

**MINUTES OF
VILLAGE COUNCIL WORK SESSION
June 25, 2013**

**395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
9:00 A.M.**

The Pinehurst Village Council held a Work Session at 9:00 a.m., Tuesday, June 25, 2013 in the Assembly Hall of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. Douglas A. Lapins, Mayor Pro-Tem
Mr. John R. Cashion, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Ms. Lauren M. Craig, Village Clerk
And approximately 36 attendees, including 10 staff and 2 press.

Excused absence: Mr. Mark W. Parson, Councilmember

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Presentation of Service Resolutions: Jim Williford, Pinehurst Community Watch Board.

Mayor Nancy Roy Fiorillo presented a resolution to Jim Williford to honor him for his service with the Pinehurst Community Watch Board.

3. Reports:

- Manager-

- None.

- Council

- Councilmember Strickland shared that the Beautification Committee would like to present their idea for the guide the Council in the next few months. The Community Appearance Commission fencing changes will be taken to the PDO rewrite committee.
- Councilmember Lapins asked if we have any business permitting for temporary businesses. He explained the issue of Cold Stone Creamery selling ice cream at the Pops on the Green concert. The Manager explained that this was approved within their temporary use permit.
- Mayor Fiorillo reported a successful concert for Pops on the Green and thanked everyone who was involved in this planning.

4. Motion to Approve Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- a. Resolution #13-30 A Resolution regarding a reappointment to the Water Committee. (Townley)
- b. Resolution #13-31 A Resolution regarding reappointments to the Conservation Committee. (Campbell, Cox)

Councilmember Strickland moved to approve the Consent Agenda. The motion was seconded by Councilmember Cashion and passed unanimously with a vote of 4-0.

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5. Discussion and motion authorizing the Mayor or her designee to execute the Escrow Agreement between the Village of Pinehurst and Given Memorial Library.

Manager explained the proposed changes to the Escrow Agreement following the last Council Work Session. Upon the motion of Councilmember Lapins, seconded by Councilmember Strickland, this was unanimously approved by a vote of 4-0.

A check presentation was made by the Mayor to Pat Corso and Audrey Moriarty on behalf of the Given Memorial Library. Pat Corso commented on his appreciation for this support and reminded the attendees of the importance of this private library.

6. Discussion: Historic Preservation Commission Chair and representatives regarding Local Historic District Boundaries.

Manager explained the need for dialogue with the Historic Preservation Commission. Howard Warren, Chair of the Historic Preservation Commission and Molly Goodman, Senior Planner of the Village of Pinehurst, joined this discussion with Council.

General discussion around what should or should not remain in the historic district was held with Mayor Fiorillo and Councilmember Cashion. Councilmember Strickland noted this has been discussed since January, first changing the historic commission review process, and now the boundary of the local historic district, and he is concerned that we may be fixing a problem that we do not have. Also due to the limitations of the potential legislation in Raleigh, he is not in favor to make many changes. Molly Goodman clarified that this legislation would disallow regulations for the aesthetics of a home which would include landscaping, outside materials, number of windows, and other items. Councilmember Lapins is not sure where he falls on this decision. He noted that originally when the district was formed, Pinehurst focused primarily on residential growth in the area. It was suggested to create a committee of four (Mayor Fiorillo, Councilmember Mark Parson, Howard Warren, and Nancy Smith) to determine the best plan. The committee will meet before the next Council meeting.

Comments from the public:

- **Pat Corso** suggested that the traffic circle coverage should stay because this was intentional. He mentioned the section that we are conversing about is the one area of town that could be made much more useful with development as a place to live, work, and play. He encouraged Council to go back to Ian Colgan to finish the community-based master plan for Village Place. He also noted that when the historic landmark district was made, the golf courses were in this but not restricted by it. He commented that although it's in the district, there could be an approach for fewer restrictions for the courses as they would not need to go through the HPC for changes.
- **Howard Warren** said an agreement was written that HPC would have no say in the design of the golf course. He said if a structure goes up on the golf course, then the HPC would get involved.
- **Jack Farrell** thinks it's an advantage for Pinehurst to be "out of the way." He discussed the Stephen Covey approach to figure out the objective that we are trying to get to. He said it seems to have morphed over time. He asked Council to articulate the objective clearly.
- **Brian Deaton** echoes Mr. Strickland's concerns. He wonders why we would make a change before the legislation is determined. He also noted his objection to Councilmember Parson being a representative on this committee.
- **John Root** commented similarly to Mr. Strickland, he was a member of HPC and went through the process to determine the inclusion of properties for the district. He made the observation that being a national landmark or a historic district is a huge speed bump to get over but the idea of having these designations is to protect the buildings in it. He does not think developers that understand a historic district have a problem building in it so they can easily comply.

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- **Wayne Haddock** feels Council is on right track to resolve this by using a committee of Councilmembers and members of the HPC. He commented he has done work in the Village of Pinehurst, renovated 31 homes outside of the red area, of those 8 were constructed after 1975, the others were built after 1950 but are not historical to some people but they will be in the future. The owners consider these homes to be in a historic district. Inside of the red area, he has restored 20 homes and all were built before 1975 except one particular home that was approved to be taken down. As a contractor he would like to commend the HPC on this process. He thinks the red area is too small currently. He hears that the legislation being considered by the General Assembly will pass.
- **John Hoffman** said there are at least 93 contributing structures would be excluded in the drafted plan and he listed these properties. Community Presbyterian, Clark Chevrolet, and the home of Rassie Wicker would be excluded. He commented that Councilmember Strickland and Ms. Nancy Smith were concerned about maintaining the historic integrity of our Village. Mr. Hoffman is concerned about the ability to maintain the ambiance of the Village.
- **Councilmember Lapins** suggested the Village try Option 3 and see if it could work before determining the final boundaries.
- **Jim Lewis** commented that back in 2005 or so, there was discussion about NewCore and there were a lot of public meetings. He said everyone agreed that NewCore should look like the core Village. He thinks it's important that we honor this and he is concerned about who would make sure this would happen. He said as long as you have a plan to honor and protect Village Place, he is okay with the regulations.
- **Councilmember Cashion** agreed that we cannot develop Village Place at the expense of Village Center.
- **Mayor Fiorillo** commented Ian Colgan had a very different approach including community development within economic development. She said we may want to finish out what we have started with them.
- **Pat Corso** said we were trying to develop a standard through Ian Colgan's study. He noted this should allow developers to see clearly what they can or cannot do in this area. He said it would be determined by what the community agrees are the norms of the area that are presented to developers. After the completion of this study, Mr. Corso noted that the next step is to recruit developers who will do what we want in our community. He said it has to be congruous with the Village and not broken up by projects here and there.
- **Robert Hayter** commented that everyone that has spoken has given meaningful input and offered a valid position. He offers that living history is different than a museum. As long as we can put things into the context of life that we have, it allows elasticity. He said that Pinehurst is not Williamsburg. He encouraged everyone to be a little more liberal on what is timeless. He said someday this side of the Village, including Town Hall, could become a historic place.
- **Tim Moore** liked what Pat Corso said and noted that it makes a lot of sense.
- **Debbie Barr** commented that the discussion has shifted from the size of district to development. She encouraged Council to go back to the reason for shrinking the district.
- **Howard Warren** appreciates the dialogue and understands we all want to preserve Pinehurst and make it better.
- **Doug Middaugh** commented that changing the boundary of the local historic district to facilitate the development of NewCore sends a negative message of the National Park Service. He said with the increase of the threat change this is not the time and he suggests that we step back for now.

7. Presentation: Final report on programming and schematic design of Carriage House.

Robert Hayter, from The Hayter Firm, gave a final report on the programming and schematic design of Carriage House for use in the future if Council decided to act upon moving this project forward. Mayor Fiorillo said this is an idea that the Council really likes but it is in our future and depending on need. Mr. Hayter explained that this started as a conceptual study, and over the past year the next step was this schematic design which takes the objectives of the project to see they could actually happen.

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Drawings of the project were reviewed. The utilities findings were discussed for water and sewer lines on this project to limit any interruptions to the Holly Inn. Mr. Hayter noted the original concept was to house bathrooms in the Civic Building, so there would be two accessible from inside and two accessible from outside.

Councilmember Strickland raised the concern of using brick instead of the white siding found on buildings nearby. The architect explained his reasoning for the brick matching the concrete parking deck. Mr. Hayter commented about the misrepresentation of cost in the newspaper and that his firm does not know of another suitable place to pull this off in the service range of the Village.

Doug Middaugh inquired about the approximate size of the building.

Tim Moore asked if this plan covers the small 15 space lot beside the Pinecrest Inn but it was confirmed that this would not cover that lot.

John Root found this interesting and suggested moving the door to the right.

Dick Bisbe said it looks like a quality job and gets comfort that this is tentative right now. He commented that it is hard to attach the potential unfolding of the developments and the need for additional parking. He is unsure how the population growth will happen for the parking requirements to be met. Mr. Bisbe said perhaps we would need another 40 or more spaces eventually.

8. Termination of contract with The Lawrence Group for the Pinehurst Development Ordinance rewrite.

Manager explained the need for this termination. The motion was presented by Councilmember Cashion and seconded by Councilmember Lapins and was unanimously approved by a vote of 4-0.

9. Discussion: Implementation of 25mph speed limit in certain residential districts.

Jeff Batton explained the drafted signage plan and the need for alterations to be brought before to the Council. He noted that Chief Phipps has a small committee to work on a communications plan to alert the public on these changes. Councilmember Strickland also raised need of pedestrian education. Chief Phipps confirmed the multifaceted plan and the ideas to get the information out to the public. Once the educational component is done, the Village will move into reinforcement traffic stops to educate citizens.

10. Discussion: Realignment of medians/islands at Chinquapin Road and Dogwood Road.

Jeff Batton explained the new design concepts of the traffic island reconfigurations in downtown. After general discussion, Council formed a consensus for the best design and Jeff Batton agreed to also get comments from Councilmember Mark Parson before proceeding.

11. Discussion: Possible land acquisition for Moore County public utilities storage yard.

Jeff Batton and Council discussed the possible land acquisition for Moore County public utilities storage yard. Mayor Fiorillo stated an interest to move Moore County public utilities from Rattlesnake and would be willing to sell them land as long as we have what our future needs would be for this parcel. Council formed a general consensus about this issue.

12. Discussion and motion authorizing the Mayor or her designee to execute Rattlesnake Trail lease.

Jeff Batton and Council discussed the Rattlesnake Trail lease with Moore County. Upon the motion of Councilmember Lapins, seconded by Councilmember Cashion, Council authorized the Mayor or her

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designee to execute Rattlesnake Trail lease until further action is taken with selling property to Moore County on Juniper Lake Road. This motion was unanimously approved by a vote of 4-0.

13. Discussion: Pinehurst Trace landscaping.

Jeff Batton and Council discussed Pinehurst Trace landscaping and this plan keeping with the policy of bringing alterations of right-of-ways before Council. There was a consensus on the proposed plan for landscaping.

14. Discussion and motion authorizing the Mayor or her designee to execute Lofton contract for trash collection in CCNC.

Jeff Batton explained the need of this contract with Lofton. Upon the motion of Councilmember Cashion, seconded by Councilmember Strickland, the Mayor or her designee was authorized to execute the Lofton contract. This was unanimously approved by a vote of 4-0.

15. Ordinance #13-32 An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinehurst for Fiscal Year 2013 (Marshall Monument Donations).

The Manager explained the need for Ordinance #13-32. It was noted that August 11 is the goal to have a special celebration of this monument. Upon the motion of Councilmember Strickland, seconded by Councilmember Cashion, Ordinance #13-32 was unanimously approved by a vote of 4-0. (A copy of the ordinance is found in the Ordinance Book)

16. Ordinance #13-33 An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinehurst for Fiscal Year 2013 (Legal Services).

The Manager explained the need for Ordinance #13-33. Upon the motion of Councilmember Cashion, seconded by Councilmember Lapins, Ordinance #13-33 was unanimously approved by a vote of 4-0. (A copy of the ordinance is found in the Ordinance Book)

17. Ordinance #13-34 An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinehurst for Fiscal Year 2013 (Adjustment to IT Allocations).

The Manager explained the need for Ordinance #13-34. Upon the motion of Councilmember Lapins, seconded by Councilmember Cashion, Ordinance #13-34 was unanimously approved by a vote of 4-0. (A copy of the ordinance is found in the Ordinance Book)

18. Discussion: Pinehurst Dollars.

Councilmember Lapins explained his suggestion of "Pinehurst Dollars" and shared the background and proposal to see if Council would like to pursue this. Councilmember Cashion did not agree with this and believes the money should be used for the long-term benefit of the Village such as restrooms, stages, or events that will take place during the US Opens. Councilmember Lapins said this would be a one-time thing to help us celebrate with the Village. Councilmember Strickland said the largest issues are our costs and answers to questions that Councilmember Lapins noted in his white paper. Mayor Fiorillo suggested other ideas that we could spend the money on such as the stage that was used for the Pops on the Green concert.

Jack Farrell noted this concept is very creative and the message it sends to the tax payers is that we understand you and recognize that you are in fact paying for all of this. He suggested a special one year tax reduction could be another option for next year and advertise it as a benefit from this event.

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Councilmember Lapins said residential tax paying households would qualify and they have to spend it in Pinehurst. Councilmember Cashion noted that if we had items for events to draw people downtown, it would be more sustainable for the long-term. General discussion on the fund balance and need to maintain it at 37% was raised. Council would like to add this to next agenda for continued discussion.

19. Preview of Regular Meeting Agenda.

The Council previewed the Regular Meeting Agenda for June 25, 2013 and made no changes.

20. Other Business.

The Manager explained the need for Budget Amendment Ordinance #13-35. Upon the motion of Councilmember Lapins, seconded by Councilmember Cashion, Ordinance #13-35 was unanimously approved by a vote of 4-0. (A copy of the ordinance is found in the Ordinance Book).

21. Comments from attendees.

There were no comments from the attendees.

22. Motion to go into Closed Session pursuant to NCGS 143-318.11 (a) (3) to consult with the Village Attorney in order to preserve the attorney-client privilege between the Village Attorney and the Village Council.

Councilmember Lapins moved to recess the Work Session and enter a Closed Session pursuant to NCGS 143-318.11 (a) (3) to consult with the Village Attorney in order to preserve the attorney-client privilege. The motion was seconded by Councilmember Strickland and carried unanimously.

GENERAL ACCOUNT

The Village Attorney briefed the Village Council on the status of the McCrann litigation, and the Armstrong litigation.


23. Motion to adjourn the Closed Session and re-enter the Work Session.

Councilmember Lapins moved to adjourn the Closed Session and re-enter the Work Session. The motion was seconded by Councilmember Strickland and carried unanimously.

24. Adjournment.

Councilmember Lapins moved to adjourn the Work Session. The motion was seconded by Councilmember Strickland and carried unanimously. The meeting adjourned at 1:08 pm.

Respectfully Submitted,



Lauren M. Craig
Village Clerk