



MINUTES OF THE  
SPECIAL CALLED MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
THURSDAY, NOVEMBER 3, 2016

The Town Council of the Town of Pineville met in Special Session on Thursday, November 3, 2016 at 5:00 p.m. in the Hut Meeting facility in Pineville.

**ATTENDANCE**

Mayor: Jack Edwards

Mayor Pro-Tem: David Phillips

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

Town Manager: Haynes Brigman

Town Clerk: Barbara Monticello

Planning and Zoning Director: Travis Morgan was not in attendance

**CALL TO ORDER**

The Special Meeting was called to order at 5:00 p.m. by Mayor Jack Edwards.

**ORDER OF BUSINESS:**

**OLD BUSINESS:**

**A. Electric Department Approval for Substation Project at Jack Hughes Park** (*Haynes Brigman*) – Town Manager, Haynes Brigman explained that at the last Council Meeting there was some confusion about the electrical projects that were approved. The way the memo and the letter from the engineer read, it seemed as though council voted and approved both the equipment for the Carolina Place Mall project and relocating the electrical substation from Dover Street to the Jack Hughes Park. However, after clarifying with Electric Manager, Kathy Moyer, it was determined that what was submitted at the October 18<sup>th</sup> meeting was actually only for the material, labor and construction taking place at the Carolina Place Mall. It was not also for the relocation of the substation to Jack Hughes Park. The purpose of the meeting now was to go ahead and get approval to move the electrical substation over to Jack Hughes Park.

He further explained that the town was in need of a new substation as the last one built was back in 1981. Additionally, the substation located on the Cone Mill property will be removed as well. There were actually six (6) different items that were bid out to different contractors for a total amount of \$818,452. The approval would actually be to contract with six different contractors for various jobs that need to be completed in order to construct a new substation. Kathy Moyer of Electricities and Southeastern Engineering will oversee the project. The town had budgeted a total of \$2.4 million for this project of which there are other parts to be approved at a later date, but the town should be on track with the costs right now.

The project at the Carolina Place Mall is already underway. All the overhead lines will be removed and located underground. A fence will be erected while the construction takes place which should be totally completed by next summer. That's what was approved at the October 18<sup>th</sup> meeting. Tonight he was looking for approval for six parts of the contract totaling \$818,452 to begin construction of a new substation at Jack Hughes Park. Council Member Les Gladden moved to approve \$818,452 for six different contractors to begin construction on a new substation to be located at Jack Hughes Park. Council Member Chris McDonough seconded the motion and there were ayes by all.

**B. Discussion of the Park Lake Improvement Project (Haynes Brigman)** Mr. Brigman provided a full background to the Park Lake project stating that the project started out as one to widen the sidewalk around the lake and install a fishing pier. When the project was put out for bid, there was only one response so it was put out for bid a second time and again there was only one bid for the project. The town awarded the bid to Alec Fite, of F&S at \$164,754 for the project.

The project, however, has been plagued with problems from the beginning with new issues arising each time we got deeper into it starting with permitting problems. Shortly thereafter, storm water issues were discovered with insufficient pipe sizes to carry water which leads to the possibility of the road collapsing due to having a substandard road. To bring the road up to par, it needed to be repaved correctly along with being widened and adding curbs and gutters. This was approved to do because we had a large paving budget available to draw from. But all of these changes has caused the price of the project to escalate.

This has recently been complicated by being awarded the Part F Grant for a dog park and splash pad, along with Mecklenburg County asking to use the cul-de-sac area as the trail head for a greenway which then requires parking for both trail-walkers and those wanting to fish off the pier. Now a parking lot needs to be configured so what was once a small project has turned into a huge one. The most recent problem is now with the soil not being compacted or stable enough to sustain a wall. To take out the old soil and bring in the correct type to be sturdy enough to hold a wall will cost another \$100K to \$140K. With that said, Mr. Brigman was looking for direction from Council on how to proceed.

Mr. Fite was asked to give a status of his work thus far. He stated that all grading had been completed and that he was working on the curb and gutter starting on Monday and should be done with the curb all the way down Lake Drive by the end of the week. Then he would move on to paving Lake Drive, all weather permitting. Once that was completed he would be ready to transfer the new dirt and complete the retaining wall. From there the sidewalk would have to be completed and finally the pier be installed. Mr. Brigman stated there were two options for Council to consider:

- 1) move old dirt out and replace with compacted dirt with a sloped, rip rap wall
- 2) physically build retaining wall which would be about \$20K or more to do

There were several questions, comments and discussion from Council regarding whether or not the town had any right-of-way on the right side of the road on Lake Drive, why no soil testing or more homework hadn't been done and that the contractor should have known there wasn't enough road width for this project. Council Member Les Gladden had a hard time understanding why none of this could have been determined prior to starting the project. Mr. Brigman stated because most of it was not part of the project to begin with but so many problems arose and plans had to change because of them. Mayor Pro Tem David Phillips was also surprised that no one saw any of these issues previously and wanted to know where the money was coming from to complete this project. Mr. Brigman stated that it was being paid for with funds from the Culture and Tourism budget but recommended that a large part of it be paid for with Powell Bill and Storm Water funds since it affected those areas as well. Mayor Pro Tem Phillips asked how it would impact the Public Works budget. Mr. Brigman responded that the funds would be reallocated to Parks and Recreation but in 2017 instead of 2016.

Discussion continued regarding next steps. New permits were needed for each phase of the project. The contractor expected the permits to be ready by the end of the month. Pylons will need to be installed probably 10 to 12 feet below the ground because of the loose soil conditions. Council Member Gladden wanted to know if the pier could be added at a later date to which Manager Brigman responded that it could. Mayor Pro Tem Phillips noted that the weather was getting ready to change and wanted to know the anticipated completion date.

The contractor stated that because of the weather being a factor, he would concentrate on getting the asphalt done first, then the retaining wall and work on the pier last since it was not affected by the weather like the asphalt is. Council Member Fowler agreed that the paving needed to be done as soon as possible. Contractor would like to have the asphalt in by Thanksgiving and stated that once that was in, all else would fall into place.

Council Member Gladden still had concerns about this project as well as complaints from residents not being able to see around the curve and suggested that a flag man be in place so people would know that work was being done. Many times only one person is working, people are driving on the grass and knocking the cones down. This has been a long, drawn out project and he wanted to move forward. He motioned to approve the money to complete the project.

Mayor Pro Tem Phillips asked if they could wait on completing the pier. Mr. Brigman wanted the contractor to get through the paving and retaining wall first and then revisit the pier once that was completed. Mr. Phillips agreed. Council Member Fowler was concerned that the paving get done as soon as possible.

Discussion turned to the parking lot and whether the cost of it was included in the amount discussed earlier. Mr. Brigman stated that it was not but it would have to come before council. Multiple funds would be used to pay for it – it would be set aside in FY2016 and then reallocated and used in 2017. Mayor Pro Tem Phillips asked if any of the Part F grant money could be used for this project to which Mr. Brigman responded that it possibly could. Council Member Gladden suggested that the county chip in since they were constructing the greenway through that area. Mr. Brigman stated that the county thought there was enough parking there because at the time they requested to use it, we hadn't been awarded the Part F grant for the dog park. Council Member Gladden asked Mr. Brigman for a copy of the parking lot plans and then asked about fencing around the lake. The contractor stated that he would be able to reuse all of the original fencing.

Resident, Melissa Davis, wanted to know the total cost of the entire project. Mr. Brigman responded that the original cost of the project was \$164,754 but a change order for an additional \$69,478 was approved and now an additional \$124,000 was requested to complete the retaining wall and then there would be the additional cost of the parking lot which he did not have the figures for at that moment. She then asked the contractor what his estimated time line was for completing the project to which he responded, "mid-December". She added that residents were really frustrated at that point.

The contractor agreed that the people were frustrated but noted that his work crew was often in danger because of speeding through the construction zone. He added that some pedestrians were almost hit. Another resident, Carol Torrence, noted that the electrical wires were all cut. Mr. Brigman stated that the street lights and trees would be replaced. She also had concerns about a shallow section of the road that was cut and had a hole in it with a stone on the top of it. The contractor explained that class 4 piping was used, along with thicker concrete and more metal that made it look shallow but it provided adequate cover. He added that water has to run through this area and that was why it had to be shallow. Mrs. Torrence was also concerned about the bollards that were removed. Mr. Brigman noted that it was the town's decision to remove them and that they would not be replaced.

Council Member Chris McDonough seconded the motion that Council Member Gladden had made earlier to approve the additional funds to complete the project. There were ayes by all and the motion passed 4-0.

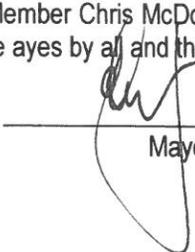
Mr. Brigman stated that a memo would go out to homeowners in the area to let them know the status of the project.

#### ADJOURNMENT

With no further business to discuss, a motion was made by Council Member Chris McDonough and seconded by Council Member Debbie Fowler to adjourn the meeting at 6:26 p.m. There were ayes by all and the meeting adjourned.

ATTEST:

  
Barbara Monticello, Town Clerk

  
Mayor, Jack Edwards

