



**MINUTES OF THE
TOWN COUNCIL MEETING OF THE
TOWN OF PINEVILLE, NORTH CAROLINA
TUESDAY, APRIL 12, 2016**

The Town Council of the Town of Pineville met in Regular Session on Tuesday, April 12, 2016 at 6:30 p.m. at the Hut Meeting Facility in Pineville.

ATTENDANCE

Mayor: Jack Edwards

Mayor Pro-Tem: David Phillips

Town Council Members: Les Gladden, Debbie Fowler and Christopher McDonough

Town Manager: Haynes Brigman

Planning Director: Travis Morgan

Town Clerk: Barbara Monticello

CALL TO ORDER

The meeting was called to order by Mayor Edwards at 6:30 p.m. He welcomed those in attendance and asked those that wished to speak to sign the speaker list.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Council Member Debbie Fowler.

MOMENT OF SILENCE

Mayor Edwards called for a moment of silence for the following individuals who passed: Helen Satterfield, Vivian Fowler (Debbie Fowler's mother-in-law) and Carmen Smith Mitchell. He also asked to have a moment of silent for those that are ill or less fortunate and for our police and firemen.

ORDER OF BUSINESS:

Adoption of the Agenda:

Town Manager, Haynes Brigman, noted that one change needed to be made to the agenda and that was to add item D under Public Hearings to set a Public Hearing to introduce the FY2016-17 Budget. Council Member Debbie Fowler moved to adopt the agenda with the change to add another public hearing under the Public Hearing section. Mayor Pro Tem David Phillips seconded the motion and there were ayes by all.

Approval of the Minutes from the March 8, 2016 Regular Meeting:

There were no questions or comments regarding the minutes. A motion was made by Council Member Les Gladden and seconded by Council Member Chris McDonough to approve the minutes for the March 8, 2016 Regular Minutes as is. There were ayes by all and the motion passed unanimously.

Consent Agenda:

The following items were included: a) *Financial Report as of 03/31/16 (provided by Richard Dixon)*; b) *Resolution No. 2016-04 for Surplus Items (Barbara Monticello)*; c) *Audit Contract (Richard Dixon)*; and d) *Proclamations*. Council Member Chris McDonough moved to approve the Consent Agenda with no changes. Mayor Pro Tem Phillips seconded the motion and there were ayes by all and the Consent Agenda was adopted as is.

PUBLIC COMMENT:

Ms. JoAnn Hirshfield introduced herself. She was new to the Pineville Pilot and wanted the community to know that their local paper was there for them and if they had a need for advertising, she could definitely help them with that.

Sue Campana, representative for the seniors at the Cottages, thanked everyone for the Junk Run Week. They did a great job.

Resident, Melissa Davis, asked the Town Manager if he had checked on the minutes regarding the speed bumps. Mr. Brigman replied that the audio tape of the meeting had been played back and that the speed bumps that were installed were correct according to the motion that was made. Ms. Davis then inquired why the Administration Department vehicles were not labeled with the Town logo. Council Member Les Gladden stated that the intent was to logo vehicles used for sales and service only. Ms. Davis stated she would like to see the town logo on the Administration vehicles as well.

PUBLIC HEARINGS:

- A. Public Hearing for Proposed Fairfield Hotel located at 1228 Park Road** (*Travis Morgan*) – Planning Director, Travis Morgan, stated that the Public Hearing was for a new hotel in town. It had been 16 years since the last request for one. Council Member Debbie Fowler moved to open the Public Hearing with Council Member Les Gladden seconding the motion. There were ayes by all and the Public Hearing was opened.

Mr. Morgan continued, stating that hotel would be located on Park Road behind the At Home store which is part of the B-4 District and is a Conditional Use requiring Council approval. Mr. Morgan noted that their site plan met or exceeded the requirements including 108 parking spaces when only 78 were required. Staff also liked their lighting plan. However, he noted an area for consideration was with their E.I.F.S. which was not permitted in the overlay district. The applicant was requesting special permission to use this material on the cornice at the top of the building because it was of a lighter weight. He passed around two samples so that each council member could examine them. Staff was more in favor of the smoother material, not the rougher one.

Council Member Gladden asked if the brick would be white brick or split face. The applicant answer that it was a lighter brick, not a split face. Mr. Morgan stated that the applicant was compliant with everything else. Staff would like to see the use of soldier brick. The applicant responded that they were OK with that.

Council Member Chris McDonough asked if the building they were proposing was a standard design for Fairfield Hotels. The applicant responded that the interior was but the exterior was not; it had been modified to comply with Pineville regulations. The amenity area would include a back courtyard with a large pool, fire pit and water feature. Additionally, it would include a 700 foot fitness area, business center and a common area for guests to enjoy a complimentary breakfast

Council Member Gladden asked the applicant if they were OK with using the smoother of the two E.I.F.S. materials. The applicant indicated that they were fine with it. The smoother material also had a self-cleaning additive in it but the applicant stated to Council Member Fowler that it would not bleed into the brick. Additionally they were OK with using a soldier brick format as an architectural element.

Council Member Gladden asked if the hotel would be considered an extended-stay type of place to which the applicant replied that it was not. The rooms had no appliances — no stove — and was not intended for long-term stays. The average night's stay would cost about \$150, with reports showing about a 75% occupancy rate or about 110 rooms occupied on average. It would be about the end of summer or beginning of fall before they would be able to break ground and then about 12 months from that point to complete the project.

Several additional questions were asked of the applicant including whether a traffic study was required, if ingress and egress would be from Park Road, and if there would be a meeting facility to rent out. Mr. Morgan indicated that a traffic study was not needed for the project, ingress and egress would be from Park Road and that there was

no specific meeting space but that the breakfast area was available to use.

There were no further questions or comments. Mayor Pro-Tem David Phillips moved to close the public hearing with Council Member Chris McDonough seconding the motion. There were ayes by all and the public hearing was closed. At that time Council Member Les Gladden moved to approve the plans provided that the applicant use the smooth EIFS material presented that evening and the soldiering detail across the windows as agreed in the meeting. He also requested that Travis Morgan sign off on the EIFS as it was discussed that evening. Council Member Chris McDonough seconded the motion and there were ayes by all to approve it.

- B. Reset Joint Public Hearing for B-3 District to May 10, 2016 – (Travis Morgan)** Mr. Morgan explained that it was not possible to arrange a meeting with the Planning Board on short notice because of the Easter Holiday and spring vacations so the Public Hearing originally scheduled for April 12th would have to be rescheduled for the May 10, 2016 meeting. Council Member Debbie Fowler moved to reschedule the Public Hearing to May 10th. Council Member Gladden seconded the motion and there were ayes by all to reschedule the Public Hearing for the B-3 district to May 10, 2016.
- C. Request to Set Public Hearing Date to May 10, 2016 for Hotel – (Travis Morgan)** Mr. Morgan stated that GAI Consultants requested that a Public Hearing be scheduled for May 10th to hear a request for a Woodsprings Suites Hotel to be located at 10942 Park Road. Council Member Les Gladden moved to set the Public Hearing for May 10th. Mayor Pro Tem David Phillips seconded the motion. There were ayes by all and the Public Hearing was set.
- D. Request to Set Public Hearing Date to May 10, 2016 for Budget Presentation – (Haynes Brigman)** Mr. Brigman stated that a Public Hearing is necessary to introduce the budget to the public. Council Member Debbie Fowler moved to set a Public Hearing for the budget on May 10, 2016. Council Member Chris McDonough seconded the motion and there were ayes by all to set the Public Hearing to May 10, 2016.

OLD BUSINESS:

None

NEW BUSINESS:

(The following portion of the minutes was previously approved at a Special Called Meeting of April 12, 2016).

The following is only a portion of the minutes from the entire Council Meeting of April 12, 2016 that was presented before Council at a Special Called Meeting on April 21, 2016. This portion of the minutes pertains solely to revisions to the Park Master Plan for Pineville, N.C. and was presented to the Town Council for approval at the Special Called Meeting so that they could be presented as part of the Part F Grant submission on May 2, 2016. This portion of the minutes will then be included with the entire set of minutes once they have been completed.

- A. Approval of Park Master Plan Revisions – (Kristy Detwiler)** – Pineville Parks and Recreation Director, Kristy Detwiler, stated that revisions to the Park Master Plan were needed in order to satisfy requirements of the Part F Grant that the town was applying for. Revisions were spelled out in Appendix B which was presented before Council. She added that with the revisions in place, it could earn the town an additional 15 to 20 points towards the grant. Council Member Les Gladden moved to approve the revisions with Mayor Pro Tem David Phillips seconding the motion. There were ayes by all and the revisions to the Park Master Plan were approved unanimously.

ADJOURNMENT

A motion was made by Mayor Pro Tem David Phillips and seconded by Council Member Chris McDonough to adjourn the meeting. There were ayes by all and the meeting adjourned at 8:49 p.m.

ATTEST:

Barbara Monticello, Town Clerk

- B. Update on Downtown Merchants Association – (Bill McConnell)** Mr. Bill McConnell provided an update on the Downtown Merchants Association. The Crops and Shops Festival will be on Saturday, May 14th with the grand opening of the Farmer's Market at 8:00 a.m. followed by sidewalk and tent sales from shop owners.
- C. Discussion Regarding Additional 5K runs in Pineville other than James K. Polk 5K – (Haynes Brigman/Kristy Detwiler)** Mr. Brigman stated that the town held a 5K race each year – the James K. Polk 5K. Other businesses in town are now asking if they, too, can hold their own 5K races in Pineville preferably using the same route as the one used for the James K. Polk 5K. The route that the James K. Polk 5K uses was included in the packet of information for Council to reference. Mr. Brigman noted the pros and cons of allowing the races but stated that staff did not have a recommendation for Council.

Council asked several questions of Mr. Brigman and the Parks and Recreation Director, Kristy Detwiler. They wanted to know how many people typically run in a 5K race, what the fee is for such a race, how long a race usually lasted and about additional police needed for traffic control. Ms. Detwiler stated that about two years ago the James K. Polk 5K had about 300 participants but that this year there were only about 100 due to a change in date. A 5K race can last about 2 to 3 hours. Mr. Brigman stated that the going rate for a race like that was \$500 and that was what he suggested the town charge as well. The applicant would also be responsible for footing the bill for any additional police needed.

Council Member Fowler was concerned about residents. Mr. Brigman stated that there had been some complaints in the past with traffic blocking driveways and such. Council Member Chris McDonough asked if a race around the Carolina Place Mall would work any better. Mr. Brigman replied that the town had looked into that but there would still be traffic concerns. Mr. Brigman added that this was the first time we had been approached for such a thing but there was concern that if you allow one, then a lot more organizations would come forward. The discussion turned to limiting the number of participants, number of events allowed during the year and putting a time limit on it.

Officer Lindsey was present and provided a few more details on how the request came about. He stated that as a community officer, he was working with Chick-fil-A and Anytime Fitness to arrange a 5K benefit race for the Special Olympics. After some additional discussion, the consensus of Council was to allow the races for non-profit organizations only. Both Kristy Detwiler and Haynes Brigman would work together to come up with some requirements and guidelines for such an event and present them at the May Council meeting.

- D. Discussion on Sidewalk Regulations in Downtown District – (Haynes Brigman/Travis Morgan)** Manager Brigman explained that with new businesses coming to the Downtown area, particularly restaurants and bars, it was necessary to take a look at rules and restrictions regarding outside eating/drinking areas. At the last Merchants Meeting Mr. Brigman did a short presentation on some proposed guidelines the town was considering since there were none currently in place. The sidewalk along Main Street varies in width anywhere from 10' 3" to 23' 2" at its widest point. He explained that a minimum of 5 feet of clear, unobstructed pathway was necessary to meet ADA requirements. The town has already relocated garbage cans and benches to help out some of the businesses but wanted to make a fair decision on the regulations.

Business owners that were present had an opportunity to speak on the subject. Both Natasha Young of Pintville and Bernard and Shannon Brunet of Global Restaurant voiced their concerns for not having enough room and for having to remove a planter barrier from the sidewalk that was intended to enclose space for outside diners. The Brunets had already purchased this barrier at a substantial amount of money and would now be out that money. Mr. Bill McConnell, who represented the merchants, asked the town to reconsider its 8 foot clearance requirement to 5 or 6 feet instead.

Mayor Pro Tem David Phillips was not in favor of the seating along Main Street and was under the impression that outside seating (for Pintville at least) was going to be in the back of the building. He did not necessarily like seeing people drinking along the street. Discussion continued on what a fair amount of passageway would be for all, the food trucks causing issues, and general growth in Pineville. Mr. Brigman was asked if the town had looked at what other small towns were doing regarding their outside seating. Mr. Brigman responded that he had and most were using a minimum of 5 or 6 feet of clearance. Council Member McDonough was in favor of a 6 foot minimum, Council Member Fowler was also agreeable to allowing a 6 foot minimum clearance. Mayor Pro Tem Phillips was concerned about other issues that could come up and with who would be doing the enforcement of the rules. Mr. Brigman acknowledged that enforcing the rules would be difficult, but suggested that the rules/guidelines that were agreed upon be complaint-driven.

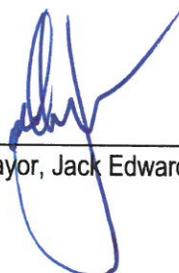
Council Member Chris McDonough moved that the guidelines be approved changing the pathway restriction from an 8 foot minimum to a 6 foot minimum clearance; that the town maintains the ability to revisit the issue when necessary and that all trash cans, benches and other items remain in place where they currently are. Council Member Les Gladden seconded the motion with the understanding that the rules could change in six months if Council deemed it necessary to change them. The vote was 3 to 1 in favor with Mayor Pro Tem Phillips dissenting. Motion passed.

- E. Staff Update:** 1) *Manager's Report* – Mr. Brigman provided an update on the Cone Mill. All the containers have been removed successfully at a cost of \$17K. The next step would be to remove the piles of debris. He will obtain formal bids on the cost to remove them which is expected to take 2 to 3 months. The town had entered into a contract with DFI who is performing a market analysis on the properties surrounding the mill. All of this will most likely take about 12 months to complete. Townhouses were also being proposed in the area which will correspond to the proposed road realignment all of which is tied to the redevelopment of the area. DFI will also do an analysis on the best use of the land that the old police building was located on, the post office property and vacant lot next to it.

ADJOURNMENT

A motion was made by Mayor Pro Tem David Phillips and seconded by Council Member Chris McDonough to adjourn the meeting. There were ayes by all and the meeting adjourned at 8:49 p.m.




Mayor, Jack Edwards

ATTEST:


Barbara Monticello, Town Clerk