



**MINUTES OF THE
TOWN COUNCIL MEETING OF THE
TOWN OF PINEVILLE, NORTH CAROLINA
TUESDAY, APRIL 14, 2015**

The Town Council of the Town of Pineville met in Regular Session on Tuesday, April 14, 2015 at 6:30 p.m. at the Hut Meeting Facility in Pineville.

ATTENDANCE

Mayor: Jack Edwards
Mayor Pro-Tem: Melissa Davis
Town Council Members: Les Gladden, Debbie Fowler and David Phillips
Town Administrator: Haynes Brigman
Planning Director: Travis Morgan was absent
Town Clerk: Barbara Monticello

CALL TO ORDER

Mayor Edwards called the meeting to order at 6:30 p.m. and welcomed those in attendance. Those wishing to speak were invited to sign the speaker list.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Mayor Pro Tem Melissa Davis.

MOMENT OF SILENCE

Mayor Edwards called for a moment of silence for the following individuals: Coach Price (passed). Mayor Edwards also asked everyone to recognize the service men and women overseas and their families left behind.

ORDER OF BUSINESS:

Adoption of the Agenda:

Mayor Edwards stated he wanted to add one item to the agenda. He requested a Closed Session be added. Council Member Les Gladden moved to adopt the agenda with the addition with Council Member Debbie Fowler seconding the motion. There were ayes by all and the agenda was adopted with the change.

Approval of Minutes for the Regular and Closed Session Meetings of March 10, 2015: Mayor Edwards called for a motion on the Regular and Closed Session minutes of the March 10, 2015 Council Meeting. Hearing no comments, Council Member David Phillips moved to approve both sets of minutes with Mayor Pro Tem Melissa Davis seconding the motion. There were ayes by all and the minutes were approved as is.

Consent Agenda: The following items were included: a) *Financial Report ending 3/31/15 (provided by Richard Dixon)*; b) *Approval of Tax Refunds (Karen Bennett)*; c) *Resolution No. 2015-05 for Surplus Items (Barbara Monticello)*; and d) *Proclamations for Armenian Martyrs Day; Municipal Clerk's Week and National Police Week (Barbara Monticello)*. There being no changes to the Consent Agenda, Council Member Les Gladden moved to approve it as is, with Council Member Debbie Fowler seconding the motion. There were ayes by all and the consent agenda was adopted as is.

PUBLIC COMMENT: None.

OLD BUSINESS:

- A. **Pineville Telecommunications Request for Video-on-Demand** (*Gary Creech/Haynes Brigman*) – Mr. Brigman stated that this item was tabled from last month so that Mr. Creech could attend the meeting in person to answer questions that Council may have had. At the Telephone Board meeting in March, the piece of equipment that is needed for the Video on Demand was shown to staff so they could see what it looked like. Mr. Creech was seeking approval to purchase this item as it was not something that was budgeted for fiscal year.

Mayor Pro Tem Melissa Rogers stated that she had five questions she needed answers on regarding the project. Mr. Creech responded to each of the questions she asked. He stated it was a three year contract that covered maintenance but had administrative fees attached set at \$200, \$300 and \$500 dollars. Our cost for karaoke was \$0.05 per subscriber but the subscriber was required to have expanded basic service in order to get it. Mr. Creech believed it would take a couple of months to install the software after it was received but didn't know quite how long it would take to get the software. Mr. Creech added that the department had the flexibility in determining what to charge for a movie as average fees ranged from \$3.99 up to \$11.99

Having no further questions, Council Member Les Gladden moved to approve getting the needed piece of equipment with Council Member David Phillips seconding the motion. There were ayes by all to approve the request.

NEW BUSINESS:

- A. 1. **Reschedule Public Hearing** for a request to increase height of cell tower on Lancaster Highway. Town Manager, Haynes Brigman, stated that because the applicant was not ready to present their request at the April meeting, the Public Hearing would need to be rescheduled for May 12, 2015. Council Member David Phillips moved to honor the request to reschedule the Public Hearing for the cell tower to May 12, 2015. Council Member Debbie Fowler seconded the motion and there were ayes by all to reschedule the hearing until May 12, 2015.
2. **Schedule Public Hearing** to consider a change to stormwater fees and a change to the Interlocal agreement with Mecklenburg County. Mr. Brigman noted that the town had an interlocal agreement with Mecklenburg County to collect stormwater fees and if the town was going to choose to change the fees, under this agreement, the town and county would have to act as a joint body having to meet together at the same time. He explained that a public hearing was needed for any change in the fee structure, as well as any change to the administration of the program. Council Member Fowler moved to set the Public Hearing for May 12, 2015. Council Member Gladden seconded the motion and there were ayes by all.
- B. **Update from James K. Polk** (*Scott Warren*) – Mr. Scott Warren from the James K. Polk Historic Site, provided an update on the renovations to the site. Additionally, he informed the group of a fundraising event scheduled for May 14th. John Bicknell, author of, *America 1844 Religious Fervor, Westward Expansion and the Presidential Election that Transformed the Nation*, will be on site to discuss the book, followed by a book signing. The event begins at 7:00 p.m. and the fee is \$25 for the general public, \$15 for students.
- C. **Mobile Unit for Parks & Recreation** (*Kristy Detwiler*) – Parks and Recreation Director, Kristy Detwiler, explained that since offering more programs to fill the gap left behind when CCAC left town, the interest has grown to the point they are busting at the seams and need additional space. Since partnering with Rick Crowley, all of the after school programs he's offering have filled up and Eva Menendez is about to start up the Pineville Theater. The Painting for Mommy and Me class, as well as the environmental programs are all doing well, too. This growth was prompting the request for a mobile classroom unit.

Mr. Brigman noted that the size of the mobile unit was 12' X 40' and they anticipated putting it behind the Belle Johnston building to be utilized for art programs. CMS offers these portable classrooms at a rental cost of \$1 per year

which makes it a cost-effective option to consider with new classes being offered. He stated that it would take about \$20K to get the unit up and running including moving it, installing electricity, making it ADA compliant and outfitting it with furniture and equipment. He asked for council's support and consideration of the funding for this project.

Mayor Edwards asked how long it would take to have the unit transported to Pineville. Ms. Detwiler responded that it would probably take about two weeks. Mayor Pro Tem Davis suggested that if any staff members were qualified to do any of the work themselves to utilize them, if possible, in an effort to save some money. Council Member Gladden stated that we were getting a good deal for the \$20K it would take to get it going because he didn't think it could be done for any less than that. Ms. Davis expressed that she was excited about getting the mobile classroom but wanted to be sure the mobile unit would be used strictly for arts and environmental programs. Mr. Rick Crowley, who had partnered with the Park and Recreation Department to present these new programs, did not see any reason why the portable class room wouldn't work as long as it had a 220 electrical current running through it. Mayor Edwards called for a motion on the request for the unit. Council Member David Phillips moved to approve moving forward with getting the unit. Mayor Pro Tem Melissa Davis seconded the motion and there were ayes by all.

- D. **Solid Waste Contract (Haynes Brigman)** – Mr. Brigman stated that he had met with the current garbage provider to negotiate a renewal contract with them. Some changes were made from the original contract pertaining to missed pickups and a more detailed description of the amounts that can be picked up was added. There was a \$1.01 increase in cost per unit for a total cost of \$322,000 for the year. Mr. Brigman recommended approving the contract. Mayor Pro Tem Davis requested that under Section 6 of the contract, the 48 hour timeframe given the contractor to collect missed pickups, be changed to 24 hours. Mr. Brigman will make the change and let the contractor know. Council Member Fowler stated that the dumpster behind the house on Dover St. smelled from a lot of the trash that is dumped there from the art classes. Mr. Brigman responded that they had looked into moving it to a different spot but could not come up with a suitable location. Council Member Gladden suggested that a smaller dumpster with a lid be used and picked up more often if necessary. Mr. Brigman stated he would look into it. Hearing no further comments, Council Member Phillips moved to renew the contract with the change from 48 to 24 hours be made regarding the timeframe to collect missed pickups. Council Member Gladden seconded the motion with the change and there were ayes by all.
- E. **Resolution No. 2015-06 Opposing Sales Tax -- SB369 (Haynes Brigman)** – Mayor Edwards stated that the town was formally stating their opposition to this bill that would cause the town to lose a significant amount of revenue if it passed. Mr. Brigman explained that recent legislation had eliminated the business tax license fees that the town collected each year from each business that operated in town. The town stood to lose 700,000 in revenues because of this and on top of it, would now stand to lose another \$263K if this bill passed. The bill would take the sales tax money earned from Mecklenburg County and redistribute it to rural areas. Between the two bills, the town would potentially lose \$1M out its \$10M budget. Our representatives in Raleigh need to know how detrimental this is to our town. He added that all communities were opposed to this bill as was Governor McCrory, but that the resolution would be submitted to representatives to let them know just how critical it was. Mayor Edwards explained how important it was for residents to get involved and to write letters to our representatives. The more people they hear from, the better it will be for the towns affected.

Hearing no further comments, Council Member Debbie Fowler moved in favor of the resolution with Council Member Les Gladden seconding the motion. There were ayes by all in favor of Resolution No. 2015-06 Opposing SB369.

- F. **Resolution No. 2015-07 in Support of Historic Tax Credits (Haynes Brigman)** – Mr. Brigman explained that not only was the state taking away the county's tax revenues, it was also proposing doing away with tax credits for historic buildings. Tax credits that would help historic properties, like the ones in Pineville, with fixing up or rehabbing the property, whether it was a single-family residence, a downtown business or an old mill that required repairs. These are valuable tax credits that would help save historic properties. Mayor Pro Tem Davis moved in favor of Resolution No. 2015-07 with Council Member Fowler seconding the motion. There were ayes by all in support of Resolution No. 2015-07.

G. Staff Update: 1) *Manager's Report*; 2) *Calendar of Events*; and 3) *Electricities Annual Conference* – Town Manager, Hayne Brigman, stated that the town sponsored a NCLM Meeting the day before as part of their "Listening Tour". There were several attendees from across the state and they had some very good discussions. He reported that the town had been approved for its Urban Archery program for the 2016 season and that the Bocce Ball court was completed and looked really good. Additionally, there was a fire that started in one of the storm drains on Mc Mullen Creek Pkwy but it was put out in enough time so that there was no damage to the drain. He reminded all of the upcoming I-485 Express Lane Meeting taking place at Pineville's United Methodist Church, the Black Dog Event at Lake Park and PCAA's Spring Fling taking place on April 18th.

Closed Session: At 7:14 p.m. Mayor Edwards called for a ten minute recess before moving to closed session.

A motion was made and seconded at 7:40 p.m. to enter Closed Session *pursuant to NCGS 143-318.11(6)*. Mayor Edwards opened the meeting by asking that Council to stay focused on the reason they were there and to specifically discuss only the one issue. A personnel issue was discussed at length until Council came to a consensus. A directive was given to the Town Manager regarding the issue and a deadline of August 1st was established for action to be taken.

Regular Session: Council Member Les Gladden moved to exit the Closed Session to go back into Regular Session with Council Member David Phillips seconding the motion. There were ayes by all and Council moved back into Open Session.

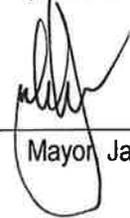
ADJOURNMENT

At 8:56 p.m. a motion was made and seconded to adjourn the meeting. There were ayes by all and the meeting adjourned.



ATTEST:


Barbara Monticello, Town Clerk


Mayor Jack Edwards