



**MINUTES OF THE  
TOWN COUNCIL WORK SESSION OF  
Tuesday, June 24, 2019 - 6:00 P.M.  
PINEVILLE POLICE Bldg.  
437 Main St., Pineville, NC**

The Town Council of the Town of Pineville, NC, met in a Work Session on Monday, June 24th, 2019 at 6:00 p.m. at the Pineville Police Building at 437 Main St., in Pineville NC.

**ATTENDANCE**

Mayor: Jack Edwards  
Mayor Pro-Tem: David Phillips  
Council Members: Melissa Davis, Joe Maxim and Debbie Fowler  
Town Manager: Ryan Spitzer  
Town Clerk: Barbara Monticello  
Planning Director, Travis Morgan  
Finance Director, Richard Dixon

**CALL TO ORDER**

Mayor Edwards called for a motion to open the meeting at 6:01 p.m. Council Member Debbie Fowler moved to open the meeting, seconded by Council Member Melissa Davis. There were ayes by all and the meeting commenced.

**DISCUSSION ITEMS:**

- A. Downs Road Townhouse Project** – Brittany Lins, Brian Ford, Randy Goddard, Nathan Kaplan and Shaun Tooley were all in attendance to discuss the Downs Road Townhouse Project which is being proposed across from the McCullough neighborhood on NC51. Mr. Brian Ford stated that since they met with Council the previous month, they had re-analyzed the site to see what the best product would be for both them and the town. They took into consideration the location, whether the units should be two or three stories, price point and whether it makes more sense to rent or own the units. Additionally, they looked at elevations and architectural details with the town's Planning Director, Travis Morgan.

They reached out to as many businesses and residents as they could and asked the community what was lacking in Pineville. Most agreed that a pizza restaurant, ice cream parlor and high-end grocery store such as Fresh Market were missing in Pineville. Additionally, all homeowners wanted their property values to increase. In meeting with the residents of the McCollough neighborhood, there were a lot of things to talk through so consequently the meeting with them lasted for about two hours.

Regarding Council's concerns of there being more crime in rental units, Mr. Ford presented a slide of the crimes reported in Charleston Row townhomes and found there were no reported incidents in the last six-month period compared to the Pines which saw a significant amount of crime. He stated that it was lower-income rentals that drive the crime, not the higher-end rentals. The bigger problem was with traffic which will not disappear but should get better as improvements are scheduled in the area of the NC51 and SC21 interchange. These improvements were set begin in 2022 which coincided with the timeframe in which this project would be completed.

After all was said and done, they found the best option that would work in this location was still the rental of townhome units. They were proposing two-bedroom units to go for \$1700 a month with a minimum income requirement of \$61,000 and three-bedrooms going for about \$1950 a month with a minimum income of \$70,000 required. Mr. Ford calculated that using the numbers above, it should bring in about \$100,000K of increased revenue to Pineville. Additionally, all units will be individually parceled for potential future conversion.

The floor was turned over to Mr. Randy Goddard of the Design Research Group. He stated he had been doing traffic studies for 31 years and had worked quite a bit with the NCDOT. He reviewed some of the highlights of the study noting that it was completed before school let out for the summer. There were some road improvements necessary such as a right-hand turn lane from the community onto NC51 and increasing the number of traffic lanes where it bottle-necks around the state line. There are four lanes on the NC side but it goes down to two lanes on the SC side. Construction is set to start in 2020 and be completed by 2022 to add additional lanes to open up the area so that it flows better and relieves some of the congestion.

Council Member Melissa Davis had questions regarding the numbers on the study. Mr. Goddard explained that the calculations were based on using national standards and that the NCDOT holds them to the highest standards so their numbers have to be right. Mayor Pro Tem David Phillips questioned the findings as well, stating that he traveled NC51 everyday and that the traffic was always backed up and not just at the peak times from 4:40 p.m. until 5:40 p.m. Mr. Goddard responded that was because of going from four lanes to two and that it would improve when the project was complete.

There was discussion of whether the project would even take place or if it did, whether it would start as scheduled or be pushed back for years. Mr. Goddard clarified that it was part of the Pennies Project which was different from a SCDOT project – they can't push the project out or they will lose funding for it. Council Member Joe Maxim asked if Mr. Morgan could obtain independent verification on the Pennies Projects on how it works, when the project was approved and when it was actually scheduled to start. Mr. Morgan agreed to get in touch with Patrick Hamilton of York County to find out about the Pennies for Progress projects.

Council Member Davis then asked Mr. Ford how he went about reaching out to businesses and other neighborhoods. Mr. Ford replied that he reached out to some of his contacts who reached out to the businesses but, in actuality, he only reached out to the McCullough neighbor and no others within Pineville. Ms. Davis was disappointed that he only reached out to the one neighborhood where only 15 residents showed up for the meeting. She did not think that was a good representation of the residents of Pineville and that there were plenty of other neighborhoods they could have reached out to as well. She added that regardless of how much people made, it wasn't about the level of income for her, it was about the high number of rentals Pineville already had and she simply did not think the town needed more rentals.

Mayor Pro Tem Phillips stated he was not opposed to townhomes, although the town had its share of them, but he would not support rezoning the parcel from R44 to RMX. He still believed that after 30 years of policing, there was a direct correlation between rent and crime. Mayor Edwards suggested that the Kaplan group get together with Mr. Morgan and if they needed any contact information for other neighborhoods, he would be happy to provide them the information. Mr. Morgan stated that typically on the neighborhoods surrounding the project are the ones contacted for comment but that he would certainly reach out to more.

Council Member Joe Maxim asked if multi-family was allowed to go in the R44 district. Mr. Morgan stated that no, the zoning was for one home per acre of land but that he could not see a single-family sub-division on that land. He just could not see that as a good fit for that property. Council Member Debbie Fowler asked Mr. Morgan if he could get a count of how many rental properties there were in town to which he replied that he could. Council Member Joe Maxim added that all the statistics in the world would not change how people feel and the residents have indicated they do not want to see any more rental units. Mayor Edwards stated that the group needed to get with Mr. Morgan and the other HOA's as there wasn't much more to discuss.

- B. Concept Plan for Miller's Farm** – Mr. Tom Miller, cousin to Steve and Jimmy Miller, represents the family in marketing the Miller Family Farm, a significant piece of property. The family is well-known throughout town and because Pineville is their heritage, they were seeking feedback from Council as to what they would like to see developed on that property. It was a 135-acre parcel of land currently zoned R44 with another parcel on Downs Rd. that is an additional 80 acres. He noted that there has been a lot of interest with a variety of ideas that have been tossed around such as shopping, medical, single family residences, industrial, and age-restrictive communities. He was just trying to narrow the field down so that everyone was happy with the end result.

Mayor Edwards asked for Planning Director, Travis Morgan's, input. Mr. Morgan indicated that they had been looking at that property for some time and about 10 years ago, the town had a Small Area Plan done by COG to analyze the best use of that property. Because it was the gateway to the town, they considered it a catalyst site and best suited for mixed use, similar to a Baxter or Birkdale Village with single-family residences, townhomes and a mix of commercial establishments including retail and restaurants. He added that there has been a lot of interest in that parcel of land.

Council Member Melissa Davis stated that she appreciated them coming to Council and asking for their opinions on what they would like to see there. Council Member Debbie Fowler asked if it were possible to get a set of plans for the SC21/NC51 interchange area. Mr. Morgan stated that he was only able to see a conceptual drawing of it, not an actual plan. Mr. Miller added that the Pennies for Progress program was a unique program that fast-tracked the project. Council Member Davis asked the Miller family members what they wanted to see on the property. Steve Miller replied that he didn't want to see industrial there; he wanted to see rooftops with some light retail and a grocery store. Mayor Pro Tem Phillips stated that it sounded as though they wanted a combination of single-family homes and townhomes mixed with some light commercial but no rentals. It makes sense since it is the "gateway" into town.

Tom Miller stated that to attract mixed use and retail, they would have to have the rooftops and rentals bring in the highest number of rooftops. He added that family did not want to see industrial on that property. Council Member Joe Maxim noted that with rooftops, you also have to have multiple access points in and out of the community. He added that food and beverage options were always good to attract people but wanted to be sure that didn't take away anything from the Main Street businesses. Mayor Edwards commented that the town couldn't control which business goes in there and which one doesn't and added that those that are closer to the downtown will probably stay in that area and the ones in this area would probably tend to frequent the restaurants and shops at their end.

Mr. Tom Miller provided a few examples of the types of proposals they had received on the property but the consensus from Council was that they favored the option that had more single-family homes, some townhomes and about 150,000 square feet of commercial businesses. They also proposed multiple access points in and out of the community which Council liked as well. Mayor Edwards suggested they start working with Travis as he knew what would fly and what wouldn't. Council Member Maxim stated that about a 2/3 single-family to 1/3 townhome ratio would be a good mix but Mayor Pro Tem Phillips added that they would consider other options if that wasn't feasible.

- C. Resolution Authorizing Mayor to Sign Emergency Operations Plan** – Town Manager, Ryan Spitzer, stated that after the meeting with the Emergency Operations team, we needed to do a resolution authorizing the Mayor to sign off on the plan. Council Member Melissa Davis asked if there was a cost to the town to be included in on the plan to which Mr. Spitzer replied that we paid just a portion of cost for the emergency notification system. Council Member Joe Maxim moved to approve the resolution, seconded by Mayor Pro Tem David Phillips. There were ayes by all and the motion passed unanimously.
- D. Contracts for Mowing** – Mr. Spitzer reviewed the latest proposal for mowing services. If they went with this proposal, Public Works could decrease staff count by one person. Council Member Melissa Davis still believed that the Parks and Recreation Department could handle the mowing of the cemetery. Mr. Spitzer responded that they were willing to give it a try but that it took a long time to do it because of all the headstones that had to be cut around. Ms. Davis asked if Public Works had hired two people to which Mr. Spitzer responded that they did. With

this proposal, Public Works would do all the building maintenance, paving and storm water and Parks and Recreation would mow the cemetery and take over the irrigation system. Council Member Davis wanted to be sure that Public Works still had enough work to do and didn't want to see them sitting around doing nothing.

Mr. Spitzer recapped the changes: Parks and Recreation would do the mowing of the cemetery so that would be removed from the proposal; nuisance mowing will be wrapped into the proposal along with an additional administrative fee tacked on to the nuisance mowing as suggested by Council Member Davis; include the I-485 mowing in the proposal; and Mr. Spitzer will send it out to at least 3 local companies for bids on the project.

Mr. Spitzer stated that the flower baskets on Main St. were currently being watered by Public Works but Parks and Recreation would be taking over the responsibility. The baskets will be watered Monday through Friday but not on the weekends. He will take the proposal out to bid and bring them back to Council. The consensus from Council was to move forward as proposed.

- E. **Adopt FY19-20 Budget** – Mr. Spitzer provided an explanation of the \$80,000 line item on the Electricities budget that Council Member Melissa Davis had a question on. He stated that "comparatively speaking", the amount was equal after splitting it up between Pineville, Huntersville and Cornelius. She questioned why they needed another new vehicle and wondered if there was another used vehicle somewhere that they could use. She didn't want this to go on to continually give Electricities money without questioning it. Richard Dixon, Finance Director, stated that he and Ryan had lunch with both Huntersville and Cornelius and they had expressed similar concerns.

Council Member, Debbie Fowler, wanted to know more about the AMI program. Mr. Spitzer responded that both Hickory and Concord had the system and that we were still evaluating it. Don Mitchell, the new manager over all the towns, was more skeptical about the AMI system. Council Member Joe Maxim suggested that next year Electricities present their budget to all the towns at the same time. Mr. Spitzer explained that with the Electricities payment, it was a 40/60 split and that there wasn't always enough employees working to spread the work out on Mondays and Fridays because the guys were working 4-day work weeks, although there's a good chance they will be going back to 5 days simply for the reason that all employees are needed for the 5-day work week. Ms. Davis was unaware that we had a choice in what we gave to Electricities. Mr. Spitzer clarified that we could give them what our budget allows and that we were only obligated to buy electric from them.

Council Member Davis was still not comfortable with the increase and that the employees were working 4 days when it took 4 employees to do pole work so only a limited type of work could be done. Plus, she didn't think it was fair that Electricities employees got a 5% increase when our employees only got 3%. Mr. Spitzer stated that they were given 5% to keep them from going to Duke or Pike and it was a combination of merit and COLA increases. He added that a good percentage of our employees' salaries were also raised by 5% this past year.

Council Member Davis asked the Finance Director, Richard Dixon, if he was comfortable with the increases being proposed by Electricities and that the money was being utilized correctly. Mr. Dixon responded that he didn't have a problem with this year but agreed that a closer look was in order next year. All agreed that they needed to be more conscientious when doing next year's budget, making sure there are breakdowns and explanations for increases and expenses. Last year's budget had all the increases lumped together so it was impossible to see what they were made up of. Mayor Edward asked Mr. Spitzer to find out what type of vehicle they were looking to purchase since they had an amount of \$41,000 budgeted for a new vehicle but no indication of what type they were looking to purchase. Mayor Pro Tem Phillips added that it was important to keep an eye on the expenses but also that the money we are paying them is still less than what it would cost us to do the electric on our own.

With that said, Council Member Debbie Fowler moved to adopt the FY19-20 budget, seconded by Council Member Melissa Davis. There were ayes by all and the motion passed unanimously.

- F. **CGI Videos** – Mr. Spitzer stated that in speaking with CGI, they company that produces videos to towns, they were getting ready to do start the project but wanted ideas of the types of things Council wanted to highlight in these videos. They do a total of 4 videos with three of them being totally our choice of what we wanted to see in them. He suggested highlighting our Parks and Recreation Department, Jack Hughes Park, and the James K. Polk Historic Site. All agreed that if filming could take place when a tournament was being held, that it would really show-off Jack Hughes Park and all it has to offer, and possibly even highlighting the hotels available to stay in during the tournaments was a good idea.

Along with Jack Hughes Park, the Carolina Sportsplex and Pineville Ice House were also attractions to highlight, as well as our Rockin' & Reelin" concerts, particularly the Symphony, and Fall Fest. Council Member Joe Maxim suggested highlighting the hospital and medical services offered in town and Mayor Pro Tem Phillips suggested highlighting town employees. Mr. Spitzer stated CGI would be the ones writing the scripts for the videos and that he would bring the ideas back to them.

- G. **Budget Amendment** – Finance Director, Richard Dixon stated that there were a few other things still to clean up on the budget for year-end in both the Police Department to amend appropriations for the 10% holdback for police radios and in Planning and Zoning to amend appropriations for legal fees. Council Member Debbie Fowler moved to approved the Budget Amendment with Council Member Melissa Davis seconding the motion. There were ayes by all and the Budget Amendment was approved 4-0.

- H. **Districting Time Line** – Not officially on the agenda, but something that needed to be discussed because of it being time-sensitive, was the process for districting. Because there was a change midway through the original direction that council wanted to go in, it would be necessary for Council to start over again with the process. Mr. Spitzer reviewed the schedule with council regarding what steps needed to be taken and the dates they need to be completed by:

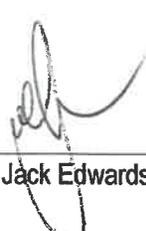
- A new Resolution of Intent needed to be adopted at the July 9, 2019 meeting; the intent to increase the number of council members and to move to districting; call for a Public Hearing for August 6, 2019
- Hold the Public Hearing on August 6, 2019
- Adopt Ordinance(s) and Resolution to put on November Election at August 26, 2019 Work Session
- September 10, 2019 – last day to make any changes for the Board of Elections

Council Member Joe Maxim requested more citizen engagement this time around so as to be sure all citizens are aware of what is being done and have a full understanding of the process. Mr. Spitzer stated that in September or October he would like to have two meetings at the Hut for that purpose. Mr. Spitzer explained that he would send something out to council as to what the options were for how people can elect the district candidates as there seemed to be a lot of confusion the first time council chose an option. He added that if no one runs in a particular district, council could appoint someone to be in that seat.

**ADJOURNMENT:** There being no further business to discuss, a motion was made by Council Member Joe Maxim and seconded by Council Member Melissa Davis to adjourn the meeting at 9:25 p.m. There were ayes by all and the meeting concluded.

ATTEST:

  
Barbara Monticello, Town Clerk

  
Jack Edwards, Mayor

