

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA
DECEMBER 13, 2011
9:00 A.M.
CONFERENCE ROOM
VILLAGE HALL
PINEHURST, NORTH CAROLINA

1. Call to Order.
2. Reports –
 - Manager
 - Council
3. **Presentation/Discussion:** Needs Assessment for Pinehurst Performing Arts Center.
4. **Presentation/Discussion/Action:** Update of Community Appearance Commission grant program, request and recommendation for additional funding. (Consideration of Ordinance #11-31).
5. **Action:** Motion establishing a new meeting time for the closed session and work session of the Village Council held on the second Tuesday of each month.
6. **Action:** Motion authorizing the purchase of a helmet by a retiring firefighter.
7. **Action:** Motion approving the annual certification of firemen.
8. **Action:** Motion authorizing the Mayor to execute a Municipal Agreement with the NCDOT for decorative traffic signal supports.
9. **Action:** Resolution #11-35: A Resolution to Oppose Proposed US 1 Bypass in Moore County, North Carolina, by the Village of Pinehurst.
10. **Action:** Resolution #11-36: A Resolution Regarding Re-appointments to the Village of Pinehurst Beautification Committee.
11. **Action:** Resolution #11-37: A Resolution Supporting an Application for a Main Street Solutions Grant.
12. **Action:** Resolution #11-38: Authorizing Representatives for the Village of Pinehurst Official Depository.
13. Preview of Regular Meeting Agenda.
14. Other Business.
15. Comments from attendees.
16. 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; NCGS 143-318.11 (a) (4), to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body; and pursuant to NCGS 143-318.11 (a) (5) to instruct the Village Staff with regard to

the position to be taken by the Village with regard to the potential acquisition of real property.

17. Motion to adjourn the Closed Session and re-enter the Work Session.
18. 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, December 13, 2011 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 15 attendees, including 4 staff.

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Reports:

Neither the Manager nor any member of the Council had a report.

3. Needs Assessment for Performing Arts Center.

Alan Stagaard discussed with the Council potential funding of a Feasibility Study by Webb Management Services, Inc. for a Performing Arts Facility. Consensus of the Council was that they would like to meet with the performing arts board before committing any Village funds. If this meeting can be arranged, Council will address the funding possibility at their January 10th Work Session. (A copy of a memo from Assistant Manager Natalie Dean dated December 8, 2011 concerning the Pinehurst Performing Arts Center needs assessment and a copy of the proposal for Feasibility Study for Performing Arts Facilities prepared by Webb Management Services, Inc. are in the Minute File.)

4. Update of Community Appearance Commission Grant program, request and recommendation for additional funding.

Community Appearance Commission (CAC) Chairman Patrick Barry and Senior Planner Bruce Gould updated the Council concerning the CAC Grant Program.

The Manager explained the need for the Ordinance #11-31. Upon the motion of Councilmember Strickland, seconded by Councilmember Parson, Ordinance #11-31 was unanimously approved by a vote of 5-0. (A copy of a memo from Community Appearance Commission Chairman Patrick Barry dated December 9, 2011 concerning the CAC Community Appearance Grant Update is found in the Minute File. A copy of the ordinance is found in the Ordinance Book and in the Minute File.)

5. Motion establishing a new meeting time for the Closed Session and Work Session of the Village Council held on the second Tuesday of each month.

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The Manager explained the need for the change. Councilmember Cashion moved to amend the previously adopted 2012 Village Council Meeting Schedule to change the time of all the meetings scheduled for the second Tuesday of each month- the Closed Session to begin at 6:00 pm and the public portion of the meeting to begin at 7:00 p.m. Councilmember Lapins seconded the motion which carried unanimously by a vote of 5-0.

6. Motion authorizing purchase of helmet by retiring firefighter.

The Manager explained the need for the motion. Councilmember Parson moved that the Village of Pinehurst sell the fire helmet of retiring Pinehurst Fire Department Lieutenant Brian Morris to him for the amount of \$1.00 as permitted by NCGS 160A-294.1. Councilmember Cashion seconded the motion which carried unanimously by a vote of 5-0. (A copy of a memo by Fire Chief Carlton Cole dated December 5, 2011 concerning the honoring of a retiring firefighter is in the Minute File.)

7. Motion approving annual certification of firefighters.

The Manager explained the need for the motion. Councilmember Lapins moved that the Mayor be authorized to execute the annual certification of firefighters as required by NCGS 58-86-25. Councilmember Cashion seconded the motion which carried unanimously by a vote of 5-0. (A copy of a memo from Fire Chief Carlton Cole dated December 5, 2011 concerning the annual certification of firefighters is in the Minute File.)

8. Motion authorizing the Mayor to execute a Municipal Agreement with the NCDOT for decorative traffic signal supports.

The Manager explained the need for the agreement. Councilmember Lapins moved to authorize the Mayor or her designee to enter into a municipal agreement with the North Carolina Department of Transportation to partner on the upgrade of traffic signals to decorative masts and cross arms along the Hwy. 211 widening project. Councilmember Cashion seconded the motion which carried unanimously by a vote of 5-0. (A copy of a memo from Assistant Manager Jeff Batton dated December 8, 2011 concerning municipal agreement for NC 211 traffic light support upgrades and a copy of the Municipal Agreement are in the Minute File.)

9. Resolution #11-35: A Resolution to Oppose the Proposed U.S. 1 Bypass and Freeway Status in Moore County, North Carolina- Village of Pinehurst.

The Manager explained the need for Resolution #11-35. Upon the motion of Councilmember Strickland, seconded by Councilmember Parson, Resolution # 11-35 was unanimously approved by a vote of 5-0. (A copy of the resolution is found in the Resolution Book and in the Minute File.)

10. Resolution #11-36: A Resolution Regarding Re-Appointments to the Village of Pinehurst Beautification Committee.

The Manager explained the need for Resolution #11-36. Upon the motion of Councilmember Lapins, seconded by Councilmember Cashion, Resolution # 11-36 was unanimously approved by a vote of 5-0. (A copy of the resolution is found in the Resolution Book and in the Minute File.)

11. Resolution #11-37: A Resolution Supporting Application for a Grant from the NC Department of Commerce Main Street Solutions Fund for the Village of Pinehurst, North Carolina.

Assistant Manager Natalie Dean explained the need for Resolution #11-37. Upon the motion of Councilmember Strickland, seconded by Councilmember Cashion, Resolution # 11-37 was unanimously approved by a vote of 5-0. (A copy of a memo from Assistant Manager Natalie Dean

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dated December 8, 2011 regarding the Main Street Solutions Fund is found in the Minute File. A copy of the resolution is found in the Resolution Book and in the Minute File.)

12. Resolution #11-38: A Resolution Authorizing Representatives for the Village of Pinehurst Official Depository.

The Manager explained the need for Resolution #11-38. Upon the motion of Councilmember Cashion, seconded by Councilmember Lapins, Resolution # 11-38 was unanimously approved by a vote of 5-0. (A copy of a memo from Assistant Manager Natalie Dean dated December 7, 2011 regarding the resolution to update bank representatives is found in the Minute File. A copy of the resolution is found in the Resolution Book and in the Minute File.)

13. Preview of Regular Meeting Agenda.

The Council previewed the Regular Meeting Agenda for December 13, 2011 and made no changes. Director of Planning and Inspections Andrea Correll provided the Council an explanation of existing and proposed signs at Pinehurst South. (Copy of document "Explanation of Existing and Proposed Signs at Pinehurst South" is in the Minute File.)

14. Other Business.

There was none.

15. Comments from Attendees.

Doug Middaugh asked where the required matching funds would come from for agenda item #11 (Main Street Solutions Grant).

Assistant Manager Natalie Dean replied that the funds would come from both public and private sources.

John Root asked for Council's position on the Comprehensive Long Range Plan. All replied that they see it as a guide, but they realize that things come up that could not have been anticipated when the plan was written.

Mayor Fiorillo added that \$.03 of the tax rate has been set aside for Comp Plan initiatives.

Mr. Root stated that the first step in the New Core development was a road in the area behind the Holly Inn and asked if this takes away from the need for the parking lot enhancement.

Mayor Fiorillo replied that this was a very good question. Are we building a road to nowhere? She suggested that Council address the steam plant area as a destination for the road. She suggested a public meeting to address these questions- a forum for the Council to explain what our idea is, what is our plan for the area.

Tom Campbell asked how the sale of the old fire station turned into a lease of the building.

Village Manager Andy Wilkison replied that we are looking at a short term lease (perhaps five years) that is renewable. This provides more protection for the Village and the PPAC.

Mr. Campbell added that the public meeting suggested by Mayor Fiorillo might be a good idea, but all should keep in mind public meetings generally draw only naysayers.

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Jack Farrell expressed his dismay at all the requested text amendments in the advertised Public Hearings. He favors variances to address specific problems. He also does not like the fact that the Village is the applicant of record requesting the text amendments; the Village should be neutral in the process.

Mayor Fiorillo noted that the North Carolina General Statutes allow for variances, but it is an onerous process. We are afraid we will end up like the Federal Tax Code. She also pointed out that our being the applicant is easier because, generally, citizens would have no idea how to draft a text amendment. We also are trying to be more user friendly.

Mr. Farrell also noted that he is not happy that the Village is going out soliciting who should get a grant to help improve the look of their property (CAC Grant Program). He feels this is the responsibility of the property owner.

Doug Middaugh spoke regarding the procedure for Closed Sessions. If the stated reason for the Closed Session is to "preserve the attorney-client privilege between the Village Attorney and the Village Council," he feels the attorney should stay for the entire Closed Session. He has observed the attorney leaving before the Closed Session is over.

John Root feels the Village should push General Motors to make concessions concerning franchise architecture.

Mayor Fiorillo noted that we cannot push when this is an existing business; we don't want them to go out of business.

Councilmember Parson asked about the expected report from Kimley Horne- the Downtown Regulatory Sign Review.

Assistant Manager Jeff Batton stated that Public Services workers have begun to pull some signs. He is working with NCDOT to make changes.

16. Motion to go into Closed Session.

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 between the Village Attorney and the Village Council; NCGS 143-318.11 (a) (4), to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body; and pursuant to NCGS 143-318.11 (a) (5) to instruct the Village Staff with regard to the position to be taken by the Village with regard to the potential acquisition of real property. The motion was seconded by Councilmember Parson and carried unanimously.

GENERAL ACCOUNT

The Council, the Village Manager, both Assistant Managers and the Village Attorney discussed the item under NCGS 143-318.11 (a) (4). Afterwards, both Assistant Managers left the closed session, and the Village Manager and the Village Attorney discussed the status of litigation between Mr. Mike McCrann and the Village of Pinehurst, and discussed the position to be taken by the Village with regard to the potential acquisition of real property.

17. Motion to adjourn the Closed Session and Re-Enter the Work Session.

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

18. Adjournment.

Councilmember Lapins moved to adjourn the Work Session. The motion was seconded by Councilmember Strickland and carried unanimously. The meeting adjourned at 12:20 p.m.

Respectfully Submitted,

Linda S. Brown

Linda S. Brown, CMC
Village Clerk