

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA
JULY 24, 2012
9:00 A.M.
CONFERENCE ROOM
VILLAGE HALL
PINEHURST, NORTH CAROLINA

(Meeting will occur in Assembly Hall if attendance warrants)

1. Call to Order.
2. Reports –
 - Manager
 - Council
3. **Discussion:** General discussion on status of Village Center Enhancements.
4. **Discussion/Action:** Ordinance #12-24: An Ordinance Amending the Municipal Code as it pertains to concealed handguns.
5. **Discussion/Action:** Ordinance #12-25: An Ordinance Amending the Municipal Code as it pertains to the use of tobacco products on Village property.
6. **Action:** Ordinance #12-26: An Ordinance Amending the Budget of the Village of Pinehurst. (Re-appropriating restricted and other funds from the FY 2012 budget to the FY 2013 budget)
7. **Action:** Motion authorizing the Village Manager to execute a contract with ETC Institute for design and administration of citizen surveys.
8. Preview of Regular Meeting Agenda.
9. Other Business.
10. Comments from attendees.
11. 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.
12. Motion to adjourn the Closed Session and re-enter the Work Session.
13. Adjournment.

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**395 MAGNOLIA ROAD
CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
9:00 A.M.**

The Pinehurst Village Council held a Work Session at 9:00 a.m., Tuesday, July 24, 2012 in the Conference Room 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. Mark W. Parson, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 20 attendees, including 5 staff and 1 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Reports:

– Manager

- Sand Parking Lot Maintenance.

The Manager reported that Public Services is performing maintenance on the sand parking lot. Workers are realigning the tire stops and grading the lot. They will not work on Wednesday but should complete the project on Thursday. Crews are also working on the sand/clay walkways in the area.

- Sewer Work by Moore County.

The Manager also reported that contractors for Moore County are working on sewer lines on Cherokee Road. This work may impact traffic movement in the downtown area.

– Council

- Councilmember Strickland reported that he had attended the July Enhancement Committee meeting and was impressed with the work of this committee.

- Mayor Fiorillo reminded all that August 14th is Ladies' Day in the Village and encouraged support for the downtown.

3. General Discussion on status of Village Center Enhancements.

Village Manager Andy Wilkison noted that there may be members of the audience that want to speak to the Council on this issue. The Council will discuss the mechanics of an appeal of the Historic Preservation Commission ruling with the Village attorneys during Closed Session today. If the Council decides to appeal, it must be done by the end of this week. Staff is awaiting direction from the Council.

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Mayor Fiorillo added that after consulting with the Village attorney and our land use attorney, we will make a decision today.

Councilmember Lapins

- stated that he favors the original plan. Council wants more and improved parking. The original plan does that; the revised plan does not.
- requested that the Council revisit the streetscape plans before we begin the project. We need to decide if this adds value and would the disruptions be too much?
- requested that when the Council interviews potential historic consultants we make it clear that the consultant will represent the Village's interests. We do not need the National Park Service to validate us; we have done that ourselves.
- noted that the Village has existed 100 years without a Historic Preservation Commission (HPC). Perhaps we don't need that committee. He was embarrassed by their decision.

Councilmember Strickland

- agreed that Councilmember Lapins has some useful thoughts. He looks forward to discussing this issue with the attorneys today.
- repeated that he feels the concept is good, but he does not agree with the current plan since it is too large. He feels parking is the key to our relationship with the merchants, but noted all parking does not have to be in the sand parking lot. If we build the sand lot smaller now, we can always enlarge it in the future. If we build it large now, we limit our future options.
- feels the Council has been more outspoken about the HPC than he is comfortable with. Their denial is not outside their usual work. Feels the committee acts as checks and balances in the system. The Council should be careful of making a decision about the committee.

Councilmember Parson was surprised that the project went to HPC. Council has not discussed the project going to HPC. He feels we need to appeal the decision.

Councilmember Cashion supports the original plan for parking and the Tufts Memorial. He also supports the streetscape and asked if this project could be done in phases, re-evaluating after completion of each phase to see how it fits in the big picture.

Delores Muller, President of the Pinehurst Garden Club, informed the Council that the Garden Club designed and maintains the area around the Tufts rock and asked if the Garden Club will be expected to maintain a larger area after the improvements to the area are completed. The Council expressed appreciation for the past work of the Garden Club and assured Ms. Muller that the size of the garden around the rock will not change. If the Garden Club would like, the Council would be happy for the Garden Club to continue maintaining that garden.

Ms. Muller also asked the Council to rethink the large area of grass. Nothing takes more water than grass; perhaps something else green could be substituted for grass?

Doug Middaugh repeated his observation that the revised plan does not reflect the actual size of the area since the library expansion is not included in the new drawing.

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Alan Stagaard noted that the planner envisioned 10-12 acres of grass. As the library building gets larger, more open space is needed to keep things in proportion.

Dick Bisbe advised more interaction with the Neighborhood Advisory Committee as a way to keep in touch with citizens.

Councilmember Cashion noted that this Council is working to make citizen interaction easier by making it easier for citizens to attend meetings. We have upgraded the sound system in the Council conference room and will do the same in the Assembly Hall. The plan is to eventually hold all Council meetings in the Assembly Hall where space and accessibility to facilities will not be an issue.

Mayor Fiorillo added that the Round Table was created to coordinate efforts of the various committees. Perhaps a representative from the Garden Club should be added to the Round Table

4. Ordinance #12-24: An Ordinance Adding Section 94.26 to the Pinehurst Municipal Code As It Pertains to Carrying Concealed Weapons.

The Manager explained the need for the Ordinance #12-24. Upon the motion of Councilmember Lapins, seconded by Councilmember Cashion, Ordinance #12-24 was unanimously approved by a vote of 5-0. (Copy of a memo from Director of Parks and Recreation dated July 17, 2012 regarding this Municipal Code Update is in the Minute File. Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

5. Ordinance #12-25: An Ordinance Adding Section 94.27 to the Pinehurst Municipal Code As It Pertains to Prohibiting Use of Tobacco Products.

The Manager explained the need for the Ordinance #12-25. Upon the motion of Councilmember Lapins, seconded by Councilmember Strickland, Ordinance #12-25 was unanimously approved by a vote of 5-0. (Copy of a letter from Edward N. Squire, Jr. MD, MPH dated July 9, 2012 concerning tobacco-free Parks and Recreational Facilities is in the Minute File. Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

6. Ordinance #12-26: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinehurst for Fiscal Year 2013, Regarding Revenues and Expenditures of the General Fund (Re-appropriate FY 2011-2012 Funds In FY 2012-2013).

The Manager explained the need for the Ordinance #12-26. Upon the motion of Councilmember Cashion, seconded by Councilmember Strickland, Ordinance #12-26 was unanimously approved by a vote of 5-0. (Copy of a memo from Director of Financial Services John Frye dated July 14, 2012 regarding re-appropriating funds is in the Minute File. Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

7. Motion to authorize the Manager to execute a contract with ETC Institute for design and administration of citizen surveys.

The Village Manager explained the need for the contract. Councilmember Strickland moved that the Village authorize the Village Manager to execute a contract with ETC Institute for design and administration of citizen surveys. Councilmember Cashion seconded the motion which carried unanimously by a vote of 5-0. (Copy of a memo from Director of Financial Services John Frye dated July 14, 2012 regarding this contract and a copy of the contract are in the Minute File.)

8. Preview of Regular Meeting Agenda.

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The Council previewed the Regular Meeting Agenda for July 24, 2012 and made no changes.

9. Other Business.

➤ **Residential Speed Limits.**

Village Manager Andy Wilkison noted that the Council does make speed limit changes from time to time. These new limits are not effective before the Village conducts an extensive education campaign. The Neighborhood Advisory Committee (NAC) is on break for the summer and will not meet again until September. This group could be a good source of information before any changes are made and could be valuable in the education process once changes are made.

Police Chief Earl Phipps discussed selected portions of a PowerPoint presentation concerning speed limits. (Copy of the PowerPoint presentation is in the Minute File.) He suggested identifying residential streets, connector streets and thoroughfares in Pinehurst. Speed limits should be appropriate to the level of traffic on the street as well as road conditions such as hills and curves and proximity to schools, etc.

Councilmember Strickland noted that the Council does not set speed limits on state roads such as NC 2, NC 5, and NC 211. We can request changes, but the final decision rests with the state.

10. Comments from Attendees.

Doug Middaugh

-asked if the number of crashes occurring can be directly related to speed.

-expressed disappointment that the issue of feeding wild animals inside the village has thus far not been addressed in the PDO rewrite.

Tom Campbell asked who requested the 35 mph area on NC 2. He noted that Lake Hills residents do not like the 25 mph limit on their street.

Dick Bisbe suggested that NAC members should be asked why they attend the meetings and what they do with the information gleaned from the meetings.

Mayor Pro-Tem Lapins noted that Baldrige has best practices for communication with citizens. He wholeheartedly supports the Baldrige initiative.

11. Motion to go into Closed Session.

Councilmember Strickland 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 between the Village Attorney and the Village Council. The motion was seconded by Councilmember Lapins and carried unanimously.

GENERAL ACCOUNT

The Council, the Village Manager, the Planning Director, Attorney Robin Currin and the Village Attorney discussed the status of the litigation between Mr. Mike McCrann and the Village of

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Pinehurst, and the potential appeal by the Village Council of the decision of the Historic Preservation Commission in the matter of the Village Center Enhancements.

12. Motion to adjourn the Closed Session.

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

13. Adjournment.

Councilmember Strickland moved to adjourn the Work Session. The motion was seconded by Councilmember Lapins and carried unanimously. The meeting adjourned at 4:35 p.m.

Respectfully Submitted,



Linda S. Brown, CMC
Village Clerk