



**MINUTES OF THE
TOWN COUNCIL WORK SESSION OF
Monday, September 23, 2019 · 6:00 P.M.
Pineville Telecommunications Bldg.
118 College Street, Pineville, NC**

The Town Council of the Town of Pineville, NC, met in a Work Session on Monday, September 23, 2019 at 6:00 p.m. at the Telephone Building located at 118 College St. in Pineville NC.

ATTENDANCE

Mayor: Jack Edwards

Mayor Pro-Tem: David Phillips

Council Members: Melissa Davis & Debbie Fowler; Joe Maxim was absent.

Town Manager: Ryan Spitzer

Town Clerk: Barbara Monticello

Planning Director, Travis Morgan

Finance Director, Richard Dixon

CALL TO ORDER

At 6:01 p.m. Mayor Jack Edwards announced the meeting would begin. Council Member Debbie Fowler moved to open it, seconded by Mayor Pro Tem David Phillips. There were ayes by all and the meeting commenced.

DISCUSSION ITEMS:

- A. **Presentation by Creech & Associates** – *(Ryan Spitzer)* Town Manager, Ryan Spitzer, introduced Brent Green of Creech and Associates who was in attendance to give a LEED certified power point presentation. To be LEED certified, a building has to be constructed using energy efficient and sustainable products. The newest version of the program is much more stringent than in the past. There are several categories on which the structure is scored; each time one of those categories is achieved, credits are given and accumulated. At the end of the construction period, all the credits are tallied and depending on the number of credits earned, your building can achieve one to four levels of certification. 1) Certified 2) Silver 3) Gold and 4) Platinum.

Earning daylight credits are the hardest to achieve but there are other credits that are easier to obtain. You typically start with those first – installing energy efficient appliances, reducing water consumption – those types of things. The program also looks at raw materials being used and where they come from as well as water consumption, energy efficiency, etc.

The USGBC, US Green Building Council, are the ones that determine how many credits the project earns and then assigns the level of certification that has been achieved. Mr. Green stated there were higher initial costs associated with being a LEED certified building but eventually down the road, the return on investment is realized. It costs approximately 6-10% more to build a LEED certified building, depending on what is used in building the structure.

Town Manager Ryan Spitzer asked if we were to aim for a silver designation, what would the average savings be? Mr. Green replied that the ROI would be different for all buildings but that he would run some figures to determine an average. Mayor Pro Tem David Phillips asked if more costs were associated with these LEED

programs because of the materials and special processes needed to install them? Mr. Green responded yes, typically. Council Member Debbie Fowler asked if the designation could be used in applying for grants? Mr. Green advised that he was not sure as he had never been asked this question before. He will look into it to see if there was anything available.

Mayor Edwards asked what the difference was between one level and the next. Mr. Green advised that the lowest level will result in about a 6% increase in cost to construct a building and the highest level, platinum, would result in an increase in cost of about 10% more. Mr. Green stated that it is not required to be LEED certified. Mayor Pro Tem David Phillips wanted to know how the county would feel if we chose not to pursue the LEED designation? Town Manager Ryan Spitzer stated that county buildings no longer need to be LEED certified and they really don't have a say in this decision since we were the ones financing the construction of the building. Mayor Edwards said it would be difficult for us, as a municipality, not to do some sort of green building as we are always asking others to construct quality products. We need to practice what we preach.

Council Member Melissa Davis asked why the county was no longer required to be LEED certified? Mr. Green stated that it was a regulation that was rescinded in the middle of last year. Mayor Pro Tem David Phillips then asked Mr. Green when he needed an answer from us. Mr. Green stated he would like to know as soon as possible, within two weeks to a month at the latest. Sooner is best.

Mayor Edwards asked what things were the easiest to accomplish first? Mr. Green stated that going to enhanced commissioning, reducing water consumption, and utilizing renewable energy would be the easiest things to start with and incorporate into the new building. Council Member Debbie Fowler asked if any grants were available for renewable energy but Don Mitchell of Electricities was not aware of any. Town Manager, Ryan Spitzer, stated that he would check with Pineville Elementary to see what measures they took to become LEED certified. That concluded Mr. Green's presentation.

- B. Electricities Systems Study Presentation** – Don Mitchell, Electric Manager with Electricities stated that a systems study was conducted in two parts by Southeastern Engineering. They looked at our current electric system and used a computer model to project results using data that was entered. The study looked forward to see what growth in the next ten years would look like and how our Electric System would perform in ten years. The study determined what we will need to do to make it a viable system for the future.

Mr. Mitchell introduced AJ Molnar of Southeastern Engineering, municipal electric providers. He also introduced Kevin Smorgala who also helped conduct the study. Mr. Molnar began the presentation by stating that municipal electric systems were very responsive when power goes out. They are always a good business to be in. Our electricity is delivered from Duke Power to two of our substations -- one in JHP and the other one by the James K. Polk Site. All the equipment the town owned was cables, wires and poles -- including 62 miles of power lines, 12 of which are overhead and 50 miles of it underground.

The peak demand for power during the summer was found to be 31,776 kilowatts. The growth of meters was at 4% each year. About 17% of electric consumption was coming from the Carolina Place Mall. All equipment gets old and needs to be replaced at some point as we never want to turn someone away from being added to our electric system. The town had been aggressively pursuing customers throughout the years and going underground was great but it was now time to invest in burying whatever overhead lines there were left in town. Additionally, the Polk substation was built in 1990. Technology has changed a lot since that substation was built. All the load was never really transferred over to it so it was found not to be operating at full load.

Mr. Kevin Smorgala took over the presentation from this point stating that the Polk Substation needed to be upgraded because it needed to be the backbone for potential growth. It was time to build upon and improve circuits there.

Council Member Debbie Fowler inquired about the industrial vacant area of land thinking that some builder may decide to donate land to the town for another substation or when the Millers come in to develop their properties, maybe they would consider donating some land for one. Town Manager Ryan Spitzer stated that we should start putting lines out so that Duke doesn't get the customers. He thought maybe Jimmy Harlee would donate land for a new substation.

Mr. Smorgala reviewed year one recommendations, which included many things that needed to be upgraded or installed to get equipment up to speed. He noted that technology had changed quite a bit since that substation was put in. Council Member Debbie Fowler commented that the state was going to start redoing NC 51 and that would be the time to finish going underground with the electric lines. Council Member Melissa Davis said she hopes the Carolina Place Mall didn't turn into another Eastland Mall. She asked how far behind we were in replacing our poles. Mr. Mitchell stated that there had not been a pole inspection program for a long time and that they will hire an outside firm to do an inspection of all poles. Ms. Davis wanted to know why Electricities had not brought this to their attention three years ago when they took over managing our electric system. Mr. Mitchell responded that he could not answer that question because he was not here at that time. Council Member Davis added that she hoped that by doing this study we didn't get this far behind again in the future.

Ms. Davis asked about the AMI metering. Mr. Mitchell advised that he wanted to investigate other systems to be sure that one would be the right one for us before investing the money in it. Mr. Mitchell went back to the year-1 slide and stated that most of the things listed were already in the budget but we may have to come back for a budget amendment if necessary. He said there was one other study to be done regarding cost of service and this study is to make sure our rates were accurate. It will also establish if the rates can cover the improvements that were planned. These studies will be completed by late November or December of this year.

Mr. Spitzer stated that the Electric Department was looking to purchase a new vehicle. All the details were included in their packets. Council Member Debbie Fowler asked if they had hired another person. Mr. Mitchell stated that they had not. They currently had two people working Monday through Thursday 10-hour days. They also have 3 people working from Tuesday through Friday 10-hour days. They are looking to add another person to work the 6:30 a.m to 5:00 p.m. shift. Council Member Debbie Fowler asked that if the working hours were changed from what they were, to please let Council know of the change. Council Member Melissa Davis said she was OK with it as long as there was coverage. As for the truck, she was OK with them purchasing a fully loaded vehicle as long as they stayed within the \$45,000 budget.

C. Amendment of Town Code regarding Criminal Enforcement – (Travis Morgan) Planning Director, Travis Morgan, mentioned that in the Town Code under Section 10.99, General Penalty, he was recommending an amendment to strike out "Class 3 Misdemeanors". The state was cracking down on towns with this in their codes so he recommended just take it out of the criminal section. Town Manager, Ryan Spitzer, added that if we didn't change it by November, we will have to report it to the state. Travis will bring this to the October Council Meeting for approval.

C. Amendment to Lowes, Inc. Conditional Use Permit - (Travis Morgan) Mr. Morgan stated that Lowes had a conditional use permit for outdoor storage. He reviewed the details of the CUP from the 90's and the temporary event permit which only allows 56 days for outdoor storage. Lowes is requesting an amendment to their conditional use permit and provided a map showing where they proposed putting all their storage. Planning's concern is driving down McMullen Creek Road and seeing all the items outside. Lowes originally planned on a larger center strip but that didn't happen. Mr. Morgan suggested they utilize more screening or build a structure to house all of the items they want outside.

Mayor Pro Tem David Phillips stated that he had seen a lot of cars parked in their parking lot on several occasions very early in the morning and asked if Mr. Spicer of Lowes knew why the cars were parked there. Mr. Spicer stated he had no idea who would be using their lot to park in; they had no agreements with anyone to park there. Mr. Spicer also stated that they had 4 trailers that they were going to move way off the road. They are used to store pine needles and wheat straw.

Council Member Melissa Davis explained to Mr. Spicer that she just wanted to see the town cleaned up. Council Member Debbie Fowler wanted to know why they needed to display their goods outside for 8 months out of the year. Mr. Spicer stated that he wanted to present his plan to get feedback from Council. Mayor Edwards added that they wanted to keep things uniform throughout town and if they allowed one business permission to store so much outside, then they would need to allow all of them to do it and then it just looks messy. Mr. Morgan stated that he could work with Lowes easier if they expanded their garden center or utilized the backside more where it's screened to include more of the items that are currently outside. That would make it a whole lot easier to work with them.

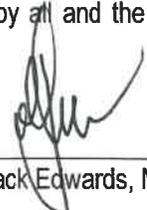
Council Member Davis stated she could just see things moving back where they didn't want them. Mayor Pro Tem Phillips stated that if they had an acceptable plan, we could keep it on file and write them up if there was a violation. Both Ms. Davis and Mayor Edwards suggested the applicant work with Mr. Morgan to develop an acceptable plan. Mr. Morgan agreed to get more feedback from Council and work something out with the applicant. Mayor Edwards suggested to meet again at another work session to smooth things out before heading to a Council Meeting. Mr. Morgan and the applicant will work together to come up with something but Mr. Morgan wanted to be sure the applicant gave him enough time to advertise for a public hearing.

Discussion turned to motorcycles. A request from the police department had originally been on an agenda in the past but was tabled. It had not come back up on a subsequent agenda yet the police department apparently had received them and members of Council wanted to know why they weren't informed that the Police Department had purchased them. Mr. Spitzer stated that if they were purchased using asset forfeiture funds, they didn't have to go back to Council and as long as the items met the guidelines of what the money can be used for, they can purchase what they want.

Council Members did not feel the same way and thought that it made for good public relations if they had only known about them. Council Member Melissa Davis asked Mr. Spitzer if he had known about the purchase of the motorcycles. Mr. Spitzer stated that he knew that the department had applied for them but did not know that they had come in. Mayor Pro Tem Phillips asked that they be made aware of such purchases in the future. Mr. Spitzer agreed and stated the motorcycles will be used during the holiday shopping season at the Carolina Place Mall and also on the Greenway. He added that the Fire Department had also received a grant from Atrium Health Care.

ADJOURNMENT:

Mayor Pro Tem Phillips asked Mr. Spitzer to have someone check a leaking transformer by his house. Mr. Spitzer advised that he would have Rock Love from the Electric Department check it in the morning. Having no further business to discuss, Council Member Melissa Davis moved to adjourn the meeting, seconded by Mayor Pro Tem David Phillips. There were ayes by all and the meeting adjourned at 8:45 p.m.



Jack Edwards, Mayor

ATTEST:



Barbara Monticello, Town Clerk

