



**MINUTES OF THE
TOWN COUNCIL MEETING OF THE
TOWN OF PINEVILLE, NORTH CAROLINA
DECEMBER 13, 2011**

The Town Council of the Town of Pineville met in regular session on Tuesday, December 13, 2011 at 6:30 p.m. at The Hut Meeting Facility in Pineville.

ATTENDANCE

Mayor: George C. Fowler
Mayor Pro-Tem: David Phillips
Town Council Members: Libby Boatwright, Debbie Fowler and Jim Eschert
Town Administrator: Mike Rose
Zoning Administrator: Kevin Icard
Town Planner: Travis Morgan
Town Clerk: Barbara Monticello

CALL TO ORDER

Mayor Fowler called the meeting to order at 6:30 p.m. and welcomed those in attendance. Town Administrator, Mike Rose invited anyone wishing to speak on an agenda item to sign the speaker list.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was lead by Council Member Libby Boatwright.

MOMENT OF SILENCE

Mayor Fowler recognized Robert and Pat Gladden, who were in attendance along with Miss Pearl Satterfield, grandmother of Les Gladden. He also recognized town employee, Bo McCarver, who noted that his father was recuperating from gall bladder surgery but was doing well. Mayor Fowler called for a moment of silence for him and the following individuals: Bill Thrower (hip surgery); Thelma Crump (ill); Council Member Jim Eschert (glaucoma) and former town employee, Cliff Hunt (brain tumor).

ORDER OF BUSINESS

Adoption of the Agenda:

There being no changes to the agenda, Council Member Debbie Fowler moved to adopt the agenda with Council Member Libby Boatwright seconding the motion. There were ayes by all to approve the agenda as is.

Approval of Minutes for the Regular Session of November 15, 2011: Mayor Fowler called for a motion on the minutes from the Regular Council Meeting of November 15, 2011. Council Member Jim Eschert moved to approve the minutes with Council Member Debbie Fowler seconding the motion. There were ayes by all to adopt the minutes as is.

Adoption of the Consent Agenda: The following items are included: a) *Budget Amendment*; b) *Tax Refund for Pineville United Methodist Church*; and c) *Set Zoning Public Hearing Date*. A motion was made by Council Member Boatwright and seconded by Council Member Fowler to approve the Consent Agenda as is. There were ayes by all.

OLD BUSINESS:

A. Conditional Use Permit (CUP-2011-01) – *submitted by Carolina Sportsplex, LLC, requesting they be allowed to construct a private soccer facility at 1333, 13317 & 13433 Dorman Road, on three parcels of land close to the North Carolina/South Carolina state line.*

Planning Director, Kevin Icard, reminded those in attendance that a Public Hearing had been held November 15th to hear a request for a new soccer facility proposed on Dorman Road. He noted that the Town Council had the option of choosing one of four options:

- Approve it as is
- Deny it
- Approve it with conditions
- Request another Public Hearing if more information is needed

Mr. Icard asked if there were any questions. Hearing no questions, he turned the floor over to the applicant who had requested to make a statement.

Mr. Jim Cantalupo introduced himself stating that he was on the Board of Directors for the Charlotte Soccer Academy. He explained that the academy was a “not-for-profit 501C” organization that helps kids play soccer as well as teaches them to do well. Eight members on the Charlotte 49’ers team that recently played in the finals were members of the Charlotte Academy. Their organization uses every soccer field in the south Charlotte area and they were just trying to find a home for themselves. They had looked at over 150 properties and narrowed it down to three, with Pineville as their first choice. They’ve been working with Kevin Icard to follow all the rules set forth by the Pineville Town Council but if the decision were delayed it would cost them an additional \$50,000-80,000 extra with significant ramifications. The organization only had until January 4th to make a decision. With that, he thanked Council for their time and consideration.

Mayor Pro Tem David Phillips stated he put a lot of time and effort into considering the CUP request and felt he had enough information to make a decision. He attended a private meeting that was held with the residents at the Cottages which was helpful in getting more information to make his decision. He did not feel there was any reason to hold another Public Hearing. His decision was against granting the CUP because he did not feel it was a legitimate use for the R12 district and that it would be going against the regulations set in place. The use allows for public recreation and this would be a private facility.

Council Member Jim Eschert explained that at the time the Zoning Department was working on revising the Zoning, they knew there would be some things that would be missed, especially when it came to permitted uses for a district. He believed this would be a good thing for Pineville because it was group dedicated to enriching the lives of youths, and if ever there was a group to come to Pineville, this was it.

Council Member Libby Boatwright remarked that she was all ready to make a motion to have another Public Hearing but since time constraints were requested to be considered, she stated she would vote against the request. Council Member Debbie Fowler added that she thought it was a wonderful organization but not a good fit for the location they were proposing and she, too, would vote against it.

Mayor Pro Tem Phillips moved to deny the request for CUP-2011-01 because it did not meet current specifications for permitted uses in the R12 Zoning District. Council Member Libby Boatwright seconded the motion and there were ayes by all to deny it.

NEW BUSINESS:

- A. Recognition of Council Members Libby Boatwright and Jim Eschert** – *Council and staff would like to recognize Council Members Boatwright and Eschert for their outstanding service to the Town of Pineville.*

Mayor Fowler recognized Libby Boatwright for her twenty years of service to the Town of Pineville. Other than Charles Yandell, who served 38 years, no other council member in Mecklenburg County has served consecutively as long as she has, making this a true milestone for Mrs. Boatwright. Mayor Fowler took a moment to read a special proclamation that was prepared for Mrs. Boatwright highlighting her outstanding service to the town, as well as requesting that citizens join in the celebration of her achievements. Mrs. Boatwright received a standing ovation from members of the audience after which she gave thanks to those who supported her, as well as those she served with over the years. Mayor Fowler then presented her with a crystal vase.

Mayor Fowler also recognized Mr. Jim Eschert for his eight years of service on the Pineville Town Council, and, especially his ability to look at both sides of an issue. He was presented with a mahogany book clock. Mr. Eschert thanked those who supported him over the years as well as those he worked with and remarked that he has always tried to look at both sides of an issue to be fair and to understand what others may want. Mayor Fowler asked that everyone keep Mr. Eschert in their thoughts and prayers because of the vision problems he's been experiencing that are of a serious nature.

B. Staff Updates:

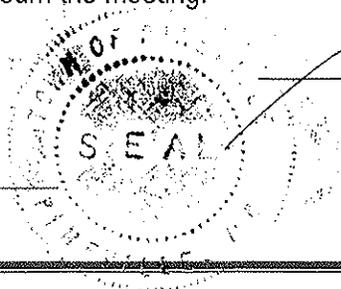
Mr. Rose just wanted to remind everyone that Santa's annual ride through town would begin at 10:00 a.m. on Saturday, December 24th.

ADJOURNMENT

Hearing no further comments, Jim Eschert moved to adjourn the meeting at 7:07 p.m., seconded by Libby Boatwright. There were ayes by all to adjourn the meeting.

Attest:


Barbara Monticello, Town Clerk




George C. Fowler, Mayor

SWEARING IN CEREMONY

Mayor George Fowler opened the second meeting immediately following the first one at 7:08 p.m.

ATTENDANCE

Mayor: Mayor George Fowler
Town Council Members: David Phillips and Debbie Fowler and
New Council Members: Les Gladden and Melissa Davis
Town Administrator: Mike Rose
Planning Director: Kevin Icard
Town Planner: Travis Morgan
Town Clerk: Barbara Monticello

Town Clerk, Barbara Monticello, presented the Oath of Office to Mayor Fowler. The oath was signed and has been made part of these minutes.

Mayor George C. Fowler presented the Oath of Office to the Town Council Members while each placed their hand on the bible. Oaths for each Council Member were signed and also made part of these minutes.

CALL TO ORDER

Mayor Fowler called the meeting to order and said a few words about returning Council Member, Les Gladden. He noted that Mr. Gladden served several terms on the Town Council, took a break and was back on the board for the 2012-2013 term. Mr. Gladden had been involved with Code Enforcement and Zoning issues in the past, and was noted particularly for his input on the design of the Mercedes building that is now used as a model for other Mercedes dealerships across the country.

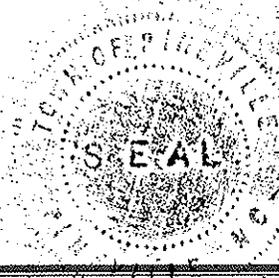
Mayor Fowler recognized Melissa Davis as the top vote getter for this most recent election which was very noteworthy since it was her first time being elected. She, too, was interested in the upkeep of neighborhoods throughout town and will bring a new enthusiasm to the board. Mayor Fowler welcomed the new board members and turned the floor over to them for their comments.

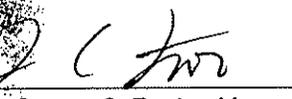
Each board member had an opportunity to express their appreciation and thanks to the residents of Pineville and stated they looked forward to serving during the 2012-2013 term on the Pineville Town Council. Mayor Fowler extended his appreciation to the outgoing board members and pledged his support in working with the new Council. He invited everyone in attendance to enjoy some refreshments after the meeting. Before the meeting was adjourned, he turned the floor over to Dave Dellinger who thanked the Mayor and Town Council for their support over the years for his girls softball team (the Pineville Mud Dawgs) which was started about three years ago.

ADJOURNMENT

A motion was made by Debbie Fowler, seconded by Melissa Davis to adjourn the ceremony at 7:28 p.m. There were ayes by all.


Barbara Monticello, Town Clerk




George C. Fowler, Mayor