

**MINUTES OF THE
TOWN COUNCIL MEETING OF THE
TOWN OF PINEVILLE, NORTH CAROLINA
JANUARY 13, 2009**

The Town Council of the Town of Pineville met in regular session on Tuesday, January 13, 2009 at 6:30 p.m. at The Hut Meeting Facility in Pineville.

ATTENDANCE

Mayor: George C. Fowler
Mayor Pro-Tem: Libby Boatwright
Town Council Members: Les Gladden, Jim Eschert, and David Phillips
Town Administrator: Mike Rose
Planning and Zoning: Kevin Icard and Travis Morgan
Town Clerk: Barbara Monticello

CALL TO ORDER

Mayor Fowler called the meeting to order at 6:40 p.m. and welcomed those in attendance. Town Administrator Mike Rose invited anyone wishing to speak on an agenda item to sign the speaker list.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Fowler called upon Council Member Jim Eschert to lead the Pledge of Allegiance to the Flag.

Mayor Fowler called for a moment of silence for the following individuals: Luther Brewer (passed); Don Boatwright (hospitalized); Jimmy Childress (ill); Ken Downs (nursing home); Sam Long (ill); Ellen Heffner (passed); Renee Moore (ill); Cliff Hunt (ill); Mike Rose's niece, Emily Rose (passed); woman visitor (killed in car crash on Main St. and Cranford Dr.); Toi Warren (hospitalized).

ORDER OF BUSINESS

Adoption of the Agenda: There being no changes to the agenda, Mayor Pro Tem Libby Boatwright moved to approve the agenda. Council Member Eschert seconded the motion. There were ayes by all.

Approval of Minutes for the previous Regular Town Council Meeting of November 18, 2008: Mayor Fowler called for a motion on the minutes from the November 18, 2008 Regular Council Meeting. Council Member David Phillips moved to approve the minutes with no changes. The motion was seconded by Mayor Pro Tem Boatwright. There were ayes by all to approve the minutes as is.

Special Recognition: Town Administrator Mike Rose asked Captain Jaymes Holden to say a few words about Police Officer Matthew Flanagan who was recently deployed to Iraq. Captain Holden stated that Mr. Flanagan would be part of the Air Force/Military Police Unit in Iraq. He

would be leaving on February 1st and back sometime at the end of October. The Police Department was very proud of him and wished him well as did the Town Council.

CONSENT AGENDA

The following items are included: *a) Set Zoning Public Hearing Dates.* There are no public hearings scheduled for February at this time. *B) Annual Appointments.* Hearing no questions or comments regarding the Annual Appointments, Council Member Les Gladden moved to approve the Consent Agenda. Council Member Jim Eschert seconded the motion and there were ayes by all.

PUBLIC HEARINGS

None

OLD BUSINESS

- A. Town Code Amendment** – *a proposal of an amendment to Chapter 24, Fire Prevention and Protection of the Town Code to address requirement of location and functionality of fire hydrants.* Town Administrator, Mike Rose, reminded Council that at the November Council meeting it was requested that Staff put together regulations regarding the need for an approved water source at new construction sites. He noted that the North Carolina Building Code states that an approved water source is needed only when required, but that Mecklenburg County does not require one to be in place prior to construction. To protect the developer's interests and for the safety of residents and firefighters alike, a draft ordinance was drawn up for Council's consideration requiring that an approved water source be in place. The preferred water source would be through lines installed by CMUD but if the recommended source could not be done, a temporary water source must be made available and approved by the Town Administrator. Mr. Rose stated he would then check with the fire department to determine if the alternate source would be an acceptable one. Council Member Les Gladden moved to approve the ordinance which was seconded by Mayor Pro Tem Boatwright. There were ayes by all to approve the ordinance as is.
- B. Jack D. Hughes Park Phase II Update** – *Staff review of the status of the planning stages for Phase II and a discussion of the potential for PARTF grant money.* Town Administrator, Mike Rose advised Council that plans for the park were continuing to move forward with some changes made due to concerns the Board had previously, especially with the number of ball fields. One of the fields was turned back into a multipurpose field which could be used as a softball field. The flood plain and topography issues have been worked out and some amenities have been reduced. A completed package will be presented in March and will be ready to go out to bid.

Mr. Rose stated that the North Carolina Parks and Recreation Trust Fund offers up to \$500,000 in grant money that could help fund the renovations of the park. Walkways, playgrounds, and shelters would be eligible for PartF funding providing the Town commits to paying 50% of the match should we decide to move forward.

A brief discussion followed with questions from Council on a time limit for a final commitment and whether the commitment locks the town into a certain amount. Parks and Recreation Director, Kristy Detwiler, responded that there was a three year limit and

Mr. Rose replied that the town would be locked into a definite amount but the General Fund would not be affected. Hearing no other questions or comments, Council Member Les Gladden moved to approve that the Town match 50% of whatever grant money was received for park renovations. Mayor Pro Tem Boatwright seconded the motion and there were ayes by all.

C. Facilities Master Plan/Police Department – *Discussion on the next steps of a new Police facility and Master Plan.* Town Administrator, Mike Rose stated that he had a proposal for the process of Schematic Design, Design Development, Construction Documents, Bid Period, and Project Completion from Fryday and Doyne for a new police facility. The overall design of the building was projected to be 5.8 million dollars with site work costs projected at 1.2 million dollars for a total project cost of approximately 7 million dollars. Fryday and Doyne’s fee to design such a facility would be \$475,000. The proposal is divided into sections so that if the town no longer wanted to move forward with the project, it would only be responsible for payment of the phases that were completed. The other option for consideration would be to have a separate contract for each phase of the project and pay as you proceed with each phase.

Council Member Phillips was concerned about who would have input on the design of the building. Mr. Rose answered that input would come from the Board as well as staff and that each phase would be brought before Council. Input on the interior design would come from the Police Department and staff would work to ensure that the exterior meets with the town’s vision and the architectural details required by the Overlay Districts.

Discussion continued amongst Council Members regarding the pros and cons of each option. Council Member Less Gladden believed that the second option might delay the project if it were broken down contract by contract. Having each phase done piecemeal might allow them too much time to drag their feet on completing the project. Council Member Eschert thought that option two gave more flexibility in terms of the economy – the town could move at a pace equal to what the economy would allow at the time. Looking at this as a long term project, Council Member Phillips believed that the second option would give the town the most for its money, while Mayor Pro Tem Boatwright noted that costs could change over the years and it might be better to lock into a price now with option one. She wanted to know at what point this money needed to be paid to Fryday and Doyne. Mr. Rose indicated that payments would be made on a monthly basis upon signing the contract. He added that \$225,000 was already budgeted for the first two phases.

Mayor Fowler was concerned that when the architects did begin designing that there would be no constraints in place to keep them from spending more money than what the town could afford. He cautioned Council to consider two things: the economic situation and the possibility that revenues allotted to local governments would be cut. He would like Finance Director Ann Wilson and Town Administrator Mike Rose to look into financing options to determine what the town would be comfortable with. Both Councilmen Phillips and Eschert agreed that the situation needed to be handled quickly but prudently to get the most for their money.

Town Administrator Mike Rose stated that Pineville was financially sound but he did not know how the town would fare when it went to seek financing. He did not know who would be willing to lend the town money. Mayor Fowler stated that he did not want this

to be a burden on the taxpayers and questioned if the town needed a firmer idea of where it wanted to build the new police facility. Mr. Rose stated that some of the basics could be done first and then they could fine tune exactly where the facility would be built.

Councilman Les Gladden asked the Town Administrator what his recommendation was. Mr. Rose replied that the town needed to make a statement that it was committed to the first and second phases of the project and enter into a contract with Fryday and Doyne. He recommended the town move forward with the first two phases and at the end of the second phase, stop and revisit the project. Mayor Fowler was still concerned about the financing of the project and stated there were other questions that still needed to be answered. He wanted to know where the town's revenues would be and how much the town could afford to proceed with comfortably. Councilman Gladden stated that Council needed to move forward with the first two phases before it could determine financially what it could afford.

The discussion continued with Mayor Fowler stating that they needed to move forward cautiously while Councilman Phillips asked for continued communication with Fryday and Doyne. Mr. Rose agreed that he and Ann would meet to discuss different financial scenarios that they might be faced with but that he needed a motion to authorize staff to enter into one of the two agreements which he read out loud. Councilman Phillips moved to enter into an agreement to move forward with phases I and II of the project. Councilman Eschert seconded the motion and there were ayes by all. Mr. Rose also reminded Council that he needed a motion for the resolution for the town to reimburse itself. Councilman Les Gladden moved to approve the resolution which was seconded by Mayor Pro Tem Boatwright. There were ayes by all.

NEW BUSINESS

- A. Mecklenburg County Recycling Program** – *Discussion of partnership program with the Town of Pineville, Mecklenburg County Solid Waste, and Coca-Cola to promote recycling efforts throughout the Town and the County.* Town Administrator Mike Rose introduced Mr. Jim Bailey who was in attendance to make a presentation about a new recycling effort throughout Mecklenburg County. Mr. Bailey explained that Coca-Cola has partnered with Mecklenburg County to promote a new marketing platform for sustainability and healthy lifestyles. They would like Pineville to join in the effort to recycle more and to recycle better.

Informational mailers will be sent out to 276,000 single family homes in Mecklenburg County to explain how to properly recycle and exactly what materials can be recycled. If a household chooses to participate, they will place a sticker on their recycling bin facing the street. The "Coca-Cola Recycling Squad" will be out early to check those bins with stickers to see if they are recycling correctly. The squad will select 10 homes per week throughout the county who will receive \$50.00 gift cards to Harris Teeter. The program will kickoff in February and is projected to last a year. Mr. Bailey concluded with an invitation for Pineville to be represented at the official press conference to be held on January 29th at 2:00 p.m.

- B. Staff Update** – *1) Discussion of Wayfinding Signs; 2) Flood Plain Ordinance Update:* Planning and Zoning Director, Kevin Icard, stated that since there were quite a few issues with the proposed amendments to the Sign Ordinance originally presented at the

September Council Meeting, staff decided to rework the changes. They were now proposing a new system with elements taken directly from the Master Plan. Pictures of what was being proposed were included in a handout that was given to Council prior to the meeting. He asked Council if this proposal was more acceptable than the last and if this is more in the direction of what they'd like to see. He was just presenting an idea of what it might look like but he would use the Planning Board to work out the details after which he would come back to Council with costs and the final designs. There were a few questions and after a brief discussion, the consensus of Council was that the "Wayfinding" system was very impressive and definitely headed in the right direction.

Mr. Icard then explained he would be coming back to Council in February with some changes to the Flood Plain Maps. Because Mecklenburg County had devised its own grid system for flood maps, the county's maps are not in sync with the state's flood mapping system. Mecklenburg County will be making changes to match the state's grid system.

Mayor Pro Tem Libby Boatwright announced that invitations for the Fire Department's Annual Banquet had gone out. The Banquet is being held on February 7th at 7:00 p.m.

ADJOURNMENT

Mayor Fowler made one additional comment before asking for a motion to adjourn the meeting. He stated that everyone was taking a serious approach to today's economic situation and the town was also being diligent. A motion was made by Libby Boatwright and seconded by Les Gladden to adjourn the meeting at 8:10 p.m. There were ayes by all.

Barbara Monticello, Town Clerk

George C. Fowler, Mayor