



**REVISED**

**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, OCTOBER 9, 2018**

The Town Council of the Town of Pineville met in Regular Session and Closed Session on Tuesday, October 9, 2018 at 6:30 p.m. at the Hut Meeting Facility 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

Planner: Brian Elgort

Town Clerk: Barbara Monticello

**CALL TO ORDER**

The meeting was called to order by Mayor Jack Edwards at 6:30 p.m. He asked anyone in attendance that wished to speak on an item to sign the speaker's list.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Council Member Joe Maxim led the group in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Edwards asked for a moment of silence for Dennis Costner who recently passed, as well as our police, fire and military personnel.

**ORDER OF BUSINESS:**

**Adoption of the Agenda:**

Council Member Melissa Davis moved to adopt the agenda as is with Council Member Debbie Fowler seconding the motion. There were ayes by all to adopt the agenda as is.

**Approval of the Minutes from the Regular and Closed Session Meetings of September 11, 2018 and the Work Session Meeting of September 24, 2018.**

There were two items that needed to be corrected regarding the spelling of the words on the September 11<sup>th</sup> set of minutes which were later corrected. Council Member Debbie Fowler moved to approve the minutes with the changes. Mayor Pro Tem David Phillips seconded the motion and there were ayes by all to approve the minutes with the corrections.

**Consent Agenda:**

The Consent Agenda consisted of the following items: a) *Financial Report as of September 30, 2018*; b) *Proclamation for Pineville United Methodist Church*. Mayor Pro Tem David Phillips moved to approve the Consent Agenda with Council Member Debbie Fowler seconding the motion. There were ayes by all and the motion passed 4-0.

## **PUBLIC COMMENT:**

**Della Medlin** – resident, Della Medlin, expressed concern regarding motorists going through stop signs, particularly the one at Lowry St. Someone almost hit her going through it and there was a Pineville Police Officer sitting right there.

**Jane Shutt** – of Pineville Neighbors Place spoke about the 3<sup>rd</sup> Annual Potato Drop that took place on October 6<sup>th</sup>. A total of 36,000 pounds of potatoes were delivered and bagged. Some of it will be donated to the 2<sup>nd</sup> Harvest Food and Loaves and Fishes food banks. Pineville Neighbors is now offering computer classes; they are again partnering with Pineville Police for the annual Shop with a Cop campaign; and they promoted the “Voice of the Community” program which will be held on November 7<sup>th</sup> at 6:00 p.m. at Pineville United Methodist Church.

**PUBLIC HEARING** – a Public Hearing was called to obtain feedback on a conditional zoning request for a new Mercedes dealership. Council Member Debbie Fowler moved to open the Public Hearing at 6:40 p.m. with Mayor Pro Tem David Phillips seconding the motion. There were ayes by all and the public hearing was opened. Planning and Zoning Director, Travis Morgan, gave a presentation based upon information obtained and discussed at a previous work session meetings with council. The site was originally approved for a Hyundai dealership but due to the larger size of the proposed Mercedes dealership and different site configuration the proposal required a new conditional approval. The applicant was requesting to amend the original request as shown.

Mr. Morgan had nine items that he wanted Council to be aware of and consider when making their decision to allow the change or not. They were all listed in his staff report which was distributed to all council members. Questions from council members were addressed by Mr. Morgan and the applicant regarding signage, the number of display vehicles and location where they could be displayed, lighting and what to do with the old building. It was agreed that the signage would be worked out with Mr. Morgan who suggested that the blade sign be wrapped into the tower somehow. They would be allowed a total of 12 vehicles along the front of the building which does not include any that will be displayed on the upper levels of the building. The lighting plan will come back to Mr. Morgan for review and approval. Mr. Morgan stated all other agreements from the previous plan and other standard ordinance requirements would be met. Mr. Felix Sabates was in attendance and stated that he was thinking of putting one of his other dealerships in the old space or possibly selling it.

Mr. Morgan added that he had received late word that the updated traffic study recommended a widened right hand turn lane onto Cadillac Street be added to the plan which was good for the area and the town. Hearing no further questions or comments, Council Member Joe Maxim moved to close the public hearing, seconded by Mayor Pro Tem Phillips. There were ayes by all and the public hearing concluded at 7:08 p.m.

Mr. Sabates thanked council and Mr. Morgan for working with them on this project and added that it would bring 50 new jobs to Pineville. Mayor Pro Tem David Phillips moved to approve the conditional plans for a Mercedes dealership with a limit of 12 display vehicles and conditions set out in Mr. Morgan’s staff report. Council Member Joe Maxim seconded the motion and there were ayes by all to approve the plans for a new Mercedes Dealership.

**OLD BUSINESS:** *None*

## **NEW BUSINESS:**

- A. Appointments to Municipal Education Advisory Committee** – Mayor Edwards explained that a recently passed law now allows municipalities to use tax payer’s money to build schools. From this, Charlotte-Mecklenburg School Board developed the newly formed Municipal Education Advisory Committee. Each town is required to have an elected official on this board to advise on school safety, consider future bond initiatives and identify opportunities where municipalities could fund new schools within their boundaries.

Council Member Joe Maxim expressed interest in being on this board with Mayor Edwards as an alternate. Hearing no questions, comments, or opposition, Council Member Debbie Fowler moved to appoint Joe Maxim to the board with Mayor Edwards as alternate. All were in favor and both were appointed to the Municipal Education Advisory Committee.

- B. Resolution No. 2018-10 in Support of Light Rail Extension (Mayor Edwards)** – Mayor Edwards stated that there was renewed interest in having the Light Rail System extend into Pineville and on to the Ballantyne area. He stated that if Pineville was interested, we would need to supply a Resolution stating the town's interest in supporting these efforts. Mayor Edwards added that this was not part of the immediate plans for CATS but would be put on their Strategic Plan for the future and it would not be a commitment from the town, but a way for CATS to get it on their Strategic Plan. If it were to happen, CATS would still need to come back before Council for approval. Council Member Joe Maxim moved to approve the Resolution of Support, seconded by Mayor Pro Tem Phillips. There were ayes by all and Resolution No. 2018-10 in Support of Light Rail extending to Pineville was approved.
- C. Award Contract for Phase II Materials Contract for Carolina Place Mall (Pineville Electric/Electricities).** Town Manager, Ryan Spitzer, spoke on behalf of Pineville Electric/Electricities. Phase I of the Carolina Mall electric upgrade project had been completed and the department was ready to move forward with the upgrades in Phase II. A bid had gone out for the materials needed for Phase II to take place. The results of the bid were supplied to all Council Members and their approval was needed in order to move forward with the project.

Mr. Spitzer answered questions from Council and explained that Stuart Britt, who was the engineer, was fine with the contract. The bid, however, was actually done by Southeastern Engineering which the town and Mr. Britt utilize for such projects. Hearing no further questions or comments, Council Member Melissa Davis moved to approve the contract, seconded by Council Member Debbie Fowler. There were ayes by all and the bid was approved unanimously.

**D. Staff Update:** Mr. Spitzer provided an update on the following:

- Mr. Spitzer stated that there would be a Work Session on October 22<sup>nd</sup> to review the space needs analysis final report.
- He reminded council of the planning retreat scheduled for October 25th
- He and Kristy settled on a color of cement for the Splash Pad
- He signed a contract for sidewalks – work to start after Fall Fest
- He reminded all of the upcoming events including Fall Fest, the Halloween Bash at the Park, and the town's annual Fishing Tournament

At 7:33 p.m. Mayor Edwards called for a recess before moving to Closed Session.

**CLOSED SESSION:** Mayor Pro Tem Phillips motioned to move into Closed Session at 7:46 p.m., seconded by Council Member Fowler. There were ayes by all and they entered Closed Session per NCGS 143-318.11(5). Once in Closed Session Mr. Andrew Trump provided an update on an on-going real estate item. After the discussion, Council consensus was to allow the Town Manager to move forward with the next step in the process. At 8:45 p.m. a motion was made and seconded to exit the Closed Session and re-enter Open Session.

**ADJOURNMENT:** Once back in Open Session, Mayor Pro Tem Phillips moved to allow Manager Spitzer to move forward with the next step of the real estate item. Council Member Melissa Davis seconded the motion and there were ayes by all. At 8:47 p.m., a motion was made by Council Member Debbie Fowler and seconded by Mayor Pro Tem Phillips to adjourn the meeting. There were ayes by all and the meeting adjourned.

ATTEST:

  
Barbara Monticello, Town Clerk

  
Mayor Jack Edwards

