

**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
FEBRUARY 10, 2009**

The Town Council of the Town of Pineville met in regular session on Tuesday, February 10, 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 6:27 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 Les Gladden to lead the Pledge of Allegiance to the Flag.

Mayor Fowler called for a moment of silence for the following individuals: John Blackwell's wife, Sandy (passed); Don Boatwright's sister, Kay Wright (passed); Town Employee, Cliff Hunt (ill); Renee Hicks (Moore) (ill); Mike Geron's mom Lynette (passed); Councilman Phillip's brother, Mike (ill); Jimmy Childress (ill); Holt Earnhardt (hospitalized); Charles Baker (ill); Councilman Eschert's friend, Gary Goll (passed); Councilman Gladden's mom, Pat (ill); and George Thrower (ill).

**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 Phillips seconded the motion. There were ayes by all.

**Approval of Minutes for the previous Regular Town Council Meeting of January 13, 2009:** Mayor Fowler called for a motion on the minutes from the January 13, 2009 Regular Council Meeting. Council Member Les Gladden 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.

**CONSENT AGENDA**

**The following items are included:** a) *Set Zoning Public Hearing Dates.* There were no public

hearings scheduled for March. B) *Tax Refunds for Bassett Direct Stores of NC and Direct Capital Corporation.* There were no questions or comments regarding the Consent Agenda. Council Member Jim Eschert moved to approve the Consent Agenda which was seconded by Mayor Pro Tem Boatwright. There were ayes by all.

### **PUBLIC HEARINGS**

None

### **OLD BUSINESS**

None

### **NEW BUSINESS**

- A. Privilege License Amendment** – *a proposal to exempt certain art and music performers from privilege license requirements at Town-sponsored events.* Town Administrator, Mike Rose, stated to Council that this item had come up as an issue from previous town events. It was brought to his attention that anyone functioning in town must have a business license including artisans and performers that are here for one day events. Such artists and performers are considered Itinerary Merchants and would be required to pay a \$200 privilege license fee. This would be cost prohibitive for many of these participants so the ordinance proposes to exempt artisans, performers, and musicians from having to pay for a license for a one day event. Entrance and other fees would still apply. Mr. Rose added that some food vendors at FallFest didn't have a business license in the past but those vendors in town that did have one weren't able to participate and have complained.

Mayor Pro Tem Boatwright felt that the town needed to be fair and either charge a small fee or no fee at all to anyone. Councilman Phillips suggested that the Town consider the amount of product that gets sold but after some discussion it was decided that it would be too difficult to calculate a separate fee for each vendor. Questions were raised about how to handle a chiropractor that sets up massages for visitors or shutter sales that may have a license for the one day event but would go about town installing them throughout the year without the proper license. The opposite scenario was also presented; would someone that already had a business license be required to purchase another license for a one-day, one-time event? Also, would those that participate more than once in the Rockin' and Reelin' events pay for each event separately or one time for all the events they participated in?

Mayor Fowler recognized Hegla Hess of 238 Juanita Drive. Ms. Hess stated that she was part of the Palmetto Tatters Guild, a non-profit organization whose mission was to teach tatting so that the art form does not die out. Ms. Hess stated that the organization would not be able to participate in FallFest because they could not afford to pay the \$200 license fee. However, it was determined that not-for-profit and educational organizations were already exempt from paying a business license.

Mayor Fowler directed the Town Administrator to put some ideas together for something reasonable to present at the next meeting

- B. Floodplain Ordinance Amendments** – *Proposed modifications to the Town's Floodplain Ordinance.* Planning Director, Kevin Icard, gave a brief explanation of the text changes that were being proposed to the Flood Ordinance under the Town Code.

Mecklenburg County's flood mapping system is currently different than the rest of the state's grid system so it needed to be changed to conform with the rest of the state. The maps themselves are not actually being changed; just the grid system. There were also some minor wording changes and nine definitions added but no technical changes were made. There were no questions or comments. The motion to amend the ordinance was made by Council Member Les Gladden and seconded by Mayor Pro Tem Libby Boatwright. There were ayes by all.

- C. **CCAC Update** – *Update of activities from the civic and Cultural Arts Center of Pineville from Lee Baumgarten.* Mayor Fowler recognized Lee Baumgarten who was in attendance to present an update on the progress of the Civic and Cultural Arts Center of Pineville. Mr. Baumgarten distributed a handout which listed some of the program's accomplishments. He noted that the Center was still waiting to hear on its 503 Non-Profit status, which generally takes 6-9 months.

Mr. Baumgarten stated that they now had a physical workshop location right on Main Street giving them the space they needed for artists. The Arts and Science Council had unallocated funds for Pineville so the CCACP received \$5,000 for 2008 and another \$7,500 for 2009. There are additional grants also available that the CCACP would apply for.

They hosted a "Paint 'Till You Drop" workshop and had another scheduled for February 27<sup>th</sup>. They were hoping to have an "Artfest" at the end of May or beginning of June to be held in downtown Pineville. Craftsman, artisans, musicians, and street entertainers would all be brought in for the event and funding, they hoped, would be possible through CMC and other large corporations.

The Civic and Cultural Arts Center continues to have Monday and Thursday evening art classes but they are doing flyers to get the word out to get more events going. Right now participation is about 35% from Pineville and 65% from outside Pineville. Last year the rate for a family membership was \$25 but that fee is going up to \$45.

- C. **Staff Update** – (1) *"Wayfinder Signs" update;* (2) *Valentines dance;* (3) *Budget Update;* (4) *Target Market Study;* (5) *Resolution to enter into GovDeals Agreement;* (6) *Resolution with regard to the Planning Liaison committee.* Planning Director, Kevin Icard, stated that the Planning Board had met to discuss the proposed "Wayfinding Signs" system. Everyone was excited about the project and was eager to move forward with it.

Town Administrator, Mike Rose, reminded everyone that the Valentine's Banquet was being held on Friday the 13<sup>th</sup> at the Belle Johnston Center at 6:00 p.m.

He continued with an update on the budget process. Right now the town was in a good position to meet its daily operations. Both he and Ann Wilson have been monitoring the budget on a daily basis and have asked Department Heads to be smart about spending money. He is not sure how sales tax revenues will affect our capital needs such as a new police building, renovations of Jack Hughes Park, or demolition of the old Aquasol property. He'll have a clearer picture of where we stand once the revenues start coming in, but for now, the town is in good shape to meet its everyday needs. The town will continue to move forward cautiously with regards to its capital needs. The number one

goal of the town is to continue to provide a high level of service to its residents and to stay strong and stable. He'll be looking to put out an RFP for sanitation services this year.

Mr. Rose then went on to say that Electricities has offered to have consultants come in to perform a Target Market Study. The study would identify opportunities and threats to Pineville as well as help identify target businesses for the town. Consultants would be in soon to talk to staff, interview business owners, and hold focus group meetings.

Mr. Rose explained that the Town was considering using an online auction as an additional source for disposing of surplus property. A resolution had been drawn up to authorize him to enter into an agreement with GovDeals to use this method. There are no upfront costs and 7.5% of the selling price is what is paid to GovDeals for using this service. Mayor Pro Tem Libby Boatwright moved to approve the resolution to enter into the agreement with GovDeals. Council Member Les Gladden seconded the motion and there were ayes by all.

The floor was turned over to Planning Director, Kevin Icard, who explained that changes were being proposed to the Planning Liaison Committee, a means for elected officials to get together to discuss planning issues. A resolution had been drawn up with the changes which were to: expand the membership to include the Planning Directors of Charlotte, the six other Mecklenburg County Towns and those of Charlotte Mecklenburg Schools (CMS), change the name to Planning Coordinating Committee, and meet twice a year. Mayor Fowler added that Council Member David Phillips was Pineville's representative and that he appreciated David's willingness to serve on this committee. Mayor Pro Tem Libby Boatwright moved to adopt the resolution and the committee changes. Councilman Phillips seconded the motion and there were ayes by all.

## **ADJOURNMENT**

A motion was made by Libby Boatwright and seconded by Les Gladden to adjourn the meeting at 7:43 p.m. There were ayes by all.

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Barbara Monticello, Town Clerk

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George C. Fowler, Mayor