MINUTES OF THE
TOWN COUNCIL WORK SESSION OF
MONDAY, MARCH 26, 2018

The Town Council of the Town of Pineville met in a Work Session on Monday, March 26, 2018 at 6:00 p.m. at the Pineville Communications Bldg. at 118 College St. in Pineville.

ATTENDANCE

Mayor: Jack Edwards
Mayor Pro-Tem: David Phillips
Council Members: Debbie Fowler, Melissa Davis and Joe Maxim
Town Manager: Ryan Spitzer
Planning Director: Travis Morgan
Town Clerk: Barbara Monticello
Representatives from Mecklenburg County: Ted Panagiotopoulos, David Gieser, and Ebenezer Gujjarlapudi
Pineville Fire and Police Chiefs: Mike Gerin and Rob Merchant
Pineville Fire Department: Jeffrey Race

CALL TO ORDER

The meeting was called to order by Mayor Edwards at 6:02 p.m. A motion was made by Mayor Pro-Tem, David Phillips and seconded by Melissa Davis to open meeting. There were ayes by all and the meeting was opened.

DISCUSSION ITEMS:

A. **ETJ Discussion (Fire Protection)** – Ryan Spitzer, Town Manager, started the discussion noting that there was $375,000 per year being paid to Carolina Fire by Mecklenburg County. Estimates calculated that it cost about $30,000 per year to run calls down in the ETJ area. Mr. Spitzer stated that if Pineville took over the area to provide fire protection, we would still need to give Carolina Fire 12 months to wind down its operations. Mayor Pro-Tem, David Phillips, asked what would happen to any balances owed on their equipment or assets. Mr. Spitzer replied that the assets must be disposed of. Ebenezer Gujjardlapudi, head of LUESA, stated that six departments made up the LUESA Office, including fire protection services, so there was a lot of responsibility to manage. In an effort to streamline operations, they were looking to contract with Pineville to provide fire service. All the other surrounding Mecklenburg County towns currently service their ETJ districts except for Matthews which does not have one.

   Mayor Pro Tem Phillips asked Mr. Gujjardlapudi what the other towns were receiving as far as funding to which Mr. Gujjardlapudi replied that the other towns were only getting $300,000. It used to be about $200,000 to $250,000, but was upped to $375,000 for Pineville but that is all that will be offered. Council Member, Melissa Davis, stated that it would probably be unlikely that Pineville get any more money. Mr. Gujjardlapudi replied that the amount could only go down, but it would not go up. Council Member Davis noted that $375,000 wouldn't be enough to build a new fire station and purchase a new truck so the town would not be gaining anything for this transaction. , she explained that was not enough to do so. Mr. Gujjardlapudi explained that this would be just a "holding area" until the area is annexed. Mayor Pro Tem Phillips stated that the town wasn't even sure it wanted to annex that area to which Mr. Gujjardlapudi responded that it was just an option to consider. Council Member Davis wanted to know what would happen if the town declined the opportunity to provide fire service – would Carolina Fire continue to operate. Mr. Gujjardlapudi stated that it would. Fire Chief, Mike Gerin, added that most of the calls in the area were EMS and smoke detector calls; about 297 calls a year.

Mayor Pro Tem Phillips stated that if Pineville took over the fire service, it would look as though Carolina Fire was being pushed out by us. Mr. Gujjardlapudi stated that the county had anticipated that annexation would have taken place by now causing Carolina Fire to realize that eventually they would no longer be servicing the area anyway so there was never any intent to make anyone go out of business.

Mayor Pro Tem Phillips asked Chief Gerin if Pineville Volunteer Fire Department could honestly handle the additional ETJ area for the $375,000 the county would pay us. Fire Chief Gerin answered yes, Carolina Fire is doing it so he believed Pineville could do it as well. Mayor Pro Tem Phillips wanted Chief Gerin to think about all the new development in town as well because he did not want him to come back to Council in another year or two asking for more money. Mayor Edwards asked how he would feel in 2020 when he'd have to defund a department. Chief Gerin replied that he already had serious conversations with some of the guys from Carolina Fire and he believed it could be done amicably. Mayor Edwards commented that the brotherhood of fire fighters and police is a lot stronger than any other and to sit down and have to make that decision would not be an easy one.

Chief Gerin stated that Glen Golding wanted to build a new fire station along Lancaster Highway and if they were to get it, he believed they could work something out amicably. Mayor Pro Tem Phillips asked how they would pay it off so quickly. David Gieser from the County responded that someone was interested in purchasing the land they're currently on and possibly make a deal with them to build them a fire station but Mr. Gujjardlapudi added that they were not in a rush to do anything just yet. Council Member Davis was still concerned about the long-term, especially if the town didn't annex the ETJ, then it would be left paying for a building. She asked what they were required to do with all their property. Mr. Gujjardlapudi explained that each volunteer fire department had a charter document that stated how their department would be dissolved. Mr. Ted Panagiotopoulos added that generally property goes to the entity that takes it over.

Mr. Spitzer stated that he thought the only plans for that area were some townhomes going in along Lancaster Highway. Pineville Firefighter, Jeffrey Race, said they had open conversations with Carolina Fire and they knew this was coming and believe that in two years they will be Pineville Fire Department. They have a unified command structure under one chief and their assets would be merged into ours. Council Member Davis asked if that was going to be problematic with two fire chiefs. Chief Gerin answered that their crew would have to meet the same requirements as Pineville does. A lot of these guys want to be part of Pineville Fire. They've got about 30-35 people at Carolina Fire. Mayor Pro Tem Phillips stated that in the last conversation with Chief Gerin, some of the guys at Pineville Fire were not too happy with the employees down there. Fire Chief Gerin assured Mayor Pro Tem Phillips that no one would be turned away that was qualified, especially after developing rigorous standards for the Pineville Fire Department.

Chief Gerin also stated that he would eventually need more people regardless of whether we picked up Carolina Fire or not. Council Member Joe Maxim stated that volunteer fire departments are slowly becoming extinct from everything he's read and heard in the news, and that Carolina Fire's situation is not unlike many volunteer fire departments in unincorporated "wilderness". He continued to add that the only way these fire stations continue is by becoming true departments of municipalities. When our fire department becomes a department of the town, the fighters will become employees and benefits would have to kick in, there would be inflation, and merit increases, all of which are real expenses to consider. The costs that Pineville would absorb is a concern especially when employees become full-time and permanent. Mr. Gujjardlapudi stated that he does not disregard those concerns.

The discussion turned to helping other departments out. Chief Gerin stated that they all had a mutual aid agreement that allows them to help each other. They have assisted Charlotte Fire on several of their calls in the past. Council Member Maxim asked how often Charlotte has helped the Pineville Fire department in the last year? Chief Gerin stated not many times - not even a handful. Mayor Edwards asked the same question about Flint Hill Fire Department. Chief Gerin replied that Flint Hill has assisted with calls. Council Member Fowler asked if someone was there 24/7? Jeff Race of Pineville Fire Department replied that they had two people 24/7. Mr. Race added that two more trained-certified firefighters would be an asset to the town. Chief Gerin also commented that

the two that the county would be paying for would be busier with Pineville Fire. It takes them a mile to get to their area commented Chief Gerin. Mayor Pro Tem Phillips asked if the fire chief could run that department, and that if it is going to cost the town money it would not make sense. Fire Chief Gerin replied that he is confident his department can run Carolina Fire.

Mayor Pro Tem Phillips asked Manager Spitzer what his thoughts were about the issue. Manager Spitzer stated that he would feel more comfortable if we could negotiate with the county to build another fire station before we took over Carolina Fire. He added that we can run the calls down in the ETJ area for the next couple of years even though we will not receive more money from the county. If tax values increased, then possibly we will get more money from the county, but not likely.

Fire Chief Gerin added that only two firefighters will be funded and set a cap on the amount paid per call. Mr. Spitzer stated that the one-year wind down time starts when Council makes their decision. We have not had any formal conversations with Carolina Fire as yet but there is still time to do that but only if Council is interested. Mayor Pro Tem Phillips still was not convinced that there would be any benefit to the town and did not think we could service that area for $375,000. Manager Spitzer stated that the infrastructure in the ETJ area was terrible and that was why we had not annexed it or anyone else annexed it by now.

Mayor Pro Tem Phillips pointed out that they hadn't purchased land yet for a new fire station simply because they were waiting on us to decide if we would take it over. Why would they purchase it before knowing? Mr. Race reiterated that they wanted to be a part of PVFD. Manager Spitzer advised that if there was still uncertainty not to agree to anything until Council was sure they wanted to do this and only if there is a contract. The consensus was to allow the county to service the area for another year until Pineville had an opportunity to formally speak with Carolina Fire. Mayor Edwards agreed that it was necessary to some get answers first before making a final decision, especially in regards to guarantees of capital support in constructing a new fire station on the other side of Pineville and ensuring that Carolina Fire does, in fact, desire to become part of Pineville Volunteer Fire Department.

ETJ Discussion (Police) – There was an increase in real estate values in the ETJ area and a breakdown of costs done by Mr. Spitzer showed that the Pineville Police Department would benefit from getting two more telecommunicators. The county did ask, however, that we provide them justification such as the number of calls we get and what the money will be used for, etc. The cost analysis also showed a need for 4.25 additional officers. Council Member Davis asked if 4.25 would include a CID person and evidence person. Manager Spitzer responded that it would. The town would be funded based on tax values and that amount would not go below $560,000. Council Member Davis was not sold on taking on the policing of this area either. She stated she did not see enough police presence in town now and hoped it wouldn't take away even more. Police Chief Rob Merchant stated that they had been talking and negotiating with the county the past year before bringing the proposed agreement before council. He added that we would get the tax revenue off of this agreement.

Council Member Fowler thought the call count for that area, 790 calls, was a lot but Mr. Spitzer stated that there were actually a lot of homes in that area. Mayor Edwards noted that he had never had a complaint about police service in Pineville. Council Member Maxim stated that there were a lot of speeding complaints in McCullough. Council Member Davis expressed that she did not want to see police stray away from Pineville to police the ETJ, the concentration should be in Pineville. Council Member Maxim stated that we could not cannot take away those officers from ETJ if they were hired for that service. Chief Merchant stated that his officers have assisted Charlotte because Charlotte had been short of help. Our department had been short of help as well but was now fully staffed.

Mayor Pro Tem Phillips wanted to know if CMPD was getting the same amount of money that they were offering Pineville. Manager Spitzer replied yes. Council Member Maxim asked the Chief Merchant if he felt strapped. The Chief answered that he didn't and that they have handled as many as 17,000 calls in past years. Lieutenant Calhoun did not think the majority of police officers would mind taking over the area. Mayor Pro Tem Phillips asked that should the town take this on and decide to get out in two years, could that be done. Manager Spitzer

replied the county wanted a five year agreement. He then asked if the police department would have to buy new cars at five years to which Mr. Spitzer answered, yes. Mayor Pro Tem Phillips stated that the figures made more sense than the figures for the fire department and amounts could go up in the future. Police Chief Merchant added that the numbers did make good business sense. Council Member Maxim stated that at least the figures were tied to a value; he just wished the figures made better sense with the fire department. Mr. Spitzer added that we needed to get the annexation agreement in front of the county. Without an agreement Pineville could only go one mile outside their jurisdiction but with the agreement, Pineville could go farther to provide services. This would create a sphere of influence as an ETJ area only applies to the Planning & Zoning aspects. Council Member Maxim stated that the money was a lot to walk away from. Both Council Member Maxim and Mayor Pro Tem Phillips agreed that it was a much better deal than with the fire department. Manager Spitzer will continue to pursue.

Council Member Debbie Fowler had to leave at 8:15 p.m.

B. **Splash Pad Design -** Manager Spitzer stated that council would need to vote on the Splash Pad design at the April Council Meeting. Manager Spitzer continued, stating that only 100 people would be allowed in splash pad at one time and that they were considering allowing people to rent out the splash pad. Benensh will manage the contractors once the project begins. Manager Spitzer presented the plans and stated that renderings would also be presented at the April meeting. Everyone seemed to like the plans and were in favor of them.

C. **On Street Parking -** Mayor Edwards was concerned about on street parking because some of the streets, particularly Cone Ave. and Olive St., are so narrow that emergency vehicles would barely be able to get through if they needed to. Council Member Davis agreed that this was a problem. Mayor Pro Tem Phillips said 90% of people that park on the street have room in their driveways. Council Member Davis stated that some driveways were not wide enough to accommodate multiple cars and if you limited parking to just one side of the road, people would get mad. Mayor Edwards added that Planning Director, Travis Morgan's view was that no parking on the street be allowed at all. Manager Spitzer stated the only thing that could be enforced right now was no blocking a driveway.

Council members asked about situations such as having a guest over or family gatherings, holidays and parties. How would these situations be handled? They agreed that the two streets that were the narrowest, Cone and Olive, needed to be addressed, but fairly. Manager Spitzer stated that parking was something that Council had control over but if you decided to go with no parking on the street at all, you would need to consider allowing homeowners to park on the side or rear of their yards. Mayor Edwards didn't want it to appear that we were going after "old town" but that's where the streets are the tightest. They all agreed that if you regulate parking, someone will get angry about it. Mayor Edwards stated that Council needed to do something about it before the townhomes across from Town Hall go in to keep those folks from parking on Johnston and Dover Streets. Mr. Spitzer added that they also needed to take a look at semi's parking on the street as well.

D. **Update on PCAA** – Manager Spitzer stated that the county approved $100,000 be given to the town and then given to PCAA. At April's meeting, council will have to decide on whether to fund our $50,000 part of it or not. He noted that we had not had to touch contingency funds so the money will come out of that. The county donates $100,000 to PCAA, $50,000 comes from the town and the remaining $50,000 is paid by them. Manager Spitzer added that if the school needed to expand, they would go where the trailers are now, but not near the ballfields. There were no plans to expand into the fields. He also stated that approval was received from the school to put up the lights. If Council chose not to pay out from contingency money, it would roll into fund balance, but if they chose to use the money from contingency, it would not affect money for budget.

Council took a ten minute break before going into closed session.

CLOSED SESSION: Council Member Joe Maxim made a motion to go into closed session and Mayor Pro Tem Phillips seconded the motion. Entered closed session at 9:11 p.m. While in closed session, an economic development real estate issued was discussed. Two conceptual renderings of the proposal were shown and positives and negatives of both were discussed. Council was receptive to the proposal but favored the first option over the second.

ADJOURNMENT: A motion was made and seconded to exit the closed session and adjourn the meeting at 9:53 p.m. There were ayes by all and the meeting adjourned.

Jack Edwards, Mayor

ATTEST:

Barbara Monticello, Town Clerk