



MINUTES

Tuesday, October 11, 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.

a. Code of Ordinances Administrative Updates: Public Works Fee Schedule

As part of the administrative updates to the Town's Code of Ordinances, staff has reviewed the Public Works fee schedule, located in Chapter 50. This is not a schedule that is generally assessed to the general public, but rather when the department has to perform billable work and the Town's expenses should be recouped. The schedule also includes fees for development inspections. This item was originally planned for October 11th, but has been postponed to the October 24th work session agenda.

Discussion ensued.

Delay action after speaking to the town attorney and will be addressed at the next work session.

4. PUBLIC COMMENTS

Timothy Allen of 175 Oak Drive, Southern Pines, is a retired employee who is concerned by our garbage, recycling and debris pick-up and does not feel citizens are getting the level of service they had in the past.

Lynn Thompson, 957 Sandavis Road, Southern Pines, a retired employee, speaking regarding ARPA Funds, questioned the town's use of the funds and feels that the citizens should have more input as to where the money is spent.

James Rhyman of Vass, NC, spoke to the Council regarding what he feels is the 'death of Hwy 1 and the birth of the super highway' as evidenced by the addition of numerous advertising

billboards along Hwy 1 which he feels is an eyesore, a distraction and dangerous.

Suzanne Coleman, 225 N May Street, Southern Pines, ARPA Funds reviewed the four areas that ARPA funds are authorized to be spent on per her research on the subject.

Suzanne Coleman also advised the Council that Nick Robinson has agreed to represent the Little Free Library effort at the Historic District Commission Meeting on Thursday.

5. PUBLIC HEARINGS

a. UDO Exemption for Arts Council of Moore County Mural Installation

The Arts Council of Moore County (ACMC) requests an exemption from the UDO to facilitate the installation of an artistic mural on private property as part of a program sponsored by the ACMC. The proposed mural meets the technical definition of a sign, requiring an exemption from the sign code.

Councilmember Pate moved to open the hearing for Ordinance #2029 - UDO Exemption for Arts Council of Moore County Mural Installation, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed

Principal Planner Pam Graham presented the application and staff report to the Council.

Mr. Chris Dunn, 305 Stormaway - Director of the Arts Council of Moore County and President of the Southern Pines Mural Committee spoke to the Council with details of the project and some history of the artist. Mr. Dunn reiterated that no town funds are being used. Mayor Haney voiced her appreciation of the project.

Suzanne Coleman of 225 N May Street, Southern Pines voiced her appreciation for the project.

Councilmember Clement questioned the citizen's recourse if they don't agree with upcoming projects. Mr. Dunn stated that the Arts Council can incorporate public recourse into the process for future projects.

Councilmember Pate moved to close the hearing for Ordinance #2029 - UDO Exemption for Arts Council of Moore County Mural Installation, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Councilmember Pate moved to approve Ordinance #2029 - UDO Exemption for Arts Council for Moore County Mural Installation, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

b. AX-04-22: Annexation of 2.32 acres at corner of S. Carlisle St. and Brucewood Rd.

S & S Partners, LLP and Morganton Park North Master Association, Inc. request voluntary annexation of contiguous parcels. The 2.32 acres are located at the intersection of S. Carlisle St. and Brucewood Road, outside the corporate limits of Southern Pines.

Councilmember Clement moved to open the hearing for AX-04-22, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Principal Planner Graham gave a brief overview of the request.

Town Manager Parsons clarified the boundaries and provided some additional details of the proposed project.

No Public Comments were voiced

Councilmember Clement moved to close the hearing for AX-04-22; Annexation 2.32 acres at the corner of S. Carlisle St. and Brucewood Rd., seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

Councilmember Pate moved to approve the voluntary annexation AX-04-22; Annexation 2.32 acres at the corner of S. Carlisle St. and Brucewood Rd., seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

6. ACTION ITEMS

a. WP-02-22: Watershed Protection Permit for Bantembo, LLC

Bantembo, LLC requests 1.22 acres of Watershed Exemption Allocation in order to develop the Townhomes on Bennett project with up to 70% built-upon area. The project is located at S. Bennett St. and W. Wisconsin Ave. and was approved by the Town Council on January 11, 2022 for 20 attached townhome units.

Councilmember Petersen questioned the impact of the permit on a proposed sidewalk. Town Manager Parsons reminded the Council of the past works session where Town Engineer Michel spoke regarding this project and advised that the sidewalks were taken into consideration in the review of the application.

Councilmember Pate moved to approve WP-02-22; Watershed Protection Permit for Bantembo, LLC., seconded by Mayor Pro Tem Murphy; the vote was as follows:

Mayor Haney - aye

Mayor Pro Tem - aye

Councilmember Pate - aye

Councilmember Clement - aye
Councilmember Petersen - nay
Motion passed.

b. Request for Relief from §50.035 of the Town Code of Ordinances: McNeil Rd.

Mr. Sean Butler requests relief from §50.035 of the Town Code of Ordinances that would otherwise require the extension of about 2,300 LF of water line to serve 5 new lots along McNeil Rd.

Councilmember Pate was recused from this vote due to a conflict.

Principal Planner Graham reminded the Council of the Town Engineer Michel's findings contained in the staff report.

Councilmember Clement moved to approve the Request for Relief from §50.035 of the Town Code of Ordinances McNeil Rd., seconded by Council Petersen; the vote was as follows:

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

7. CONSENT AGENDA

Councilmember Clement requested the removal of Item 'e' from the Consent Agenda and for it to be voted on separately.

Councilmember Petersen moved to approve the Consent Agenda with the exception of Item 'e', seconded by Mayor Pro Tem Murphy.

Discussion ensued.

Town Manager Parsons asked for the approval of the amendments pertaining to the law director, the \$110,000 from the Fund Balance for the current Sidewalk Project because there is a time limit attached to them and the amendment regarding appropriation of Fund Balance in regards to ARPA funds that is needed for bookkeeping purposes.

Discussion ensued.

Councilmember Petersen withdrew her motion.

Councilmember Clement moved to remove Item 7e from the Consent Agenda, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

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

Motion passed

Town Manager Parsons confirmed what the Council wanted approved and what they would like to be removed from Item 7e.

Discussion ensued.

More information is requested on the projects around New Hampshire Ave.

Councilmember Clement moved to approve the budget amendments listed in Item 7e as discussed with the exception of Ordinance #2032, Ordinance #2034 and Ordinance #2037, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

a. Authorize the Mayor to Execute a Waterline Easement at the Moore County Airport

The airport intends to extend new waterlines to provide water service and fire protection for their hangar expansion project. The Airport Authority has approved the language as shown and has forwarded it to the County Commissioners for their consent. If Council approves the easement as written, staff asks that Council authorize the Mayor to execute the easement after approval by the County Commissioners.

b. Re-Appoint Kim Wade to the Planning Board, Term to Expire August 12, 2025

Kim Wade's term on the Planning Board has recently expired. She is interested in serving a second term, which will expire on August 25, 2025.

c. Adopt Ordinance #2027: Updated Library Fee Schedule

As part of the administrative updates to the Town's Code of Ordinances, staff has reviewed the Library's fee schedule, located in Chapter 98.

d. Approve RA-03-22: Resolution of Intent to Vacate Right of Way

Bantembo, LLC requests the abandonment of 867.92 square feet of town right-of-way located at the corner of W. Wisconsin Ave. and S. Bennett St. The property is adjacent to the parcel currently owned by Bantembo, LLC and identified as PIN 858100075283 (PARID 20190227).

e. Approve Amendments to FY 22-23 Budget

This amendment authorizes several capital projects related to revenue replacement as well as legal services for the Town's new Attorney.

f. Approve Town Council Minutes

Draft minutes for Council approval.

i. February 28, 2022 Closed Session Minutes

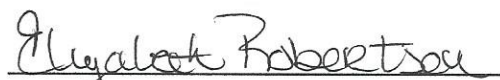
ii. June 27, 2022 Closed Session Minutes

iii. August 3, 2022 Closed Session Minutes

8. ADJOURNMENT

Upon a motion by Councilmember Pate, seconded by Mayor Pro Tem Murphy and carried unanimously, Council adjourned at 6:51 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk

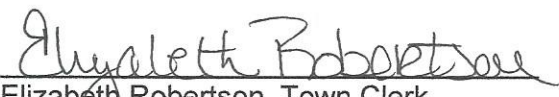


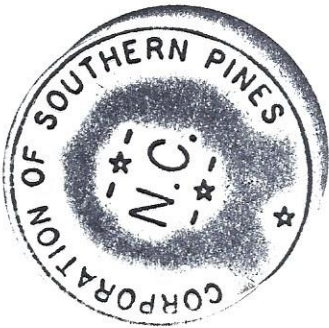
**TOWN OF SOUTHERN PINES ORDINANCE #2038
AMENDING THE 2022/2023 FISCAL YEAR BUDGET
CP Facility Modernization**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 11th day of October, 2022 that the Operating Budget for the Fiscal Year 2022/2023 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
General Fund	Transfer to – CP Facility Modernization	10-670-5200	\$68,500.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$68,500.00	

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of October 11, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

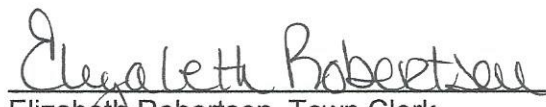


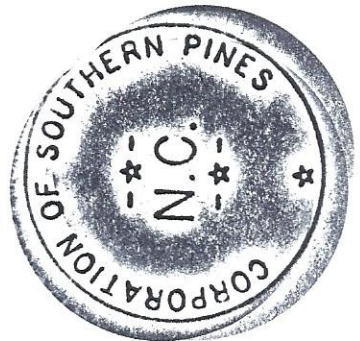
**TOWN OF SOUTHERN PINES ORDINANCE #2036
AMENDING THE 2022/2023 FISCAL YEAR BUDGET
CP Sidewalks Phase II**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 11th day of October, 2022 that the Operating Budget for the Fiscal Year 2022/2023 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
General Fund	Transfer to – CP Sidewalks Phase II	10-670-5700	\$110,000.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$110,000.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of October 11, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

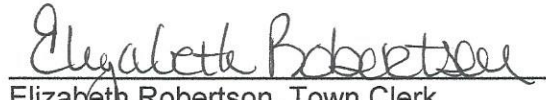


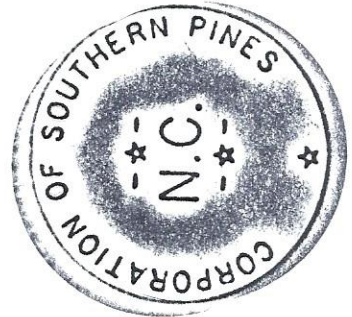
**TOWN OF SOUTHERN PINES ORDINANCE #2035
AMENDING THE 2022/2023 FISCAL YEAR BUDGET
Administration**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 11th day of October, 2022 that the Operating Budget for the Fiscal Year 2022/2023 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Administration	Salaries & Wages	10-410-0200	81,750.00	
Administration	FICA & Medicare Expenses	10-410-0500	6,250.00	
Administration	Travel & Training	10-410-1400	8,275.00	
Administration	Dues & Subscriptions	10-410-5300	725.00	
General Fund	Fund Balance	10-397-1000	72,000.00	
	Appropriation			
Administration	Professional Services	10-410-4600		25,000.00

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of October 11, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES ORDINANCE #2033
AMENDING THE SIDEWALKS PHASE II PROJECT FUND BUDGET**

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 capital project budget is hereby amended:

Section 1: The project authorized is for the purpose of constructing, repairing and modifying existing sidewalks in the Town.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following additional amounts are appropriated for the project:

Construction	<u>\$ 110,000.00</u>
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Total Additional Project Appropriation	<u>\$ 110,000.00</u>
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Section 4: The following additional revenues are anticipated to be available for this project:

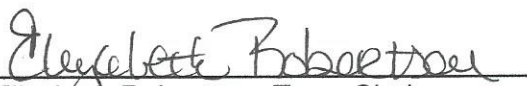
Transfer In – General Fund	<u>\$ 110,000.00</u>
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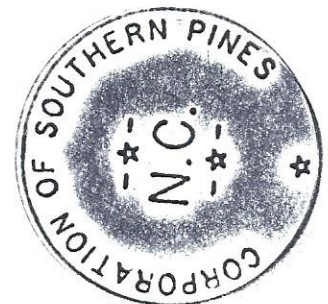
Total Additional Project Revenues	<u>\$ 110,000.00</u>
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Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this project.

Section 6: This amended ordinance becomes effective October 11, 2022.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of October 11, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES ORDINANCE #2031
AMENDING THE FACILITY MODERNIZATION PROJECT FUND BUDGET**

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 capital project budget is hereby amended:

Section 1: The project authorized is for the purpose of addressing immediate needs and improvements of Town owned buildings.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following additional amounts are appropriated for the project:

Construction – Building Repair & Renovation -General Fund \$ 68,500.00

Total Additional Project Appropriation \$ 68,500.00

Section 4: The following additional revenues are anticipated to be available for this project:

Transfer In – General Fund \$ 68,500.00

Total Additional Project Revenues \$ 68,500.00

Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this project.

Section 6: This amended ordinance becomes effective October 11, 2022.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of October 11, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



TOWN OF SOUTHERN PINES ORDINANCE #2027
AMENDING §32.031 OF THE TOWN'S CODE OF ORDINANCES RELATED TO
FEES FOR THE SOUTHERN PINES PUBLIC LIBRARY

WHEREAS, the Town desires to expand access to a free library card to all of the educational institutions within the town limits who serve children birth to age 17 as well as those individuals who own a business in the town limits; and

WHEREAS, the Town desires to eliminate fines for overdue library materials in an effort to provide equitable access to library services and resources to all patrons and to foster positive relationships between the library and the community; and

WHEREAS, the Town desires to approve other administrative adjustments to the library fee schedule; and

WHEREAS, §32.031 of the Town's Code of Ordinances sets forth the fees that are established for the various services provided by the Southern Pines Public Library.

BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina, in regular session assembled on the 11th day of October, 2022, the Code of Ordinances is amended as follows:

- (1) Delete existing section §32.031 in its entirety and replace with Attachment A.
- (2) The adopted revisions to §32.031 shall be effective no later than October 14, 2022.
- (3) Patron account balances shall be adjusted to remove any outstanding fines associated with overdue materials that were incurred prior to the effective date of this ordinance.

Adopted this 11th day of October, 2022.

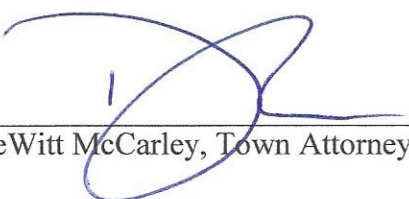
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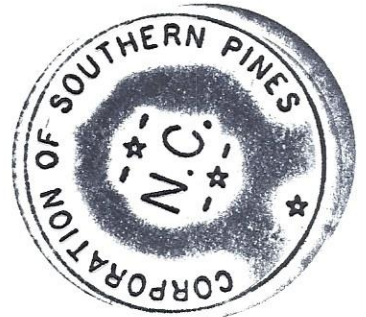
TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk

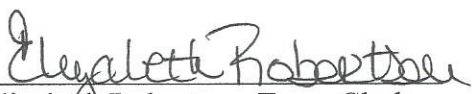

Carol R. Haney, Mayor

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 October 11, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

TOWN OF SOUTHERN PINES ORDINANCE #2027: ATTACHMENT A

§ 32.031 FEES.

(A) The following are exempt from payment for library cards and shall receive library cards free of charge. Valid documentation verifying personal identity and either a current home address in the corporate limits of Southern Pines, or payment of property tax to the Town of Southern Pines is required to qualify for either of the first two exempt categories:

- 1. Individuals who live within the town limits of Southern Pines.
- 2. Individuals who own property within the town limits of Southern Pines on which the individual pays property taxes.
- 3. Individuals who own a business located within the town limits of Southern Pines.
- 4. Individuals who have provided at least 20 hours of volunteer service to the library during the preceding twelve months.
- 5. Educational institutions with enrolled children ages birth to 17 that operate physical campuses within the town limits of Southern Pines (applies to limited access cards only).
 - a) Educational Institution is defined as any public or private preschool, elementary, or secondary school or any licensed early childcare center.

(B) The following formula determines the annual cost of a library card. Fees for both cards may be prorated for a six-month period.

- 1. Full Access Card: for use of full collection and services. The cost of card shall be computed annually in July by dividing the total municipal contribution to operating income by the total population, rounded to the nearest \$5.00.
- 2. Limited Access Card: for use of Juvenile and young adult collection. The cost of card equals one third (1/3) of the cost of a full access card, rounded to the nearest \$5.00.

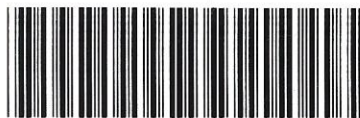
(C) The following schedule of fees shall be administered by the Library Director:

Description	Fee
B&W copies or prints	\$.15 per page
Color prints	\$.25
Internet kiosk (first 15 minutes free)	\$10/hour
Full access card yearly fee- for use of full collection and services	\$60
Limited access card yearly fee- for use of juvenile and young adult collection	\$20
Lost or damaged materials	\$5 + replacement cost
Inter-library loan:	USPS postage charge for item plus any charge imposed by lending library, if applicable
Replacement of lost library card	\$1
Library Multipurpose Room Rental- Resident	Weekdays: Mon-Thu \$50 for a 3-hour block \$15/each additional hour Weekends: Friday - Sunday \$60 for a 3-hour block \$20/each additional hour
Library Multipurpose Room Rental- Non-Resident	Weekdays: Mon-Thu \$100 for a 3-hour block \$30/each additional hour Weekends: Friday - Sunday \$120 for a 3-hour block \$40/each additional hour

Town of Southern Pines.
mail: 125 SE Broad St
Southern Pines, NC 28387-6147

FOR REGISTRATION REGISTER OF DEEDS
Judy D. Martin
Moore County, NC
November 09, 2022 11:12:22 AM
Book 5937 Page 72-76
FEE: \$26.00
INSTRUMENT # 2022018535

Jm



INSTRUMENT # 2022018535

**TOWN OF SOUTHERN PINES ORDINANCE #2028
TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SOUTHERN PINES,
NORTH CAROLINA AX-04-22; Sandhills Pediatrics**

THAT WHEREAS, the Town Council has been petitioned under G.S. 160A-31 as amended to annex the area described herein; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation, AX-04-22, was scheduled to be held in regular session of the Town Council at the Douglass Community Center at 6:00 P.M. on the 11th day of October, 2022 after due notice by publication on September 25, 2022; and

WHEREAS, after the completion of said public hearing and upon consideration of any comments, objections or presentation at that hearing, and

WHEREAS, based on the certification of the Town Clerk and other information presented at said hearing, Council finds it proper and in the best interest of the Town to annex the following parcel according to the requirements of G.S. 160A-31:

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.

A map of the area herein described is provided with this Ordinance as Attachment A.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines, North Carolina in regular session this 11th day of October, 2022:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the above described territory is hereby annexed and made part of the Town of Southern Pines as of the 11th day of October, 2022.

Section 2. Upon and after the 11th day of October, 2022 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Southern Pines and shall be entitled to the same privileges and benefits as other parts of the Town of Southern Pines. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Southern Pines shall cause to be recorded in the office of the Register of Deeds of Moore County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1.

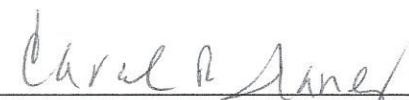
Section 4. This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 11th day of October, 2022.

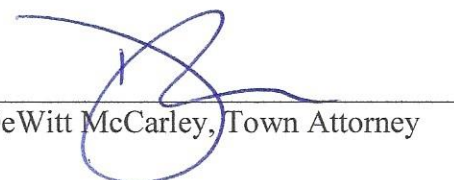
ATTEST:

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 on October 11, 2022 as shown in the Minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

ATTACHMENT 'A'



Name: S & S PARTNERS LLP

Parcel ID: 20190014
Deeded Acres: 2.32

1 inch = 100 feet
August 30, 2022

E

0 45 90 180 Feet

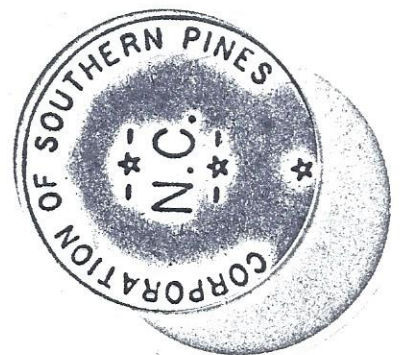
Ordinance #2028

COUNTY OF MOORE
STATE OF NORTH CAROLINA

I swear that this is a true and accurate copy of Ordinance #2028 extending the corporate limits of the Town of Southern Pines adopted on October 11, 2022 (AX-04-22).

Elizabeth Robertson
Elizabeth Robertson, Town Clerk

10/11/2022
Date



TOWN OF SOUTHERN PINES RESOLUTION #1023
CERTIFICATE OF SUFFICIENCY
AX-04-22: Sandhills Pediatrics

To the Town Council of the Town of Southern Pines, North Carolina;

I, Elizabeth Robertson, Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

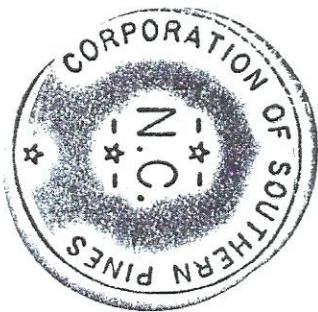
The petition contains an adequate property description of the area proposed for annexation, which is identified as follows: PIN 857100496541 (PARID: 20190014)

The petition is signed by and includes addresses of all owners of real property lying in the area described herein. Per the Moore County Tax Department and Moore County Register of Deeds, the property owner is listed as S & S Partners, LLP.

The area described in the petition is contiguous to the Town of Southern Pines primary corporate limits, as defined by N.C.G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Southern Pines, North Carolina, this 30th day of August, 2022.


Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES ORDINANCE #2029
TO APPROVE A ZONING EXEMPTION
(ZE-01-22)**

WHEREAS, the Arts Council of Moore County (ACMC), a local non-profit with a mission “to inspire and strengthen our community through the arts,” has developed a public art program to privately sponsor and administer the installation of artistic murals within Southern Pines’ zoning jurisdiction; and

WHEREAS, murals installed on buildings within Southern Pines’ zoning jurisdiction are technically considered signs based on the definition of a sign in the Town of Southern Pines Unified Development Ordinance (UDO) and therefore most murals would not comply with the location and size restrictions for signage; and

WHEREAS, UDO §2.11 allows for exemptions to zoning when the exemption is found to be in the public interest and not contrary to health, safety and welfare considerations; and

WHEREAS, Mr. Chris Dunn, Executive Director of the Arts Council of Moore County, has submitted a request to install a 40’ wide by 24’ tall mural by artist Nick Napoletano on the side of an existing commercial building located at 311 Southeast Broad Street; and

WHEREAS, the proposed mural is compliant with mural program guidelines adopted by the ACMC and provided to the Town of Southern Pines and has been vetted by a mural committee administered by the ACMC that includes representatives from the Southern Pines Appearance Commission, the West Southern Pines Civic Club, the Southern Pines Business Association and the ACMC; and

WHEREAS, pursuant to §2.11 of the UDO, a public hearing must be held when the Town Council is considers a zoning exemption; and

WHEREAS, a public hearing was held on October 11, 2022 at which time the Town Council listened to and considered the comments of those wishing to speak on the matter of the proposed mural at 311 Southeast Broad Street.

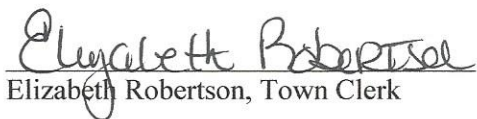
NOW THEREFORE, BE IT RESOLVED by the Town of Southern Pines Town Council at its regular business meeting held on October 11, 2022 that:

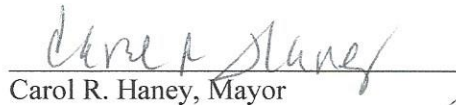
1. The proposed mural, as described in the zoning exemption request from Mr. Chris Dunn dated September 6, 2022, is in the public interest because public art contributes to a sense of place that helps keep communities like Southern Pines unique and attractive. Studies show that public art, when combined with infrastructure, architecture and public spaces, is important for creating memorable and special places that both community members and visitors cherish. The mural program guidelines put in place by the ACMC are adequate to ensure that artistic murals do not become a “workaround” for signage that may be contrary to the purpose of the Southern Pines Sign Code as described in UDO §4.6.1, and therefore the proposed mural is not contrary to health, safety and welfare consideration
2. The Town Council orders that an exemption is approved to UDO §4.6 for the installation of a mural at 311 Southeast Broad Street, specifically in the manner and to the extent, as described by Mr. Chris Dunn, Executive Director of the ACMC, in his later dated September 6, 2022 and as governed by the ACMC’s mural program guidelines.

Adopted this the 11th day of October, 2022.

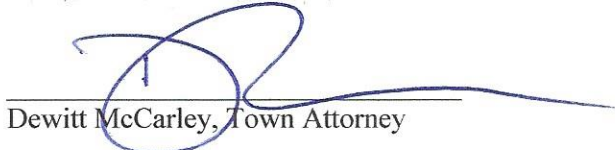
ATTEST:

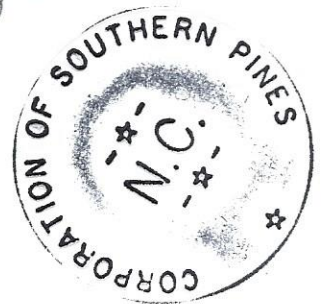
TOWN OF SOUTHERN PINES


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 October 11, 2022 as shown in the Minutes of the Town Council meeting for that date.


Elizabeth Robertson, Town Clerk

**TOWN OF SOUTHERN PINES ORDINANCE #2028
TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SOUTHERN PINES,
NORTH CAROLINA AX-04-22; Sandhills Pediatrics**

THAT WHEREAS, the Town Council has been petitioned under G.S. 160A-31 as amended to annex the area described herein; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation, AX-04-22, was scheduled to be held in regular session of the Town Council at the Douglass Community Center at 6:00 P.M. on the 11th day of October, 2022 after due notice by publication on September 25, 2022; and

WHEREAS, after the completion of said public hearing and upon consideration of any comments, objections or presentation at that hearing, and

WHEREAS, based on the certification of the Town Clerk and other information presented at said hearing, Council finds it proper and in the best interest of the Town to annex the following parcel according to the requirements of G.S. 160A-31:

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.

A map of the area herein described is provided with this Ordinance as Attachment A.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines, North Carolina in regular session this 11th day of October, 2022:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the above described territory is hereby annexed and made part of the Town of Southern Pines as of the 11th day of October, 2022.

Section 2. Upon and after the 11th day of October, 2022 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Southern Pines and shall be entitled to the same privileges and benefits as other parts of the Town of Southern Pines. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Southern Pines shall cause to be recorded in the office of the Register of Deeds of Moore County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1.

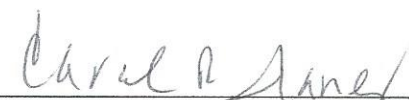
Section 4. This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 11th day of October, 2022.

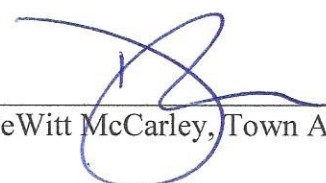
ATTEST:

TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk

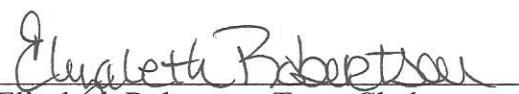

Carol R. Haney, Mayor

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 on October 11, 2022 as shown in the Minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

ATTACHMENT 'A'



Name: S & S PARTNERS LLP

Parcel ID: 20190014
Deeded Acres: 2.32

1 inch = 100 feet
August 30, 2022

E

0 45 90 180 Feet

Ordinance #2028

COUNTY OF MOORE
STATE OF NORTH CAROLINA

I swear that this is a true and accurate copy of Ordinance #2028 amending the Zoning Map of the Town of Southern Pines adopted on October 11, 2022 (AX-04-22).

Elizabeth Robertson
Elizabeth Robertson, Town Clerk

10/11/2022
Date



TOWN OF SOUTHERN PINES RESOLUTION #1029
NOTICE OF INTENT TO VACATE SECTION OF TOWN RIGHT-OF-WAY
FOR WEST WISCONSIN AVENUE AND SOUTH BENNETT STREET
RA-03-22

WHEREAS, Bantembo, LLC has submitted a request for the vacation of a section of right-of-way for West Wisconsin Avenue and South Bennett Street;

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 section of right-of-way; and

WHEREAS, the section of right-of-way for which the petitioner has requested vacation is shown on the Town street listing and transportation map; and

WHEREAS, the Town has no current or future plans to improve the section of right-of-way; and

WHEREAS, the existing Town sewer and water lines along the South Bennett Street and West Wisconsin Avenue rights-of-way are not located within the section of right-of-way to be vacated; 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 October 11, 2022 that:

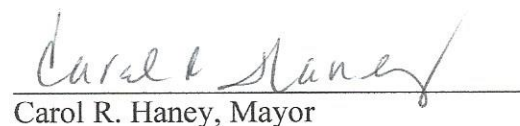
1. The Town of Southern Pines hereby intends to vacate the section of right-of-way for West Wisconsin Avenue and South Bennett Street as shown on the map attached hereto as Exhibit A.
2. A public hearing will be held during the regular business meeting of the Town of Southern Pines Town Council on November 8, 2022 at 6:00 PM to consider adopting an Order to vacate the section of Town right-of-way for West Wisconsin Avenue and South Bennett Street as shown on the map attached hereto as Exhibit A.

Adopted this the 11th day of October, 2022.

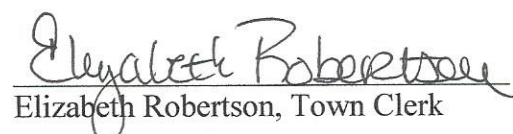
ATTEST:

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 October 11, 2022, as shown in the Minutes of the Town Council meeting for that date.


Elizabeth Robertson, Town Clerk

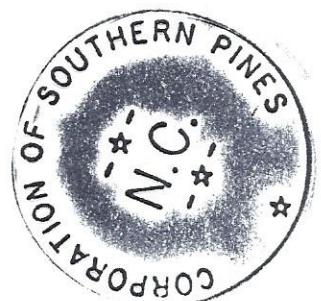


Exhibit A

