



**MINUTES OF THE
TOWN COUNCIL MEETING OF THE
TOWN OF PINEVILLE, NORTH CAROLINA
TUESDAY, AUGUST 9, 2016**

The Town Council of the Town of Pineville met in Regular Session on Tuesday, August 9, 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

Planner: Brandon Hackney was absent

Town Clerk: Barbara Monticello

CALL TO ORDER

The meeting was called to order by Mayor Edwards at 6:29 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

Mayor Edwards asked Mayor Pro Tem David Phillips to lead the group in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Edwards called for a moment of silence for Ken Furr (passed) and Netty Kimbrell (passed); the police and fire fighters that put their lives out on the line for us each day and military troops serving our country.

ORDER OF BUSINESS:

Adoption of the Agenda:

Motion made by Council Member Debbie Fowler and seconded by Mayor Pro Tem David Phillips to adopt the agenda as is. There were ayes by all and the agenda was approved.

Approval of the Minutes from the Regular and Closed Session Meetings of July 12, 2016 :

Council Member Debbie Fowler wanted to be sure the minutes reflected that there were actually two budget amendments: one for the Telephone Department with the ILEC and CLEC accounts and one from the Electric Department. The way the minutes read, made it sound as though there was one budget amendment. Mayor Pro Tem Phillips moved to approve the minutes with the correction. Council Member Les Gladden seconded the motion with the change and there were ayes by all.

Consent Agenda:

The following items were included: a) *Tax refunds (Cyndi Hunnicutt)*. Council Member Les Gladden moved to approve the Consent Agenda with no changes. Council Member Debbie Fowler seconded the motion and there were ayes by all to adopt the Consent Agenda as is.

PUBLIC COMMENT:

Sue Campana of the Cottages commented on the traffic coming across Carolina Place Parkway and the cars making illegal turns since the bridge work began. Chief Merchant acknowledged the traffic issues they have been experiencing since the bridge closed for repairs.

Melissa Davis of Cone Ave. wanted to know why the Town Manager's vehicle was not logoed and have a municipal plate on it like the other town-owned vehicles did. She also wanted to know what was taking so long with the park project and why the letters fell off the new ball park sign by the school.

Town Manager, Haynes Brigman, responded that the park sidewalk project was expected to take 90 days but would not be completed in that timeframe because there were several unexpected issues that arose. There were issues with the contractor not submitting the permits properly, then having to resubmit them and now having to wait on the county to approve them. When the work initially began, it was realized that more work needed to be completed such as curb and guttering and that Lake Drive was not sufficient and needed to be widened, none of which was accounted for at the start of the project. This made it a much larger project than was originally thought.

Mayor Pro Tem Phillips stated that Council had agreed that the manager's vehicle should not be logoed or plated as a town vehicle because there were times when he may need to investigate a situation where you would not want to make it known that you were a town employee, particularly if it were a situation where someone was committing an illegal act. Ms. Davis was not in agreement with that and stated that the vehicle should be logoed and have a state license plate. Mayor Edwards added that the letters on the ball park sign did not fall off but were actually vandalized and the town was in the process of replacing them.

Before closing the Public Comment portion of the meeting, Council Member Gladden brought up that some kids had been seen playing the Pokemon game in the cemetery and trampling over gravesites. He wanted it stopped immediately no matter what it took. No one else seemed to be aware that this was happening although Chief Merchant did say his officers recently charged someone at the cemetery. Both Chief Merchant and Mr. Brigman urged people in the audience that if they see such activity to report it to the police immediately.

OLD BUSINESS:

A. Mayor's Comment -- (Mayor Jack Edwards). Mayor Edwards informed the audience that the applicants for a proposed apartment complex on NC51 and Downs Road that had a Public Hearing scheduled, postponed and then rescheduled, were having issues with the county and the permitting process. He wanted the audience to know that they wouldn't be back until all the issues were resolved and they were ready to present their project.

B. Negotiated Sale of Lots on Eden Circle -- (Haynes Brigman/Travis Morgan) Mr. Brigman stated that the town had a total of 13 lots on Eden Circle that it wanted to get rid of. Most of them were undevelopable lots because of the terrain but he instructed the Planning Director, Travis Morgan, to look into listing them with a real estate agent.

Mr. Morgan stated that there was little interest in anyone purchasing the lots. The only interest was generated from resident, Thomas White. Mr. White wanted 8 of the 13 lots and offered a total of \$40K for them. He acknowledged that if he built on the lots, a lift station would need to be installed.

The company that proposed the townhomes across from Town Hall, GVEST, was interested in taking the remaining 5 lots; 4 out of the 5 lots being undevelopable. They still needed a total of 1.5 acres of open land to fulfill the requirements for their townhome project and purchasing these lots would count toward that requirement. They were offering a total of \$1K for the 5 lots. If council accepted the bids, they would need to be advertised for ten days and if anyone else decided to bid on them, they could but they would need to offer 5% more.

Council Member Gladden stated that one of the lots was very developable and that what they were offering was not a fair price. Mr. Brigman then offered that GVEST would take one of the other lots from Mr. White that isn't as

developable as the one they had but Council Member Gladden was looking for GVEST to give something toward the development that would be equal to the value of the land – whether it was some sort of road improvement or sidewalks or some other amenity for the townhomes. He did not think it was fair that the townhome HOA would have to maintain the lots on Eden Circle. Mayor Pro Tem Phillips wanted to be sure there was no conflict of interest with Thomas White wanting to purchase the lots. Mr. Brigman stated that as long as everyone else had the opportunity to bid on them, there was no conflict of interest that existed.

Mr. Morgan added that it was tricky to find someone interested in all 13 lots but that it had worked out that Mr. White wanted some of the lots and GVEST was willing to take the others. It was a way to bring those parcels back onto the tax books as they had been in the town's possession for 20 + years. Council Member Gladden was adamant that the town get something more out of the deal. All he wanted was a fair deal for the town – something more from GVEST – more infrastructure regarding the townhome project.

Discussion continued for some time with no resolution as some felt it was not a fair deal while others believed because the terrain was so bad that the deal was a good one because the lots were of little to no value. With no one willing to make a motion, Council Member Chris McDonough moved to put the decision on hold until something could be worked out between GVEST and/or Mr. White. Mayor Pro Tem Phillips seconded the motion and there were ayes by all to hold off on moving forward.

- C. GVEST Storm Water Easement Request (Haynes Brigman)** -- Mr. Brigman stated that GVEST needed two easements to remove water from their proposed townhome project. The first one had no negative impact on the property and is located on Oakley Avenue. It was straight forward and should not be an issue. The second one, however, was along Dover Street and is much more complicated. GVEST requested a Memorandum of Understanding from the town to secure easements so they can move forward.

GVEST agreed to donate R-O-W to the town which has value to the town because GVEST no longer needs parking along Childers Lane to meet their minimum requirements. They actually have enough parking without having to use on-street parking so they are giving the land to the town so it can use it to put in on-street parking if the town allows them the two storm drain easements.

The problem with the second request for an easement along Dover Street is that it could potentially impact development of the site in the future. It is uncertain what would be developed in that area so there is a risk that the easement would restrict or eliminate altogether possible options for development in the future. Discussion took place as to what other options could be considered; talking to Norfolk Southern could be an option except that it is very difficult to get anything from the railroad and DFI was unsure of what the impact would be on development in the future and could only offer that the timing of these projects was terrible. Council was hesitant to make a decision and thought it best to try to exhaust any and all options before turning the land over. Mr. Brigman stated he would research and discuss it further with GVEST and hold off on the decision until the September meeting.

- D. Update from DFI – (Haynes Brigman)** Mr. Brigman stated that the consulting firm DFI was back to give another update on the progress of the mill project. Sarah O’Gill with the School of Government, started the presentation off stating that the group had looked at some of the vibrant downtowns in NC to get an idea of what makes them successful. One of the most significant differences between them and Pineville is that there is a lack of housing in Pineville’s downtown area.

Based on their findings from the market analysis presented at the last meeting, DFI offered a high-level mock-up rendering of what downtown could look like based on those factors. The rendering did not take into consideration the townhouse development being proposed between Dover and Oakley Streets. However, it did present some single and multi-family housing in the general area of where the mill currently sits, along with identifying where some additional office and retail space might go and potential sites for a new town hall.

Mayor Edwards thanked them for their presentation and asked if he could get copies of both last month’s and this month’s presentations.

NEW BUSINESS:

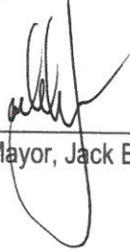
- A. Update from Downtown Merchants Association (Bill McConnell)** – Mr. Bill McConnell stated that there were 24 individuals that showed up for the last merchant's meeting. He noted two (2) new businesses on Main St.: Carolina Tabletop Game and Madison on Main carrying repurposed furniture where the old gun shop was.

In addition to the regular Farmer's Market held on Saturday's, the merchants also sponsored an Artisan's Market with 40 specialty vendors which seemed to do very well. If so, they were looking to possibly do this on a regular basis. He continued saying that Maestro's had already closed down and Ely Liam's was also closing. He added that Francois' was closing at the end of September but that there was serious interest from another restaurateur in moving into that spot. Another craft beer business was moving into the old Bargain House spot. Mr. McConnell noted that this was the first time that everything had been leased in many years.

- B. Staff Update: 1) Manager's Report (Haynes Brigman)** – Mr. Brigman had provided a report on the Lake Park project earlier in the evening. He reminded council of the upcoming Electricities Conference being held in Concord and noted that the transition with our electric crew over to Electricities went very smoothly. He added that he was continuing to look at the Johnston Drive realignment.

ADJOURNMENT

A motion was made by Council Member Les Gladden to adjourn the meeting at 9:17 p.m. Council Member Debbie Fowler seconded the motion and there were ayes by all to adjourn.



Mayor, Jack Edwards

ATTEST:



Barbara Monticello, Town Clerk

