



**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, OCTOBER 18, 2016**

The Town Council of the Town of Pineville met in Regular Session on Tuesday, October 18, 2016 at 6:30 p.m. at the Hut Meeting Facility in Pineville. (Meeting date changed due to conflict in schedules).

**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 not in attendance  
Town Clerk: Barbara Monticello

**CALL TO ORDER**

The meeting was called to order by Mayor Edwards at 6:31 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 lead the group in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Edwards called for a moment of silence for Nancy Waters (passed) and Alan Crocker (passed) as well as the police, fire fighters and military troops that serve our country each and every day. Mayor Edwards also announced that Town Manager, Haynes Brigman, has resigned from the town and will be moving on to work for another town.

**ORDER OF BUSINESS:**

**Adoption of the Agenda:**

Motion made by Council Member Les Gladden and seconded by Council Member Chris McDonough to adopt the agenda as is. There were ayes by all and the agenda was approved.

**Approval of the Minutes from the Regular Session Meeting of September 13, 2016 and the Special Called Meeting of September 29, 2016:**

Mayor Pro Tem, David Phillips, noted a correction that needed to be made to the September 13<sup>th</sup> set of minutes asking specifically to mention Cody Davis' name as someone interested in purchasing a vacant lot on Eden Circle and Council Member Chris McDonough asked that the amount of the Part F Park Grant be changed to \$361,420 in lieu of \$326,000. With those two changes to be made, Mayor Pro Tem Phillips moved to approve the minutes with Council Member Debbie Fowler seconding the motion. There were ayes by all and the minutes were approved with the changes noted.

**Consent Agenda:**

The following items were included: a) *Financial Report as of September 30, 2016*; b) *Fire Fighter Relief Fund Appointee*; and c) *Proclamation for Veterans Day*. Council Member Les Gladden moved to approve the Consent Agenda with no changes, seconded by Council Member Debbie Fowler. There were ayes by all to adopt the Consent Agenda as is.

**PUBLIC COMMENT:**

**Bill McConnell** gave a quick update on the Downtown Merchants Association. A new restaurant is moving into the old Two on Earth Bakery – a husband and wife team with one restaurant already in Fort Mill at Regent Park, the Flipside Café. The restaurant has won several awards and was looking to open sometime in mid-December. Kit's Trackside Craft Room will feature craft beers and is shooting for a mid-November opening in the old Bargain Corner store.

**PUBLIC HEARING:**

- A. Conditional Zoning Proposal** by Peter Leeke on behalf of Kingswood Custom Homes for reduced buffer requirements pertaining to a proposed, new office building to be located at 115 College Street. Planning and Zoning Director, Travis Morgan, explained that the applicant was proposing to construct a new office building across from the Pineville Telephone/Electric Building but because the site was so narrow, they were requesting a modification to the side yard buffer from 20 feet to 4 feet. The normal 20 foot buffer would normally be a landscaped buffer as it currently butts up against a single family residence but the applicant is proposing a solid wood fence in lieu of the landscaped buffer.

Mr. Morgan stated that with the new building, the town would also get new sidewalks to match the ones across the street in front of the electric/telephone building. The solid wood fence would step down to 3 feet as it got closer to the road. The building would be an all brick design which blends with other buildings in the area. All other requirements including landscaping and all county regulations would need to be followed. The owner of the property abutting the one in question was fine with the reduced buffer as long as there was a fence in place. Mr. Morgan's only concern was that with the site being so narrow, the turning radius would not be large enough to accommodate some vehicles or trucks but the applicant was able to increase the size from 24 feet to 26 feet. Staff was not in favor of any free-standing signage but preferred all signage to be on the building. Additionally, staff would like to prohibit on-street parking.

Mr. Brigman asked for a motion to open the Public Hearing. Council Member Gladden moved to open the Public Hearing at 6:48 p.m. seconded by Council Member McDonough. There were ayes by all and the Public Hearing was opened. Council Member Gladden asked that the applicant agree to plant bushes along the fence or some type of significant planting at least two feet high and two feet wide because the fence would need something to break it up a bit. He would like staff to be sure the CO was not issued until the plantings were in place. He also stated his appreciation for the applicant honoring the family that had lived on that land for so many years with a plaque with their name, "Bailes" on it. Mr. Harris who represented the applicant, Peter Leeke, stated that they would have to obtain permission from Mr. Harley first before installing any planting material along the fence on his side of the property but as long as Mr. Harley was OK with it, Mr. Leeke did not have a problem with it.

Council Member McDonough wanted to know what timeframe they had for completion of the building to which the applicant replied that as quickly as they could get approved. 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 6:57 p.m.

Council Member Gladden then moved to approve the request providing there be a six foot high fence and bushes along the fence to break it up along with a four foot planting strip with bushes. Additionally, there can be no free standing signs nor on street parking of any kind. Council Member Chris McDonough seconded the motion. There were ayes by all and the motion passed unanimously.

**OLD BUSINESS:** None

**NEW BUSINESS:**

- A. Consideration of a Request for Disc Golf at Jack Hughes Park by George Alvarez (Haynes Brigman) – Mr.**

Brigman explained that he was approached by George Alvarez about building two disc golf courses on the Jack Hughes Park property. The town owns about 70 acres behind the park and he would like to construct two 18-hole champion disc golf courses. Staff felt it was a good plan especially since the fields would be utilizing mostly flood plain which is otherwise non-buildable land. Mr. Alvarez's company, Dynamic Disc Golf, was seeking a grant to pay for 50% of the cost for building the courses. The grant falls under the Land & Water Conservation area and the town would have to apply for the grant. Staff was in favor of the project.

Mr. Alvarez is an Ambassador for Disc Golf and would like to see it become a mainstream sport. It is currently in 42 countries and has become the fastest growing sport in this country. Disc courses are in local parks as well as in national parks. Parks and Recreation Director, Kristy Detwiler, did have a concern about parking. Currently there is barely enough parking to accommodate the games that are taking place now. Council Member Debbie Fowler asked how badly the land floods back there. Councilman Gladden responded that it floods pretty badly – about waist high. Mayor Pro Tem David Phillips wanted to know how much land needed to be cleared and what maintenance was needed for the courses. Mr. Alvarez explained that very little maintenance was needed – just cutting the grass in the area was all that was needed.

Several more questions and concerns were raised by council members including how long the grant takes before it is awarded, land clearing costs not being included in the price quoted and additional flood plain information that would be helpful before making a decision. It was decided that more information would be needed so the item was tabled until the next council meeting. Manager Brigman agreed that more information needed to be brought back at the November Council Meeting.

- B. Fire Department Shift Request (Haynes Brigman)** – Mr. Brigman stated that the Pineville Volunteer Fire Department was requesting an additional shift as there were still gaps in both some nights and weekends. Chief Gerin requested that Council consider two additional shifts on the weekends – this is where it is becoming more and more difficult to cover the calls – when multiple calls come in and the two-member shift is unable to handle them all. They need to rely on other departments to assist in responding. He would like to add two additional paid members to the day shift for a total of four paid members on the weekend day shifts. This will add about \$26,480.16 to the salary budget but there would be no need for a budget amendment.

Council Member Les Gladden stated that the entire shift schedule needed to be looked at as sometimes there is only one person there and all we do is “band aid” the problem and not address it. He stated that longer shifts needed to be instituted and any of the gaps in coverage addressed with the busiest gaps in coverage between 5:00-6:00 p.m.

Mayor Edwards added that every volunteer program in North Carolina was experiencing the same trouble and that it was becoming harder and harder to find people to volunteer their time. The days of the true “volunteers” were over. Nobody wanted to do that kind of thing without getting paid for it now. Mayor Pro Tem Phillips argued that we created the problem by cutting the volunteers out, taking on city firemen and then paying them all. He felt that the entire system needed to be revamped. Volunteers would not fill in anymore if we moved to a full-time staff.

Mayor Edwards reminded him that firemen had to meet a standard which Council had agreed upon at the time of budget preparations and that some of them were not able to meet those standards. Council Member Les Gladden explained to Mayor Pro Tem Phillips that it takes a lot of the volunteer's time to get the training they need in order to meet those standards and keep up with the certifications. Mayor Pro Tem Phillips stated that he was opposed to adding any more paid staff. Mayor Edwards asked Manager Brigman to bring back detailed information on how many volunteers there are in the fire department, how many shifts we have, number of people and hours being worked in those shifts for the November Council Meeting. Mayor Pro Tem Phillips moved to post-pone the decision on the shift request until November's meeting. Council Member Fowler seconded the motion and there were ayes by all to table the item until November.

- C. Part F Grant Contract for Dog Park and Splash Pad (Haynes Brigman)** – Mr. Brigman reported that Parks and Recreation Director, Kristy Detwiler, did a great job in securing a Part F Grant for Lake Park in the amount of

\$361,460 which will be matched by the town. A dog park and splash pad are planned for these funds but a contract needed to be approved, signed and submitted by mid-November. When asked if the dog park would be split into two sections for larger dogs and smaller dogs, Mrs. Detwiler stated that the trend was to keep it as one big park but hadn't made a definite decision on it as yet. Council Member Les Gladden moved to approve the contract with Council Member Chris McDonough seconding the motion. There were ayes by all and the motion passed unanimously to approve the contract and move forward with the park plans.

- D. Electric Department Approval for Substation and Carolina Place Mall Projects (Haynes Brigman)** – Mr. Brigman stated that formal approval of the bids for the electrical substation at the Jack Hughes Park and the Mall project needed to be approved before moving forward with the projects. Whiting Construction out of Troutman was the low bidder and was being recommended by the engineers for the Carolina Place Mall project in the amount of \$414,741.75. The material bid for the Jack Hughes Substation came in at \$192,707.48. Council Member Chris McDonough moved to approve the two amounts for the projects and the contracts. Council Member Debbie Fowler seconding the motion. There were ayes by all and the motion passed. However, there were several questions brought up by council after the vote was taken. Information provided in their packets was confusing. The cover letter and the supporting documentation attached did not seem to match. There were too many unanswered questions about this item so more information was requested for clarification purposes. (It was later determined that the information was mis-represented and a Special Called Meeting was arranged for 11/3/16 to clarify and vote on additional money/contracts for this project).
- E. Electric Department Approval for Bucket Trucks (Haynes Brigman)** – Mr. Brigman stated that earlier in the year the Electric Department had budgeted for a new bucket truck. The actual cost of the truck came in at \$128K which was under the \$140K budgeted. Council Member Debbie Fowler moved to approve the purchase of the bucket truck for the Electric Department. Mayor Pro Tem David Phillips seconded the motion and there were ayes by all.
- F. Staff Update: 1) Manager's Report (Haynes Brigman)** – Mr. Brigman informed everyone that the November Council Meeting had been moved from November 8<sup>th</sup> to November 15<sup>th</sup> because of it being Election Day. This year's Fall Fest had been the best one yet. He also mentioned that it was his last council meeting as his last day would be November 10<sup>th</sup>. He thanked everyone and stated that he enjoyed his years here as Town Manager.

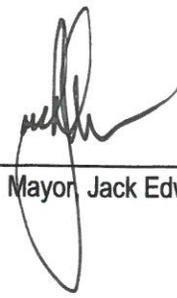
At 8:03 p.m. Mayor Edwards called for a 10 minute recess.

**Closed Session:** At 8:32 p.m. Council Member Chris McDonough moved to open the Closed Session Meeting. Mayor Pro Tem David Phillips seconded the motion and there were ayes by all. Council discussed a personnel issue related to the town manager's departure. At 9:15 p.m. Council exited the Closed Session Meeting and re-entered into regular session.

**Open Session:** Upon entering back into Open Session, Mayor Pro Tem David Phillips moved to hire Leamon Brice as interim town manager to work three days per week. Council Member Les Gladden seconded the motion and there were ayes by all. Discussion then moved to the Human Resources vacancy and whether a person should be hired immediately or wait until a permanent town manager was hired before hiring an HR manager. Mayor Edwards polled each Council Member individually. Those in favor of hiring a Human Resources Manager immediately were: Council Members Les Gladden, Chris McDonough and Debbie Fowler; Mayor Pro Tem Phillips was not in favor of hiring someone immediately but preferred to wait until a permanent Town Manager was hired before hiring an HR Manager. The vote was 3-1 in favor of hiring someone immediately. Mr. Brice will interview and hire someone for the position with department heads sitting in on the interviews.

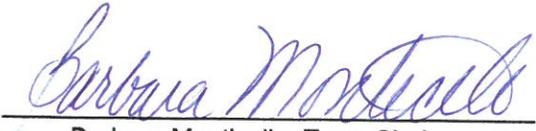
#### **ADJOURNMENT**

With no further business to conduct, a motion was made by Council Member Chris McDonough, seconded by Mayor Pro Tem David Phillips, to adjourn the meeting at 9:32 p.m. There were ayes by all and the meeting was adjourned



Mayor Jack Edwards

ATTEST:

  
Barbara Monticello, Town Clerk