



MINUTES

Tuesday, May 9, 2023: 6:00 PM

Town Council Business Meeting

E.S. Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

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

Absent: Mayor Haney

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

4. PUBLIC COMMENTS

Karen Tussing, a resident of Knollwood Heights, expressed her concern over the new BHAWK facility (also known as American Whiskey Ko. Rickhouse) being built near her home. Ms. Tussing is concerned about the possibility of Whiskey Fungus (Baudoinia Companies) as a result of the BHAWK facility and questioned if the Town would be enacting any type of monitoring once the facility is open or requiring the facility to use any preventative measures once open.

Town Manager Parsons advised that the Whiskey Fungus possibility was previously unknown to the Town personnel and that any monitoring or preventative requirement would be under the purview of the Moore County Health Department.

5. CONSENT AGENDA

Town Engineer/Asst Public Works Director James Michel is present to answer any questions by Council.

Councilmember Clement asked Town Engineer Michel how the projected growth numbers were calculated in the report and Town Engineer Michel advised that the projected growth numbers were provided by the State but he feels that the numbers are close to correct.

Town Manager Parsons stated that the projected growth numbers were calculated using the previous 5-6 year's actual growth numbers and that Southern Pines' growth rate is better than average in the State.

Councilmember Pate moved to approve the Consent Agenda, seconded by Councilmember Clement; the vote was unanimous.

Motion passed.

a. Approve Relief from §50.035 of the Town Code of Ordinances: 385 Eastman Rd.

Mr. Scott Taliaferro is requesting relief from §50.035 of the Town Code of Ordinances, which requires any new house, lot, or subdivision to connect to the Town's water system if it is within 300 feet (plus 100 feet multiplied by the number of additional dwellings) of an existing water distribution pipe.

b. Approve Resolution #1046 Approving Local Water Supply Plan

NCGS 143-355 (I) requires that the Town submit a Local Water Supply Plan (LWSP) each year to the state.

c. Authorize Mayor to Execute Contract with FORVIS, LLC to Complete the FY 22-23 Audit

The Town will engage FORVIS, LLC of High Point to complete the audit for the current fiscal year, ending June 30, 2023.

d. Town Council Meeting Minutes for April 2023

Staff has prepared the following meeting minutes for approval:

- April 11, 2023
- April 25, 2023

6. PUBLIC HEARINGS

a. PD-02-23: Conceptual Development Plan for +/- .786 acres on the West Side of S. Bennett St. between New York Ave. and Pennsylvania Ave. (continued from April 11, 2023 Regular Meeting).

NOTE: Mr. Webster has requested that Council postpone this hearing to June 13th to allow for further work on this application.

Mr. Colin Webster, on behalf of Grovsner Land, LLC, has submitted an application for a mixed-use development with condominiums, single-family townhouses, office, retail, and restaurant. The initial public hearing was opened at the April 11th meeting and immediately continued to May 9th.

Councilmember Pate moved to open and continue the public hearing for PD-02-23 to the June 13, 2023 Regular Business Meeting per the applicants request, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

b. Whitehall Master Plan

Staff will present the recommended Whitehall Master Plan for public comment and adoption by Town Council. The master plan and other project details can be viewed at bit.ly/tosp_whitehall. Asst. Town Manager Jessica Roth and Parks & Recreation Director Cindi King gave a presentation on the development and resulting proposed Whitehall Master Plan.

Karen Tussing voiced her wishes for the people who live in Southern Pines' opinions and wants be heard by the Council and the Town.

Bill Clemens of 403 Teakwood Lane questioned if the pervious hard surface would continue through the middle section of the park. Asst. Town Manager Roth responded that the intention was that the only path cutting through the middle of the park would be hard surface in order to allow emergency vehicles quick access should it be needed. was stil- lines through center hard surface trails? perhaps for emergency access

Vincent Coliogan of 350 Laurel Road asked if bike riding would be prohibited in Whitehall all together since it is now allowed? Town Manager Parsons responded that this would be a policy decision of the Council at the time, but the hard surface trail around the perimeter might be considered, but not the soft trails due to damage to the ecology.

Mr. Collogan also expressed his concern regarding the increase in vehicles parking at the site and questioned if any traffic studies had been done as parking options are limited now. Town Manager Parsons responded that traffic studies had not been done but existing parking has been added to and improved at Reservoir Park already. Town Manager Parsons also noted that the parking being discussed for Whitehall would not be paved parking but rather areas among the trees to complement the existing environment.

Ann Marie Clark of 1037 N. Lee stated that she was pleasantly surprised at the scaled-down design. Ms. Clark asked if handicap parking would be available and if dogs could be allowed during certain

times of the day. Town Manager Parsons advised that ADA parking would be considered for the parking lot that is planned for the site and the hard surface outer trail would increase accessibility. Future plans for the structures would also take accessibility into account. The allowance of dogs on the property will be a policy discussion that is ongoing. Councilmember Petersen noted the issues and asked for patience to allow the staff and the Council to work through finding solutions.

Dorothy Brower of 102 Eastman Road shared that she found the public meetings very helpful in showing the potential of the Whitehall property and the reasons why the property should be purchased. Ms. Brower is excited for the opportunity to let the citizens enjoy the nature the site provides.

Laura Beth Jones of Foxfire is an Occupational Therapist and a certified Nature & Forest Therapy Guide who has partnered with the Parks and Recreation Department and Whitehall to offer 'forest bathing experiences' to allow people to immerse themselves and enjoy being in nature. Ms. Jones supports the plans and appreciates the listening done by the Town to the citizens' ideas. Ms. Jones suggests that plant species preferred by pollinators be considered for the proposed meadow area to add value to the area and perhaps increase the chances of acquiring grant funds in the future.

Carla Butler of Crest Road expressed her happiness that the landscape would be retained, but questioned the benefit of the pecan and fruit tree groves since they are so high maintenance. Asst. Town Manager Roth advised that the pecan tree grove already exists at the property and the Town just intends to prune and clean the area up while leaving them in their natural state. A fruit orchard is being considered in the future is just a considered option to be seen as an enhancement. Town Manager Parson added that the orchard could possibly be created in partnership with another group to split the maintenance duties. Councilmember Pate reiterated that the items on the list are still just options for the future, not definitive plans at this time.

Marsh Smith of 568 Santee Road shared that the original owner, David Drexel, originated the idea of a land trust. Mr. Smith made the following observations:

- Whitehall offers a great corridor to people who want to ride bicycles to Sandhills Community College, so limited bike access should be considered.
- parking lots like the one at the old Southern Pines Elementary School (now the Montessori School) on E. Massachusetts Ave. are a great example of a parking lot that is gentle to the landscape and should be considered as models when planning future parking at the Reservoir and Whitehall site.
- controlled burning of that site is tricky and there is a lot of duff on the old trees that could result in smoldering which will cook the root base of the trees, leading to their demise.

Joe Black of 1470 Central Drive asked about additional security measures for the property owners near the park to combat the increase in people and vehicles that the new trails and park will bring.

Mr. Black also mentioned the lack of cell service in the area being an issue too. Town Manager Parsons advised that measures were already being taken, such as a camera system at Reservoir Park, to address those concern and options to increase cell service all along NC 22 are being researched.

Morgan Riley, a property owner on PeeDee Road, asked if the Indian Trail would be paved? Asst. Town Manager Roth responded that no, it is not planned to pave that trail.

Ms. Riley also questioned the controlled burns being planned as her research indicated that this would increase the size of the other plants which would be detrimental to the long leaf pines.

Marsh Smith asked if he could respond and gave a brief lesson on longleaf pines, stating that they have evolved to resist fire since this area has the most lightning strikes outside of Florida. Without fire, the other types of trees would take over and the longleaf pines would not be able to get the

nutrients needed from the soil to germinate and grow. Controlled burns actually increases the diversity of plants and make the longleaf pines healthier.

Asst. Town Manager Roth advised that the controlled burns would be conducted with the assistance of the Dept of Forestry and any plans would be carefully planned beforehand to help ensure safety. The Land Trust holds the conservation easement within the Whitehall property and they carefully monitor the land contained within. The Land Trust has reviewed the master plan and they issued the Town a written approval of the plan and the Town will continue to work with them to ensure their comfort.

Councilmember Pate noted that this process began in 2019 and that because of Ms Sherman's desire to continue the Drexels' work on conservation, she generously worked with the Town on price so that we were able to purchase the property without raising taxes.

Councilmember Pate moved to close the hearing for the Whitehall Master Plan, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

Councilmember Pate moved to approve the proposed Whitehall Master Plan, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

c. FY 23-24 Proposed Budget

This is the first public hearing on the proposed budget for FY 23-24. The second hearing will be on June 13. The [budget](https://bit.ly/tosp_budget) can be viewed at bit.ly/tosp_budget.

Councilmember Pate moved to open the public hearing for the FY 23-24 Proposed Budget, seconded by Councilmember Petersen; the vote was unanimous.

Town Manager Parsons started his presentation by acknowledging the hard work of Finance Director Tess Brubaker-Spies and her staff along with the other department directors and Asst Town Managers to create this budget and stating that they all did a wonderful job. Town Manager Parsons then gave a PowerPoint presentation detailing the FY 23-24 Proposed Budget for the Council and answered any questions proposed by Council.

Councilmember Clement would like to clarify the term "Rainy Day Fund" used within the presentation as more of an "Emergency Fund" for serious weather events such as hurricanes and ice storms.

No public comments were voiced.

Councilmember Clement moved to close the hearing for FY 23-24 Proposed Budget, seconded by Councilmember Pate; the vote was unanimous.

Motion passed.

No vote was taken. The second public hearing on the FY 23-24 Proposed Budget will be at the regular Town Council Business Meeting on June 13, 2023 with a vote immediately following.

7. ACTION ITEMS

a. Consider Appointments for Two Vacant Planning Board Positions

There are presently two vacant positions on the Planning Board. One is an ETJ position and one is an in-town position.

Mayor Pro Tem Murphy opened the discussion into the Planning Board appointments.

Councilmember Pate thanked the citizens who have volunteered as they provide an invaluable

service and encouraged future citizen participation.

Councilmember Clement moved to re-appoint Andy Bleggi to the open Planning Board ETJ position for a second term and to appoint John Earp to the open Planning Board in-town position for his first term, seconded by Councilmember Petersen; the vote was unanimous.
Motion passed.

Mr. Earp thanked the Council for the opportunity.

Town Manager Parsons noted Mr. John Earp will be replacing Mr. Gary Carroll who served 2 complete terms on the Planning Board, some of that time as Chairperson of the Board. The Council extends its thanks to Mr. Carroll for his service.

b. Consider AR-04-23: Creston Commons

Mr. Patrick Nerz of DHIC, is requesting an Architectural Compliance Permit for modifications to 8 existing multi-family buildings and one existing clubhouse within the Creston Commons planned development.

Mayor Pro Tem Murphy opened the discussion for AR-04-23; Creston Commons.

Planning Director Grieve gave a brief overview of the project.

No public input was voiced.

Councilmember Pate moved to approve AR-04-23: Creston Commons as presented in the attached staff report, seconded by Councilmember Clement; the vote was unanimous.
Motion passed.

c. Consider AR-06-23: American Whiskey Ko. (BHAWK) Rickhouse

Mr. Bryan Welborn of Neal Smith Engineering, is requesting an Architectural Compliance Permit for Rickhouse A (Phase 1.5) of the Brad Halling American Whiskey Ko. (BHAWK) whiskey distillery development.

Mayor Pro Tem Murphy opened the discussion.

Councilmember Clement asked Town Manager Parsons for any recommendations to monitor any mold issues. Town Manager Parsons advised that any monitoring should be done by Moore County Health Dept. Mr. Parsons advised that the applicants have been responsive to the Town's input thus far and it will need to be discussed with them.

Councilmember Clement requested a follow-up with the health dept.

Mr. Smith shared that he has spoken with the applicants and they indicated that they want to do whatever they can to ensure that the project continues forward.

Councilmember Petersen stated while she is unsure if Architectural Review is the proper time to address it, if ethanol catching equipment is something that needs to be addressed to protect the surrounding community, then she is not comfortable moving forward with a yay vote.

Town Manager Parsons noted that he doesn't feel this is an architectural issue and that the issue might be addressed through the building code or health dept regulation though more research needs to be done.

Mayor Pro Tem agrees that the mold is a concern but doesn't feel its an issue to be addressed at the Architectural Review.

Councilmember Pate concurs with Mayor Pro Tem Murphy and so moves to approve AR-06-23: American Whiskey Ko. (BHAWK) Rickhouse, seconded by Councilmember Clement; the vote was as follows:

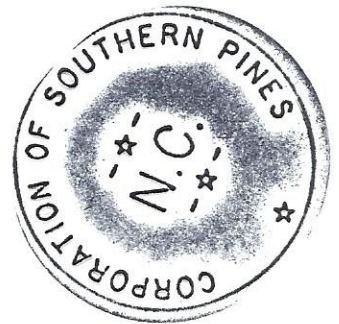
Mayor Pro Tem Murphy - aye
Councilmember Pate - aye
Councilmember Clement - aye
Councilmember Petersen - nay
Motion passed.

8. ADJOURNMENT

Upon motion by Councilmember Clement, seconded by Councilmember Pate and carried unanimously, Council adjourned at 8:35 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk



**TOWN OF SOUTHERN PINES RESOLUTION #1046
APPROVAL OF LOCAL WATER SUPPLY PLAN**

WHEREAS, North Carolina General Statute 143-355 (1) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Town of Southern Pines, has been developed and submitted to the Town Council of the Town of Southern Pines for approval; and

WHEREAS, the Town Council of the Town of Southern Pines finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (1) and that it will provide appropriate guidance for the future management of water supplies for the Town of Southern Pines, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

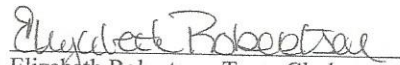
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines that the Local Water Supply Plan entitled, Southern Pines Local Water Supply Plan dated March 23, 2021 is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Southern Pines Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 9th day of May 2023.

ATTEST:

TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk


Carol R. Haney, Mayor

