



AGENDA

April 26, 2021

Town Council Work Session: Virtual Meeting

3:00 PM

- Attend using your computer or smartphone to watch and listen to the proceedings and to participate and provide comment when prompted:
<https://attendee.gotowebinar.com/register/5181744728046389006>
- Download the GoToWebinar app on your tablet or smartphone and attend by entering Webinar ID 563-005-883 at the time of the meeting.
- Listen to audio of the proceedings using a telephone.¹ At the meeting time, dial (415) 655-0052 then use Audio Access Code 385-294-040.

1. CALL TO ORDER

2. TOWN MANAGER'S COMMENTS

3. ACTION ITEMS

a. Consider RA-01-21: Request for the Town of Southern Pines to vacate a section of right-of-way for W. Massachusetts Avenue and S. Glover Street

Mr. John Birath, on behalf of Moore County Schools Board of Education, is requesting abandonment of a section of an eighty-foot unimproved right-of-way, 1,270-linear-feet, for West Massachusetts Avenue and South Glover Street bounded by West Indiana Avenue, West New York Avenue, and South Carlisle Street. Per GS §166A-19.24(e), a virtual hearing was held on April 13, 2021 and written comments were accepted after the hearing.

b. Consider Motion to Set May 5, 2021 Public Hearing Related to an Installment Financing Contract for the Whitehall Tract

The Town purchased a 157-acre piece of land in December 2020, known as the "Whitehall tract." The Town made a partial payment when it was acquired. Staff recommends using an installment financing contract authorized under N.C.G.S. 160A, Article 3, Section 20, for the remaining payment. A public hearing will be scheduled for May 5 on this contract, followed by a vote on May 11.

¹ Participation via telephone is listen-only and lacks the full functionality of the webinar meeting format. If you wish to view presentations and/or be recognized to speak at any point during the meeting, please plan to participate online by registering in advance of the meeting using the appropriate http link provided above, or by downloading the GoToWebinar app and using the appropriate Webinar ID provided above.

4. COUNCIL UPDATES AND DISCUSSION

a. DFI Phase 2 Update

The Town is under contract with the Development Finance Initiative (DFI) to perform pre-development services for four parcels on W. Morganton Road. Sarah Odio from DFI will update Council on the status of this project.

b. FY 22 Budget Update & Continued Discussion

The Town Council held its annual budget retreat on April 7. Per Council's request, staff will share more information on the following topics:

- i. Whitehall Financing Update*
- ii. Balance Sheet Update*
- iii. Police Chief Nick Polidori*
- iv. Fire Chief Mike Cameron*
- v. Parking projects and updated cost estimates*

c. Status Update Regarding Resolution #930

Town Council adopted Resolution #930 in June 2020 with the intent to waive certain zoning standards related to food trucks, temporary signage, curbside take-away and outdoor dining, and business operating as Home Occupations. The overall goal of this resolution, which remains in effect, was to waive zoning standards during the declared emergency in order to help local businesses that were facing challenges from mandated COVID-19 restrictions and prohibitions. As the state is currently lifting restrictions "in a targeted and phased manner," staff seeks direction from Council relative to the ongoing need and enforcement of this resolution.

d. Sandhills Sandsharks Lease Renewal

The Sandhills Sandsharks, a local 501(c)3 non-profit, offers competitive swimming and training for the Southern Pines community. Since 2018, the Sandsharks have leased the Town's pool on S. Stephens Street for year-round operations. The Town currently has two separate leases with the Sandsharks; the first was executed in 2018 for the off-season and the second in 2019 for the summer months. Both leases expire this summer. Staff has met with members of the Sandsharks' board to negotiate a single lease and operating agreement and recommends adopting this for an additional three years. Staff proposes to submit this for approval on the Council's May 11th agenda, unless Council prefers otherwise.

5. PUBLIC COMMENTS

PUBLIC COMMENT PROCEDURES

The Southern Pines Town Council is committed to allowing members of the public an opportunity to offer comments and suggestions. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Council during the Public Comment Period shall be subject to the following procedures:

1. The Public Comment Period will be held at the end of the Council Meeting.
2. Each person choosing to speak is asked to keep their statements to a reasonable length in time in recognition that others may also wish to speak and that the Council requires time to conduct its normal business. The Chair retains the right to limit discussion as he/she deems necessary.
3. Speakers will be acknowledged by the Mayor/Chair. Speakers will address the Council from the lectern at the front of the room and begin their remarks by stating their name and address for the record.
4. Public comment is not intended to require the Council and/or staff to answer any impromptu questions. Speakers will address all comments to the entire Council as whole and not one individual member. Discussions between speakers and members of the audience will not be permitted.
5. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of the Town shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.
6. Any applause will be held until the end of the Public Comment Period.
7. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Clerk to the Council.
8. Speakers shall not discuss any of the following: matters which concern the candidacy of any person seeking public office, including the candidacy of the person addressing the Council; matters which are closed session matters, including but not limited to matters within the attorney-client privilege, anticipated or pending litigation, personnel, property acquisition, matters which are made confidential by law; matters which are the subject of public hearings.
9. Action on items brought up during the Public Comment Period will be at the discretion of the Council.

Agenda Item

To: Reagan Parsons, Town Manager

From: Lauren Long, Planner I

Subject: RA-01-21 A request for the Town of Southern Pines to vacate a section of right-of-way for W. Massachusetts Avenue and S. Glover Street

Date: April 26th, 2020

I. SUMMARY OF REQUEST:

Mr. John Birath, on behalf of Moore County Schools Board of Education, is requesting abandonment of a section of an eighty-foot unimproved right-of-way, 1,270-linear-feet, for West Massachusetts Avenue and South Glover Street bounded by West Indiana Avenue, West New York Avenue, and South Carlisle Street (See Figure 1).

II. TOWN COUNCIL PUBLIC HEARING:

A Public Hearing for this request took place via Remote Meeting at the April 22, 2021 Regular Meeting of the Town Council. The existing sewer line within the right-of-way on West Massachusetts Avenue and the Town's intent to maintain its own public infrastructure was discussed. Per G.S. §166A-19.24(e), no public comments were received within twenty-four hours following the Public Hearing.

III. STAFF COMMENTS:

The section of right-of way for which the petitioner is requesting abandonment is adjacent to PIN: 857216826877 (PARID 00040523), PIN: 857200821500 (PARID 00033141), PIN: 857216824550 (PARID 00031531), PIN: 857220823309 (PARID 00031530), and PIN: 857220827460 (PARID: 00036869). This section of right-of-way for both West Massachusetts Avenue and South Glover Street is not included in the Town's street listing and the Town does not receive any state street aide allocations under the Powell Bill Program for this section. There is no public transportation infrastructure located within the right-of-way for the subject portions of West Massachusetts Avenue and South Glover Street. However, there is a section of sewer that extends one-hundred and fifty-one (151) feet into the right-of-way for West Massachusetts Avenue beyond the sewer main located in the right-of-way for South Carlisle Street. As part of the drafted resolution, the Town will maintain all rights and access to the sewer that is located in the right-of-way abandonment for West Massachusetts Avenue in the form of an easement that shall be no less than 20 feet in width and shall be centered on the sewer line. In order for a public right-of-way to be abandoned, a public hearing regarding the request must be held and a resolution to vacate a section of town right of way must be adopted by the Town Council, per Unified Development Ordinance (UDO) §2.29. As stated above, a public hearing was held on April Town staff have prepared a draft resolution to vacate the requested section

of right-of-way for South Glover Street and West Massachusetts Avenue and it has been attached to this report for the Town Council's consideration.

III. ATTACHMENTS:

1. Figure 1: Vicinity Map
2. Figure 2: Powell Bill Map
3. Figure 3: Existing Conditions Survey
4. R/W Abandonment Request
5. Draft Resolution to Vacate

IV. TOWN COUNCIL ACTION:

The Town Council shall vote on whether the request to vacate the proposed street or alley does not deny any adjacent property owners their rights or means of reasonable access and that the closure is in the public interest. The Town Council may make one of the following motions, or any alternative they wish:

I move that the proposed vacation of a section of West Massachusetts Avenue and South Glover Street...

1. Does not deny any adjacent property owners their rights or means of reasonable access and that the closure is in the public interest.
2. Denies adjacent property owners their rights because (...) and/or denies adjacent property owners their means of reasonable access because (...) and therefore the closure is not in the public interest.

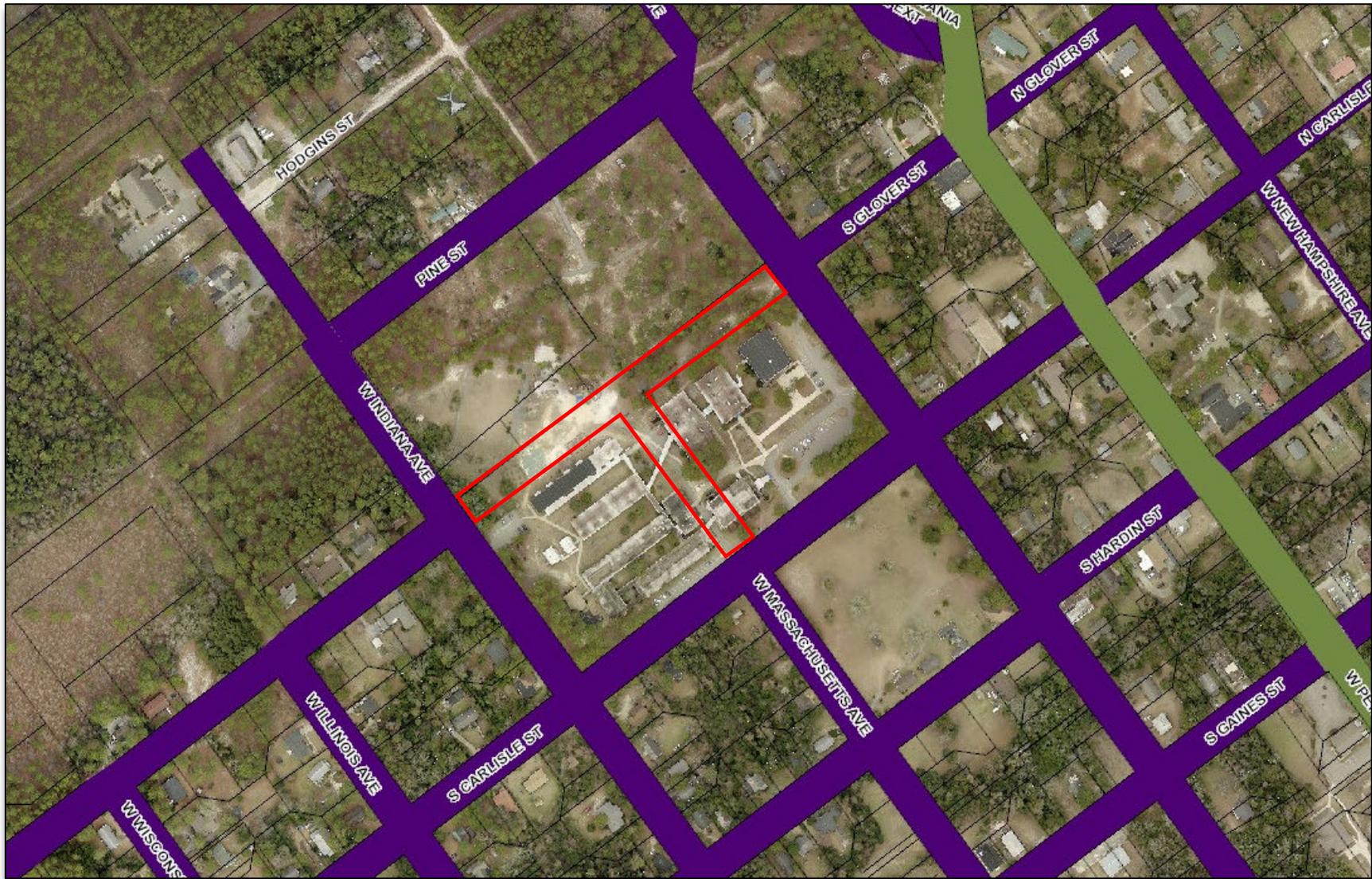
Therefore, I further move to:

1. Approve the resolution as drafted for the vacation of a section of West Massachusetts Avenue and South Glover Street as depicted in the attached existing conditions plat while maintaining an access and maintenance easement for the Town to service the existing public sewer line located within the R/W of West Massachusetts Avenue.
2. Approve the resolution with the following modifications (...) for the vacation of a section of West Massachusetts Avenue and South Glover Street as depicted in the attached existing conditions plat while maintaining an access and maintenance easement for the Town to service the existing public sewer line located within the R/W of West Massachusetts Avenue.
3. Deny the request to vacate a section of West Massachusetts Avenue and South Glover Street as depicted in the attached existing conditions plat.

Figure 1: Vicinity Map

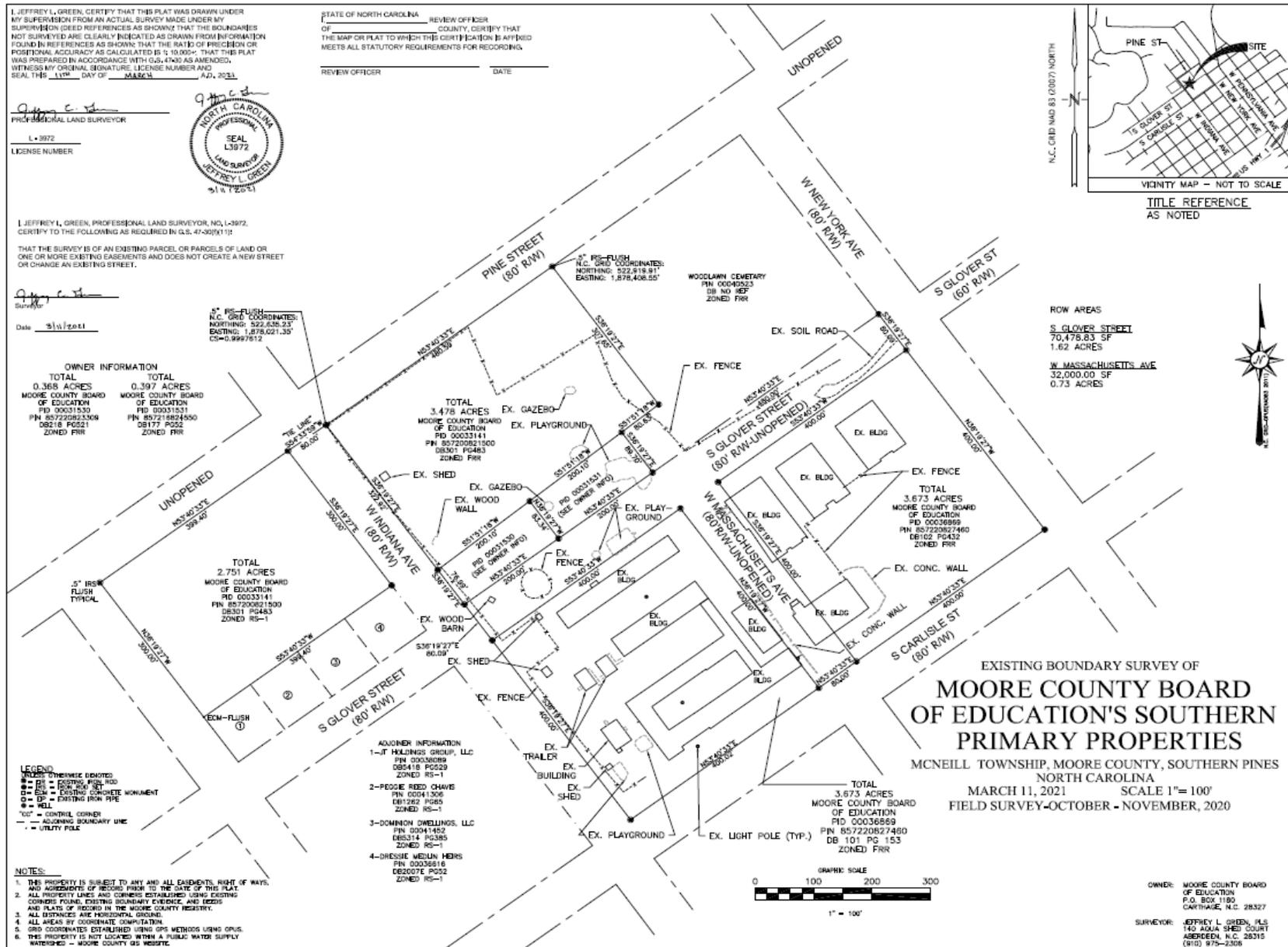


Figure 2: Town of Southern Pines Powell Bill Map



- State System Streets
- Unpaved Town Streets
- Paved Town Streets
- Private Streets

Figure 3: Existing Conditions Plat





March 1, 2021

Reagan Parsons, Town Manager
Town of Southern Pines
125 SE Broad Street
Southern Pines, NC 28387

Re: Right-of-Way Abandonment Request
W Massachusetts Ave. and S Glover St. through Southern Pines Primary

Mr. Parsons:

On behalf of the Moore County Schools Board of Education, we request abandonment of portions of the right-of-way for W. Massachusetts Ave. and S. Glover St. that pass through the site of the Southern Pines Primary School. These roads were not abandoned when the school property was developed as evidenced by the construction of buildings into the right-of-way and not setback the required distances. These roadways were never improved and do not provide beneficial connection to other right-of-ways.

Moore County Schools Board of Education requests that the abandonment of these roads be considered by the Town Council at its next meeting. Please advise of any fees required for public notice and advertisement.

Respectfully,

Moore County Schools

A handwritten signature in black ink, appearing to read "John Birath".

John Birath AIA, LEEDAP
Executive Officer for Operations

c: Dr. Robert P. Grimesey, Jr., via email

Encl.: Survey of Requested Right-of-Way Abandonment

**A RESOLUTION BY THE TOWN OF SOUTHERN PINES TOWN COUNCIL TO
VACATE A SECTION OF RIGHT-OF-WAY FOR SOUTH GLOVER STREET AND
WEST MASSACHUSETTS AVENUE**

THAT WHEREAS, The Moore County Board of Education is requesting the vacation of a section of an eighty-foot unimproved right-of-way for West Massachusetts Avenue and South Glover Street that owned by the Town of Southern Pines and is bounded by the right-of-way for West Indiana Avenue, West New York Avenue, and South Carlisle Street; and

WHEREAS, the section of right-of-way for which the petitioner has requested vacation is not shown on any Town street listings or transportation maps and the Town has no current or future plans to improve this section of right-of-way; and

WHEREAS, pursuant to §2.29.2 of the Unified Development Ordinance, in order for a street or alley to be vacated, the Town Council must adopt a resolution of intent and hold a public hearing; and

WHEREAS, the Town Council did hold a public hearing on April 13th, 2021 and took public comments on the request for right of way abandonment; and

WHEREAS, approximately one-hundred and fifty-one feet of Town sewer facilities are located in the section of right-of-way for West Massachusetts Avenue that the Moore County Board of Education has asked the Town to abandon and the Town will maintain all rights and access to those sewer facilities in a twenty-foot access easement centered on the utility;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines that the Town of Southern Pines hereby vacates the section of right-of-way for West Massachusetts Avenue and South Glover Street bounded by the right-of-way for West Indiana Avenue, West New York Avenue, and South Carlisle Street as shown in the existing conditions survey attached as "Exhibit A" and retains a twenty-foot access easement centered on the existing sewer facility.

Adopted this, the 26th day of April, 2021.

Carol Haney
Mayor of the Town of Southern Pines

Peggy K. Smith
Town Clerk

Legal Notice

NOTICE OF PUBLIC HEARING

TOWN OF SOUTHERN PINES

MAY 5, 2021

6:00 PM

Notice is hereby given that the Town of Southern Pines Town Council has scheduled a virtual public hearing on Wednesday, May 5, 2021 at 6:00 pm.

The purpose of the hearing is to accept input regarding an application for a financing agreement authorized by North Carolina General Statute 160A, Article 3, Section 20. The Town desires to finance the Whitehall land purchase by use of an installment contract.

Input may be provided to the Town Council at the virtual public hearing via one of two ways:

1. Log in to <https://attendee.gotowebinar.com/register/6569590086905778192> and use your device's audio to listen and provide comment when prompted.
2. Log in via the GoToWebinar app on a tablet or smartphone by entering Webinar ID 182-465-691.

Attendees may also call in to the meeting at (631) 992-3221 with Audio Access Code 462-336-298. This is a listen-only format and attendees will not have the functionality to provide comments.

Elizabeth Robertson
Deputy Town Clerk of the Town of Southern Pines

MEMORANDUM

To: Reagan Parsons, Town Manager

From: Jessica Roth, Assistant Town Manager

Re: Proposed installment financing contract for Whitehall property

Date: April 23, 2021

RECOMMENDATION

Staff recommends using an installment financing contract to pay off the principal that is still owed on the Whitehall property. The installment contract is proposed for a term of three years at an interest rate of 1.91%.

BACKGROUND

The Town purchased a 157.5-acre property on December 15, 2020, commonly known as the “Whitehall tract,” and located at 490 Pee Dee Road. At closing, the Town made a partial payment of \$250,000 toward the total purchase price of \$1,647,300.

Per the purchase contract, the seller, Ms. Barbara Sherman, conveyed title of the property to the Town and financed the remaining principal of \$1,397,300.

The terms of the Note require the Town to make the following principal payments (plus accrued interest at 3.25%) to Ms. Sherman:

- May 31, 2021: \$275,000
- December 31, 2021: \$300,000
- May 31, 2022: \$822,300

FINANCIAL IMPACT

The Town has made the necessary budget amendments and set aside the funds to make the payment owed by May 31, 2021 of \$275,000 plus interest.

After the May 2021 payment, the remaining principal balance will be \$1,122,300 plus interest. In accordance with the Note, this balance will be due in its entirety in the FY 22 fiscal year. Finance Director Tess Brubaker-Speis has calculated that after the May 2021 payment, the principal owed to Ms. Sherman will accrue interest of \$32,414.24 before the final payment in May 2022.

ALTERNATIVE FINANCING OPTION

Per the terms of the purchase contract, “the Note may be prepaid in whole or in part at any time without penalty.” Based on this fact and the favorable interest rates currently, staff explored the option of an installment financing contract, as authorized to local governments under N.C.G.S. 160A, Article 3, Section 20.



First Bank has offered the Town a three-year installment contract at a rate of 1.91% and using the Whitehall property as collateral. Staff has discussed this installment contract with the Local Government Commission (LGC), who approves the use of debt by local governments in North Carolina. The LGC confirmed they do not require a formal review or approval of this contract.

Staff recommends entering into an installment contract with First Bank for \$900,000 and paying the remaining principal of \$222,300 (plus interest) to Ms. Sherman by the end of the current fiscal year. This would be in addition to the scheduled payment of \$275,000 in May.

Per the proposed terms of the installment contract, the Town will be required to make two payments per year for fiscal years 2022, 2023, and 2024. Each semi-annual payment would be approximately \$150,000 plus interest. This would allow the Town to spread the remaining principal payments over a total of three years rather than one year as required by the Note.

The installment contract will accrue total interest of \$33,122.06 over three years at 1.91%, equaling \$709.82 more than the interest that will accrue with the Note. Staff's recommendation is that this nominal increase is worth the financial flexibility of paying the principal over three years, especially as some revenues are still unpredictable due to the COVID-19 pandemic.

NEXT STEPS

Staff recommends the following next steps and timeline:

- May 5, 2021: Public Hearing on the three-year installment contract
- May 11, 2021: Council votes on entering into the installment contract with First Bank
- By May 31, 2021: The Town makes a payment to Ms. Sherman (\$275,000 plus interest)
- By June 30, 2021:
 - The Town closes on the installment contract with First Bank.
 - The Town makes an additional principal payment to Ms. Sherman of \$222,300 plus interest; this will require a budget amendment in late May or early June.
 - First Bank pays Ms. Sherman the remaining principal balance of \$900,000, satisfying the Note.
 - Council adopts the FY 22 budget, including two installment payments (#1 and #2) to First Bank, in an amount of \$150,000 each, plus interest.
- July 1, 2022: Fiscal Year 2023 begins and the adopted budget must include two installment payments to First Bank (#3 and #4), in an amount of \$150,000 each, plus interest.
- July 1, 2023: Fiscal Year 2024 begins and the adopted budget must include two installment payments to First Bank (#5 and #6), in an amount of \$150,000 each, plus interest.
- July 1, 2024: Fiscal Year 2025 begins and the installment contract will be satisfied in full, with no additional payments owed.

Town of Southern Pines
General Fund
Schedule of Revenues
2021-2022

04.19.2021

	ACTUAL 2017-2018	ACTUAL 2018-2019	ACTUAL 2019-2020	BUDGET 2020-2021 as of 07/01/20	BUDGET 2020-2021 as of 03/31/21	EXPECTED REVENUES 2020-2021	BUDGET 2021-2022
AD VALOREM TAXES:							
Current	\$ 9,623,389	\$ 9,954,525	\$ 10,836,428	\$ 10,839,565	\$ 10,839,565	\$ 10,954,077	\$ 11,136,348
Delinquent	27,278	17,767	(67,691)	20,000	20,000	9,000	10,000
Penalties & Interest	19,818	17,599	11,946	18,000	18,000	9,755	12,000
TOTAL AD VALOREM TAXES	9,670,485	9,989,891	10,780,683	10,877,565	10,877,565	10,972,832	11,158,348
OTHER TAXES & LICENSES:							
Short-Term Rental Property Tax	55,428	49,983	54,782	48,000	48,000	52,075	50,000
Solid Waste Disposal Tax	9,344	9,754	10,781	9,000	9,000	10,341	10,000
Privilege/Beer - Wine License	2,405	2,870	2,380	2,000	2,000	3,055	2,400
Alcoholic Beverage Ctrl	178,188	196,226	198,273	165,000	165,000	167,000	175,000
Municipal Vehicle Tax	0	0	43,400	61,150	61,150	61,150	61,150
TOTAL OTHER TAXES	245,365	258,833	309,616	285,150	285,150	293,621	298,550
UNRESTRICTED INTERGOVT REVENUE:							
Article 39 Sales Tax - 1%	1,375,825	1,493,212	1,559,124	1,275,000	1,275,000	1,560,132	1,451,155
Article 40 Local Sales Tax - 1/2%	742,191	793,474	832,308	670,000	670,000	819,018	768,855
Article 42 Local Sales Tax - 1/2%	677,815	736,188	769,264	625,000	625,000	766,664	713,324
Article 44 1/2%-Hold Harmless	709,268	753,438	783,857	637,000	637,000	773,288	728,107
Beer and Wine Tax	59,581	60,397	61,178	58,000	58,000	58,000	58,000
Video Programming	159,510	151,120	147,621	154,000	154,000	142,086	146,000
Utilities Franchise/Sales	1,055,286	1,110,853	1,061,456	1,000,000	1,000,000	1,010,000	1,000,000
TOTAL UNRESTRICTED INTERGOVERNMENTAL	4,779,476	5,098,682	5,214,808	4,419,000	4,419,000	5,129,188	4,865,441
RESTRICTED INTERGOVT REVENUE:							
Powell Bill Allocation	405,234	403,744	404,177	401,000	401,000	386,118	390,000
State Aid Library	6,627	6,138	5,949	5,951	5,951	6,159	6,200
Library Grants	9,166	0	78,754	0	0	0	0
Recreation Grants	1,400	1,350	0	1,250	1,250	500	1,000
FEMA Revenue	0	174,887	24,772	0	203,038	203,038	0
On-Behalf of Pymts. - Fire	0	9,123	13,158	0	0	0	0
Fire Grants	0	102,839	248,208	177,180	177,180	177,180	75,120
Police Grants	2,321	8,135	5,107	0	0	0	0
TOTAL RESTRICTED INTERGOVERNMENTAL	424,748	706,216	780,125	585,381	788,419	772,995	472,320
PERMITS AND FEES:							
Inspections	359,180	329,608	338,600	300,000	300,000	452,000	325,000
Planning	41,095	32,157	78,740	35,000	35,000	87,000	85,000
Homeowner Recovery Fee	2,260	2,030	2,510	1,000	1,000	2,260	1,000
Zoning Fees	0	17,745	16,850	15,000	15,000	15,000	15,000
Street Department	45,234	43,690	36,920	30,000	30,000	35,000	30,000
Fire	1,050	850	700	0	0	500	0
Public Works	14,220	32,982	64,036	15,000	15,000	59,772	35,000
Police Department	19,618	49,615	8,806	18,000	18,000	6,500	18,000
TOTAL PERMITS AND FEES	482,657	508,677	547,162	414,000	414,000	658,032	509,000

Town of Southern Pines
General Fund
Schedule of Revenues
2021-2022

	ACTUAL 2017-2018	ACTUAL 2018-2019	ACTUAL 2019-2020	BUDGET 2020-2021 as of 07/01/20	BUDGET 2020-2021 as of 03/31/21	EXPECTED REVENUES 2020-2021	BUDGET 2021-2022
SALES AND SERVICES:							
Library	43,685	46,157	33,842	40,000	40,000	24,000	35,000
Recreation Fees	209,294	209,450	152,966	195,000	195,000	100,000	195,000
Police Extra Duty	55,025	75,398	27,877	65,000	65,000	28,000	65,000
Fire Extra Duty	225	1,215	2,588	0	0	0	0
Rents	296,382	280,792	320,136	310,500	310,500	320,500	320,500
Facility Rental - Recreation	39,950	37,855	26,713	35,000	35,000	5,000	25,000
Court Facilities Fee	0	515	(98)	300	300	0	300
Reservoir Park	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Disposal Fee/Recycling Fee	596,169	701,310	807,159	858,858	858,858	860,175	964,800
TOTAL SALES AND SERVICES	1,246,730	1,358,692	1,377,183	1,510,658	1,510,658	1,343,675	1,611,600
INVESTMENT EARNINGS:	120,533	211,233	180,190	110,250	110,250	38,000	38,000
OTHER:							
Surplus Property Sales	4,991	64,829	77,001	85,000	85,000	35,330	70,000
Miscellaneous Revenue	89,199	77,108	86,553	46,400	82,176	105,197	50,000
Demolition Liens	350	0	5	0	0	1,000	0
Fire Donations	12,094	25,958	0	0	2,500	2,500	0
Court Costs	4,324	2,768	2,681	2,500	2,500	2,035	2,500
Cemetery	1,250	1,750	2,250	1,000	1,000	2,500	1,000
Fire District Revenue - Escrow	0	0	0	0	0	0	89,838
Fire District Revenue	504,122	488,155	473,398	613,607	613,607	475,122	449,158
Donations	5,040	12,050	37,149	3,000	8,375	10,130	3,000
TOTAL OTHER REVENUE	621,370	672,618	679,037	751,507	795,158	633,814	665,496
OTHER FINANCING SOURCES							
Financing Proceeds	0	0	650,000	0	0	0	0
TOTAL OTHER FINANCING SOURCES	0	0	650,000	0	0	0	0
TOTAL REVENUES AND OTHER FINANCING SOURCES	17,591,364	18,804,842	20,518,804	18,953,511	19,200,200	19,842,157	19,618,755
FUND BALANCE [(ADD TO)/USE OF]:	117,446	(793,478)	(464,808)	1,739,405	2,214,955	727,394	2,834,047
REVENUES AFTER ADDITIONS/ REDUCTIONS FROM FUND BALANCE	\$ 17,708,810	\$ 18,011,364	\$ 20,053,996	\$ 20,692,916	\$ 21,415,155	\$ 20,569,551	\$ 22,452,802

TOWN OF SOUTHERN PINES
GENERAL FUND
EXPENDITURE BY FUNCTION AND TRANSFERS
2021-2022

04.19.2021

	ACTUAL 2017-2018	ACTUAL 2018-2019	ACTUAL 2019-2020	BUDGET 2020-2021 as of 07/01/20	BUDGET 2020-2021 as of 03/31/2021	EXPECTED EXPENDITURES 2020-2021	BUDGET 2021-2022
Legislative	\$ 194,366	\$ 147,985	\$ 177,200	\$ 177,856	\$ 205,541	\$ 190,311	\$ 198,451
General Administration	598,039	616,717	650,025	687,381	731,012	727,004	894,803
Information Technology	743,060	729,305	1,111,518	1,190,491	1,241,153	1,211,308	1,233,183
Financial Services	661,212	726,447	733,844	757,814	765,535	763,940	803,550
Police Administration and Patrol	3,444,492	3,368,008	3,388,391	3,933,220	4,032,671	3,778,411	4,123,635
Police Communications	395,542	424,015	476,706	548,115	555,404	551,408	764,762
Investigations	901,688	745,945	775,323	981,522	962,795	732,889	793,555
Fire/Rescue	2,666,673	2,387,092	3,419,640	2,843,656	2,901,826	2,847,939	3,242,865
Planning	614,067	621,021	405,319	412,804	483,657	469,492	533,772
Inspections	0	0	371,627	416,899	461,141	452,527	472,789
Street Maintenance	1,295,031	1,323,289	1,574,317	1,662,230	1,677,654	1,607,709	1,828,132
Public Works/Sanitation	1,950,116	2,092,289	2,344,142	2,644,723	2,515,200	2,497,474	2,608,904
Fleet Maintenance	336,547	311,788	297,682	326,616	331,156	323,505	341,349
Recreation	791,925	806,816	1,227,864	1,479,653	1,493,767	1,291,279	1,521,342
Library	895,157	879,811	1,001,343	972,107	983,314	925,130	971,545
Building and Grounds	1,697,347	1,720,702	1,389,926	1,347,697	1,369,275	1,350,348	1,371,823
Special Appropriations:							
Sponsorships	1,000	1,500	1,500	1,500	1,500	1,500	1,500
Economic Development-Dues	25,000	26,250	26,250	26,250	26,250	26,250	26,250
Economic Incentive	12,000	12,000	0	0	0	0	0
Shaw House	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Total Special Appropriations	39,000	40,750	28,750	28,750	28,750	28,750	28,750
Non-Departmental:							
W/S Indirect Costs	(986,277)	(1,021,577)	(1,050,334)	(1,141,360)	(1,141,360)	(1,141,360)	(1,184,485)
Installment Purchase-Fire Sub-Sta	0	518,191	517,718	505,414	505,414	499,434	432,910
Installment Purchase St. Sweeper	38,819	0	0	0	0	0	0
Installment Purchase Police Stat	534,354	530,020	502,028	485,864	485,864	485,864	469,701
Installment Purchase Whitehall Tract	0	0	0	0	0	0	315,758
Installment Purchase Annex Upfit	0	0	0	74,538	74,538	0	71,782
Installment Purchase Fire Vehicle	80,698	0	0	136,926	136,926	136,926	136,926
Total Non-Departmental	(332,406)	26,634	(30,588)	61,382	61,382	(19,136)	242,592
Total Expenditures	16,891,856	16,968,614	19,343,029	20,472,916	20,801,233	19,730,288	21,975,802
Transfers:							
Transfer to Cap Proj-Fire Sub-Stat	35,000	0	0	0	0	0	0
Transfer to Cap Proj-Unpaved St	185,000	230,000	0	0	0	0	0
Transfer to Cap Proj-Fiber Optics	76,593	0	0	0	0	0	0
Transfer to Cap Proj-Open Space	0	0	0	0	293,922	519,263	0
Transfer to Cap Proj-Storm Water	0	100,000	0	0	0	0	0
Transfer to Cap Proj-Pool Park	87,861	0	0	0	0	0	0
Transfer to Cap Proj-EIDMS	0	125,000	0	0	0	0	0
Transfer to Cap Proj-Downtown Park	185,000	35,000	0	0	0	0	0
Transfer to Cap Proj-Recreation Improv	97,500	100,000	80,000	0	0	0	167,000
Transfer to Cap-Proj-Parking Lots	0	200,000	43,000	45,000	45,000	45,000	0
Transfer to Cap-Proj-Facility Modern	0	102,750	313,817	0	0	0	0
Transfer to Cap-Proj-Building Renov	0	0	13,000	0	100,000	100,000	0
Transfer to Cap-Steambank Stabilization	0	0	0	75,000	75,000	75,000	110,000
Transfer to General Capital Reserve	0	0	0	0	0	0	0
Transfer to Cap Proj-Sidewalks	150,000	150,000	261,150	100,000	100,000	100,000	200,000
Total Transfers	816,954	1,042,750	710,967	220,000	613,922	839,263	477,000
Total Expenditures/Transfers	\$ 17,708,810	\$ 18,011,364	\$ 20,053,996	\$ 20,692,916	\$ 21,415,155	\$ 20,569,551	\$ 22,452,802

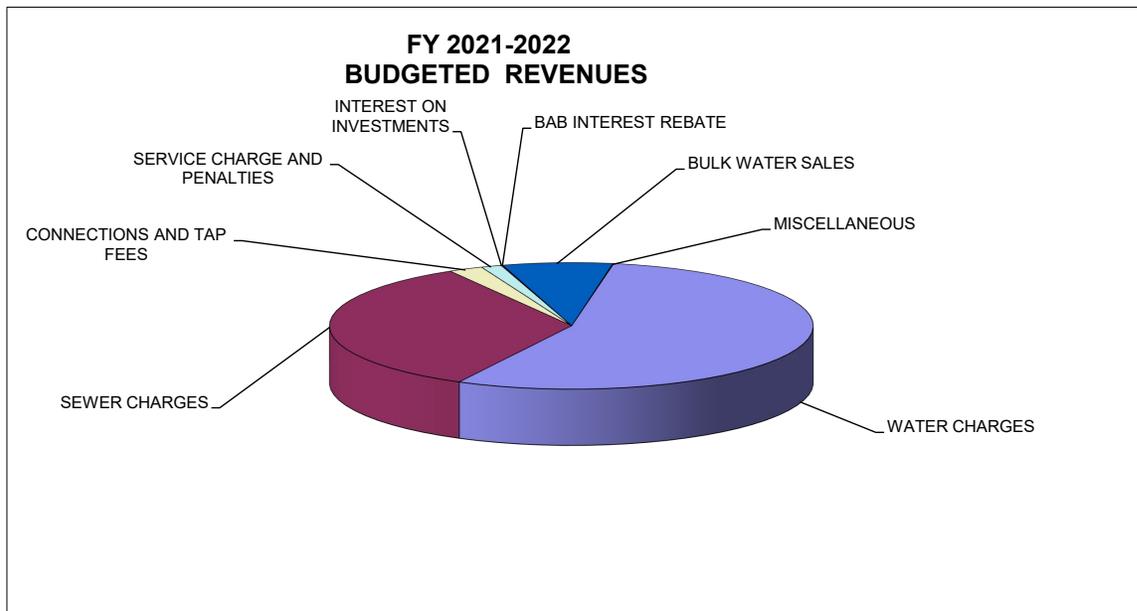
TOWN OF SOUTHERN PINES
GENERAL FUND
BUDGET SUMMARY
2021-2022

04.19.2021

	ACTUAL 2019-2020	BUDGET 2020-2021 as of 03/31/21	EXPECTED REVENUES EXPENDITURES 2020-2021	BUDGET 2021-2022
Available Fund Balance - Beginning	\$ 6,806,883	\$ 7,791,204	\$ 7,791,204	\$ 8,803,215
Total Revenues & Reserve Increases	<u>21,038,317</u>	<u>20,939,605</u>	<u>21,581,562</u>	<u>19,618,755</u>
Total Funds Available	27,845,200	28,730,809	29,372,766	28,421,970
Total Expenditures	19,343,029	20,801,233	19,730,288	21,975,802
Transfers Out to Capital Projects	<u>710,967</u>	<u>613,922</u>	<u>839,263</u>	<u>477,000</u>
Available Fund Balance - Ending	<u>\$ 7,791,204</u>	<u>\$ 7,315,654</u>	<u>\$ 8,803,215</u>	5,969,168
Less 3 Months Expenditures				5,493,951
Available Fund Balance - FYE 06/30/22				<u>\$ 475,218</u>

TOWN OF SOUTHERN PINES
UTILITY FUND
SCHEDULE OF REVENUES
2021-2022

04.21.2021	ACTUAL 2017-2018	ACTUAL 2018-2019	ACTUAL 2019-2020	BUDGET 2020-2021 as of 07/01/20	BUDGET 2020-2021 as of 04/01/21	EXPECTED REVENUES 2020-2021	BUDGET 2021-2022
WATER CHARGES	\$ 4,281,774	\$ 4,446,032	\$ 4,694,050	\$ 4,278,150	\$ 4,278,150	\$ 4,608,172	\$ 4,792,499
SEWER CHARGES	2,647,643	2,774,161	2,855,435	2,766,110	2,766,110	2,851,261	2,965,311
CONNECTIONS AND TAP FEES	263,260	240,710	316,369	200,000	200,000	233,548	200,000
SERVICE CHARGE AND PENALTIES	127,665	127,324	94,807	120,000	120,000	105,730	120,000
INTEREST ON INVESTMENTS	59,754	111,801	83,594	65,000	65,000	9,500	9,500
BAB INTEREST REBATE	14,102	9,968	3,377	1,141	1,141	3,424	-
BULK WATER SALES	764,919	593,977	593,974	618,122	618,122	646,767	640,000
MISCELLANEOUS	6,408	39,449	11,184	5,000	5,000	24,530	5,000
GAIN ON SALE OF ASSETS	-	419,674	21,920	26,000	26,000	40,000	20,000
TRANSFER IN-RETAINED EARNINGS	-	-	1,157,167	1,950,176	1,975,395	1,262,857	325,567
TRANSFER OUT-RETAINED EARNINGS	(199,707)	(766,728)	-	-	-	-	-
TOTAL	\$ 7,965,818	\$ 7,996,368	\$ 9,831,877	\$ 10,029,699	\$ 10,054,918	\$ 9,785,789	\$ 9,077,877



TOWN OF SOUTHERN PINES
UTILITY FUND
EXPENDITURE BY FUNCTION AND TRANSFERS
2021-2022

	ACTUAL 2017-2018	ACTUAL 2018-2019	ACTUAL 2019-2020	BUDGET 2020-2021 as of 07/01/20	BUDGET 2020-2021 as of 04/01/21	EXPECTED EXPENDITURES 2020-2021	BUDGET 2021-2022
Water Treatment	\$ 1,368,082	\$ 1,366,744	\$ 1,375,734	\$ 1,500,427	\$ 1,500,427	\$ 1,437,749	\$ 1,558,711
Water Extensions - Maintenance	788,543	918,398	958,735	1,156,699	1,166,340	1,109,678	1,240,329
Sewer Extensions - Maintenance	702,299	763,214	1,267,162	1,350,152	1,360,259	1,252,582	1,109,458
Billing & Collections	427,352	425,939	439,613	523,972	529,443	524,625	537,346
Loss on Disposal of Fixed Assets	-	16,149	-	-	-	-	-
Interest Expense, Financing Principal	590,949	590,926	590,905	421,189	421,189	383,895	211,348
Sewage Treatment	1,657,316	1,993,421	1,914,060	2,100,000	2,100,000	2,100,000	2,200,000
W/S Indirect Cost	986,277	1,021,577	1,050,334	1,141,360	1,141,360	1,141,360	1,184,485
Total Expenditures	6,520,818	7,096,368	7,596,543	8,193,799	8,219,018	7,949,889	8,041,677
Transfers:							
Transfer to North Pressure Zone	750,000	-	-	-	-	-	-
Transfer to Water Treatment Proc Mod	-	-	-	305,900	305,900	305,900	250,000
Transfer to PeeDee/Pennsylvania Line	-	-	-	-	-	-	139,200
Transfer to Lift Station Upgrades/Upfit	-	-	-	530,000	530,000	530,000	-
Transfer to Sanitary Sewer Modernization	-	-	-	750,000	750,000	750,000	462,000
Transfer to Facility Modernization	-	-	302,334	-	-	-	-
Transfer to W&S Improvements	695,000	900,000	1,933,000	250,000	250,000	250,000	185,000
Total Transfers	1,445,000	900,000	2,235,334	1,835,900	1,835,900	1,835,900	1,036,200
Total Expenditures/Transfers	\$ 7,965,818	\$ 7,996,368	\$ 9,831,877	\$ 10,029,699	\$ 10,054,918	\$ 9,785,789	\$ 9,077,877

TOWN OF SOUTHERN PINES
 UTILITY FUND
 RETAINED EARNINGS SUMMARY
 2021-2022

	ACTUAL 2019-2020	BUDGET 2020-2021 as of 04/01/21	EXPECTED REVENUES EXPENDITURES 2020-2021	BUDGET 2021-2022
Available Retained Earnings - Beginning	\$ 7,684,290	\$ 6,527,127	\$ 6,527,127	\$ 5,264,270
Total Revenues	<u>8,674,712</u>	<u>8,079,523</u>	<u>8,522,932</u>	<u>8,752,310</u>
Total Funds Available	16,359,002	14,606,650	15,050,059	14,016,580
Total Expenditures	7,596,541	8,219,018	7,949,889	8,041,677
Transfers Out	<u>2,235,334</u>	<u>1,835,900</u>	<u>1,835,900</u>	<u>1,036,200</u>
Available Retained Earnings - Ending	<u><u>\$ 6,527,127</u></u>	<u><u>\$ 4,551,732</u></u>	<u><u>\$ 5,264,270</u></u>	<u><u>\$ 4,938,703</u></u>

Agency	Type_LEA	Service Population (or student enrollment)	Total law enforcement employees	Total officers	LEA size by number sworn	Sworn rate (LEOs per 1000 population)
Aberdeen Police Department	Municipal	8,157	32	30	Medium (25-99 sworn officers)	2.3
Spring Lake Police Department	Municipal	12,069	30	27	Medium (25-99 sworn officers)	2.2
Elon Police Department	Municipal	12,214	20	19	Small (10-24 sworn officers)	1.6
Western Carolina University Police Depart	Campus police	12,501	25	25	Medium (25-99 sworn officers)	2.0
Belmont Police Department	Municipal	12,812	42	35	Medium (25-99 sworn officers)	2.7
Smithfield Police Department	Municipal	12,882	39	35	Medium (25-99 sworn officers)	2.7
Newton Police Department	Municipal	13,153	40	31	Medium (25-99 sworn officers)	2.4
Davidson Police Department	Municipal	13,193	22	20	Small (10-24 sworn officers)	1.5
Reidsville Police Department	Municipal	13,959	54	49	Medium (25-99 sworn officers)	3.5
Hendersonville Police Department	Municipal	14,234	57	40	Medium (25-99 sworn officers)	2.8
Roanoke Rapids Police Department	Municipal	14,354	40	34	Medium (25-99 sworn officers)	2.4
Southern Pines Police Department	Municipal	14,524	48	40	Medium (25-99 sworn officers)	2.8
Eden Police Department	Municipal	14,773	47	43	Medium (25-99 sworn officers)	2.9
Henderson Police Department	Municipal	14,883	57	42	Medium (25-99 sworn officers)	2.8
Laurinburg Police Department	Municipal	14,928	43	41	Medium (25-99 sworn officers)	2.7
Graham Police Department	Municipal	15,185	41	38	Medium (25-99 sworn officers)	2.5
Hope Mills Police Department	Municipal	15,878	41	37	Medium (25-99 sworn officers)	2.3
Albemarle Police Department	Municipal	16,134	49	42	Medium (25-99 sworn officers)	2.6
Stallings Police Department	Municipal	16,173	25	22	Small (10-24 sworn officers)	1.4
Mebane Police Department	Municipal	16,203	39	35	Medium (25-99 sworn officers)	2.2
Mount Holly Police Department	Municipal	16,475	40	32	Medium (25-99 sworn officers)	1.9
Pinehurst Police Department	Municipal	16,522	30	25	Medium (25-99 sworn officers)	1.5
Waxhaw Police Department	Municipal	17,203	28	26	Medium (25-99 sworn officers)	1.5
Elizabeth City Police Department	Municipal	17,424	66	55	Medium (25-99 sworn officers)	3.2
Lenoir Police Department	Municipal	17,904	68	51	Medium (25-99 sworn officers)	2.8
Duke University Police Department	Campus police	18,107	163	67	Medium (25-99 sworn officers)	3.7
Knightdale Police Department	Municipal	18,351	35	32	Medium (25-99 sworn officers)	1.7
Lexington Police Department	Municipal	18,917	66	55	Medium (25-99 sworn officers)	2.9
UNC Wilmington Police Department	Campus police	18,997	61	35	Medium (25-99 sworn officers)	1.8
Kinston Police Department	Municipal	19,886	67	56	Medium (25-99 sworn officers)	2.8
Boone Police Department	Municipal	19,893	45	32	Medium (25-99 sworn officers)	1.6
Shelby Police Department	Municipal	20,004	85	72	Medium (25-99 sworn officers)	3.6
Havelock Police Department	Municipal	20,128	37	28	Medium (25-99 sworn officers)	1.4
Appalachian State University Police Depart	Campus police	20,285	48	29	Medium (25-99 sworn officers)	1.4
Lumberton Police Department	Municipal	20,754	97	87	Medium (25-99 sworn officers)	4.2

Administrative Officers Management Program | NC State

FBI UCR Police Employee Data- 2019

The Uniform Crime Reporting (UCR) Program defines law enforcement officers as individuals who ordinarily carry a firearm and a badge, have full arrest powers, and are paid from governmental funds allocated specifically for sworn law enforcement representatives.

FBI NOTES

Because of law enforcement's varied service requirements and functions, as well as the distinct demographic traits and characteristics of each jurisdiction, readers should use caution when drawing comparisons between agencies' staffing levels based on police employment data from the UCR Program. In addition, the data presented here reflect existing staffing levels and **should not be interpreted as preferred officer strengths recommended by the FBI**. Lastly, **it should be noted that the totals given for sworn officers for any particular agency reflect not only the patrol officers on the street, but also the officers assigned to various other duties such as those in administrative and investigative positions and those assigned to special teams.**

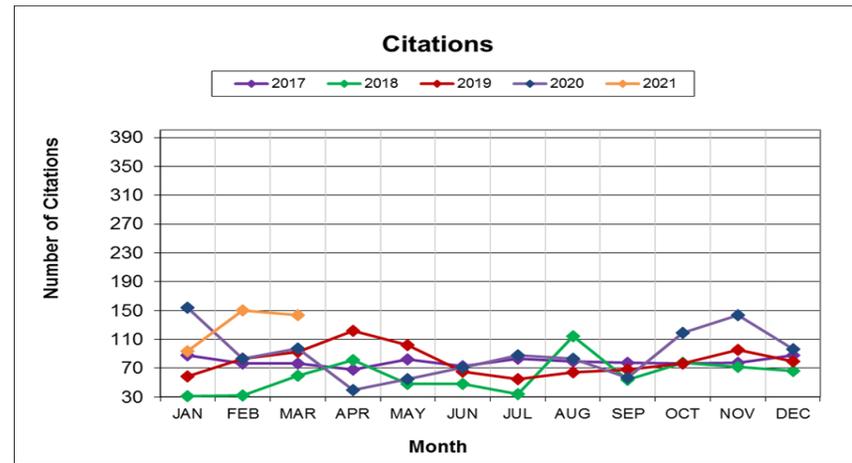
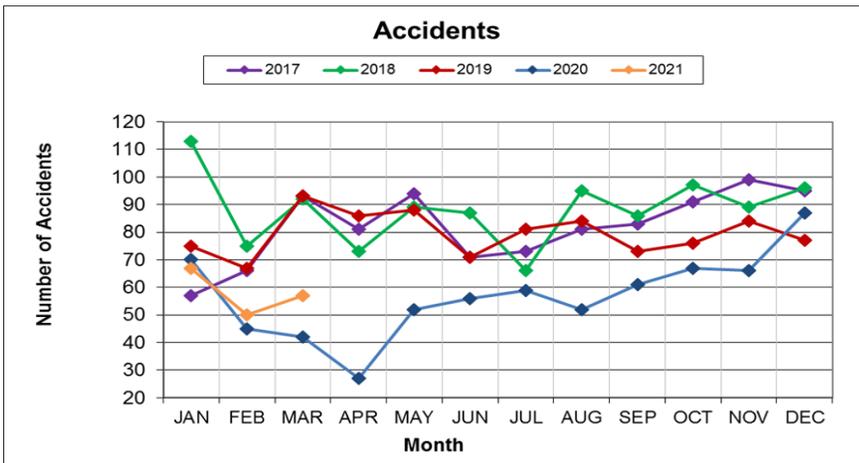
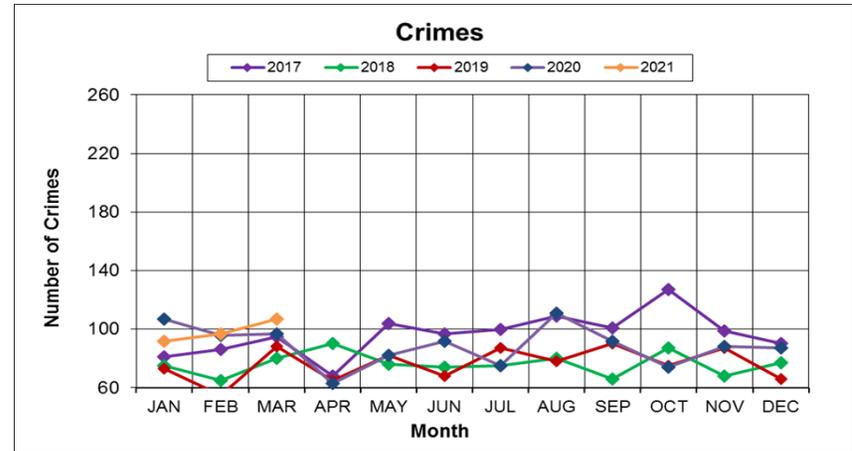
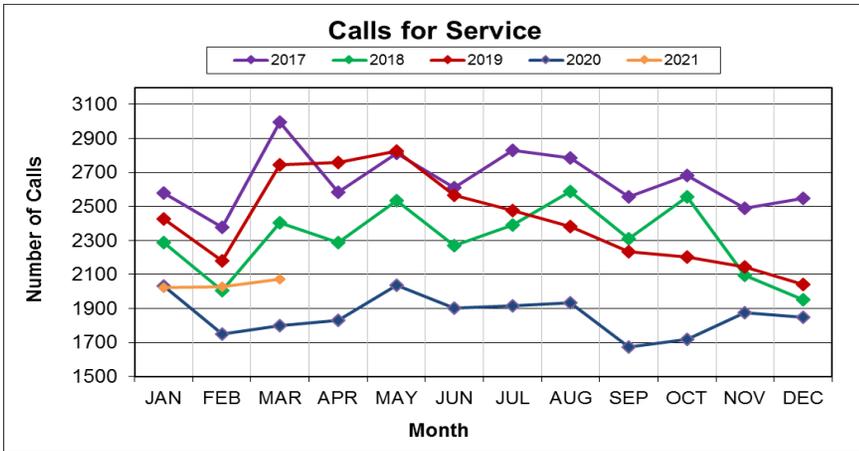
Summary Notes

- Nationwide, the rate of sworn officers was 2.4 per 1,000 inhabitants.
- The rate of full time law enforcement **employees (civilian and sworn)** per 1,000 inhabitants was 3.5
- In 2019, the highest rate of officers to individuals among the city population groups was an average of 4.2 officers per 1,000 inhabitants in cities with fewer than 10,000 residents
- County agencies reported an average of 2.8 officers per 1,000 inhabitants

Source

<https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/police-employee-data>

Police Activity Charts



Traffic Crash Data

	2017	2018	2019	2020
Accident PD	868	947	683	579
Accident PI	119	110	126	108
Accident Fatality	1	1	0	0
Total	988	1058	809	687

Citation Data

	2017	2018	2019	2020
Citations	1101	897	981	548
Written Warnings	500	326	539	283
Verbal Warnings	501	700	875	433
Total	2102	1923	2395	1264

Follow-up Questions from Council Budget Retreat

2 New Patrol Officers for Directed Patrol Unit- Budget request \$293,186

Year one savings- \$55K by retaining an existing vehicle in the fleet and transferring it to the Community Services Coordinator. His existing car can be reassigned to the Patrol Division

Current Staffing

1 open sworn position in the Patrol Division with a Latino female applicant currently in the background phase

Longevity of fleet vehicles

We are on target for 7-9 years with vehicles being assigned to officers.

Prior to AVP, we were replacing vehicles every 3-4 years ranging in mileage from 80K to 100K+ miles

EX: 2013 Ford interceptor and 2009 Ford Crown Vic just went out of service (these were a shared car until the AVP in 2016/2017)

EX: 2017 Ford Explorer currently has 30K miles after 3 years in service. I expect to get at least 5 or 6 more years at a rate of 10K miles per year

Service population

40K-45K daily estimates. This accounts for visitors, employees, tourists. Daytime is different than night time population, especially on weekends

We police a far greater number of people than our official population represents

Must stay ahead of growth so we are not playing catch up with crime and traffic related incidents and complaints

When we have residential and commercial development, I see more car break-in's, traffic crashes, vandalisms, retail theft, etc.

These added calls pull us away from other important functions like COP, foot patrols, and focus on data driven initiatives

Org Chart changes

I changed the Org Chart effective January 2021. Eliminated the Inv. Lt and Echo team Lt. to create an Operations Captain and 1 Sgt. Allows for better oversight of the Operations of the agency

I split Echo into two D.P. teams, with a Sgt and 2 officers. This allows for 7 day week coverage versus 4 days with Echo

Roles of new positions

Assigned to Directed patrol

Added officers for Traffic initiatives and Drug crimes. Officers assigned tasks specific to traffic and crime related data from CompStat

Serve as a supplement to the existing four patrol teams (A-D)

Relieves some pressure from A-D so we can have more emphasis in foot patrols, citizen contacts, COP activities. Goal is to increase Unobligated Time

Speed complaints are more than we can handle, number 1 complaint by far.

S. Carlisle, E. Indiana, W. Pennsylvania, N Knoll, May St, Midland Rd, Central Dr....

Recruitment efforts for qualified and diverse applicants

Sought out and hired a B/M police cadet in January. When he passes the BLET and state exam, he will be sworn in June

Posted a CADET position for 21 days in March. Only 6 total applicants. Speaks to the nationwide disinterest in this profession.

Our available work force has traditionally been those BLET certified. We are outside the box trying to recruit and be more diverse.

No other agency or town leadership regionally has supported recruiting Cadets to increase and improve diversity. This initiative holds open positions, could cost more money than traditional hiring

Recruitment nationwide is very bad.

I teach in the BLET locally. Poor numbers in recent and current classes. Some have been canceled due to not enough to meet minimum requirement

Very few minority students in the BLET classes

TOSP buy in to Regional Recruitment Partnership with WRAL

MEMORANDUM

To: Reagan Parsons, Town Manager
From: James Michel, PE, MBA, Town Engineer/Assistant Public Works Director
Re: Updated cost estimates for parking projects
Date: April 23, 2021

I have reviewed three potential parking projects to identify recommended improvements and current cost estimates.

Douglas Community Center Parking Improvement

I have estimated a total cost of approximately \$178,000 to bring this lot into compliance with the UDO and provide 30 parking spaces. This estimate includes landscaping, curb and gutter around the parking areas (curb and gutter are not recommended on the drive aisles to keep stormwater from concentrating), geotechnical testing, contingency, and complete replacement of the current stone base. If the geotechnical testing results are favorable, there may be cost savings that can be achieved saving some of the current stone and could be upwards of \$40K, but this depends on how much stone can be saved. A major cost driver from the UDO is landscaping (\$20,000), curb and gutter (\$45,000), and curb stops (\$7,500). Four potential approaches include:

- a) Full stone replacement and compliance with UDO = \$178,000
- b) Save stone and construct in compliance with UDO = \$134,000
- c) Replace stone and only pave existing gravel area (not UDO compliant) = \$106,000
- d) Save stone and only pave existing gravel area (not UDO compliant) = \$70,000

The attached sketch does show an additional area off of the internal drive that would add 6 more spaces (total of 36 spaces) and provide a connection to the back-door ramp and sidewalk. The cost of this additional scope is estimated at \$23,000 and I recommend bidding this as an add alternate to provide flexibility in scope and cost. Based on in-house cost estimates, the total project with this add-alternate would be approximately \$200,000 (assuming scenario A from above).

W. Morganton Rd. Soccer Fields

Another potential parking project involves the soccer fields on W. Morganton Road. I have estimated construction for this lot at \$450,000 (\$360,000 construction, \$54,000 engineering, and \$36,000 contingency) to obtain about 75 spaces. This cost should be on the high side and includes landscaping, curb and gutter, storm lines, and a stormwater pond. Should we proceed with this project, we may have the potential to achieve some very minor cost savings as the design is refined through modified grading and possible some reductions in storm line, but I do not believe any of these cost savings will be significant.

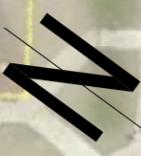
It should be noted that the preliminary sketch proposes a 30' buffer from adjacent properties. If this buffer were reduced or eliminated, we could obtain additional spaces.

Downtown Parking

Assistant Public Works Director Cory Albers has provided data confirming the parking projects that have been completed to date downtown, as well as both the original and current cost estimates. The total estimated cost for the remaining downtown projects is just under \$425,000.



WISLEST



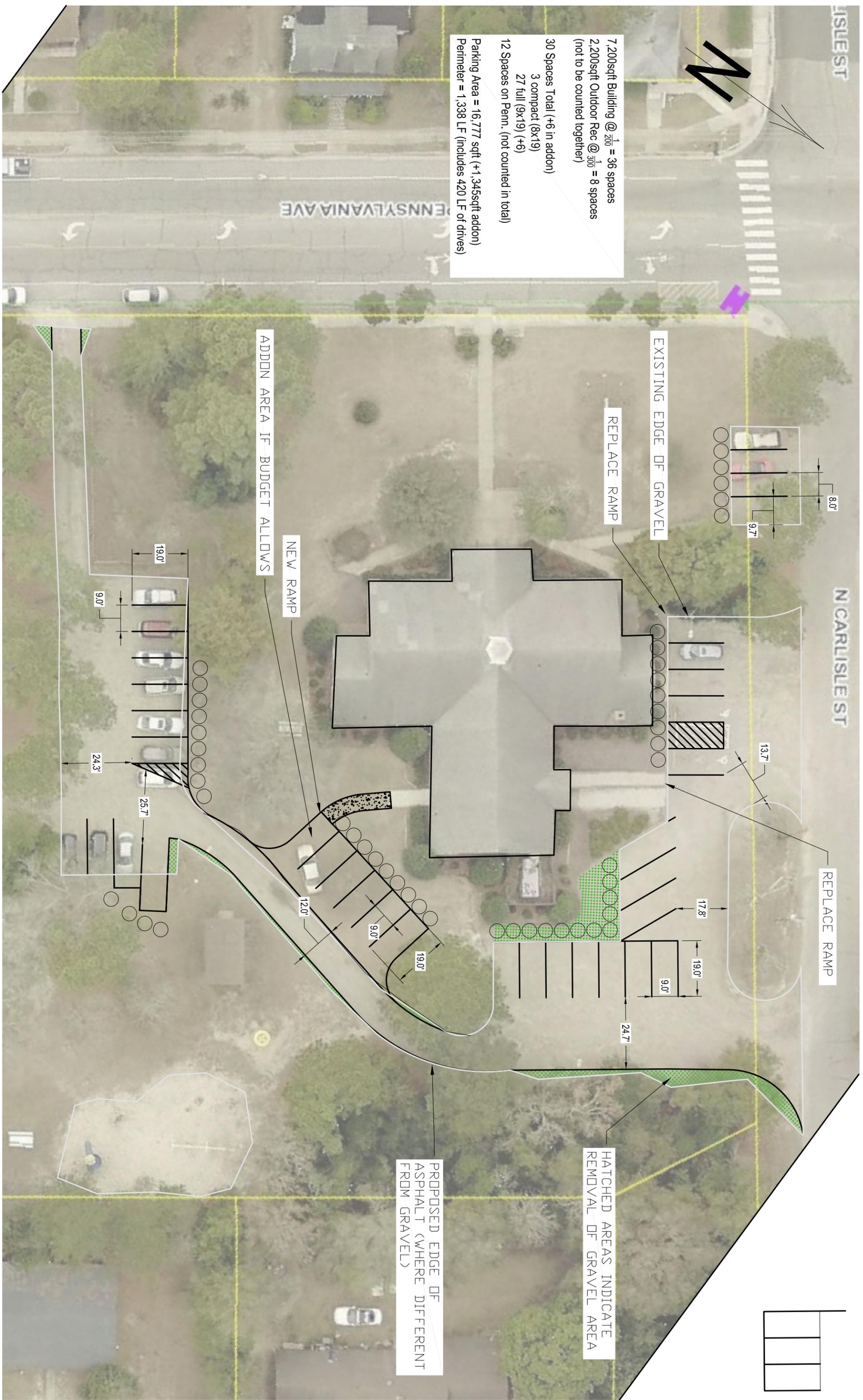
7,200sqft Building @ $\frac{1}{200}$ = 36 spaces
 2,200sqft Outdoor Rec @ $\frac{1}{300}$ = 8 spaces
 (not to be counted together)

30 Spaces Total (+6 in addon)
 3 compact (8x19)
 27 full (9x19) (+6)

12 Spaces on Penn. (not counted in total)

Parking Area = 16,777 sqft (+1,345sqft addon)
 Perimeter = 1,338 LF (includes 420 LF of drives)

N CARLISLE ST



ADDDON AREA IF BUDGET ALLOWS

NEW RAMP

REPLACE RAMP

EXISTING EDGE OF GRAVEL

REPLACE RAMP

HATCHED AREAS INDICATE REMOVAL OF GRAVEL AREA

PROPOSED EDGE OF ASPHALT (WHERE DIFFERENT FROM GRAVEL)

TOWN OF SOUTHERN PINES

DATE: APRIL 2021 SCALE: 1"=30'
DRAWN BY: JRM

DOUGLAS COMMUNITY CENTER
PARKING LOT CONCEPT

S-1



TOWN OF SOUTHERN PINES
DATE: APRIL 2021 SCALE: 1"=30'
DRAWN BY: JRM

FIRE LANE PARKING ADDITION
PARKING LOT CONCEPT

S-1

Block	Street	Existing Spaces	Proposed Spaces	Original Cost Estimate	Current Cost		Increase	Notes
					Estimate	(April 2021)		
100 SE Broad (S)		34	60	\$ 56,288	\$ 76,868	\$ 20,580	only Track side	
200 SE Broad (N)		29	46	\$ 60,068	\$ 80,648	\$ 20,580		
100 E. Pennsylvania		32	47	\$ 52,589	\$ 72,962	\$ 20,373		
100 S. Ashe		0	30	\$ 40,635	\$ 61,008	\$ 20,373		
100 N. Ashe		0	13	\$ 425	\$ 500	\$ 75		
200 N. Ashe		26	13	\$ 5,225	\$ 5,500	\$ 275		
300 N. Ashe		29	17	\$ 5,225	\$ 5,500	\$ 275		
100 E. New York		28	42	\$ 4,925	COMPLETED			
100 W. New York		33	38	\$ 4,925	COMPLETED			
100 E. New Hampshire		30	33	\$ 17,018	\$ 25,854	\$ 8,836		
100 W. New Hampshire		28	30	\$ 4,925	\$ 5,500	\$ 575		
100 W. Connecticut		25	35	\$ 4,925	COMPLETED			
100 E. Vermont		0	13	\$ 425	\$ 500	\$ 75		
100 W. Vermont		29	36	\$ 4,925	COMPLETED			
300 & 400 SE Broad		0	70	\$ 1,450	\$ 1,500	\$ 50	modify traffic to 1-way	
300 & 400 SW Broad		24	140	\$ 80,000	\$ 86,572	\$ 6,572	modify traffic to 1-way	
100 E. Massachusetts		0	26	\$ 125	\$ 500.00	\$ 375		
100 W. Indiana		0	26	\$ 125	COMPLETED			
100 W. Illinois		0	26	\$ 125	COMPLETED			
Total Remaining				\$ 344,348	\$ 423,412.00	\$ 79,064		

Work Session Agenda Item

To: Reagan Parsons, Town Manager

From: BJ Grieve, Planning Director

Subject: Follow-up discussion regarding Resolution #930, “A Resolution Authorizing Specific Business Operations During North Carolina COVID-19 Response: Phase 2.”

Date: April 26th, 2021

I. SUMMARY:

On June 3rd, 2020 the Southern Pines Town Council passed Resolution #930 entitled “A Resolution Authorizing Specific Business Operations During North Carolina COVID-19 Response: Phase 2 Within The Town of Southern Pines.” A copy of this resolution is attached for reference. The purpose of the resolution was to waive certain zoning standards during a declared emergency¹ in order to help local businesses that were facing unprecedented challenges related to mandated COVID-19 restrictions and prohibitions. The resolution waived zoning standards related to the location and operation of food trucks, the use of temporary signage, the design of curbside take-away and outdoor dining functions and restrictions on Home Occupations.

The resolution, as adopted, is still effective and remains effective until the end of North Carolina COVID-19: Phase 2. However, the latest Executive Order² no longer references North Carolina COVID-19: Phase 2 and instead references the latest lifting of restrictions “in a targeted and phased manner.” Meanwhile, the Town’s Code Compliance Officer continues daily field work based on the normal requirements found in the Town of Southern Pines Unified Development Ordinance (UDO) and the waived standards outlined in Resolution #930.

The waiving of certain zoning standards in a manner tied to North Carolina COVID-19: Phase 2 is increasingly challenging to administer as the town and the rest of the state get further and further from the language and phasing strategy used at the beginning of the COVID-19 pandemic. At this point, it is the opinion of staff that Resolution #930 is maintaining an unnecessary set of exemptions to zoning and permitting requirements:

- Food trucks, trailers and carts continue to be popular, but are operating mostly in the manner and to the extent they were prior to Resolution #930. The main difference is that mobile food services are simply not securing permits to ensure compliance with mobile food service operation and location standards set forth in UDO §5.9.

¹ Per UDO §8.5.1.

² Executive Order #204 dated March 23rd, 2021 (as of the writing of this memo).

- Temporary signage is frequently misunderstood to be “exempt because of COVID.” Some areas of town are experiencing a signage arms race, wherein neighboring businesses are placing more and more yard signs and feather banners in a race to be the business that can grab the most attention. This is particularly noticeable on weekends when code enforcement staff are typically not working and staff has attached some photos depicting noteworthy examples of this issue.

Furthermore, some new signs that may be allowable per the UDO with a permit to verify proper location and design are simply appearing due to the perceived signage “exemption.” Business owners who may be less familiar with property boundaries than the property owners from whom they are leasing/renting are placing temporary signs closer and closer to the road to grab attention and demonstrate that they are open.

- Curbside take-away and outdoor dining is no longer the only option for continuing to operate a restaurant. Generally speaking, Executive Order #204 allows restaurants to operate at 100% for outdoor seating areas and 75% for indoor seating areas. Outdoor seating certainly remains important and popular, but the community may no longer require an emergency waiver to accommodate outdoor seating. If a restaurant wishes to permanently provide curbside take-away and/or outdoor seating, it may be an appropriate time to look at permanent design modifications that comply with town standards for safe access, site circulation, parking, etc.
- Most types of working from home that have become popular during the pandemic are compliant with the Home Occupation standards found in UDO §5.10. For those types of working from home arrangements that do not meet the performance standards for Home Occupations, Resolution #930 did not waive those standards anyways. So there isn’t much point to Section 10 of Resolution #930.

II. ATTACHMENTS:

1. Resolution #930.
2. COVID-19 temporary signage example photos.

III. TOWN COUNCIL ACTION:

Given the circumstances described herein, staff is requesting the Town Council discuss the current appropriateness of the emergency waiver of zoning standards set forth in Resolution #930. Staff will be available during the Work Session to answer questions and share experiences. If the Town Council wishes to maintain Resolution #930, staff will simply take no action. If the Town Council wishes to amend in some manner or altogether rescind Resolution #930, staff will prepare the appropriate documents for the Town Council’s consideration at the May 5th Town Council Agenda Meeting.

**A RESOLUTION AUTHORIZING SPECIFIC BUSINESS OPERATIONS DURING
NORTH CAROLINA COVID-19 RESPONSE: PHASE 2
WITHIN THE TOWN OF SOUTHERN PINES**

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic; and

WHEREAS, on March 13, 2020, the President of the United States issued an emergency declaration for all states, tribes, territories, and the District of Columbia, retroactive to March 1, 2020, and the President declared that the COVID-19 pandemic in the United States constitutes a national emergency; and

WHEREAS, on March 25, 2020, the President approved a Major Disaster Declaration, FEMA-4487-DR, for the State of North Carolina; and

WHEREAS, in responding to the COVID-19 pandemic, and for the purpose of protecting the health, safety, and welfare of the people of North Carolina, the Governor of the State of North Carolina has issued Executive Order Nos. 116-122, 124-125, 129-131, 133-136, and 138-140; and

WHEREAS, the Governor of the State of North Carolina identified three individual phases for the response and protective action to address the COVID-19 pandemic.

WHEREAS, on May 20, 2020, the Governor of the State of North Carolina issued Executive Order No. 141 which declared a State of Emergency to coordinate the State's response and protective actions to address the COVID-19 pandemic as part of its move into Phase 2.

WHEREAS, the risk of contracting and transmitting COVID-19 is higher in settings that are indoors, where air does not circulate freely and where people are less likely to maintain social distancing by staying six (6) feet apart; and

WHEREAS, the risk of contracting and transmitting COVID-19 is higher in settings where people are stationary and in close contact for long periods of time; and

WHEREAS, the risk of contracting and transmitting COVID-19 is higher in gatherings of larger groups of people because these gatherings offer more opportunity for person-to-person contact with someone infected with COVID-19; and

WHEREAS, to lower the risk of contracting and transmitting COVID-19, the Governor of the State of North Carolina imposed restrictions on businesses that limit the number of contacts between people, particularly in settings that are indoors, involve people being stationary and in close contact for long periods of time, or are part of mass gatherings; and

WHEREAS, certain types of businesses by their very nature present greater risks of the spread of COVID-19 because of the nature of the activity, the way that people have traditionally acted and interacted with each other in that space, and the duration that patrons stay in the establishment; and

WHEREAS, all business, including retail and food service, are critical to the long-term success of Southern Pines; and

WHEREAS, food service and food availability remain an important component of North Carolina's response to the COVID-19 pandemic, such that food service providers, including restaurants and other dine-in facilities are encouraged to open to the extent practicable to safely provide food and nutrition to people in North Carolina; and

WHEREAS, reopening restaurants for on-premises or adjacent premises dining in a safe, strategic manner should ameliorate the adverse economic effects on workers, farms, and businesses involved in the sale of food through the restaurant supply chain, prevent the waste of food, and reduce stress on the supply chain for grocery stores, thereby lowering grocery prices for consumers; and

WHEREAS, UDO Section 8.5.1 grants the Town Council the authority to waive standards within this UDO during local emergencies declared by federal, state, or local officials; and

WHEREAS, the North Carolina COVID-19: Phase 2 limits business and restaurant capacities to no more than 50%, Southern Pines recognizes the need to accommodate patrons outdoors; and

WHEREAS the Southern Pines Town Council recognizes that the 50% indoor capacity creates excess parking demand and that outdoor parking lots and facilities may be used to accommodate patrons; and

WHEREAS, Southern Pines recognizes that many restaurants or businesses have shifted their daily operations to curbside pickup or mobile options or are in need of outdoor operations; and

WHEREAS, Southern Pines wishes to accommodate these altered operations during the COVID-19 pandemic with alternative requirements for temporary mobile food vendors, signs, and outdoor dining; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina, in a regular meeting assembled this 3rd day of June, 2020, as follows:

SECTION 1.

All entities and individuals within the Town of Southern Pines are expected to comply with North Carolina Gubernatorial Executive Orders pre-dating and post adoption of this resolution. This resolution in no way, shape, form, or manner supersedes any directive of the Governor of the State of North Carolina.

SECTION 2.

Pursuant to and as an extension of the State of Emergency Declaration for the Town of Southern Pines for the COVID-19 pandemic dated March 17, 2020, the standards of the UDO and the Town Code of Ordinances shall remain in effect in their entirety with the following exceptions and deviations as listed herein. The terms and conditions of the March 17, 2020 State of Emergency Declaration for the Town of Southern Pines for the COVID-19 pandemic remain in effect until rescinded.

SECTION 3.

This resolution is effective at 6:00pm on June 3, 2020. This resolution shall remain in effect through the entirety of the North Carolina COVID-19: Phase 2 and shall automatically expire at the end of North Carolina COVID-19: Phase 2 unless repealed, replaced, or rescinded prior to by the Town Council.

SECTION 4.

An order rescinding the State of Emergency Declaration for the Town of Southern Pines for the COVID-19 pandemic will automatically rescind and thereby expire any provisions listed herein.

SECTION 5.

Any continued infringement of the standards of the UDO or Code of Ordinances after the expiration of the North Carolina COVID-19: Phase 2 by continuing any operations solely permitted under this resolution shall be subject to immediate civil penalty upon the expiration.

SECTION 6.

The Town Council may wish to extend these locally adopted Phase 2 standards or create new standards for North Carolina COVID-19: Phase 3 or for any specified time period as it deems appropriate.

SECTION 7.

Food Trucks, Food Trailers and Food Carts shall adhere to all standards set forth under UDO Section 5.9 subject to the following:

- All mobile food vendors may operate in any commercial district to include GB, NB, I and OS. Reference UDO Section 5.9.1(A).
- No permit from the Town nor any permit fee payable to the Town for Food Trucks, Food Trailers and Food Carts is required.
- Multiple mobile food vendors may operate on the same parcel at the same time as another mobile food vendor. Reference UDO Section 5.9.1(B)(3).
- All mobile food vendors may be located within 100' of any eating establishment or outdoor dining area. Reference UDO Section 5.9.1(B)(4).
- All mobile food vendors may occupy parking spaces required for minimum parking requirements of the principal use, excluding handicap accessible parking. Reference UDO Section 5.9.1(B)(7).
- Mobile food vendors who do not hold an approved Town of Southern Pines zoning permit for a Food Truck, Food Trailer or Food Cart may operate without the need of a permit. All mobile food vendors shall be prepared to present upon inspection a food vending permit from Moore County Environmental Health Department, a North Carolina Sales and Use Certificate for collecting and paying the proper sales taxes, and a means for the disposal of grease within an approved grease disposal facility and a letter from the property owner granting consent to the food vendor with hours of operation, days of operation and a site plan depicting the agreed upon placement of the vendor on private property. If any of the required materials are revoked or not available upon inspection, the operation shall cease and desist and may be subject to civil penalty. Reference UDO Section 5.9.2(E).

SECTION 8.

All signs shall adhere to all standards set forth under UDO Section 4.6 subject to the following:

- In addition to approved existing signage, all commercial entities may be permitted one temporary (1) banner or window decal sign, not to exceed thirty-two (32) square feet in display area, and two (2) temporary freestanding signs, not to exceed six (6) square feet in display area each. UDO specified timeframes for placement are superseded by this resolution and these signs shall be permitted throughout COVID-19 Phase 2. All signs shall be located on premises. These temporary signs shall not require a sign permit. Reference UDO Section 4.6.16.

SECTION 9.

Any curbside take-away operations may be permitted in any commercial zoning district to include CB, GB, NB, I and OS and shall not be considered or subject to the standards drive-through facilities. Reference UDO Section 5.8.

SECTION 10.

Any citizen or resident working from home or remotely at a residence due to COVID-19 shall not be considered to be operating as a Home Occupation. However, all performance standards for Home Occupations set forth in UDO Section 5.10.2 shall be in effect for those working from home or remotely at a residence. Reference UDO Section 5.10.

SECTION 11.

Business activities may include outdoor dining operations for restaurants. No permit or permit fee is required and outdoor dining operations for restaurants are subject to the following:

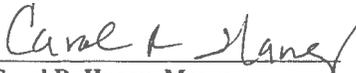
- Private Property: Outdoor dining operations for restaurants in commercial zoning districts to include CB, GB, and NB may occupy up to 50% of the required minimum parking spaces located on private property, must be completely contained to the private property and shall not interfere with any pedestrian movement along public sidewalks. Outdoor dining operations may operate between the hours of 7:00am – 10:00pm. Outdoor dining operations shall keep all areas clean and dispose of trash in private receptacles only. Outdoor dining operations shall delineate seating areas separate from parking areas with barriers, ropes or similar device. The allowance of outdoor dining operations is subject to and does not supersede any County or State requirement related to the serving of food or alcoholic beverages. Any outdoor dining furniture shall be temporary and not subject to Historic District guidelines. Reference UDO Section 5.13.
- Public Streets and Sidewalks: Outdoor dining operations for restaurants may be allowed along Town maintained public streets and sidewalks in the CB and NB zoning districts. Outdoor dining shall not interfere with any pedestrian movement along public sidewalks and shall meet the furniture placement requirements set forth in Code of Ordinance Section 100.42. Outdoor dining operations may operate between the hours of 7:00am – 10:00pm. Outdoor dining operations shall keep all areas clean and dispose of trash in private receptacles only. Any outdoor dining furniture shall be temporary and not subject to Historic District guidelines. All tables, chairs, and the like must be promptly removed from the sidewalk at the end of each business day, unless they are secured overnight by consolidating all pieces of furniture in one location and locking them together by cable or chain. Furniture shall not be affixed to the sidewalk, signpost, or trees. Personal liability insurance naming the Town of Southern Pines as an additional insured in the amount of no less than \$1,000,000 under the policy of business is required and shall be presented upon inspection. Reference Code of Ordinance Sections 93.04(F) and 100.42.

SECTION 12.

In the event of interpretative ambiguity or definitional guidance, the codified standards of the UDO and the Code of Ordinances are to prevail. No operations conducted utilizing any of the exception standards listed herein shall be grounds for establishing a vested right or a legal non-conforming situation.

Adopted this the 3rd day of June, 2020.

SEAL


 Carol R. Haney, Mayor

ATTEST:

 Peggy K. Smith, Town Clerk

COVID-19 Temporary Signage Examples:



