



MINUTES

Tuesday, April 11, 2023: 6:00 PM

Town Council Business Meeting

E.S. 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.

Discussion ensued.

4. PUBLIC COMMENTS

Lynn Thompson of 957 SanDavis Road had several comments for the Council:

- Ms. Thompson reviewed the draft budget published online as part of the upcoming budget retreat and thanked the staff and Council for their time and efforts in working on it.
- Ms. Thompson noted the use of different interest rates within the budget and expressed some confusion.
- Ms. Thompson thanked Councilmember Clement for her request to keep the budget this fiscal year revenue neutral.
- Ms. Thompson shared her opinion in regards to the budget which she feels can be reduced by \$0.01 if the police department's request to buy a tactical vehicle is denied.
- Ms. Thompson expressed her pleasure that the Town still plans to allocate funds for the MLK celebration
- Ms. Thompson supports the staff request for funds dedicated to professional training and hopes the training will be town wide.
- Ms. Thompson asks that the Council review the memo dated 7/15/22 from West Southern Pines Community Connectors again and their requests for consideration when allocating the ARPA funds.

Marsh Smith of 568 Santee Road expressed concern over the ability to see oncoming traffic when approaching W. Pennsylvania intersection from S. Paige Street due to the parking of vehicles so close to the intersection. He asks that the Council consider removing one parking space at the corner or installing convex mirrors to aid drivers. Town Manager Parsons will address this issue with Asst Public Works Director Cory Albers.

Dorothy Brower of 102 E Monroe wished to give recognition to the Town's Staff for their attendance and help with the organization of the March 25th Spring Into Community Event. Several staff members of the Planning Department and Police Department were named and thanked: Rachel Mann, Community Development Specialist, was thanked for her work on organizing and planning the event, Planning Director BJ Grieve and Senior Planner Alaina Mallette were mentioned and from the Police Department: Lt. Jack Austin, Maricruz Guererro, Desiree Jimenez and Marcus Rummel. Ms. Brower found the clean-up of S. Carlisle and W. Indiana especially gratifying.

Bob Koontz voiced his agreement with Marsh Smith's comments and believes that the removal of the end parking spaces and the installation of mirrors will help address the issue.

5. PUBLIC HEARINGS

a. Z-01-23 Tiara Office Park

Jeffrey Barczak, on behalf of Richard Knight of Tiara Properties, LLC, has submitted a request to zone a currently un-zoned 1.25-acre parcel to Office/Service (OS) within the town's city limits. The subject parcel is located on the east corner of W. Wisconsin Ave. and SE Service Rd, which is located near the U.S. Highway 1 highway exit between the Morganton Road and W Pennsylvania Avenue exits.

Councilmember Pate moved to open the public hearing for Z-01-23 Tiara Office Park, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Senior Planner Mallette presented the application and staff report to the Council.

Discussion ensued.

Marsh Smith addressed the Council regarding the installation of a foot bridge at this location to connect East and West Southern Pines over US 1. Mr. Smith also expressed concern regarding the loss of watershed property.

Councilmember Clement moved to close the public hearing for Z-01-23 Tiara Office Park, seconded by Councilmember Pate; the vote was unanimous.

Motion passed.

Councilmember Clement moved that after reviewing the proposed rezoning and the criteria for consideration of zoning amendments and after considering the comments received at the Town Council's public hearing and the Planning Board's written recommendation, the proposed amendment to the Town of Southern Pines zoning map is reasonable in the public interest and consistent with the current character of Memorial Park neighborhood and the Town of Southern Pines comprehensive long-range plan considering that the parcel switched from a publicly owned right-of-way to private ownership the future land use map does not categorize a subject parcel therefore pursuant to N.C.G.S. 160D-605A the planning amendment to the CLRP Future Land Use Map on the parcel to commercial has been considered concurrently with the zoning amendment. The requested rezoning is a reasonable request for the reasons set forth in the written Planning Board's recommendation attached to Staff Report Z-01-23. Councilmember Pate seconded and the vote was as follows:

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Pate - aye

Councilmember Clement - aye

Councilmember Petersen - nay

Motion passed.

Councilmember Clement moved to approve Z-01-23 as submitted and as set forth in attachments to staff report Z-01-23, seconded by Councilmember Pate, the vote was as follows:

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Pate - aye

Councilmember Clement - aye

Councilmember Petersen - nay

Motion passed.

b. PD-02-23 Conceptual Development Plan for +/- .786 acres on the West Side of S. Bennett Street between New York Avenue and Pennsylvania Avenue. HEARING DELAYED TO 05-09-23

Hearing delayed by Applicant Request 03-30-23

Councilmember Pate moved to open the hearing for PD-02-23 Conceptual Development Plan for +/- .786 acres on the West Side of S. Bennett Street, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

An emailed request for continuance was received on March 30, 2023.

Councilmember Pate moved to continue the hearing for PD-02-23 to May 9, 2023, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

6. ACTION ITEMS

a. WP-01-23 Tiara Office Park

A request by Jeff Barczak, on behalf of Tiara Properties, PPC, for 3.61 acres of exemption allocation to develop an office park on the east corner of the intersection of W. Wisconsin Ave. and SE Service Road. The proposed development will include 31.2% built-upon area and therefore requires the requested allocation from the town's 5/70 water supply watershed acreage.

Planning Director BJ Grieve gave an overview of the request to the Council and presented the staff report.

Discussion ensued.

Councilmember Pate made a motion to approve WP-01-23 Tiara Office Park, seconded by Mayor Pro Tem Murphy; the vote was as follows:

Mayor Haney - aye

Mayor Pro Tem Murphy - aye

Councilmember Pate - aye

Councilmember Clement - aya

Councilmember Petersen - nay

Motion passed.

b. Consider AR-03-23 Amendments to AR-11-22 Walgreens & Heartland Dental Care

Barry Byrd with Barry Byrd Architecture, on behalf of Bradford Southern Pines, LLC, is applying for an amendment to a previously-approved Architectural Compliance Permit (AR-11-22). The changes to the original design of the exterior of the building may not be approved administratively per UDO 2.26.8.

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

Barry Bird of Barry Bird Architecture located in Flat Rock, NC, presented more details about the project to the Council on behalf of the applicant.

Discussion ensued.

Councilmember Pate moved to approve AR-03-23: Amendments to AR-11-22 Walgreens & Heartland Dental Care, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Councilmember Petersen issued a warning to the applicant that his client needs to respect the Town's procedural requirements in the future.

c. Consider AR-01-23 Knollwood Tract Phase 2 Apartments

Hawthorne Residential Partners, LLC, requests approval of an Architectural Compliance Permit for a 236-unit apartment home community constituting Phase 2 of the Knollwood Tract CDP.

Mayor Haney announced that Councilmember Pate has been recused from voting on this application.

Principal Planner Graham reviewed the changes in the application from the last meeting.
Discussion ensued.

Bob Koontz of KoontzJones Design, representing the applicant, presented renderings of the project and answered the Council's questions.

Mark Mill of Planworks Architecture, spoke to the Council and addressed issues raised in the staff report.
Discussion ensued.

Mayor Pro Tem Murphy moved to approve AR-01-23: Knollwood Tract Phase 2 Apartments as agreed upon with the extra 5 foot portico for building #2, seconded by Councilmember Clement; the vote was unanimous.

Motion passed.

d. Consider AR-02-23 Homeward Kitchen

Mr. Dave Conklin of Golden Corral and Mr. Grey Isley of LMHT Associates are requesting an Architectural Compliance Permit for redevelopment of the previous Chick-Fil-A drive-through restaurant site, 10735 U.S. Highway 15-501.

Senior Planner Mallette reviewed the application and staff report for the Council.
Discussion ensued.

Greg Isley of LMHT Associates, representing the applicant, addressed the Council regarding the drive-thru size and traffic concerns.
Discussion ensued.

Councilmember Pate moved to approve AR-02-23 Homeward Kitchen, seconded by Mayor Pro Tem Murphy; the vote was unanimous. Motion passed.

7. CONSENT AGENDA

Councilmember Clement requests that within the discussion regarding the Town's rebranding, that the addition of "as needed" or "when needed" to the tag line be inserted within the March 7th minutes for clarification purposes.

Mayor Pro Tem Murphy moved to approve the Consent Agenda with the change to the March 7, 2023 minutes as discussed, seconded by Councilmember Pate; the vote was unanimous.
Motion passed.

a. Resolution of Acceptance of North Carolina Department of Environmental Quality ARPA Grant for Sewer Collection System Improvements

The North Carolina Department of Environmental Quality has offered American Rescue Plan Act (ARPA) funding in the amount of \$4,999,950 to perform construction of wastewater collection system improvements.

b. Approve Ordinances #2061, #2063 and #2064 for Budget Amendments

- Ordinance #2061 modifies the Fire Department Budget to allocate \$45,000 for increases in auto repair and maintenance expenditures. A memo from Chief Cameron is attached with more details.
- Ordinance #2063 and #2064 amends the Unpaved Street Capital Budget and Project Fund to rename the Fund and allocate \$900,000 for the purpose of using this fund for annual paving activities of the Town per the pavement conditions study performed every four years.

c. Resolution #1043 Approving the TJCOG Charter Amendment

Staff requests the Council adopt Resolution #1043 accepting and approving the amended charter resolution of Central Pines Regional Council (formerly Triangle J Council of Governments).

d. Town Council Meeting Minutes for March 2023

Staff has prepared the following meeting minutes for approval:

- March 7, 2023
- March 14, 2023
- March 28, 2023

8. ADJOURNMENT

Councilmember Pate moved to enter a closed hearing per N.C.G.S. 143-318.11(A3) (A5), seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

Council returned to open session at 9:41 pm.

No action was taken.

Council adjourned at 9:42 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk



TOWN OF SOUTHER PINES RESOLUTION #1044
ACCEPTING ARPA GRANT FOR WASTEWATER COLLECTION SYSTEM
IMPROVEMENTS

WHEREAS, the American Rescue Plan Act (ARPA) funded from the State fiscal Recovery Fund was established in L.L. 2021-180 to assist eligible unites of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible unites of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan Act (ARPA) funding in the amount of \$4,999,950 to perform construction of wastewater collection system improvements project, and

WHEREAS, the Town of Southern Pines intends to perform said project in accordance with the agreed scope of work,

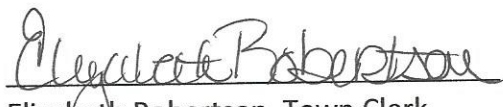
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES:

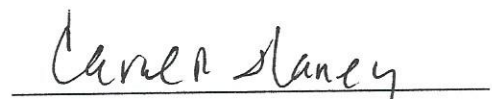
1. That the Town of Southern Pines does hereby accept the ARPA Grant offer of \$4,999,950.
2. That the Town of Southern Pines does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will by adhered to, has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.
3. That Mayor Carol R. Haney, Town Manager Reagan Parsons, and Town Engineer James Michel, the Authorized Officials, and successors so titled, are hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may by required by the Division of Water Infrastructure.

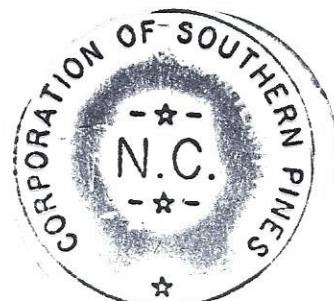
Adopted this 11th day of April, 2023.

ATTEST:

TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk


Carol R. Haney, Mayor



Town of Southern Pines
125 S.E. Broad St
Southern Pines, NC 28387

mail:

FOR REGISTRATION REGISTER OF DEEDS

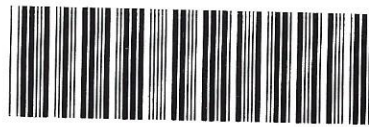
William Britton
Moore County, NC

April 26, 2023 02:17:57 PM

Book 6004 Page 2-4

FEE: \$26.00

INSTRUMENT # 2023005255



INSTRUMENT # 2023005255

Jm

TOWN OF SOUTHERN PINES ORDINANCE #2062
AMENDING THE ZONING MAP OF THE TOWN OF SOUTHERN PINES
Z-01-23

THAT WHEREAS, after notice duly given according to law, a public hearing was held before the Town of Southern Pines Town Council at its regular business meeting on April 11, 2023 at 6:00 PM for the purpose of considering and passing of an ordinance amending the Zoning Map of the Town of Southern Pines, North Carolina; and

WHEREAS, after the completion of said public hearing, and upon consideration of the reasonableness of the request, compliance with the criteria for a zoning map amendment found in UDO §2.17.9, as well as consistency with the adopted Comprehensive Long-Range Plan, the Southern Pines Town Council approved petition Z-01-23 to amend the Zoning Map of the Town of Southern Pines;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town of Southern Pines Town Council, in regular session assembled on the 11th day of April, 2023:

Section 1. That the Zoning Map of the Town of Southern Pines on file in the office of the Town Clerk be amended to reflect that the parcel located east of Southeast Service Road and north of West Wisconsin Avenue be zoned Office/Service (OS). The subject parcel is described as follows:

BEGINNING at an existing NCDOT concrete right of way monument having NC Grid coordinates of y=518,952.00 feet (US) and x=1,869,948.31 (US), marking the southeast right of way line of U. S. Highway I, situate in Block P & 8 in the Town of Southern Pines, said monument further located as being South 43°08'41" West a distance of 72.08 feet from an iron pipe found in the southwest right of way line of West Illinois Avenue; running thence from said beginning monument South 2°59'08" West a distance of 517.18 feet, crossing that vacated portion of South Saylor Street right of way and a ditch in Block P & 7, Town of Southern Pines, to another existing NCDOT concrete right of way monument having NC Grid coordinates of y=518,435.52 feet (US) and x= 1,879,921.37 feet (US); thence continuing South 2°59'08" West, a distance of 1.90 feet to an iron rod situate in the northeast right of way line of West Wisconsin Avenue; thence with said right of way line of West Wisconsin Avenue, North 36°31'09" West a distance of 188.63 feet to an iron pipe found, the West corner of Block P & 7 situate at the intersection of right of way lines of West Wisconsin Avenue and (southeast) South Saylor Street; thence continuing with said right of way line of West Wisconsin Avenue, North 36°22'03" West a distance of 79.81 feet to an iron pipe found, South corner of Block P & 8, Town of Southern Pines situate at the intersection of said right of way line of West Wisconsin Avenue and (northwest) South Saylor Street; thence continuing with said right of way line of West Wisconsin Avenue, North 36°30'36" West a distance of 60.75 feet to its intersection with the southeast right of way line of U. S. Highway 1, a new corner; thence as the southeast right of way line said highway (Service Road) as a curve, curving to the right, in a northeasterly direction, having an arc length of 337.67 feet with a radius of 4,878.62 feet, the chord of which curve bears North 41°17'05" East a chord distance of 337.61 feet to the BEGINNING, containing 1.26 acres, more or less.

Section 2. That, pursuant to NC General Statute Chapter 160D-605(s), this zoning map amendment shall concurrently amend the Future Land Use Map within the Comprehensive Long-Range Plan (2016) for the subject parcel as described above to Commercial.

Section 3. That this Ordinance shall be and shall remain in full force and effect from the date of its adoption until otherwise amended.

Adopted this 11th day of April, 2023.

ATTEST:

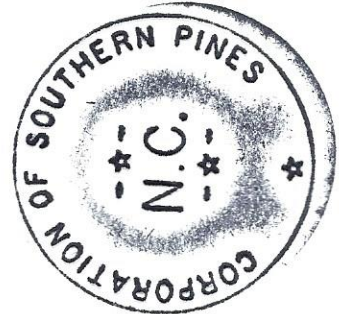
TOWN OF SOUTHERN PINES

Elizabeth Robertson
Elizabeth Robertson, Town Clerk

Carol R. Haney
Carol R. Haney, Mayor

APPROVED AS TO FORM:

Mac McCarley
Mac McCarley, Town Attorney



I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on April 11, 2023 as shown in the Minutes of the Town Council meeting for that date.

Elizabeth Robertson
Elizabeth Robertson, Town Clerk

**MOORE COUNTY
STATE OF NORTH CAROLINA**

I hereby certify that the attached is a true and accurate copy of the Town of Southern Pines Ordinance #2062 Amending the Zoning Map of the Town of Southern Pines (Z-01-23) adopted on April 11, 2023.

Elizabeth Robertson
Elizabeth Robertson, Town Clerk

4-26-2023
Date



**TOWN OF SOUTHERN PINES ORDINANCE #2064
AMENDING & RENAMING THE
UNPAVED STREET CAPITAL PROJECT FUND AND 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, originally authorized for the purpose of paving unimproved Town streets, is hereby amended for the purpose of utilization with the annual paving activities of the Town per the pavement conditions study performed every four years.

Section 2: The officers of this unit are hereby directed to rename the capital project fund the Paving Capital Project Fund.

Section 3: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 4: The following additional amount is appropriated for the project:

Construction	<u>\$900,000</u>
Total Additional Project Appropriation	<u>\$900,000</u>

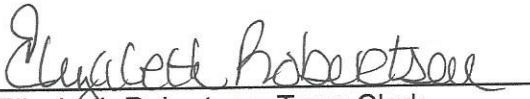
Section 5: The following additional revenue is anticipated to be available for this project:

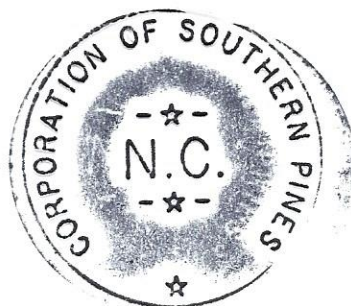
Transfer In - General Fund	<u>\$900,000</u>
Total Additional Project Revenues	<u>\$900,000</u>

Section 6: 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 7: This amended ordinance becomes effective April 11, 2023.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of April 11, 2023 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

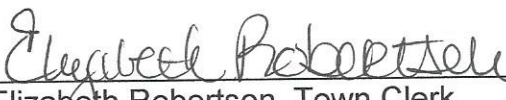


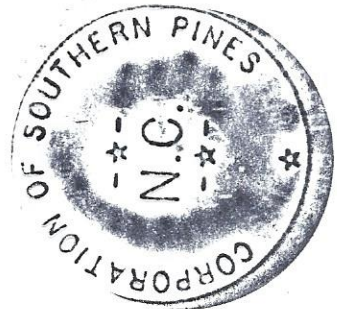
**TOWN OF SOUTHERN PINES ORDINANCE #2063
AMENDING THE 2022/2023 FISCAL YEAR BUDGET
(Unpaved Street Budget)**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 11th day of April, 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>
General Fund	Transfer to – CP Unpaved Streets	10-670-5500	\$900,000.00	
Street	Paving	10-560-7300		\$900,000.00

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of April 11, 2023 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



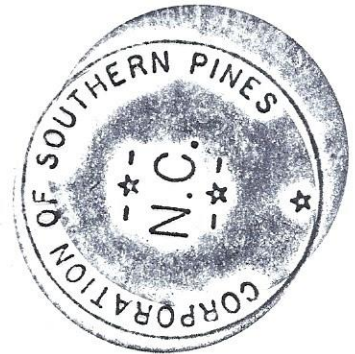
**TOWN OF SOUTHERN PINES ORDINANCE #2061
AMENDING THE 2022/2023 FISCAL YEAR BUDGET
Fire Department Auto Repair/Operating Budget**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 11th day of April, 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	Auto Repair	10-530-1700	\$ 21,000.00	
Fire Department	Auto Operating	10-530-3100	\$ 24,000.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$ 45,000.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of April 11, 2023 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



TOWN OF SOUTHERN PINES RESOLUTION #1043
RATIFYING, ACCEPTING AND APPROVING THE AMENDED CHARTER RESOLUTION
OF CENTRAL PINES REGIONAL COUNCIL
(FORMERLY TRIANGLE J COUNCIL OF GOVERNMENTS)

WHEREAS, the Councils of Governments system was created by the State of North Carolina in 1970 by Governor Bob Scott designating seventeen Regional Councils to serve across the state and Triangle J Council of Governments (TJCOG), formerly the Research Triangle Regional Planning Commission, as the regional entity serving Chatham, Durham, Johnston, Lee, Moore, Orange, and Wake counties, and the municipalities within those counties;

WHEREAS, the TJCOG Board of Delegates approved an organization rebrand process in its Fiscal Year 2022-2023 budget to identify and implement a new name, logo, and brand for the organization, and rebranding consultant Carrboro Creative was selected to conduct the process in the Fall of 2022;

WHEREAS, the proposed rebrand, including a name change from Triangle J Council of Governments to Central Pines Regional Council was presented to the TJCOG Officers, TJCOG Executive Committee, and TJCOG Board of Delegates in December, February, and March of 2023 for consideration;

WHEREAS, the TJCOG Executive Committee and TJCOG Board of Delegates unanimously approved the name Central Pines Regional Council and approved a proposed amended charter to reflect this change;

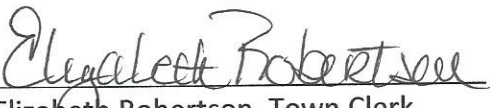
WHEREAS, the charter is TJCOG's governing document and must be endorsed by all member governments when they join the organization and by a minimum of 2/3 when amendments to the document are made;

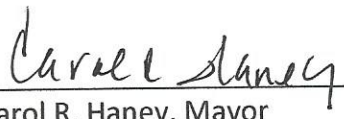
NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES that the Town of Southern Pines does hereby ratify, accept, and approve the amended Charter Resolution reflecting the organization's new name of Central Pines Regional Council. Further, the governing body authorizes that the new name will be effective July 1, 2023, or once 2/3 of the member governments approve the Charter amendment, if it is after July 1, 2023.

Adopted this the 11th day of April, 2023.

ATTEST:

TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk


Carol R. Haney, Mayor

