



MINUTES

Tuesday, October 24, 2023: 3:00 PM

Town Council Work Session

C. Michael Haney Community Room: Southern Pines Police Department

450 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. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

Mayor Haney encouraged everyone to vote during the upcoming election.

a. Agenda Meeting Note

The Town Council agenda meeting for November has been moved to Wednesday, November 8 due to Election Day. This meeting will take place at 6pm in the Haney Community Room of the Police Station.

Town Manager Parsons reminded everyone of the schedule change for the November agenda meeting.

3. ACTION ITEMS

a. AIA Grant Project Ordinances

The Town has received \$400,000 in ARPA grant funds from the NC Department of Environmental Quality to complete an asset inventory and assessment for the Town's water and wastewater systems. These ordinances establish the capital project and appropriate the funds for the necessary engineering and administrative services work.

Mayor Haney opened the discussion about the item.

Town Manager Parsons gave a brief explanation of Ordinance #3011 - FY22 Water Asset Inventory and Assessment Grant and #3012 - FY22 Wastewater Asset Inventory and Assessment Grant and their purpose, which is to allow the Town to accept the grant funds.

Councilmember Pate moved to adopt Ordinance #3011 - FY22 Water Asset Inventory and Assessment Grant and Ordinance #3012 - FY22 Wastewater Asset Inventory and Assessment Grant, seconded by Councilmember Petersen; the vote was unanimous.

4. COUNCIL UPDATES AND DISCUSSION

Town Engineer Michel advised the Council that staff have received reports of a company, once called 'Open Fiber' and now called 'Ripple Fiber', sending people out into the local neighborhoods handing out information packets regarding underground wiring. Citizens are under the impression that this company already has the Town's approval to place those wires underground and that is not the case. The town staff are still reviewing the permits submitted and no approvals have been given.

Town Manager Parsons added that there is another company, 'Brightspeed' that has appealed to the Board of Adjustment over the denial to wrap and bury their telephone lines underground.

Mayor Haney welcomed a new staff member, Gerald Ostlund, who was hired as the town's new Communication Specialist. Welcome Gerald!

a. Discuss 2040 Comprehensive Plan implementation priorities

The goals and policies found in Chapters 5 and 6 of the recently adopted Comprehensive Plan include various projects and initiatives to implement the plan. Planning staff would like to discuss plan implementation with the Town Council and get feedback on priorities for the coming year.

Planning Director Grieve introduced the item and presented a PowerPoint presentation.

Councilmember Clement questioned the project order. Should the downtown area be first since it has a historic district overlay? What does the consultant consider 'downtown'?

Councilmember Petersen asked for the name of the consultants: Inspire Placemaking Collective LLC. Discussion ensued.

Councilmember Petersen will support the consultant's proposal.

Planning Director Grieve will take the Council's questions and concerns to the consultant and return to the council with additional information.

Councilmember Petersen would welcome an architect's assistance when reviewing architectural plans.

Town Manager Parsons commented that once the architectural codes are updated, that will determine how the plans are reviewed and whether it looks more like a checklist or whether there is a lot of subjectivity to it.

Town Manager Parsons reminded the Council that per North Carolina statute there are items that must be handled with a quasi-judicial hearing and staff is working to get those items placed with another public body, such as the Board of Adjustment or the Planning Board.

Councilmember Pate asked that the Council be updated as to what types of decisions are being transferred from the Council so that they can ensure that none of the substantive decisions are moved.

Mayor Pro Tem Murphy questioned to what extent would the character districts be autonomous with regard to ordinances and other decisions, because there are unique characteristics in some of the communities that should not be adversely affected by a decision made for an adjoining district.

Planning Director Grieve shared that the current plan was to handle the character districts as they would a zoning district with an overlay construct, so that decisions would affect those with the same characteristics.

Mayor Pro Tem Murphy also cautions against moves that would inflate or deflate the property values of individual areas indiscriminately.

Town Attorney McCarley added that the intention is to present the Council with a choice to take some of the things that the public expects the Council to be responsible for and put those into conditional zoning decisions so that the Council can converse with the applicants in a more open setting and not restricted by the parameters of a quasi-judicial hearing. The decisions left in as a part of quasi-judicial hearings will be in a checklist format where the ruling is contingent upon meeting a certain number of standards which will remain fairly objective.

Mayor Haney commented that she believes this process will help clarify for the citizens what the Council is allowed and not allowed to do.

Councilmember Petersen asked for attention to be given to the traffic pattern through West Southern Pines. Town Manager Parsons responded that this is not an issue for the Planning Department to address but more Council driven and added that much of that discussion was centered around the DFI project which has currently been tabled.

Councilmember Pate asked the Planning Department to assure that the applicant and the Council are aware of the timing of the applications in relation to the new codes being introduced and which occurred first.

The benefits and issues of Accessory Commercial Units, the addition of requiring commercial developments to include sidewalks and the US1 triangle were topics discussed.

Councilmember Petersen would like to see the council address water control requirements. Discussion ensued.

b. Traffic Impact Analysis Review Fees

Staff has initiated the process to amend the UDO to account for the third-party reviews of traffic impact analysis (TIA). The Planning Board reviewed the amendment on October 19 and it will be forwarded to Council for consideration on November 14. Staff is seeking direction from Council on the preferred fee option so that a revision to the fee schedule can also be presented to Council at the November meeting.

Town Engineer/Public Works Director James Michel informed the Council about the status of the project. The Planning Board, after discussion, agreed with the concept of having a third party engineer but they felt, with a four to five vote, that it should be a cost covered by the town and not the developer. When asked his opinion, Mr. Michel feels a conservative estimate of the yearly cost would be \$30,000 - \$35,000 and asked if the Council for direction on continuing with the project.

Councilmember Pate questioned the scope of work given to the traffic engineer we would be contracting with and would that skew the results. Councilmember Pate shared that he hadn't yet seen a negative TIA review and questioned the objectiveness of the studies.

Discussion ensued.

Councilmember Pate asked Town Attorney McCarley if the use of a third party to review the TIA's could perhaps in certain instances open the town up to litigation? Town Attorney McCarley feels that in a quasi-judicial setting the use could make the town more vulnerable, but with the current projects being worked upon, future decisions should be made in a legislative environment, which would allow the Council more options.

Discussion ensued.

Councilmember Petersen voiced her support for the town to fund a third party review of TIA reports, whether the findings are used by the Council or one of our other boards.

The Council agreed to table the topic until January once the UDO amendments had been presented and voted on.

5. COUNCIL ROUNDTABLE DISCUSSION

Councilmember Clement stated that she has received complaints about traffic down Ashe Street. Citizens have stated that they want to request a stop sign at the intersection of Ashe St. & New York Ave. and at the intersection of Ashe St. and Indiana Ave. Councilmember Clement requests accident reports from those areas.

Councilmember Pate added that perhaps the end parking spot could be removed from those intersections to increase the line of site.

Councilmember Clement feels that people are having a hard time seeing the stop signs on Ashe St. at Indiana and asks that staff look into moving the signs closer to the intersection. A four-way stop would be an option if moving the stop signs doesn't improve the issue.

Councilmember Clement added that the Morganton extension at Country Club still continues to be an issue with large trucks continuing to use the road.

Councilmember Pate asked that the December 5, 2023, Town Council Agenda meeting be moved from the Haney Room at the Police Station to the Douglas Community Center. Councilmember Pate feels that a larger crowd than usual will attend due to it being Mayor Haney and Mayor Pro Tem Murphy's last meeting as well as the new members being installed. Staff will check on the availability of the Douglass Community Center..

6. CLOSED SESSION

Town Manager Parsons asked that '& subsection (a)(3)' to the closed session heading.

Councilmember Pate moved to enter into closed session as authorized in N.C.G.S. §143-318.11(a)(6) and (a)(3), seconded by Councilmember Clement; the vote was unanimous.

Council entered closed session at 4:43 pm.

Council returned to open session at 6:01 pm.

Councilmember Clement had excused herself from the meeting at 5:03 pm.

a. Closed session as authorized in N.C.G.S. §143-318.11(a)(6)

Council will conduct the Town Manager's annual review.

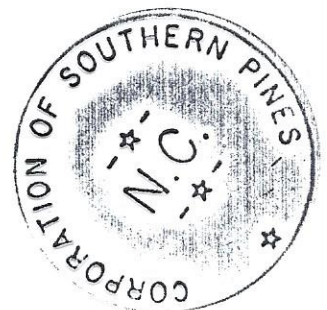
Mayor Haney made a motion to increase Town Manager Parsons' base salary by 5% retroactive to July when other employees received increases, in addition to a one-time bonus of \$1900 in recognition of 19 years with the Town, seconded by Councilmember Petersen; the vote was unanimous.

7. ADJOURNMENT

Council adjourned at 6:03 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk





ORDINANCE #3011
FY22 WATER ASSET INVENTORY AND ASSESSMENT GRANT
FY22 AMERICAN RESCUE PLAN ACT GRANT
PROJECT # AIA-D-ARP-0062

BE IT ORDAINED AND ESTABLISHED 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: The Project authorized is the Water System Asset Inventory and Assessment (AIA) project (grant project number AIA-D-ARP-0062) to be financed by the federal American Rescue Plan Act (ARPA) grant funds awarded to the Town of Southern Pines by the North Carolina Department of Environmental Quality (DEQ) Division of Water Infrastructure (DWI).

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the board resolution, grant documents, the rules and regulations of the Division of Water Infrastructure (DWI), and the budget contained herein.

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

ARPA Grant Proceeds	<u>\$ 200,000</u>
Total	<u>\$ 200,000</u>

Section 4: The following amounts are appropriated for the project expenses:

Engineering and Administration Services	<u>\$ 200,000</u>
Total	<u>\$ 200,000</u>

Section 5: The finance officer is hereby directed to maintain within the AIA Asset Grant Project Fund, CPF 25-400-7000, Grant Expenditures – Water, sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations.

Section 6: Funds may be advanced from the Water Upgrade Fund, CPF72, Construction - Water for the purpose of making payments as due. Reimbursement requests should be made to the State grantor agency in an orderly and timely manner. Compliance with all federal and state procurement regulations is required.

Section 7: The Finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 4 and on the total grant revenues received or claimed.

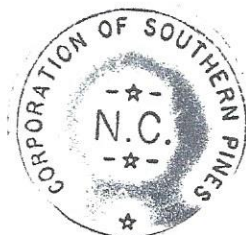
Section 8: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this board.

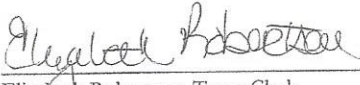
Section 9: The Town Manager, Assistant Town Managers, Town Engineer, and Finance Director are authorized to execute any documents necessary for the execution of this project.

Section 10: Copies of this grant project ordinance shall be furnished to the Town Clerk, the Budget Officer, and the Finance Officer for direction in carrying out this project.

Adopted this the 24th day of October 2023.

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on October 24, 2023, as shown in the minutes of the Town Council meeting for that date.




Elizabeth Robertson, Town Clerk



ORDINANCE #3012
FY22 WASTEWATER ASSET INVENTORY AND ASSESSMENT GRANT
FY22 AMERICAN RESCUE PLAN ACT GRANT
PROJECT # AIA-W-ARP-0063

BE IT ORDAINED AND ESTABLISHED 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: The Project authorized is the Wastewater System Asset Inventory and Assessment (AIA) project (grant project number AIA-W-ARP-0063) to be to be financed by the federal American Rescue Plan Act (ARPA) grant funds awarded to the Town of Southern Pines by the North Carolina Department of Environmental Quality (DEQ) Division of Water Infrastructure (DWI).

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the board resolution, grant documents, the rules and regulations of the Division of Water Infrastructure (DWI), and the budget contained herein.

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

ARPA Grant Proceeds	<u>\$ 200,000</u>
Total	<u>\$ 200,000</u>

Section 4: The following amounts are appropriated for the project expenses:

Engineering and Administration Services	<u>\$ 200,000</u>
Total	<u>\$ 200,000</u>

Section 5: The finance officer is hereby directed to maintain within the AIA Asset Grant Project Fund, CPF 25-400-7500, Grant Expenditures – Sewer, sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations.

Section 6: Funds may be advanced from the Sewer Upgrade Fund, CPF72, Construction - Sewer for the purpose of making payments as due. Reimbursement requests should be made to the State grantor agency in an orderly and timely manner. Compliance with all federal and state procurement regulations is required.

Section 7: The Finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 4 and on the total grant revenues received or claimed.

Section 8: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this board.

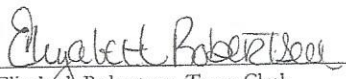
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Adopted this the 24th day of October 2023.

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on October 24, 2023, at shown in the minutes of the Town Council meeting for that date.




Elizabeth Robertson, Town Clerk