Sewer Tap Fees based on the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for all urban customers (CPI-U) for water and sewerage maintenance. It also revises the System Development Fees for the purpose of addressing residential water sprinkler systems.

i. Authorize the Mayor to Execute an Easement to Duke Energy for the Raw Water Pump Station

Duke Energy is requesting a easement to install improvements for the electrical service to the Town's Raw Water Pumping Station.

j. Approve Town Council Meeting Minutes for August 2022

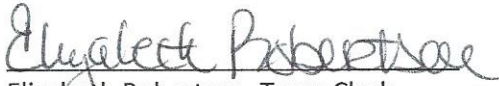
- August 3, 2022 Agenda Meeting Minutes
- August 9, 2022 Business Meeting Minutes
- August 22, 2022 Work Session Minutes

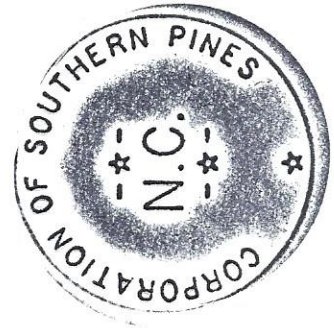
Staff has prepared draft meeting minutes for August.

9. ADJOURNMENT

Upon a motion by Councilmember Pate, seconded by Mayor Pro Tem Murphy and carried unanimously, Council adjourned at 10:47 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES ORDINANCE #2022
AMENDING THE AMERICA RESCUE PLAN ACT
GRANT SPECIAL REVENUE FUND**

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

Section 1: This ordinance is to amend the budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Southern Pines has received a total of \$4,671,148 of CSLFRF funds. These funds may be used for the following categories of expenditures, to the extent authorized by state law:

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

Section 3: The following amounts are appropriate for the project and authorized for expenditure:

Internal Project Code	Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
001	General Administration services for period of March 3, 2021 through December 31, 2022	6.1	Salaries 3/3/21 – 6/30/22	\$1,174,568
			Salaries 7/1/22 - 12/31/22	\$353,889
002	Cultural and Recreation services for period of March 3, 2021 through December 31, 2022	6.1	Salaries 3/3/21 – 6/30/22	\$774,200
			Salaries 7/1/22 - 12/31/22	\$185,357
003	Public Safety services for period of March 3, 2021 through December 31, 2022	6.1	Salaries 3/3/21 – 6/30/22	\$918,842
			Salaries 7/1/22 - 12/31/22	\$256,621
004	Economic and Physical Development services for period of March 3, 2021 through December 31, 2022	6.1	Salaries 3/3/21 – 6/30/22	\$195,504
			Salaries 7/1/22 – 12/31/22	\$63,229
005	Utility Fund services for period of March 3, 2021 through December 31, 2022	6.1	Salaries 3/3/21 – 6/30/22	\$577,148
			Salaries 7/1/22 – 12/31/22	\$171,790
	TOTAL			\$4,671,148

Section 4: The following revenues are anticipated to be available to complete the project:

ARP/CSLFRF Funds:	\$4,671,148
General Fund Transfer:	\$3,063,114
Enterprise Fund Transfer:	\$ 577,148
Total Remaining:	\$1,030,886

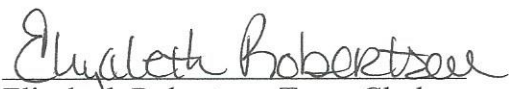
Section 5: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town’s Uniform Guidance Allowable Costs and Cost Principles Policy.

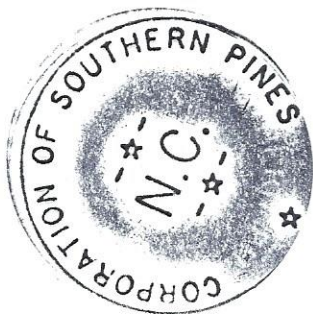
Section 6: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

Section 7: This grant project ordinance expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

Section 8: This amended ordinance becomes effective September 13, 2022.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting September 13, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES RESOLUTION #1027
NOTICE OF INTENT TO ENTER INTO A LEASE WITH
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS
FOR WATER TOWER LEASE FOR WIRELESS COMMUNICATION
EQUIPMENT**

WHEREAS, the Town of Southern Pines owns the Weymouth Water Tank (Tank) at 475 N. Ridge Street; and

WHEREAS, the Town has an existing lease agreement with Alltel Communication, LLC d/b/a Verizon Wireless which expires on October 13, 2023 for the purposes of installing wireless communication equipment on said water tank; and

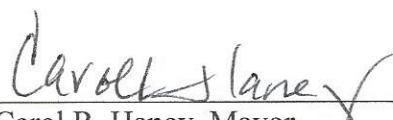
WHEREAS, the Town supports the continued operation and improvement of wireless communication services.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina in regular session assembled this 13th day of September, 2022, that:

1. In accordance with North Carolina General Statutes §160A-272, the Town Council of Southern Pines announces its intent to amend the existing lease with Alltel Communication, LLC d/b/a Verizon Wireless to change Lessee to CELLCO Partnership d/b/a Verizon Wireless., "the lessee," and increase term an additional (5) years.
2. The Town of Southern Pines will lease part of the Tank to the lessee for an annual amount of \$63,000 with a 3% annual increase.
3. The Town of Southern Pines does not have any intended needs for the portions of the Tank included in the lease.
4. The Town Council intends to act on this lease at its regular meeting on Monday, October 24, 2022.
5. The Town Clerk shall provide notice of the Town Council's intent to enter into this lease in *The Pilot* newspaper no later than September 24, 2022.

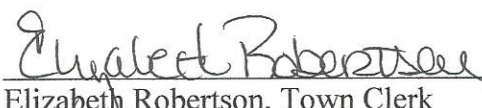
Adopted this 13th day of September, 2022

TOWN OF SOUTHERN PINES

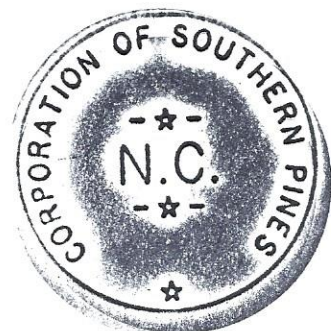


Carol R. Haney, Mayor

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of September 13, 2022 as shown in the minutes of the Town Council for that date.



Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES RESOLUTION #1026
NOTICE OF INTENT TO ENTER INTO A LEASE WITH
WELCOME TO SOUTHERN PINES, INC. FOR THE SOUTHERN PINES
TRAIN STATION**

WHEREAS, the Town of Southern Pines owns the building at 235 NW Broad Street that serves as the Southern Pines Train Station among other community purposes; and

WHEREAS, the Town has an existing lease agreement with Welcome to Southern Pines, Inc. which expires on October 31, 2022, for the purposes of providing visitor information and welcome services; and

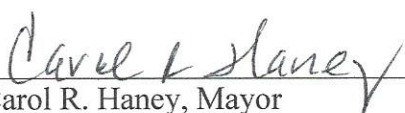
WHEREAS, the Town supports the continued operation of the Welcome Center and Cultural History Museum in the Train Station.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina in regular session assembled this 13th day of September, 2022, that:

1. In accordance with North Carolina General Statutes §160A-272, the Town Council of Southern Pines announces its intent to enter into a lease agreement with Welcome to Southern Pines, Inc., "the lessee," for a term of three (3) years and provide for automatic renewal of two (2) additional terms of three (3) years each.
2. The Town of Southern Pines will lease part of the Southern Pines Train Station to the lessee at no charge. In exchange, the lessee will provide visitor information and welcome services. The costs of providing these services will be borne solely by the lessee.
3. The Town of Southern Pines does not have any intended needs for the portions of the Train Station included in the lease.
4. The Town Council intends to act on this lease at its regular meeting on Monday, October 24, 2022.
5. The Town Clerk shall provide notice of the Town Council's intent to enter into this lease in *The Pilot* newspaper no later than September 24, 2022.

Adopted this 13th day of September, 2022.

TOWN OF SOUTHERN PINES


Carol R. Haney, Mayor

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of September 13, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



TOWN OF SOUTHERN PINES RESOLUTION #1025
OFFICIALLY ACCEPTING OFFER OF DEDICATION TO THE PUBLIC FOR
ARBORETUM PHASES 3, 4 AND 5 ROADS
RD-02-22

WHEREAS, the Town of Southern Pines has subdivision-regulation jurisdiction over the land on which Broom Sedge Lane, Sweet Bay Court, Cone Circle and North Bracken Fern Lane are located; and

WHEREAS, Broom Sedge Lane, Sweet Bay Court, Cone Circle and North Bracken Fern Lane are currently privately-maintained streets; and

WHEREAS, pursuant to §100.21 of the Code of Ordinances of the Town of Southern Pines, North Carolina, a plat entitled "Arboretum Phase 3" recorded in Plat Cabinet 16 Slide 392 depicts Broom Sedge Lane as a 60' Right of Way (Exhibit A), a plat entitled "Arboretum Phase 4" recorded in Plat Cabinet 16 Slide 764 depicts Sweet Bay Court as a 50' Right of Way and Cone Circle as a 60' Right of Way (Exhibit B) and a plat entitled "Arboretum Phase 5" recorded in Plat Cabinet 16 Slide 847 depicts North Bracken Fern Lane as a 60' Right of Way (Exhibit C); and

WHEREAS, the aforementioned plats depict the accurate location of street boundary lines, ownership of adjacent properties and adjacent and intersecting streets; and

WHEREAS, North Carolina General Statutes §160A-374 allows any city council to accept by resolution any dedication made to the public of lands for streets when the lands are located within its subdivision-regulation jurisdiction; and

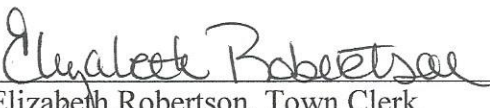
WHEREAS, the construction of all required portions of Broom Sedge Lane, Sweet Bay Court, Cone Circle and North Bracken Fern Lane, including street surfaces, curbs, sidewalks, street lights and landscaping, is complete and the Town Engineer has inspected and approved construction.

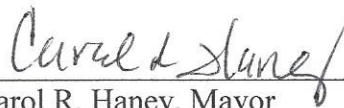
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines that the Town of Southern Pines hereby accepts for ownership, operation and maintenance Broom Sedge Lane, Sweet Bay Court, Cone Circle and North Bracken Fern Lane rights of way shown on Exhibit A, Exhibit B and Exhibit C attached hereto.

Adopted this 13th day of September, 2022.

ATTEST

TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk


Carol R. Haney, Mayor

I certify that this Resolution was adopted by the Town Council of the Town of Southern Pines at its meeting on September 13, 2022, as shown in the minutes of the Town Council for that date.

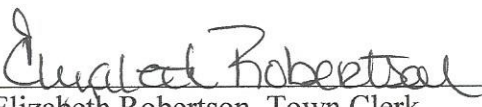
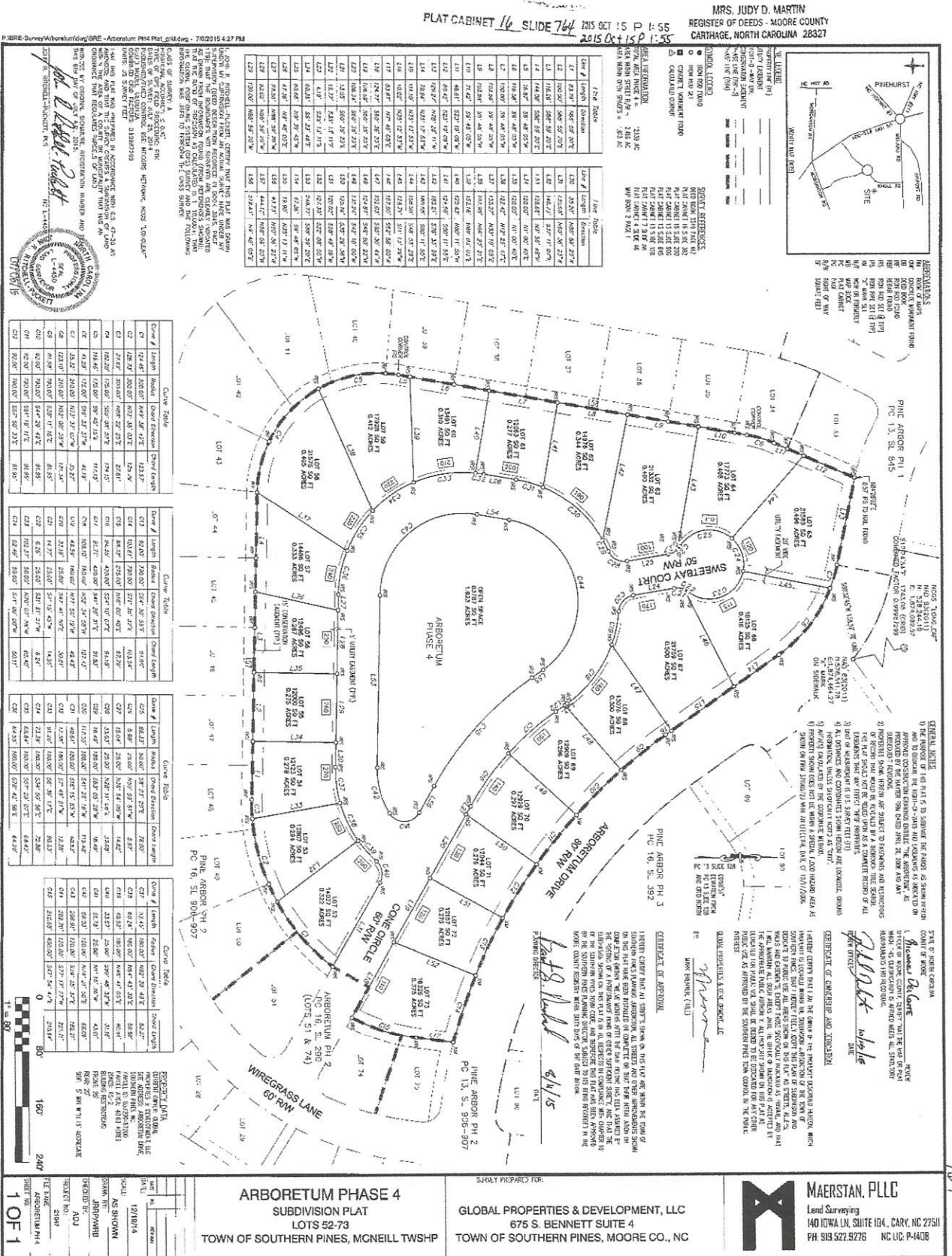

Elizabeth Robertson, Town Clerk



Exhibit B



TOWN OF SOUTHERN PINES RESOLUTION #1024
SETTING DATE OF PUBLIC HEARING FOR ANNEXATION APPLICATION
AX-04-22; Sandhills Pediatrics

WHEREAS, a petition requesting annexation of an area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina:

Section 1. That a public hearing on the question of annexation of the area described herein will be held at the Douglass Community Center at 6:00 pm on October 11, 2022.

Section 2. The area proposed for annexation is described as follows:

Property Owners/Applicants:

S & S Partners, LLP. /William L. Stewart, M.D.
195 W. Illinois Avenue
Southern Pines, NC 28387

Property Identification Number (PIN) and Parcel Identification:

PIN: 857100496541; PARID: 20190014

Size of Property:

Total Acreage: 2.32 acres

Meets & Bounds Description:

Being a portion of the Robert W. & Julie M. Van Camp, Thomas M. Van Camp, Trustee Tract of Parcel of Land in McNeill Township, Southern Pines, Moore County, North Carolina, described in Deed Book 4593 Page 407 in the Moore County Registry and more particularly described as follows:

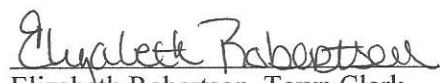
Beginning at an iron rod set, said iron rod being located at the intersection of the northern right-of-way of Pavilion Way (50' right-of-way) and the eastern right-of-way of Brucewood Road (100' right-of-way);
thence with the northern right-of-way of Pavilion Way the following calls: S 73°54'37" a distance of 164.22' to an iron rod set;
thence a curve to the left having a radius of 1005.00' a chord bearing of S 76°20'11" E a chord distance of 85.08' to an iron rod set;
thence leaving the pavilion way northern right-of-way N 12°34'40" E a distance of 357.95' to an iron rod set, said iron rod being located in the southern right-of-way of South Carlisle Street (80' right-of-way);
thence a curve to the right having a radius of 1080.00' a chord bearing of S 88°55'50" W a chord distance of 333.92' to an iron rod set, said iron rod being located at the intersection of the Southern right-of-way of Carlisle Street and the eastern right-of-way of Brucewood Road;
thence with the eastern right-of-way of Brucewood Road S 16°00'21" W a distance of 267.141' to the point of beginning having an area of 2.32 acres.

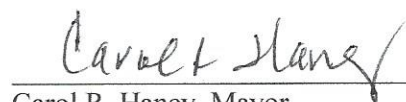
Section 3. Notice of said public hearing shall be published in The Pilot, a newspaper having general circulation in the Town of Southern Pines, at least ten (10) days prior to the date of said public hearing.

Adopted this 13th day of September, 2022.

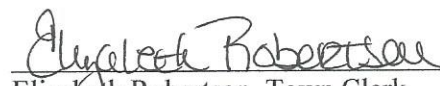
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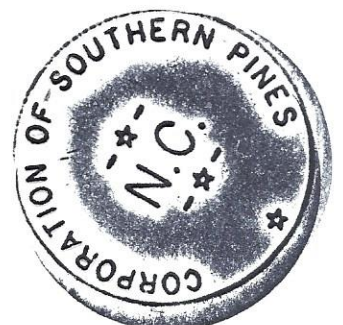
TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk


Carol R. Haney, Mayor

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of September 13, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES ORDER 2022-02 TO VACATE SECTIONS OF TOWN
RIGHT-OF-WAY FOR MECHANIC STREET
(RA-02-22)**

WHEREAS, VG Pines Residential LLC has submitted a request for the vacation of right-of-way for Mechanic Street from West Rhode Island Avenue to the right-of-way for US Highway 1;

WHEREAS, G.S. 160A-299 authorizes the Town of Southern Pines Town Council to close any street or public alley within the Town;

WHEREAS, the Town of Southern Pines owns the aforementioned sections of right-of-way; and

WHEREAS, the sections of right-of-way for which the petitioner has requested vacation are not shown on any Town street listings or transportation maps and the Town has no current or future plans to improve the sections of right-of-way; and

WHEREAS, there is an existing Town sewer line along West Maine Avenue that extends through the Mechanic Street right-of-way; and

WHEREAS, VG Pines Residential LLC will be required to provide a utility easement for the West Maine Avenue sewer line; and

WHEREAS, pursuant to § 2.29.2 of the Unified Development Ordinance, in order for a street or alley to be vacated, the Town Council must adopt a Resolution of Intent to Vacate and hold a public hearing.

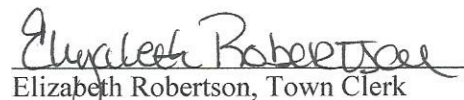
NOW THEREFORE, BE IT RESOLVED by the Town of Southern Pines Town Council at its regular business meeting held on August 9, 2022 that:

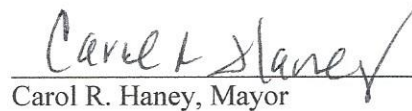
1. The Town of Southern Pines hereby intends to vacate the sections of right-of-way for Mechanic Street bounded by the rights-of-way for West Rhode Island Avenue and US Highway 1 as shown on the map attached hereto as Exhibit A.
2. A public hearing will be held during the regular business meeting of the Town of Southern Pines Town Council on September 13, 2022 at 6:00 PM to consider adopting an Order to vacate the sections of Town right-of-way for Mechanic Street as shown on the map attached hereto as Exhibit A.

Adopted this the 13th day of September, 2022.

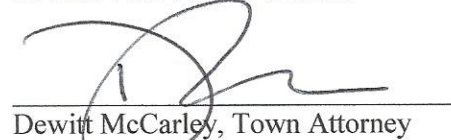
ATTEST:

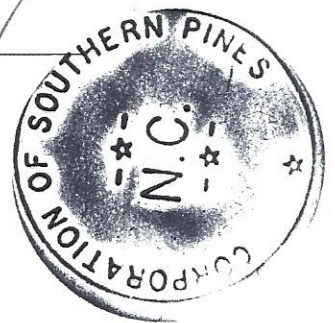
TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk

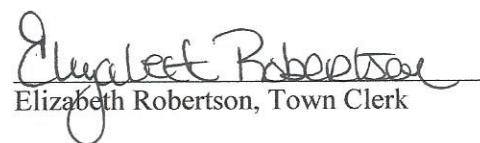

Carol R. Haney, Mayor

APPROVED AS TO FORM:

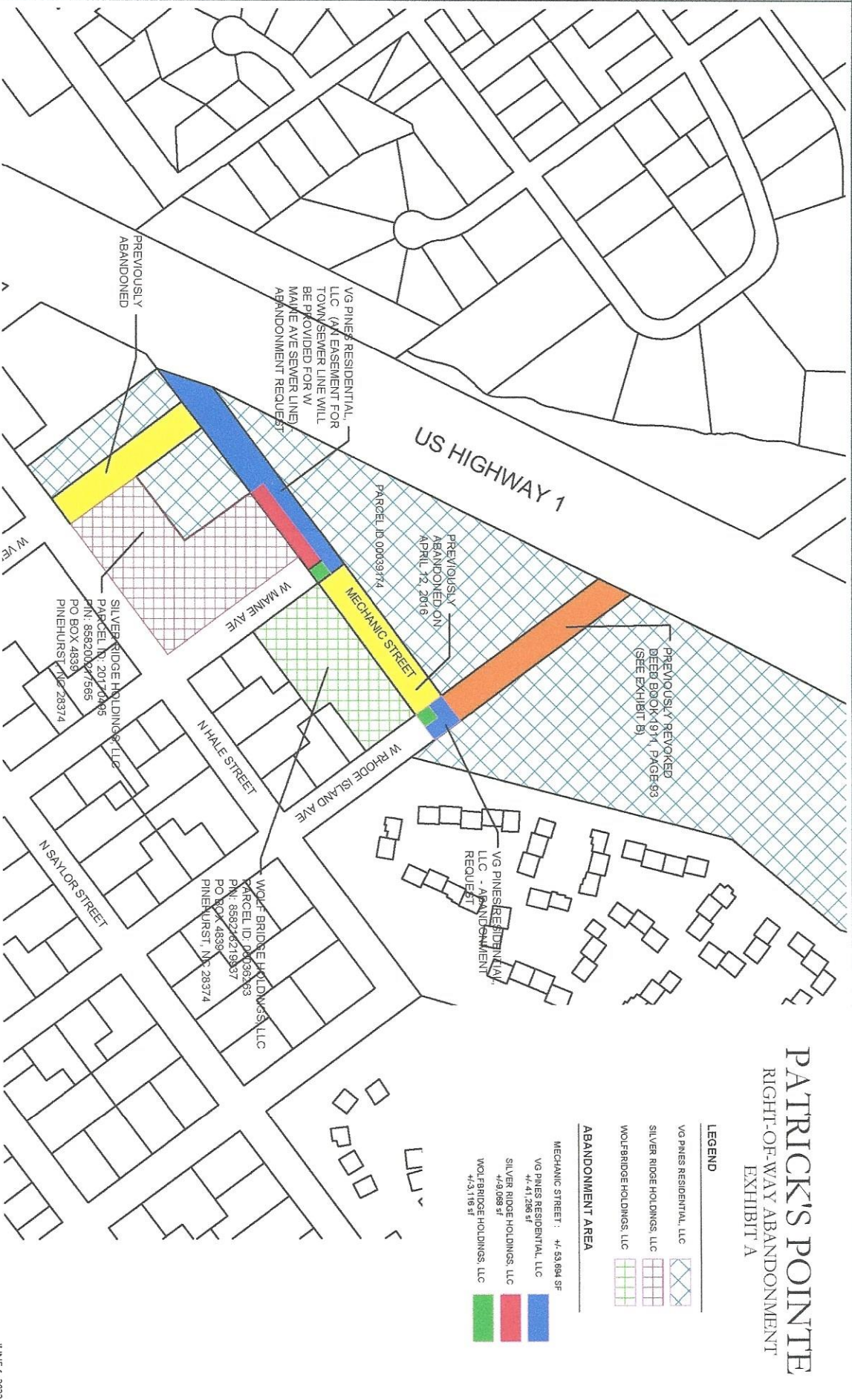

Dewitt McCarley, Town Attorney



I certify that this Order was adopted by the Town Council of the Town of Southern Pines at its meeting on September 13, 2022 as shown in the Minutes of the Town Council meeting for that date.


Elizabeth Robertson, Town Clerk

PATRICK'S POINT RIGHT-OF-WAY ABANDONMENT EXHIBIT A



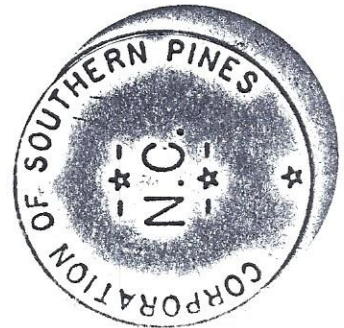
KOONTZ JONES Design
LAND PLANNING | LANDSCAPE ARCHITECTURE

COUNTY OF MOORE
STATE OF NORTH CAROLINA

I swear that this is a true and accurate copy of Order 2022-02 to Vacate Sections of
Town Right-of Way for Mechanic Street adopted on September 13, 2022 (RA-02-22).

Elizabeth Robertson
Elizabeth Robertson Town Clerk

9-13-2022
Date



Judy D. Martin
Moore County, NC
August 11, 2022 03:45:54 PM

Book 5896 Page 41-43

FEE: \$26.00

INSTRUMENT # 2022013889

Jm



INSTRUMENT # 2022013889

**TOWN OF SOUTHERN PINES ORDER 2022-02 TO VACATE SECTIONS OF
TOWN RIGHT-OF-WAY FOR MECHANIC STREET
(RA-02-22)**

WHEREAS, VG Pines Residential LLC has submitted a request for the vacation of right-of-way for Mechanic Street from West Rhode Island Avenue to the right-of-way for US Highway 1;

WHEREAS, G.S. 160A-299 authorizes the Town of Southern Pines Town Council to close any street or public alley within the Town;

WHEREAS, the Town of Southern Pines owns the aforementioned sections of right-of-way; and

WHEREAS, the sections of right-of-way for which the petitioner has requested vacation are not shown on any Town street listings or transportation maps and the Town has no current or future plans to improve the sections of right-of-way; and

WHEREAS, there is an existing Town sewer line along West Maine Avenue that extends through the Mechanic Street right-of-way; and

WHEREAS, VG Pines Residential LLC will be required to provide a utility easement for the West Maine Avenue sewer line; and

WHEREAS, pursuant to § 2.29.2 of the Unified Development Ordinance, in order for a street or alley to be vacated, the Town Council must adopt a Resolution of Intent to Vacate and hold a public hearing.

NOW THEREFORE, BE IT RESOLVED by the Town of Southern Pines Town Council at its regular business meeting held on August 9, 2022 that:

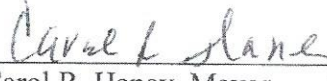
1. The Town of Southern Pines hereby intends to vacate the sections of right-of-way for Mechanic Street bounded by the rights-of-way for West Rhode Island Avenue and US Highway 1 as shown on the map attached hereto as Exhibit A.
2. A public hearing will be held during the regular business meeting of the Town of Southern Pines Town Council on September 13, 2022 at 6:00 PM to consider adopting an Order to vacate the sections of Town right-of-way for Mechanic Street as shown on the map attached hereto as Exhibit A.

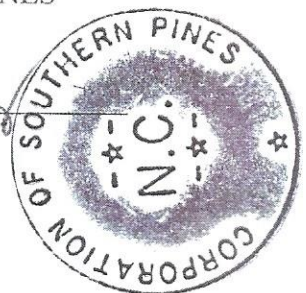
Adopted this the 9th day of August, 2022.

ATTEST:

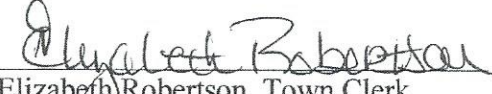
TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk


Carol R. Haney, Mayor



I certify that this Order was adopted by the Town Council of the Town of Southern Pines at its meeting on August 9, 2022 as shown in the Minutes of the Town Council meeting for that date.


Elizabeth Robertson, Town Clerk

TOWN OF SOUTHERN PINES ORDINANCE #2023
PROJECT BUDGET
MUNICIPAL SERVICE DISTRICT 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 revenue is anticipated to be available;

Municipal Service District	<u>\$68,800</u>
----------------------------	-----------------

Total Project Revenues:	<u>\$68,800</u>
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Section 4: The following amounts are appropriated for the project:

Transfer Capital Projects – Infrastructure Improvements	<u>\$68,800</u>
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Total Project Costs:	<u>\$68,800</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.

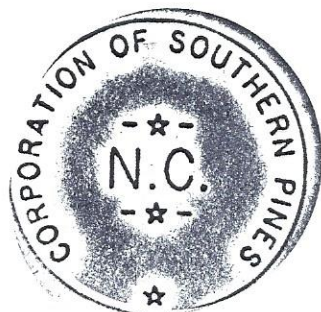
Section 6: Copies of the special revenue project ordinance shall be made available to the Finance Officer for direction in carrying out this project.

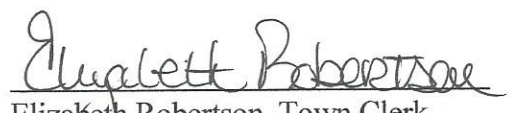
Section 7: The Finance Officer is directed to report annually on the financial status of each project element in Section 4 and on the total revenues received or claimed.

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.

This ordinance became effective July 1st, 2022.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of September 13, 2022 as shown in the minutes of the Town Council for that date.




Elizabeth Robertson, Town Clerk

TOWN OF SOUTHERN PINES ORDINANCE #2025
AMENDMENT TO THE TOWN CODE OF ORDINANCES
CHAPTER 50, WATER AND SEWER USE

BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina, in regular session assembled this 13th day of September, 2022 that Chapter 50, Water and Sewer Use, Appendix A: Rates, Fees and Charges of the Code of Ordinances be amended as follows:

1. Revise APPENDIX A: RATES, FEES AND CHARGES by replacing the current Section (H) with the following:

(H) System development fees. These fees are subject to the Town of Southern Pines "Water and Wastewater System Development Fee Report" dated June 2020 and prepared by Freese and Nichols, Inc. The System Development Fee analysis calculated the following fees based on the specific water meter size:

<i>Water Meter Size</i>	<i>Water SDF Fee</i>	<i>Sewer SDF Fee</i>
3/4"	\$2,566.22	\$1,610.46
1" (1)	\$6,928.79	\$4,348.24
1 1/2"	\$8,468.53	\$5,314.52
2"	\$17,193.67	\$10,790.08
3"	\$68,518.07	\$42,999.28
4"	\$136,779.53	\$85,837.52
6"	\$256,622.00	\$161,046.00
8"	\$598,699.13	\$375,720.32

(1) Single family residential, duplexes, and townhomes on separate parcels of land, utilizing a 1" water meter for the purpose of installing a residential fire sprinkler system shall be charged the SDF for a 3/4" meter

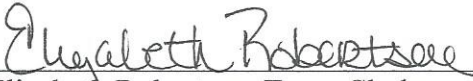
These amendments shall become effective on October 1, 2022.

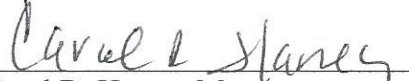
The Town of Southern Pines Code of Ordinances has been adopted in compliance with G.S. 160A-77. This ordinance contains an addition and/or modification to the Code of Ordinances and, by order of the Town Council, shall be published therein.

Adopted this 13th day of September, 2022.

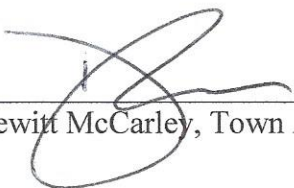
ATTEST:

TOWN OF SOUTHERN PINES

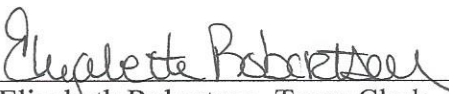

Elizabeth Robertson, Town Clerk


Carol R. Haney, Mayor

APPROVED AS TO FORM:


Dewitt McCarley, Town Attorney

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of September 13, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

TOWN OF SOUTHERN PINES ORDINANCE #2024
ESTABLISHING A SCHOOL ZONE AROUND SOUTHERN PINES
ELEMENTARY SCHOOL WITH A MAXIMUM SPEED LIMIT OF 25 MPH ON
DAYS WHEN SCHOOL IS IN SESSION

WHEREAS, the Town of Southern Pines, as authorized by North Carolina General Statutes §20-141.1, “may, by ordinance, set speed limits lower than those designated in G.S. 20-141 for areas adjacent to or near a public, private or parochial school. Limits set pursuant to this section shall become effective when signs are erected giving notice of the school zone, the authorized speed limit, and the days and hours when the lower limit is effective.”; and

WHEREAS, Southern Pines Elementary School relocated to a new campus at 1015 S. Carlisle Street in January 2021 with an enrollment of over 500 students; and

WHEREAS, the surrounding neighborhood, via the West Southern Pines Community Connectors has requested that the Town establish a school zone with a reduced speed limit in order to safely mitigate the increased amount of pedestrian or vehicular traffic surrounding the time of the school’s beginning and ending school schedule; and

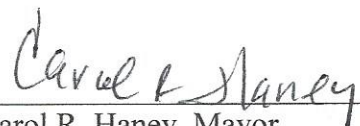
WHEREAS, the Town has reviewed the request and verified the conditions around the school campus and supports the creation of a school zone with a reduced speed limit.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina in regular session assembled this 13th day of September, 2022, that:

1. In accordance with North Carolina General Statutes §141.1, the Town Council of Southern Pines establishes a school zone around Southern Pines Elementary School.
2. During the time period of thirty (30) minutes before to thirty (30) minutes after school begins and ends on days the school is actually in session, the maximum speed limit in the school zone is twenty-five (25) miles per hour (MPH).
3. The Town will design, locate, and erect regulatory signs providing notice of the school zone according to the standards of the Manual on Uniform Traffic Control Devices (MUTCD) with any local supplements, standards, or criteria and General Statutes §141.1.
4. The speed limits set pursuant to this ordinance shall become effective when the signs are erected giving notice of the school zone and may be enforced only on days when school is in session.

Adopted this 13th day of September, 2022

TOWN OF SOUTHERN PINES



Carol R. Haney, Mayor

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of September 13, 2022 as shown in the minutes of the Town Council for that date.



Elizabeth Robertson, Town Clerk

