



**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, DECEMBER 11, 2018**

The Town Council of the Town of Pineville met in Regular Session and Closed Session on Tuesday, December 11, 2018 at 6:30 p.m. at the Hut Meeting Facility in Pineville.

**ATTENDANCE**

Mayor: Jack Edwards  
Mayor Pro-Tem: David Phillips (arrived later in the meeting)  
Council Members: Debbie Fowler, Melissa Davis and Joe Maxim  
Town Manager: Ryan Spitzer  
Planning & Zoning Director: Travis Morgan  
Town Clerk: Barbara Monticello

**CALL TO ORDER**

The meeting was called to order by Mayor Jack Edwards at 6:30 p.m.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Town Clerk, Barbara Monticello, led the group in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Edwards asked for a moment of silence for ex Council Member, Les Gladden's mom who passed, as well as our public safety employees, our military and public works employees.

**ORDER OF BUSINESS:**

**Adoption of the Agenda:**

A recommendation was made to move the Audit Presentation after the Public Comment section to accommodate the presenter who needed to leave early and to table item A under Old Business until January's meeting. Council Member Melissa Davis moved to adopt the agenda with the changes. Council Member Debbie Fowler seconded the motion and there were ayes by all to adopt the agenda with the changes.

**Approval of the Minutes from the Regular and Closed Session Meetings of November 13, 2018.**

A change to the spelling of Dottie Rea's name needed to be made but no additional changes were needed. Council Member Joe Maxim moved to approve the minutes with the correction, seconded by Council Member Debbie Fowler. There were ayes by all to approve the minutes with the change.

**Consent Agenda:**

The Consent Agenda consisted of the following items: a) *Financial Report as of November 30, 2018*. Council Member Melissa Davis moved to approve the Consent Agenda as is, with Council Member Debbie Fowler seconding the motion. There were ayes by all and the motion passed 4-0.

**PUBLIC COMMENT:**

**Beverly Jackson** – spoke about the program, Youth for Change, currently held at the Belle Johnston Community Center.

She gave a brief overview of the program stating that they served about 40 kids, many of them from Pineville. The program was supported by donations and the group met twice a month for basketball and a meal. The program was intended to keep kids off the streets by engaging them in more positive, fun activities as well as providing them accountability.

**Jane Shutt** –Jane Shutt of the Pineville Neighbors Place provided an update on the holiday food drive that Pineville Communications and Electric helped with as well as the Shop with a Cop program. With the many donations received, Pineville Neighbors Place was able to help 57 Pineville students, 68 Sterling Elementary students and 10 Pineville Rehab residents. She thanked Pineville for their help in assisting them in their efforts.

**Kevin Kendrick** – Resident Kevin Kendrick expressed his appreciation, on behalf of the McCullough neighborhood, to two Pineville Police officers, Whitley and Stanley. They recently attended one of their community HOA meetings providing a lot of good, positive advice to the residents.

#### **NEW BUSINESS:**

- A. Audit Presentation (Richard Dixon)**- Finance Director, Richard Dixon, introduced Jennifer Rice with the audit firm, Martin Starnes and Associates. Ms. Rice was a senior accountant that was in charge of the audit this year for the town. She gave an overview of the results from that audit performed earlier in the year. Once again the town's financials were sound and stable and we were issued an unmodified opinion which is the best rating that can be had.

#### **PUBLIC HEARING:**

- A. Proposed Distribution Warehouse (Travis Morgan)** – Planning and Zoning Director, Travis Morgan, stated that a proposal was brought forth for a 250,000 square foot distribution warehouse on Downs Road and that a Public Hearing was called to consider the item. Council Member Debbie Fowler moved to open the public hearing with Council Member Melissa Davis seconding the motion. There were ayes by all and the public hearing was opened.

Mr. Morgan stated that because the warehouse was over 100,000 square feet, the proposal required Council approval. The facility would be located on Downs Road on 43+/- acres of land. The closest residence is located about 3800 feet from the building and about half the property is located in a flood plain due to the Big Sugar Creek at the back of the property where a Greenway is planned. Approximately 18.5 acres of the property are developable. Two residences butt up against the property but there is 100 feet of buffer between them and there may also be a berm separating the two properties. The plan required a Traffic Impact Study that did not show any significant impact on traffic. There may be outside storage of which Mr. Morgan was requiring the applicant to screen, preferably by fencing.

His staff notes included:

- There will be a final review by staff and all requirements must be met
- Final drawings will need to be approved by NCDOT, particularly curb cuts
- Staff to review and approve the front façade as the front of the building should be spruced up since it can be seen from the street
- No parking, loading, staging of vehicles or materials on Downs Road
- Keep the 100 feet of buffer between warehouse property and two residences with possibly adding a berm
- Storage to be screened

Council Member Joe Maxim asked if there would be a problem if we approved the plan before the NCDOT gave their approval. Mr. Morgan stated that he didn't see anything out of the ordinary but if need be, the town could always add a stipulation that the town's final approval would be pending the approval of the NCDOT. Council Member Melissa Davis recommended that there be an extra center turn lane for southbound traffic and with only two tenants in the building, there shouldn't be any noise generated. Mr. Morgan confirmed there should be no noise generated. Also, staff wanted to be sure the gate was set further into the site in case any vehicle/truck stacking occurred.

The floor was opened to the public for comments. **Mr. Danny Kimbrell** stated he lived on Downs Road, along with his dad who also lived on Downs Road. His dad is 87 years old and they both had concerns with water run-off because flooding occurs by the S&M Auto at 12428 Downs Rd. after a heavy rain. It is also difficult to see over the hill that's on that road when driving, especially if people are speeding. Mr. Morgan stated that Mecklenburg county had regulations in place calling for a detention pond which would require that the water level be at or less than what it currently was at, but it couldn't be more.

**Jacqueline Riggins** of Carolina Village had a comment outside the topic of the Public Hearing and was asked to bring her question/comment to the next meeting during the Public Comment section of the agenda.

Mr. John Morrison of Beacon Properties stated that the screening on the back side of the property was fine and that they were conversing with NCDOT on whether a turn lane will be needed. It's their call to make and if need be, he would bring the traffic study back in front of Council. Council Member Davis thought it better to wait to vote on the project until they heard back from the NCDOT but Mr. Morgan assured the Council that he would keep them all in the loop with NCDOT.

Council Member Debbie Fowler asked what constituted needing a turn lane and Council Member Joe Maxim had visibility concerns. Mr. Morgan stated that delays and a diminished Level of Service (LOS) could trigger the need for a turn lane. A widened apron and sight triangles should help with visibility issues. He also confirmed that there would be 5-6 foot-wide sidewalks.

A motion was made and seconded to close the public hearing. There were ayes (3-0) by all and the public hearing was closed at 7:33 p.m. Council Member Fowler asked Mr. Morgan to check on the possibility of petitioning NCDOT to lower the speed limit down from 45 mph. He agreed to look into it. Council Member Joe Maxim moved to approve the warehouse pending NCDOT's comments and approval and that the apron be widened along with an improved sight triangle. Council Member Melissa Davis seconded the motion and there were ayes by all (3-0).

**OLD BUSINESS:** *Item scheduled for discussion, resurfacing of gym floor, was tabled until January 8, 2019 meeting.*

**NEW BUSINESS:** *(Mayor Pro Tem Phillips arrived during this time – 8:00 p.m.)*

- B. Adoption of Strategic Goals (Ryan Spitzer)** – Town Manager, Ryan Spitzer, stated that Council attended a retreat where they developed goals based on six pillars. Each pillar had a set of actions for them to focus on as a way to work through the pillars to achieve the goals. Some of those actions can be completed this year while others may take years to complete but the pillars should be formally adopted to form the town's strategic vision. The pillars will be posted on the town's website; they should be revisited each year, adjusted if necessary and council should attend a retreat every 2-3 years.

Council Member Debbie Fowler moved to adopt the pillars and strategic plan, seconded by Mayor Pro Tem David Phillips. There were ayes by all (4-0).

- C. Adoption of Classification & Compensation Study (Ryan Spitzer)** – Mr. Spitzer stated that HR Consultant, Susan Manning, was contracted to do a salary study, create a classification and pay plan and to review job descriptions and update accordingly. Salary ranges for employees had not been updated since 2012 and by law, the town should be adopting a formal Classification Pay Plan each year. Ms. Manning attended a Work Session in November to review and present her findings and Council now had to officially adopt the recommended plan.

Mr. Spitzer reviewed for the group the study, how the data was obtained and any other findings from Ms. Manning's report, as well as her recommendations. There were two options presented to council to bring employees into a more acceptable pay range compared to their peers. Most employees were being recommended for a 5% increase but some needed closer to a 10% increase to get them into their ranges. To get all employees to an acceptable range with either a 5 or 10% increase, the estimated cost to the town would be \$53,153. To get the majority of employees to an acceptable range with only a 5% increase (not accounting for those that require a 10% raise), the

estimated cost to the town was \$45,790. Council needed to decide which of these options to go with. There was additional discussion on the matter. Council Member Melissa Davis wanted to be sure that the town didn't give employees raises that weren't performing at top notch level. Additionally, council thought it would be a good idea to reevaluate the employee evaluation forms.

Council Member Debbie Fowler moved to adopt the classification study, seconded by Mayor Pro Tem Phillips. There were ayes by all and the classification study was adopted 4-0. Mayor Pro Tem Phillips moved to adopt the pay plan to get all employees (5 & 10% increases) into their respective pay ranges at a cost to the town of \$53,153. Council Member Joe Maxim seconded the motion. The vote was 3 in favor, 1 dissenting with the dissenting vote by Council Member Debbie Fowler. Motion passed 3-1 in favor of 5 and 10% increases for all eligible employees based on study recommendations.

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

- Met with county to determine interest in building a library. County is still committed to putting one up; commitment from County Manager, Deana Diorio.
- RFQ's went out for new Town Hall/Library; due back 12/20/18
- Manager Spitzer will be out of the office 12/12/18 to interview candidates for the Electricities position
- Telecom Board Meeting scheduled for 1/10/19 at 3:30 p.m.
- January Work Session will be held 1/28/19 at 6:00 p.m.
- Police Canine Cero has a lame leg and will require surgery on 1/3/19.

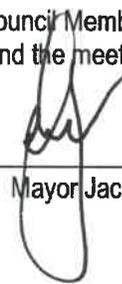
At 9:00 p.m. Mayor Edwards called for a recess before moving to Closed Session.

**CLOSED SESSION:** Mayor Pro Tem Phillips motioned to move into Closed Session at 9:15 p.m., seconded by Council Member Joe Maxim. There were ayes by all and they entered Closed Session per *NCGS 143-318.11 (4, Economic Development) and (6, personnel issue)*. Once in Closed Session, both a real estate matter and a personnel issue was discussed at length. At 11:40 p.m. a motion was made and seconded to exit the Closed Session.

**ADJOURNMENT:** Once back in Open Session, a motion was made by Council Member Melissa Davis and seconded by Mayor Pro Tem Phillips to adjourn the meeting. There were ayes by all and the meeting adjourned at 11:41 p.m.

ATTEST:

  
Barbara Monticello, Town Clerk

  
Mayor Jack Edwards

