



MINUTES

Tuesday, February 14, 2023: 6:00 PM

Town Council Business Meeting

Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

Mayor Haney recognized the 125th Anniversary of the Southern Pines Fire Department.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Asst. Town Manager Jessica Roth reviewed the agenda. Town Manager Reagan Parsons is ill and unable to attend the meeting.

4. PRESENTATION

a. Consider and Present Resolution #1040 Honoring the 100-Year Anniversary of the Chartering of West Southern Pines

The Town of West Southern Pines was chartered on March 3, 1923. This resolution recognizes the 100th anniversary of this event and some of the history, residents, and cultural assets in West Southern Pines that have contributed to the history and culture of Southern Pines, Moore County, and North Carolina.

Dorothy Brower of 102 E. Monroe, Southern Pines, spoke to the Council regarding the resolution and asked for a few weeks to allow the West Southern Pines Community to finalize their plans for the celebration that could result in minor tweaks to the Town's offering. Council unanimously agreed to postpone the resolution.

5. PUBLIC COMMENTS

No public comments were voiced.

6. CONSENT AGENDA

Mayor Haney read Resolution #1029 out loud to the meeting participants.

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

a. Adopt Resolution #1039 Condemning Hatred and Discrimination

In response to recent displays of hatred, discrimination, and indignity that have been shown to some citizens in Southern Pines and the greater Moore County area, this resolution condemns hatred and discrimination and asserts that everyone should be treated with respect and dignity.

b. Approve Town Council Meeting Minutes for January 2023

Staff has prepared meeting minutes for approval

- January 3, 2023
- January 10, 2023
- January 24, 2023

c. Approve Ordinances #2053, #2054, #2055, and #2056 for Budget Amendments

- Ordinance #2053 closes the America Rescue Plan Act Grant Special Revenue Fund since the Town elected the standard allowance for revenue replacement and transferred the funds to the General and Enterprise Funds accordingly.
- Ordinance #2054 amends the General Capital Reserve Project Budget to allocate \$24,009 of interest revenue associated with ARPA.
- Ordinance #2055 amends the Water & Sewer Upgrades Capital Project Fund to allocate \$4,584 of interest revenue associated with ARPA.
- Ordinance #2056 amends the 2022/2023 Fiscal Year Budget to appropriate \$230,458 of fund balance in order to complete the purchase of two vehicles that were ordered in FY 21-22 and not received in that fiscal year due to supply chain delays.

7. ACTION ITEMS

a. Consider AR-24-22 Fort Bragg Federal Credit Union

Architectural Compliance Permit on behalf of Fort Bragg Federal Credit Union for development of a retail bank on the west side of Brucewood Road, between TerraBella senior living facility and Residence Inn by Marriott.

Senior Planner Alaina Mallette gave a brief overview of the project and noted a few changes to the application from the one that was presented at the February 7th Agenda Meeting.

Bob Koontz of KoontzJones Design, spoke to the Council on behalf of the applicant and gave a detailed presentation on the deviations that are being requested.

Mayor Haney questioned the roof color and was provided with the hunter green colored

chip sample used in the presentation. Mr. Koontz provided the sample and informed the Council that a 2nd color, darker and more muted, was also being considered. Councilmember Petersen asked for samples of the 2nd roof color and the applicant was unable to provide anything other than the electronic image and Pantone color number. Mr. Koontz agreed to work with staff to match the darker muted green color. Planning Director Grieve will agree to matching a color code but not leaving the final color up to staff discretion.

Councilmember Petersen requested the decision be postponed to the January Work Session and for the applicant to bring a sample of the 2nd roof color, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion approved.

b. Consider Ordinance #2057 Amending the FY 22/23 Budget to Purchase Vehicles for Yard Debris Collection Services

This ordinance appropriates \$726,000 from the General Fund fund balance to order three vehicles that can be used to collect yard debris, bulk items, and white goods. The Town intends to bring this collection service in-house effective January 1, 2024.

Discussion ensued.

Councilmember Pate moved to approve Ordinance #2057 for the purchase of 3 vehicles for yard debris pick-up in the amount of \$767,000, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

Councilmember Pate exited the meeting at 6:30 pm.

c. Consider SU-07-22: Southern Pines Country Club

Mid-Pines Development Group, LLC requests a special use permit to construct ten guest cottages at the Southern Pines Country Club. The development proposal is for ten detached golf cottages with fifty-six guest rooms, associated parking, and amenities such as a putting green and practice tee. This hearing was completed and closed on January 10 and Council postponed action on the decision to February 14.

This is a quasi-judicial hearing being continued from the January 10, 2023 Business Meeting.

At the January 10, 2023 Town Council Regular Business Meeting, the Town Council voted to approve Finding of Fact #1 by a vote of 4-0.

Council discussed and voted on each criterion for Finding of Fact #2 as follows:

A) The proposed special use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations.

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Clement - aye

Councilmember Petersen - nay

B) The proposed conditional use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted..

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Clement - aye

Councilmember Petersen - nay

C) Adequate public facilities shall be provided as set forth herein.

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Clement - aye

Councilmember Petersen - aye

D) The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood.

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Clement - aye

Councilmember Petersen - nay

E) The establishment, maintenance or operation for the proposed use shall not be detrimental to or endanger the public health, safety, comfort, or general welfare.

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Clement - aye

Councilmember Petersen - nay

F) The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use.

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Clement - aye

Councilmember Petersen - nay

Finding of Fact #3 was discussed and voted on as follows:

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Clement - aye

Councilmember Petersen - nay

Councilmember Clement moved to adopt Attachment A of the Staff Report for SU-07-22, seconded by Mayor Pro Tem Murphy; the vote was as follows:

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Clement - aye
Councilmember Petersen - nay
Motion Passed

Upon motion by Mayor Pro Tem Murphy, seconded by Councilmember Clement, Special Use Permit Application SU-07-22 was approved with the following conditions:

1. An undisturbed buffer of no less than 25' as well as a 10' planted buffer for a total buffer of 35' along the project boundary with adjacent properties and/or rights-of-way will be required prior to occupancy of the proposed lodging units.
2. A 65' setback from property boundaries shall be required for all proposed cottage structures.
3. Any needed improvements or extensions of infrastructure shall be made at the cost of the developer.
4. The emergency access point will be designed using grass pavers with an adequate base to meet the requirements of the Fire Department and the Technical Review Committee prior to site plan approval. The access point will be gated and used only for emergency vehicles.
5. Construction traffic will be prohibited from using Ridge Street and instead will use Country Club Circle.
6. Signage will be compliant with UD Section 4.6 and will be subject to the sign permit process.
7. Any fire pits or entertainment areas associated with the cottages will be located on the golf course side of the cottages.
8. Individual rooms within the cottages will be limited to an occupancy of two adults.
9. The applicant will include some variation in the architecture of the units to be constructed. Architectural plans will be presented to the Town Council during the Architectural Compliance Permit process. To reflect the materials and design of the neighborhood, these units may vary from the strict commercial requirement of Section 4.10.4 of the UDO for materials and design, to permit the units to be constructed with a residential character.
10. The applicant will work with the Town of Southern Pines Planning and E# engineering staff, as well as NCDOT to examine options that may improve conditions at the intersection of Morganton Road, Country Club Circle and Country Club Drive. Solutions may include the addition of wayfinding or directional signage in the area to direct golfers and guests to the Southern Pines Golf Club, or additional regulatory signage in the area.
11. The proposed cottages shall be limited to a maximum number of fifty-two (52) bedrooms.

The vote was as follows:

Mayor Haney - aye
Mayor Pro Tem Murphy - aye
Councilmember Clement - aye
Councilmember Petersen - nay

Motion passed.

*It is noted that the applicant agreed to provide 24-hour security and shuttle buses for the property.

**Attorney Petisch asked that it be noted that during the break there was discussion between staff and the Council regarding the application.

***Councilmember Petersen asked that the definitions of neighborhood be read into the record:

neighborhood - An area of a community with characteristics which distinguish it from others that may include distinct ethnic or economic bases, housing types, schools or boundaries defined by distinct physical barriers such as railroads, arterial streets, rivers or major drainage channels.

8. EVIDENTIARY (QUASI-JUDICIAL) PUBLIC HEARING

a. SU-06-22: MidSouth Modifications (hearing continued from 01/10/23)

Plantation Investors, LLC requests a special use permit and a major subdivision preliminary plat for various modifications to the MidSouth development. Modifications include adding two residential lots near the north entrance and subdividing the property on which the north gatehouse is located. The subject property is identified as PIN: 857200264820 (PARID: 00041026701).

Mr. Jeremy Sparrow of KoontzJones Design on behalf of the applicant requested to postpone the hearing to the March 14, 2023, Town Council Business Meeting.

Upon a motion by Councilmember Petersen, seconded by Councilmember Clement, and agreed to unanimously, the hearing for SU-06-22 was postponed to the March 14, 2023 Town Council meeting.

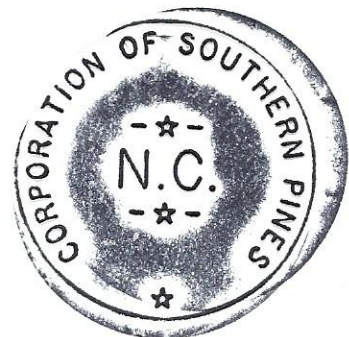
9. ADJOURNMENT

Upon motion by Mayor Pro Tem Murphy, seconded by Councilmember Petersen and carried unanimously, Council adjourned at 7:35 pm.

Respectfully submitted:



Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES RESOLUTION #1039
CONDEMNING HATRED AND DISCRIMINATION
IN SOUTHERN PINES AND MOORE COUNTY, NORTH CAROLINA**

WHEREAS, we, the Town Council of Southern Pines, firmly believe that everyone should be treated with respect and dignity. Our nation was built on the principles of human equality and equity; and

WHEREAS, we are committed to ensuring that Southern Pines is a safe, inclusive, and diverse community free of fear and bias where every individual is valued and respected. Our diversity of perspectives, experiences, and backgrounds makes us a richer, more creative community and enhances our quality of life; and

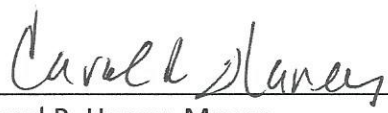
WHEREAS, we are saddened by the recent displays of hatred, discrimination, and indignity that have been shown to some citizens in Southern Pines and the greater Moore County area.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina in regular session assembled this 14th day of February, 2023, that:

1. The Town of Southern Pines condemns all forms of discrimination and bias on the basis of age, race/color, gender identity, sexual orientation, religion, nationality or ethnic origin, disability, ideology, social or economic class, or any other distinction that leads to inequality of opportunities, abuse, or injustice.
2. The Town of Southern Pines affirms that all individuals should be treated with respect and we recognize the value and contributions of all.
3. The Town of Southern Pines supports efforts to advance equality, equity, and justice.
4. The Town of Southern Pines affirms that hatred and violence have no place in our behaviors, actions, policies, and practices.

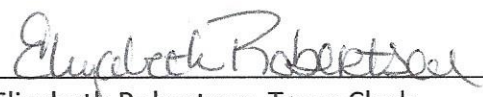
Adopted this 14th day of February, 2023.

TOWN OF SOUTHERN PINES

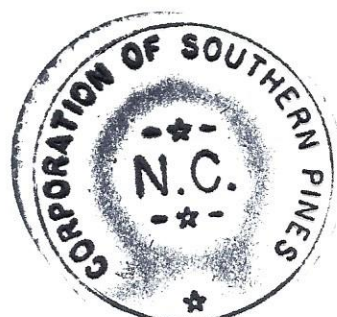


Carol R. Haney, Mayor

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of the 14th day of February, 2023 as shown in the minutes of the Town Council for that date.



Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES ORDINANCE #2053
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 adopted:

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 additional amount is appropriated for the project:

Transfer to Capital Project Fd - General Capital Reserve Fund	\$24,009
Transfer to Capital Project Fd – Water Upgrade	\$ 4,584

Section 4: The additional revenue is appropriated for this project:

Interest on Investment	\$28,593
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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 and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town's Uniform Guidance Allowable Costs and Cost Principles Policy.

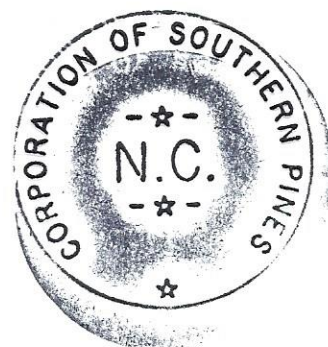
Section 6: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

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 February 14, 2023.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of February 14, 2023 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES ORDINANCE #2054
AMENDING THE GENERAL CAPITAL RESERVE PROJECT 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 reserve project budget is hereby amended:

Section 1: The project authorized is for the purpose of acquisition, renovation, and/or construction of major capital facilities and improvements to the Town's infrastructure.

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

Section 3: The following additional amount is appropriated for the project:

Transfer to Capital Project Funds	<u>\$ 24,009</u>
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Total Additional Project Appropriation	<u>\$ 24,009</u>
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Section 4: The following additional revenue is anticipated to be available for this project:

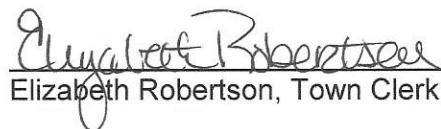
Transfer In - Special Revenue Fund - ARPA	<u>\$ 24,009</u>
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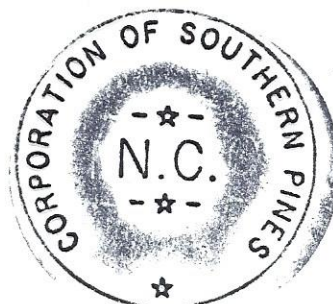
Total Additional Project Revenues	<u>\$ 24,009</u>
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Section 5: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this project.

Section 6: This amended ordinance becomes effective February 14, 2023.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of February 14, 2023 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



TOWN OF SOUTHERN PINES ORDINANCE #2055
AMENDING WATER & SEWER UPGRADES CAPITAL PROJECT 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 capital reserve project budget is hereby amended:

Section 1: The project authorized is to establish a fund for the purpose of upgrading and repairing the Town's water distribution system and sewer collection system.

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

Section 3: The following amount is appropriated for the project:

Construction	<u>\$ 4,584</u>
Total Additional Project Appropriation	<u>\$ 4,584</u>

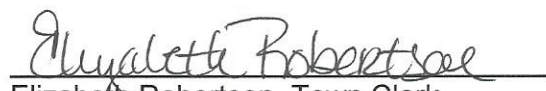
Section 4: The following additional revenue is anticipated to be available for this project:

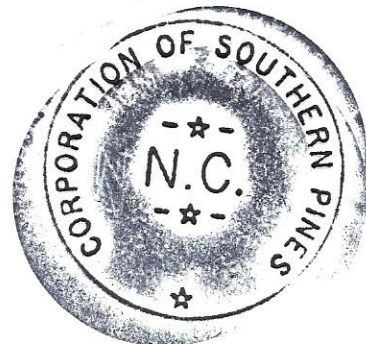
Transfer In - ARPA Special Revenue Fund - Water	<u>\$ 4,584</u>
Total Additional Project Revenues	<u>\$ 4,584</u>

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 February 14, 2023.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of February 14, 2023 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

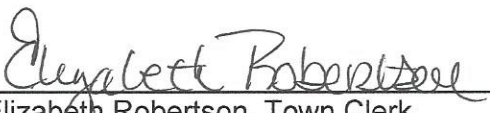


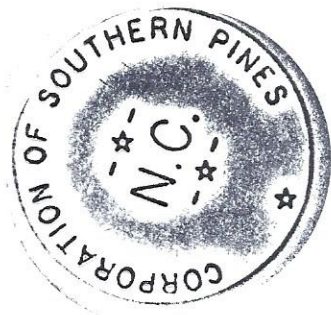
**TOWN OF SOUTHERN PINES ORDINANCE #2056
AMENDING THE 2022/2023 FISCAL YEAR BUDGET
Fire Department Brush Truck**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 14th day of February, 2023 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>
Fire Department	Capital – Motor Vehicles	10-530-7402	\$ 197,000.00	
Buildings & Grounds	Capital – Motor Vehicles	10-640-7402	\$ 33,458.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$ 230,458.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of February 14, 2023 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

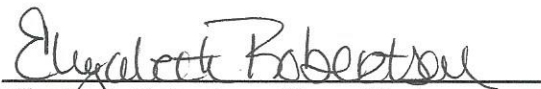


TOWN OF SOUTHERN PINES ORDINANCE #2057
AMENDING THE 2022/2023 FISCAL YEAR BUDGET
Heavy Equipment – Yard Debris

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 14th day of February, 2023 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>
Public Works Admin	Capital – Motor Vehicles	10-565-7402	\$ 726,000.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$ 726,000.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of February 14, 2023 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

