

**MINUTES OF THE MEETING OF THE  
TOWN COUNCIL  
TOWN OF PINEVILLE, NORTH CAROLINA  
APRIL 8, 2008**

The Town Council of the Town of Pineville met in regular session on Tuesday, April 8, 2008 at 6:30 p.m. at The Hut Meeting Facility in Pineville.

**ATTENDANCE**

Mayor: George Fowler  
Mayor Pro-Tem: Libby Boatwright  
Town Council Members: Les Gladden, Jim Eschert, and David Phillips  
Town Administrator: Mike Rose  
Town Clerk: Barbara Monticello

**CALL TO ORDER**

Mayor Fowler called the meeting to order at 6:34 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**

Mayor Fowler called upon Council Member Jim Eschert to lead the Pledge of Allegiance to the Flag.

Mayor Fowler called for a moment of silence for the following people: Johnny Mac Satterfield and family who have lost both a grand child previously and daughter recently and Ollie who was just diagnosed with cancer, Willie Crump James (passed) and Lilly Mae (hospitalized) and Police Chief, Rob Merchant's mom who broke her ankle.

**ORDER OF BUSINESS**

**Adoption of the Agenda:** Upon the motion of Mayor Pro Tem Libby Boatwright, seconded by Council Member David Phillips, the Council unanimously voted to adopt the agenda for the April 8, 2008 meeting. Ayes by all.

**Approval of Minutes for the previous Regular Town Council Meeting of March 11, 2008:** Mayor Fowler called for a motion on the minutes from the March 11, 2008 Regular Council Meeting. Hearing no comments, Council Member Les Gladden moved to approve the minutes. Motion was seconded by Mayor Pro Tem Libby Boatwright and there were ayes by all.

**Special Recognition:** Mayor Fowler recognized Harold Cogdell, who is running for County Commission at large. Mr. Cogdell presented a brief bio on himself and noted that he had moved to Charlotte in 1991. He previously served on the Charlotte City Council but preferred to serve all of the population of Mecklenburg County to tackle the issue of growth and how to manage it. Mr. Cogdell prides himself on being accessible and prefers to sit face to face to address the issues. He noted the importance of enhancing relationships with state delegates particularly with

regards to transportation needs. His website, [www.CogdellforCountyCommission.com](http://www.CogdellforCountyCommission.com) , was available for all interested parties.

Judge Thomas Moore spoke next stating that he was a sitting judge running for reelection. He noted that he had grown up in Charlotte, had a diverse background and that he was a certified mediator and arbitrator. He invited audience members to check out his website at [www.judgetommoore.com](http://www.judgetommoore.com).

Bob Rucho stated he was running for State Senate. He had previously been a Senator but took some time off and was looking forward to returning to Raleigh to address issues such as road improvements and education. His goal is to have Route 485 widened from Rea Road to Route 77 and on Tuesday, April 15<sup>th</sup> representatives from the NC DOT and MUMPO would be meeting at the Charlotte Banquet Club at 7:00 p.m. for a discussion on it. His website, [www.BobRucho.com](http://www.BobRucho.com), was available for anyone wishing to check it.

Mayor Fowler thanked each of the candidates for coming out to the Pineville Town Council Meeting to introduce themselves to residents.

### **CONSENT AGENDA**

**The following items are included:** *a) Set Zoning Public Hearing Dates for Text Amendment (TX-2008-02) and Proposed Conditional Use Permit for Red Clay Properties (CUP-2008-02); b) Request for Funding—Pineville American Legion Post 337 Baseball Program; c) Tax Refund for Suntrust Leasing Corp. and Duke Power; d) Proclamation designating April 24, 2008 as Armenian Martyrs Day.* A motion was made by Mayor Pro Tem Libby Boatwright and seconded by Council Member Jim Eschert to approve the Consent Agenda. There were ayes by all.

### **JOINT PUBLIC HEARINGS** *(None)*

### **OLD BUSINESS**

***A. Utility Right-of-Way Use Ordinance*** – *An ordinance intended to provide for reasonable regulations for the use of public right-of-ways was presented for discussion.* Town Administrator, Mike Rose, stated that some minor changes had been made since the last Council Meeting and that copies had been sent to both Duke Power and Charlotte-Mecklenburg Utilities. No comments had come back from either of them. Mayor Fowler asked if Time-Warner and Piedmont Gas would also be subject to this ordinance to which Mr. Rose acknowledged that it would. Council Member Les Gladden asked if the ordinance addresses subcontractors of companies such as Time-Warner. Mr. Rose again replied that the ordinance would apply to all and that the ultimate responsibility would fall on the provider.

Council Member Gladden also inquired whether the Town could require at least one person on the crew to speak English. Often there is difficulty in communicating to the crew if there is a problem or to find out the extent of the project they are working on. Mr. Rose stated that he had no idea if it could be included as part of the ordinance but that he would check on it. Mayor Fowler commented that perhaps a supervisor or superintendent could be available to keep the communications clear. Mr. Rose stated that he would review the request with Town attorneys.

Council Member Jim Eschert added that AT&T also had crews pull up in cars, not trucks, at a residence and start working in their yard. The crews try to let homeowners know what they're doing so he thought there should be some way to communicate that to residents.

Mayor Fowler asked about the markers that would be placed on properties. Mr. Rose indicated that the markers would be ground level and would not interfere with street views. He would work with Utilities Supervisor, Gary Creech, to ensure that all utility companies are aware of the ordinance and permitted to do the work. They should also supply contact information so that we'll have someone to call should there be any problems. It was not the intent of the ordinance to make things difficult for contractors, but to ensure the work that they do is quality work. Mr. Eschert added that most of the large utility companies like Time-Warner have master permits to cover themselves when doing emergency work.

Council Member Les Gladden asked if the Town could approve the work the utilities do here or delay the approval if adjustments needed to be made. Mr. Rose again indicated that he would need to review that with the attorneys. With the additional comments, Mayor Fowler indicated that the consensus of the Council was to have Mr. Rose review the ordinance again with the attorneys before voting on it.

***B. Community Civic & Cultural Center of Pineville – presenting an update on the status of the ASC grant.*** Ms. Terie Davis briefly updated Council on the status of the grant that was applied for. They are still waiting on the grant. Once it is approved they can move forward with plans. She and Lee Baumgarten are working with Moraya from the Arts and Science Council to see if any other funds are available. Ms. Davis stated that they were looking into the possibility of sponsorship from Carolina's Medical Center to get some programs started for the summer and possibly extend them an offer to join their advisory board. If they agreed to do it, it would be a huge asset to the community. They would be meeting with Mike and Moraya again this week to discuss this and other possible organizations to solicit for sponsorship. Any support the town could give them with names and contacts would be a great help. She encouraged Council Members to contact her with any suggestions, ideas, or comments.

## **NEW BUSINESS**

***A. Staff Update*** –1) PCAA Opening Day Schedule; 2) Memorial Day Dedication Service; 3) Town Hall Day Schedule; 4) Budget Workshop and Public Hearing Schedule- Town Administrator, Mike Rose stated that PCAA Baseball Opening Day was April 19<sup>th</sup>. He extended an invitation to all the Council Members. The Memorial Day Dedication which had been done in the past but had stopped about two years ago, was now being spearheaded by Libby Boatwright. It was scheduled for the Sunday before Memorial Day, May 18<sup>th</sup> at 2:00 p.m. at the Hut. Pastor Scott will say a prayer in recognition of the veterans. Gena Chambers will sing, a memorial video will be shown and the honor guard will perform. A reception will follow.

Mr. Rose stated that it was budget time again. He would like to have two budget workshops and present the budget at the Public Hearing at the June 10<sup>th</sup> Council Meeting. Budgets need to be approved no later than June 30<sup>th</sup>. He presented some dates to Council for the workshops. Council Members chose Tuesday, May 20<sup>th</sup> and Thursday, May 22<sup>nd</sup> at 6:00 p.m. to meet. He reminded Council Members that if there were any capital or operational needs, to let him or Finance Director, Ann Wilson know. He and Ann would be meeting with department heads to

discuss their needs. Hearing no further comments, Mayor Pro Tem Libby Boatwright moved to approve the dates for Budget Workshops on May 20<sup>th</sup> and 22<sup>nd</sup> 2008 and the Budget Public Hearing on June 10<sup>th</sup> 2008. Council Member Jim Eschert seconded the motion. There were ayes by all.

Lastly, Mr. Rose reminded Council Members that Town Hall Day in Raleigh was scheduled for June 4<sup>th</sup>. The format had changed somewhat with a morning session, lunch, and then an afternoon session, followed by a reception from 5:00 p.m. until 7:00 p.m. The Town of Matthews may set up a dinner after the reception but he would find out for sure and let Council know by email.

### **ADJOURNMENT**

Hearing no additional comments, a motion was made by Libby Boatwright and seconded by Les Gladden to adjourn the meeting at 7:30 p.m. Ayes by all.

---

Barbara Monticello, Town Clerk

---

George C. Fowler, Mayor