



**MINUTES OF THE  
TOWN COUNCIL WORK SESSION OF  
Tuesday, May 26, 2020 · 6:00 P.M.  
(Meeting held remotely via Zoom for the Public)  
The Hut Meeting Facility for Council & Staff**

The Town Council of the Town of Pineville, NC, met in a Work Session on Tuesday, May 26<sup>th</sup>, 2020 @ 6:00 p.m. The meeting was held remotely using Zoom for the public. Council Members and Staff were present at the Hut.

**ATTENDANCE**

Mayor: Jack Edwards  
Mayor Pro-Tem: Melissa Davis  
Council Members: Amelia Stinson Wesley, Les Gladden and Joe Maxim  
Town Manager: Ryan Spitzer  
Town Clerk: Barbara Monticello  
Planning & Zoning Director: Travis Morgan

**Present via Zoom:** Financial Director, Richard Dixon. Representatives from Beacon Development including Jon Morris, John Core, and Jeff Orsborn, Larry Shaheen for parking on Downs Rd. and John Fryday/Nick Berndt representing the Hyundai Dealership.

**CALL TO ORDER**

Mayor Jack Edwards called the meeting to order at 6:01 p.m. Council Member Amelia Stinson Wesley made a motion to open the meeting and Council Member Les Gladden seconded the motion. There were ayes by all and the meeting was opened. The Mayor then called upon Planning and Zoning Director, Travis Morgan, to begin the discussion on Kings Grant Warehouse Project.

**DISCUSSION ITEMS:**

**A. Kings Grant Warehouse Project by Beacon Development–** *(Travis Morgan)* Planning Director, Travis Morgan, stated that Carolina Crossing Logistic Center was the name Beacon Developers gave the warehouse complex instead of Kings Grant. Since the town already had a neighborhood by the name of Carolina Crossing, Beacon would have to come up with another name for the center or go back to calling it Kings Grant Warehouse.

This meeting is for a conditional request for a warehouse center of approximately 3.5 million square feet to be situated between Downs Road and Nations Ford Road. They presented an updated plan with notes, clarifications, etc. Council Member Les Gladden suggested discussing each bullet point as they go through each one.

Travis reviewed Staff Comments noting that for note 2F on the plan, it should read “zoned (G-I-CD)” to match the plan in lieu of “zoned for uses permitted”. On note 3B he appreciated them adding comments about outdoor storage but on note 3D, he recommended no outdoor storage from the front of the building to the street particularly on Downs Road and the new connector road. No storage in the front of buildings 2 and 3 facing Downs Road or buildings 4,5,6,7,8 & 11 facing the connector road.

Jon Morris of Beacon Development stated that along Downs Road they will have a berm and landscaping for building 3 southward and buildings 4, 5, 6 will have a 6-foot berm with landscaping. There is a small, triangular piece of land that may be used as a park amenity for picnics at the northwest corner by the nicest of the buildings.

John Core with Beacon Development, asked for clarification on the storage. Director Travis Morgan said the biggest concern was with buildings 2,3,4,5,6,7,8, and 11. He was not keen on outdoor storage.

Referring to note 2G, Mr. Morgan stated that the normal vesting period for the town was 2 years. The note indicated 5 years as a vesting period. Mr. Morgan stated that as long as they kept progressing and continued their efforts, there should not be a problem.

Mr. Morgan stated that on note #6, staff recommended the wording be "No On-street Parking". For notes 6 LMN – Mr. Morgan asked that they "reign in" the wording for "front yard parking" as it was too broad. He'll will work with them on some different language.

Jon Morris noted that with Buildings 7 & 8 there were truck courts that faced sideways and they can be seen from the connector road which Mr. Morgan did not want to see. Council Member Les Gladden suggested changing the wording to "no trucks to be parked at the end of Building 8; no tractor trailers in that area". Jon Morris added that was why they had long neck driveways. Council Member Les Gladden said just don't park trucks in employee lots.

With regards to note #8, they had worked out a plan with alternating decorative and utilitarian forms of lighting but they were still trying to find a less expensive option than the town's lights. He was checking on double head fixtures and was still waiting on pricing for them. Staff's priority is to have more decorative poles on Downs Road and more utilitarian along the connector road.

Mr. Morgan had received two comments from neighboring properties. First was Charles Wilkerson at 1225 Nations Ford Road, who was in agreement with Beacon's plan. Also, Ken and Denise Hammond of 123181 Downs Road, operate a horse farm at that location. They had sent an email with their concerns:

- 1) Stormwater/flooding – avoid Downs Road ditch.
- 2) Lighting, noise, buffers and screening.
- 3) Concerns with the connector road lining up with their driveway. Would like screening if it has to be there and preferably a solid masonry wall as a buffer to mitigate lights and noise from tractor trailers turning in and out of the connector road.

John Core stated that it was their intent to have a landscaping buffer there. Council Member Les Gladden said that on Down's Road, across on Kimbrell's side, when trucks come in at night the headlights will shine right into the windows of their home. There will have to be landscaping and fencing to prevent that from happening. Jon Morris suggested that what they needed was a berm there. Putting a well-landscaped berm with different trees, flowering bushes, etc. across both sides of the roads may be better than a wall since the property slopes down. They want to be good neighbors and do a nice buffer.

Jon Morris suggested moving on to talk about Storm Water. He asked John Core to go over their plan for Storm Water. Mr. Core stated that Parcels A, B, and C that touch Downs Road, will all drain to a BMP. Water will go to a drain under Downs Road. Everything will need to be constructed to meet County regulations as well as NCDOT standards. They will be adding curb and gutter all along Downs Road as well.

Jon Morris added that the whole neck of the entrance will be concrete and will go back 100 feet which is more than what Council had suggested at 50 feet.

Council Member Les Gladden wanted assurance that none of the flooding like they discussed at the last meeting will happen again. Mr. Morris stated that while they couldn't control the amount of rain that falls, they can make it better and admitted that it may not be perfect in a huge rainfall event but it would be better. Council Member Les Gladden then asked him where the gutter was going to end. John Core said that they would end in the same pipes that were discharging from here (pointing to the map on the screen).

Mayor Pro Tem Melissa Davis needed clarification asking that with all the hard surface being added, how could the storm run-off possibly be better? Mr. Core stated that calculations that they prepare and submit to the county have to prove that the flow of water is better than what is was before. Mayor Pro Tem Davis was having difficulty believing that there would not be any flooding. Jon Morris reiterated that it wouldn't be eliminated altogether but that they would be controlling it better than before.

Council Member Les Gladden asked about items on the plan labeled "possible" ponds by the end of building 3. He wanted to know what "possible" meant? Mr. Morris responded that it was probably a carry-over from when they were preparing to put those properties under contract. John Core stated that constructing BMP's 1,2,3, and 4 would have to be done first out of the gate and when all was complete there would be a total of 5 BMP's. Depending on which buildings are built first would depend on which BMP's are built first.

Council Member Les Gladden asked where BMP 6 was going to dump into. Mr. Morris stated that 35% would go north over to McCullough and 65% would travel to a storm water pipe and then down the street to BMP 2. Mr. Morgan asked if those BMP's would be permanent wet ponds? Mr. Core replied that they were required to have water in them year-round. Mayor Pro Tem Melissa Davis asked how they would be maintained. John Core said they get inspected yearly and mowed regularly. Mr. Morgan asked if they would have sand filters to which Mr. Morris replied that they would be way too big for sand filters which are generally used more in areas with sandy soil. Mr. Orsbom added that they would maintain the BMP's with landscapers, etc. and that they would have to be inspected every time there was one inch of rain or more.

Mayor Pro Tem Melissa Davis asked to be further educated on wet ponds and the potential for mosquitos. Jeff Osborne said they will be flushing the water out. Mr. Morris added that they've never had an issue with mosquitos; that's never been a problem. Geese have been an issue but not mosquitos. Beacon did not want to do just a good complex; they wanted to do a great one. They want to work with their neighbors.

Mayor Pro Tem Melissa Davis asked about the noise and the impact the development would have on the two residential homes, as well as the horse farm. Mr. Morris reiterated that trucks would exit the complex on to Nations Ford Road – and that the landscaping and berm will act as the buffer to minimize any impact on the residents. They would have plenty of dirt for a berm with all the farm soil from the Harley property.

Council Member Les Gladden asked if Class I manufacturing was an allowed usage in the General Industrial district. Mr. Morgan stated that anything they wanted to add to Class II, from the first list as a prohibited use, they could look at but he hasn't seen anything that would generate a lot of noise. We can look at particular businesses if we need to.

Council Member Les Gladden asked if restrictions could be put on certain buildings, like buildings 4 through 7 cannot have manufacturing at all because they are closest to residences; can the town prohibit certain things like this? Mr. Morgan again stated that he hasn't seen anything that would cause concern. Mr. Morris added that they looked at those things very carefully – if a tenant puts in something like an air compressor, Beacon asks them to construct a building around it to minimize any noise that it might generate.

Council Member Amelia Stinson Wesley wanted to be sure that Beacon touched base with the Hammonds as it was important to represent this conversation to them. Jon Morris will send an email to them and sit down and discuss with them whatever they would like. Travis will be the point person. Jon Morris said he would like to meet with all of the homeowners.

Council Member Les Gladden asked Beacon to be sure they were aware of the fire hydrant requirements for Pineville, not the county, but for Pineville. Our roads and fire hydrants are more restrictive than what the county allows.

The floor was open to anyone from the public that wanted to speak on the subject. Mr. Kimbrell residing on Downs Road asked if there was any consideration to tie the connector road into Eagleton Downs Road. Mr. Morris stated that due to that section crossing over a creek and other design considerations, it just didn't work with the design of the park. Additionally, on the original plan three driveways were shown exiting onto Downs Road which Pineville asked be eliminated altogether. With the way the driveway comes off of Building 9, the NCDOT would likely have issues with it. Mr.

Kimbrell asked if the NCDOT was okay with where it was presented on Beacon's plan – directly across from the Hammond property? Mr. Morris said that's where they wanted it.

Town Manager Ryan Spitzer said the Town was looking to have a Public Hearing in June and a Council vote on this project in July.

- B. Request for Parking at 510 Eagleton Downs Road** – Planning and Zoning Director, Travis Morgan, stated that all of Eagleton Downs was a conditional use subdivision. The first building on the right as you go into Eagleton Downs is being constructed and the applicant was requesting that we allow parking in front of the building. Our overlay does not allow parking in the front of the building. The proposed parking will be in the front corner. One thing that could offset the parking would be a sidewalk, which is also an asset to the town. The developer is going to put sidewalks in along Eagleton Downs and it will tie in to the Beacon project.

Screening and landscaping along Downs Road would also be an asset to the town. Mr. Morgan was proposing that the developer amend their proposed landscaping to something a little larger to offset the parking in the front of the building. Sidewalks are difficult here because of the drainage coming through there and generally landscaping under the overhead power lines that are there is prohibited so any landscaping should be outside that area.

Larry Sheehan, representing the development of this property, knows the town's concern of the parking in front of the building. He stated that they only needed a little bit of parking out in front of the building and they were going to be sure it looked nice. Council Member Les Gladden asked Travis if he was satisfied with the landscaping.

Mr. Morgan stated they might need to adjust the landscaping a bit, perhaps moving it in front of the utility lines. There is a gap in the buffer due to power line easement. Mr. Shaheen stated he would work with Mr. Morgan on this to do it the right way. Council Member Les Gladden asked if they were OK with doing the landscaping that Pineville required. Larry Shaheen said yes, they were happy to do shrubs.

Mayor Pro Tem Davis asked if the town was going to get sidewalks. She wanted to know about Downs Road and Eagleton. Mr. Morgan replied, yes, the Town will get sidewalks. Council Member Amelia Stinson Wesley asked for clarification on whether the landscaping would extend beyond where parking was proposed. Mr. Morgan replied yes, beyond the proposed parking spaces. There were no additional questions or comments.

- C. Review of Hyundai Dealership Plan:** John Friday, architect for the project, was at the meeting, along with Nick Berndt, Rob Brooks and Wesley Sherrill of Hyundai. Mr. Morgan stated that the applicant was asking for a conditional Zoning Request for a car dealership at 10418 Cadillac Street in Pineville. The plan originally came in as Hyundai dealership, then came back as a Mercedes dealership, and now they were back as a Hyundai dealership but with a new plan. Auto dealerships are a conditional use and that was why they were before the board.

Mr. Morgan stated that the new plan was smaller than the original plan but it closely matched the original plan however. The plan proposed a 40,000 sq. ft. building. All previous restrictions that applied to the original plan were applicable to the new plan. The plan proposed 45 parking spaces in front for customers only and two service bays in the back. Mr. Morgan explained that there was an option to do a payment in lieu of having to pave Cadillac Street. This would allow our Public Works Department to pave the road sooner so the owners could occupy the building quicker.

The new plan also showed the Welcome to Pineville sign moved to the corner of the lot as well as less display vehicles out in front which Mr. Morgan was pleased about. All other plans still need to be approved by Pineville.

The floor was turned over to the architect, John Fryday, who stated that most things are the same plan as the original plan. The relocation of the Pineville sign was still to be discussed. The clock tower will also be in the new plan as it was originally in 2017. The building size was reduced to 40,000 sq. ft. with a floor plan that was slightly different than the original as was the shape of the current building. They were proposing to use a brick like material on the old metal warehouse because the weight of real brick on that building was too heavy. Therefore, they will be using a synthetic material instead. The front of the building will be resurfaced with brick as well.

Council Member Les Gladden asked what they were doing with the rest of the building? John Fryday replied that they were adding landscaping across the front of the building. Mayor Pro Tem Melissa Davis asked if using the faux brick was a cost-saving measure? Mr. Fryday said no, it was because the weight of real brick on that building was the issue. She then asked if only to doing part of the building was a cost-saving measure to which Mr. Fryday replied that he thought so. Mr. Nick Berndt stated that it was no different than the plan originally.

Council Member Joe Maxim remembered that the metal building was originally a point of contention and asked what the intended use for that building was. Mr. Fryday replied that they had worked out with Council what the wording would be for what the warehouse will be used for. Mr. Morgan said the concerns back then for what the warehouse would be storing and that was why the notes were put on there; they were all the same notes and all the conditions carry forth.

Council Member Les Gladden noted that you could still see a lot of the old metal building and they originally talked about extending the brick beyond where the façade ends. He asked if they were still going to do that? John Fryday said they were going to do more landscaping and paint the rest of the building.

Mayor Edwards asked If Mr. Morgan had seen the security rail fence. Mr. Morgan clarified that the perimeter security fencing was what the Mayor was asking about. We have to have a control fence at 4 ft. high.

Mayor Pro Tem Melissa Davis asked about the frontage on 485, recalling there had been a discussion on that back in 2017. Mr. Fryday stated that the ramp had a lot of screening that belonged to DOT and that the only signage proposed was the clock tower signage which lead to a discussion regarding the relocation of the town's Welcome sign.

Mayor Pro Tem Davis did not think \$2,000 was enough to relocate the sign and asked if the applicant was prepared to spend more money if it was necessary? Nick Berndt stated that they were prepared to relocate the sign or do something different, if the Town wanted it.

Council Member Amelia Stinson Wesley expressed concern that with the sign being relocated near the tower it would look as if the town was being sponsored by Hyundai. She didn't want to see this nor did she want to see another brand in the same proximity to the Town's sign. Additionally, the Hyundai sign would read, "Hyundai of South Charlotte" while the town's sign, "Welcome to Pineville" right near it would not make much sense. Council Member Les Gladden stated all of council would be appreciative if they would leave "South Charlotte" off their sign as the dealership was in Pineville, not Charlotte.

Additional items were discussed including enhanced landscaping out front, along with a 4-foot high aluminum fence, what the size of the screening shrub should be, hood-popping and elevated cars on display not being permitted, as well as how many cars can be on display out front.

The town was favoring a new Welcome Sign, perhaps a brick one instead of a plastic one. The town was willing to allow a total of five cars to be parked out front provided the applicant agreed to paying \$5,000 for a new sign. Mr. Berndt agreed to contributing \$5,000 for a new sign for the town.

It was agreed that 4-foot shrubs would be required in front of the customer parking and all along the front with a maximum of five cars allowed to be displayed out front. Council Member Stinson-Wesley was against any cars being displayed but Council Member Joe Maxim stated that it would be fair to allow some cars to be on display. There would be no box trucks allowed on display out front. Applicant for the Hyundai dealership will also do a payment in lieu of paving with the scope of cost for this improvement to be defined and agreed upon by applicant. Council Member Les Gladden also requested an answer to what the rest of the metal building would look like at their next meeting scheduled for June 22 at the Town's Work Session. After they come back for the Work Session in June, a public hearing will be held on the matter in July.

**Discussion of FY 20-21 Budget:** Town Manager Ryan Spitzer stated that in order to balance the budget the following items were either deleted or were being deferred to mid-year:

- 1) Rockin' and Reelin' deleted at \$34,335.
- 2) Fire Department drivers to start mid-year @ \$30,000 (originally \$60,000 for full year).
- 3) Defer VAC truck for Public works at \$270,000.
- 4) Defer AC/Heat in bathrooms at Shay Stage until January \$40,000

Manager Spitzer then stated the town would see about one million dollars less in revenues due to COVID-19.

The good news was that our insurance rates dropped for the first time in a long time by \$9,680. Our Health coaching will also be deleted at \$5,500. The exercise equipment for the park will also be deferred at \$35,000.

Council Member Joe Maxim requested we check on revenues every other month or quarterly to keep close track of funds to monitor the impact from COVID-19.

Mayor Pro Tem Melissa Davis asked if electric rates were going to be increased now or later. Mr. Spitzer suggested discussing the issue with Electric Director, Don Mitchell, as well as discuss limiting the amount of money we allocate to Electricities.

Council Member Les Gladden suggested doing away with the grass cutting contract and bringing that function back in-house. Advise Department Head, Chip Hill, but don't give him the extra person. Mayor Pro Tem Melissa Davis stated she was in favor of bringing the mowing back in-house and recommended contracting out the main thoroughfares like 485 for safety reasons.

Council Member Amelia Stinson Wesley said she is in favor of hiring someone for the handy man position. Council Member Joe Maxim asked to see a job description for this handy man position. Manager Spitzer stated he would get a new job description for the handy man position. Council Member Les Gladden was in favor of filling the handy man spot but not in favor of giving him another person.

Conversation moved to whether to fund for a Police Capitan's position or not. There were differing opinions whether a captain should be appointed before Chief Merchant retired or wait until a new Chief is hired and let him determine who should be the Captain. Mayor Pro Tem Davis was not in favor of funding the position until a new Chief was hired as was Council Member Amelia Stinson-Wesley.

Council Member Joe Maxim stated that it made sense to budget for the position now. He was in favor of budgeting for the position now. Council Member Les Gladden remarked that the Police Department was more stable now than it has ever been and he was in favor of letting Chief Merchant decide who should be hired for the Captain's position. He was of the belief that having a Captain already in place when a new Chief is hired would be more beneficial to a new Chief.

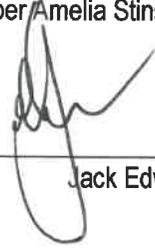
Council Member Joe Maxim asked if someone could be put in as an interim for that position? He would like the process in writing so that everyone was aware of what the process will be. Mr. Spitzer stated that the company assisting the town with finding a replacement for Chief Merchant, Development Associates, determined that the town should start to look for a new Police Chief beginning in August and added that it we were OK for funding the position.

Council Member Amelia Stinson Wesley was not in favor of putting anyone in as Captain until a new chief was hired. Mayor Pro Tem Melissa Davis said she is ok with an interim. Council Member Joe Maxim was in favor of an interim, was in favor of budgeting for the position and was in favor of a new Chief. Council Member Les Gladden was in favor of having someone in the Captain's spot now.

Manager Spitzer moved on to discuss the PARC Plan. Parks and Recreation Director, Kristy Detwiler, was applying for a park grant and Council needed to vote to add this into the capital budget. Council will need to approve the park expansion and approve to have it put in the capital plan in order to get the grant. The town is looking to buy approximately 12.6 acres for approximately \$400,000 for this expansion project. A copy of the minutes stating the approval from Council must be included with grant application.

Next up for discussion was a comparison of companies being considered for handling the employee satisfaction survey. Council had been provided with a sheet in their packets comparing several companies and what they offered. Council Member Joe Maxim like elements of both Culture Amp and Talent Keeper and, for him, it was between these two for the Employee Satisfaction Survey. Council was not comfortable with making a decision and requested more information. Manager Spitzer stated he would try to drill down on the cost of Culture Amp and Talent Keeper and exactly what was included for each.

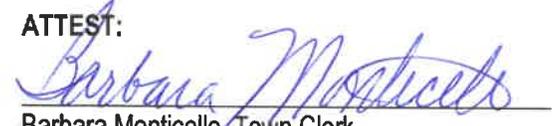
Mayor Pro Tem Melissa Davis made a motion to adjourn with Council Member Amelia Stinson Wesley seconding the motion. There were ayes by all and the meeting adjourned at 10:40 p.m.



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Jack Edwards, Mayor

**ATTEST:**

  
Barbara Monticello, Town Clerk

