



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

The Town Council of the Town of Pineville met in Regular Session on Tuesday, July 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
Town Planner: Julia Zweifel
Town Clerk: Barbara Monticello
Members of the Pineville Planning Board

CALL TO ORDER

Mayor Edwards called the meeting to order at 6:31 p.m. and welcomed those in attendance. Those wishing to speak were asked to sign the speaker list.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Council Member David Phillips.

MOMENT OF SILENCE

Mayor Edwards called for a moment of silence. There was no one specifically mentioned so Mayor Edwards asked everyone to remember the veterans that were overseas and their families left behind. Additionally, he asked that we recognize the police and fire departments for all they do.

ORDER OF BUSINESS:

Adoption of the Agenda:

Mayor Pro Tem Melissa Davis moved to adopt the agenda with no changes. Council Member Debbie Fowler seconded the motion and there were ayes by all to adopt the agenda as is.

Approval of Minutes for the Regular Meeting of June 9, 2015: Mayor Edwards called for a motion on the Regular Meeting minutes of June 9, 2015. There were several corrections that needed to be made. Council Member David Phillips moved to approve the minutes with the corrections noted. Council Member Les Gladden seconded the motion and there were ayes by all to approve the minutes with corrections.

Consent Agenda: The following items were included: *a) Financial Report ending 6/30/15 (provided by Richard Dixon); b) Approval of Tax Refunds (Karen Bennett); c) Resolution No. 2015-10 for Surplus Items (Barbara Monticello); and d) Police Canine Purchase Approval (Chief Merchant).* Council Member Les Gladden moved to approve the consent agenda with Council Member David Phillips seconding the motion. There were ayes by all and the Consent Agenda was adopted as is.

PUBLIC COMMENT: None.

PUBLIC HEARINGS:

- A. **Joint Public Hearing – for an amendment to the Flood Plain Ordinance.** Council Member Les Gladden moved to open the Public Hearing with Council Member David Phillips seconding the motion. There were ayes by all and the Public Hearing was opened at 6:35 p.m. Planning Director, Travis Morgan stated this was a Joint Public Hearing with the Planning Board members. The update was generated from a request from Mecklenburg County. The last amendment to the Flood Plain Ordinance was actually done in February of 2014 with a change to the flood maps and the county was once again looking for approval of the current amendments by September. He added that to expedite the process so that it would all be approved within that timeframe, he was hoping that the Planning Board could make their recommendation that evening so that Council could vote on it as well. There were no questions or comments so Mayor Pro Tem Davis moved to close the hearing with Council Member Debbie Fowler seconding the motion. There were ayes by all to close the hearing at 6:38 p.m.

Planning Board – Planning Board Members in attendance: Chairman Jim Knowles; Paul Sullivan; Chris McDonough; and Thomas White. Planning Board Member Paul Sullivan moved to open the Planning Board Meeting. Planning Board Member Chris McDonough seconded the motion and there were ayes by all. There were no questions or concerns from the Planning Board members. Chris McDonough moved to recommend approval of the Floodplain Ordinance amendment. Paul Sullivan seconded the motion and there were ayes by all to recommend approval of the amendment. Paul Sullivan then moved to close the Planning Board Meeting with Chris McDonough seconding the motion. There were ayes by all and the Planning Board Meeting was adjourned at 6:41 p.m.

Council Vote -- Mr. Morgan formally stated for the record that the Planning Board had recommended approval of the Floodplain Ordinance amendment. Council Member Les Gladden moved to approve the updated Floodplain Ordinance with Melissa Davis seconding the motion. There were ayes by all and the motion passed unanimously.

OLD BUSINESS: None

NEW BUSINESS:

- A. **Resolution No. 2015-12 - Abandonment of Road & R-O-W (SR4904) (Travis Morgan).** Mr. Morgan stated there was an old road stub that went nowhere and was located in the area of where the old Specialty Manufacturing business was located. The NCDOT was asking for the town's support via a resolution to abandon this property so that the town would have no legal attachment to this piece of property. Mayor Edwards thought the Mills Auto Group, who purchased the abutting property, had requested that property. Mr. Morgan clarified that they just wanted a very small portion of that land and that our proposed resolution did not include that small portion of land that Mills had requested. There were no further questions or comments. Council Member David Phillips moved to approve the resolution with Council Member Les Gladden seconding the motion. There were ayes by all and the motion passed unanimously.
- B. **Approval of CDBG Grant (Julia Zweifel) –** Town Planner, Julia Zweifel stated that the town had an opportunity to join Mecklenburg County in seeking community development and housing grant funds but in order to do so, we needed to sign a Cooperative Agreement with them. Town Manager, Haynes Brigman, stated that every year the county received federal funding and then awards the money to area municipalities for community development and housing type projects. There were two types of CDBG grants; one for rural communities and one for urban areas. Mecklenburg County would have about \$700,000 to distribute to any other town in the county. Pineville has never participated previously. There would be a three year commitment on the town's part but we could withdraw after three years.

Council Member Phillips asked if the grant required matching funds. Mr. Brigman responded that it did but that some were as little as \$10,000 while others were as much as 50%. Council Member Gladden wanted to know when we would apply for this grant. Mr. Brigman stated that we would need to be adopted into the program by July. He wanted to be sure we didn't drag our feet on this and lose an opportunity. Council Member Phillips moved to enter into the agreement with Mecklenburg County. Council Member Debbie Fowler seconded the motion and there were ayes by all.

C. **Police Vehicle Purchase (Haynes Brigman).** Mr. Brigman explained that Council had approved the purchase of two police vehicles to replace older ones. They originally wanted to go with Chevy Tahoes but the dealers are unable to fulfill the demand for them under the state contract and have stopped taking orders on them. Quotes were then obtained for two Ford SUV units. Discussion continued as to whether to get smaller vehicles or a sedan. The police department could not hold off until January as they were in need of vehicles as soon as possible. Some of the council members did not want the police department to get the smaller vehicles but to spend another \$6,000 to get the larger ones. Council Member Les Gladden moved to approve the purchase of SUV's with Council Member David Phillips seconding the motion. There were ayes by all and the motion passed unanimously.

D. **Formation of Police Department "Safe Zone" (Haynes Brigman/Rob Merchant)** – Chief Merchant explained that he would like to set up cameras in an area of the police parking lot where people can come to transact business such as picking up an item advertised on Craig's list and exchanging the money for the item in sight of the camera so that if something should go wrong, it would be recorded. It would also be an area where children could be dropped off by one parent and picked up by the other if sharing custody of the child to ensure safety. The same cameras as the ones that are at Lake Park would be used and asset forfeiture money would be used to pay for them. Chief Merchant added that there was one other town in Texas that was using a "safe zone" and was having a lot of success with it.

Council Member David Phillips moved to approve the formation of a "Safe Zone" with Council Member Debbie Fowler seconding the motion. There were ayes by all and the motion passed.

E. **Staff Updates: 1) Manager's Report** – Mr. Brigman provided an update on the Cone Mill property. Mediation had taken place but was unsuccessful so the case went back to the judge. The judge could either issue a ruling on the case, have it go back to mediation or have it go to trial. The judge decided to rule on it and ruled in favor of Mr. Godley. He ruled that the town obtained its evidence (photos) without an administrative warrant even though the pictures clearly showed they were taken from outside the fence around the property and not directly on the property. Mr. Brigman indicated that the town was not going to back down from this and would continue pursuing it. Council will determine how to proceed next with it.

The town launched its new website this past weekend. He asked Council that if they had any questions or comments about it to contact either himself or the clerk. NCDOT was almost done with the storm water project they were working on. They were wrapping things up in a week or two. The sewer project in the older section of town was moving forward as planned. Mayor Pro Tem Davis asked if Woolpert had put in writing what they said they were going to do to help correct the mistakes made with the Part F grant submission. They were having their technical staff review the application for accuracy, they actually met with the grantor and provided any missing information and agreed to review and check any future grant submissions. Mr. Brigman indicated that they had put it in writing.

At 7:12 p.m. Mayor Edwards called for a five minute recess before moving into closed session.

Closed Session: At 7:29 p.m. Mayor Pro Tem Melissa Davis moved to enter closed session with Council Member Debbie Fowler seconding the motion. There were ayes by all and Council was in closed session to discuss a legal and real estate matter. The matter was discussed in detail with a consensus from council directing the town manager on how to proceed with the matter.

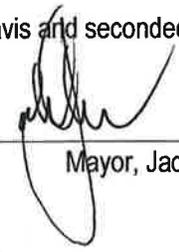
ADJOURNMENT

With no further business to discuss, a motion was made by Mayor Pro Tem Davis and seconded by Council Member David Phillips to exit the closed session and adjourn the meeting at 8:35 p.m.

ATTEST:


Barbara Monticello, Town Clerk





Mayor, Jack Edwards