



**MINUTES OF THE
TOWN COUNCIL MEETING OF THE
TOWN OF PINEVILLE, NORTH CAROLINA
MAY 8, 2012**

The Town Council of the Town of Pineville met in regular session on Tuesday, May 8, 2012 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: Debbie Fowler, Melissa Davis and Les Gladden

Town Administrator: Mike Rose

Planning Director: 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. Those wishing to speak on an agenda item were invited to sign the speaker list.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was lead by Council Member, Melissa Davis.

MOMENT OF SILENCE

Mayor Fowler called for a moment of silence for the following individuals: Bill Crump (hospitalized); Louise Cranford (hospitalized); town employee, Karen Bennett (hospitalized); Lane and Kelly Wise (lost baby); Mayor Fowler's friend, Bob Linker (passed) and Renee Moore Hicks.

ORDER OF BUSINESS

Adoption of the Agenda:

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

Approval of Minutes for the April 10, 2012 Regular Council Meeting and Executive Session Meeting: Mayor Fowler called for a motion on two sets of minutes from the Regular Council Meeting of April 10th and the Executive Session minutes of April 10th. There being no corrections necessary, Mayor Pro Tem Phillips moved to approve both sets of minutes with Council Member Les Gladden 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) *Tax Refunds*; b) *Proclamations for Public Works Week, National Police Week and Pineville Heritage Day*. There being no changes to the Consent Agenda, a motion was made by Council Member Debbie Fowler and seconded by Mayor Pro Tem David Phillips to approve the Consent Agenda as is. There were ayes by all.

OLD BUSINESS:

- A. Rezoning Request RZ 2012-02 --** Submitted by Carolina Sportsplex, LLC requesting rezoning of property currently zoned R-12 (Minimum 12,000 square foot single family lots) Zoning District to RMX-CD (Residential Mixed-Use with a Conditional District) for a recreational complex. The property is located at 13333, 13317 & 13433 Dorman Road, Pineville, NC 28134.

Planning Director, Kevin Icard stated that a Public Hearing had been held during the last Council Meeting in April and the Planning Board had met on April 19th to give their recommendation as to whether to allow the property to be rezoned or not. Mr. Icard had pointed out three major points brought up at the Public Hearing for discussion by the Planning Board which included the proposed turning lane into the complex, the size of the sign for the complex and the buffer between their property and the church next door.

The recommendation from the Planning Board was that the NCDOT proposed vehicle stacking lane that accommodates approximately 8 cars was sufficient. Additionally, since there were no off-site signs for the complex, a larger sign, consistent with other commercial properties, was satisfactory. Planning Board Members preferred to allow for the reduction of the required 50 foot buffer to a 20 foot, screened buffer with a 6' tall opaque fence to block views from the church that is next door to the complex. This would allow for approximately 30 additional spaces and an opportunity for the church to possibly use some of the spaces for their worshippers to park in. A 10 foot gap would allow church-goers to utilize the parking lot but still have access to the church.

Mr. Icard noted that staff had been working with the applicants for the past 17 months on this project and that previous developers had expressed interest in the property but had never made it as far as this applicant to present their ideas to Council. It would be too cost prohibitive for homes to be developed on the site because it had been treated as a dump in the past and the topography of the land would make it difficult to develop houses on it. The natural buffers that already exist work better for a facility of this type and rezoning the property for mixed use is consistent with the area. Additionally, it would have a low impact use which would not be a huge burden on essential services like police, fire or trash. Therefore, staff was in agreement with the Planning Board's recommendation to rezone the property. Mr. Icard opened the floor for any questions from Council.

Council Member Les Gladden asked how many spaces were required for the project. Mr. Icard stated he could not remember the exact amount but that it was between 400 – 450 spaces so the applicant was well over the amount required. Mayor Pro-Tem Phillips wanted to be sure that the applicant could not come back at a later date requesting additional signage. Council Member Gladden asked about the size of the Tire Kingdom's sign to which Travis Morgan replied that it was 50 square feet as was the new Jimmy Johns sign.

Council Member Gladden was not in favor of the reduction in size of the buffer. He would like to see the buffer remain at the required 50 feet and not the 20 foot as was being proposed. He was concerned about the possibility of some other organization moving into the spot where the church currently is so he wanted to be sure there was enough of a buffer between the two. He was not in favor of the turn lane that could only stack 8 vehicles – he would like to see that increased to accommodate at least 15 vehicles because the "S" turns in Dorman Road are dangerous with limited visibility. He would also like to see the road widened. Additionally, he wanted to be sure that

this particular property always paid its property taxes. Town Administrator, Mike Rose, was not certain that could be specified in the motion.

Council Member Melissa Davis was still concerned about traffic issues, especially afternoon rush hour traffic. In checking her notes from a January meeting, she noted that there would be a minimum of two tournaments a year and that the facility would be used for other events on off times. Mr. Brad Wylde of the Charlotte Soccer Academy stated that a limited number of parking passes were issued per team during the tournaments which would help alleviate any parking problems. He added that there were some issues with parking at Manchester Meadows because they had fewer parking spaces than the proposed, new site has, plus they had two more fields than the proposed site which has way more parking than is required. They had overcompensated for extra parking at the proposed site so there should never be a situation with "over parking". The discussion continued between the two when Mayor Pro Tem Phillips suggested that if parking ever became a problem, that the Soccer Academy would be open to working with staff to resolve the issue. Mr. Icard agreed that it could be added to the plan. All the specifications that Council had requested would be listed on the final, completed site plan which would be made part of the minutes and official record.

Council Member Gladden asked if the tournaments would bring in people from out of state to which Mr. Wylde responded that it would. Mr. Gladden wanted to know if the academy provided shuttle service. Mr. Wylde replied that they did not but it was never really an issue because many people carpooled together. Mayor Fowler suggested that it could be negotiated with the hotels to provide that service during tournament time. Council Member Debbie Fowler wanted to know if the town could petition the state to widen Dorman Road. Mr. Icard stated that they could and he would start working with DOT as well as MUMPO to get the process in motion.

There being no further questions or comments, Council Member Les Gladden moved to approve the rezoning project with the following conditions:

- Taxes always remain with the property and be paid at the full tax rate
- Provide 50 foot all-around buffer with extra 6 foot tall evergreen screening at corner
- Southbound left turn lane to allow stacking for 16 cars; 12 for northbound land
- A 50 square foot sign has been approved
- There must be a completed and approved site plan before ground is broken
- Site plan to state that if there are any traffic issues, applicant would work with staff to resolve them

Mayor Pro Tem Phillips seconded the motion and there were three ayes in favor of the rezoning and one nay (Melissa Davis) against the rezoning.

NEW BUSINESS:

A. Mecklenburg County Solid Waste Plan - *Consideration of the proposed amendments to the "Mecklenburg County Solid Waste Management Plan, 2012-2022 as required by NC General Statutes." Presentation by Mecklenburg County Solid Waste Services.*

Town Administrator, Mike Rose, introduced Laurette Hall from Mecklenburg County Solid Waste Management Services who was in attendance to make a presentation on recent changes to the 10-year plan which must be updated every three years. In addition to the overview of changes, a

proposed resolution adopting these changes, as well as an Executive Summary of the plan, were included in Council's packet of meeting information.

Ms. Hall thanked both Mr. Rose and Mr. Icard for participating on a Steering Committee that focused on ways to reduce waste in Mecklenburg County. Consultants were hired, a Charrette was held to get input from businesses and residents and together, along with the Steering Committee, many ideas were generated for reducing waste in the county. Waste reduction strategies were put into the format of a plan, which was presented to the Board of County Commissioners and approved on May 1st. The next step was to seek approval from the seven municipalities within the county during the months of May and June, with the final plan to be submitted to the North Carolina Department of Environment and Natural Resources by June 30th.

Ms. Hall noted that Mecklenburg County produced the most waste in the entire state even though it also achieved a 40% waste reduction rate since the inception of the plan. The short-term goal for the next 5-7 years is to reduce waste by 49% and by 58% in the next 10-12 years. Some ideas included:

- Implementing volume-based pay for residential garbage collection
- Implementing incentives for recycling
- Require recycling to be provided to all multifamily complexes
- Implementing mandatory recycling for all residences
- Expand education and outreach
- Adding organic materials to mandatory recycling ordinance
- Installing recycling containers everywhere there is a trash container

Ms. Hall thanked the Council for allowing her to speak and asked for their support in reducing waste. Mayor Pro Tem Phillips moved to adopt the resolution, seconded by Council Member Davis. There were ayes by all and Resolution No. 2012-03 passed unanimously.

B. Time and Attendance System – Consideration of implementing a new Time and Attendance System for Town employees.

Mr. Rose stated that the Town was exploring options to better track time and attendance of employees. Currently, Town employees fill out and hand in a weekly timesheet. From the information submitted on the timesheet, the payroll clerk inputs the data into the computer which then calculates and generates the payroll checks. One of the challenges is that not all employees have regularly scheduled hours. Some employees work nights and weekends while others are on call or have meetings in different locations that they may go to directly from home because it's closer. There were four options looked into:

- 1) Kronos – most detailed with all the bells and whistles; most costly
- 2) ExecuTime – similar to Kronos but does not have all the bells and whistles; less costly than Kronos
- 3) Innovation/Elations System -- our current financial system that has a timesheet module built in but no time clock
- 4) Modified Timesheets – modify current timesheets to include more detail and specific start/stop times for specific duties

Mr. Rose gave a brief overview of all the systems including the benefits and negatives with each option. Mayor Pro Tem Phillips stated that he was the biggest advocate of using a time clock

system because of the number of complaints he gets about employees not working when they're supposed to be but he was not prepared to spend \$30,000 to monitor time. He asked if a simple time clock could be purchased and used – one that could be bought at an office supply store – one that would allow you to clock in and clock out. Each person would be responsible for noting any exceptions, meetings, etc. This would take the responsibility off of the Department Heads and there would be a zero tolerance policy for clocking someone else in.

The discussion regarding time clocks and accounting for all scenarios and exceptions continued. Council Member Davis was also in favor of using time clocks but not where an employee could use their cell phone to clock in with because it may be too easy for an employee to manipulate their starting/ending times. She did some checking around with other towns in Mecklenburg County but only certain departments in the City of Charlotte use time clocks. No other town uses them. Both Council Members Davis and Gladden had researched the cost of time clocks that ran anywhere from \$200 and up. Mayor Fowler directed Mr. Rose to take the information and research some less expensive options with the goal being to have something in place by July 1st.

C. Staff Updates: a) *Budget Workshop/Set Public Hearing*; b) *Electricities Annual Meeting*; c) *Lowry Street Traffic Update*; d) *Ethics Webinar*; and e) *Town Hall Day*. Mr. Rose informed Council that he was proposing to have a budget workshop on Tuesday, May 15th at 6:00 p.m. at the Pineville Telephone/Electric Building. He added that a public hearing date would have to be set for June's Council Meeting. All were in agreement with the date and time. Council Member Debbie Fowler moved to set the Public Hearing for the budget on June 12th at 6:30 p.m. at the Hut. Council Member Les Gladden seconded the motion and there were ayes by all.

Mr. Rose reminded Council that Electricities Annual Conference was scheduled for August 9th – 11th and would be held in Myrtle Beach this year. He asked that Council Members let him or the Clerk know so that arrangements could be made. He then asked Council their thoughts on the making Lowry Street a one-way street during certain hours to alleviate some of the traffic congestion in the area. He had talked with Jonathan Guy at Kimley-Horn about what options they might have in shifting the traffic a little better but a study to lay out the options would cost about \$7500. Council Member Gladden thought the problem stemmed from the light at Carolina Place Pkwy. & NC 521 because it was too long to get through that intersection. Mr. Rose said that was brought to NCDOT's attention on several occasions and that they needed to get a Resolution from Council to bring to John Collette. Mayor Fowler stated that they knew what the problem was, they just wanted Kimley-Horn to layout the options to resolve it. He directed Mr. Rose to get a proposal with ideas on how to address the problem with Lowry Street and the traffic lights being out of sync.

Mr. Rose also informed Council that the town had signed on to participate in the Ethics Webinar on May 16th. However, several Council Members had conflicts with the schedule and asked that it be cancelled. The Clerk stated that there would be a taped version of the webinar available later in the summer. All agreed to take the Ethics Webinar training at a later date when they would all be available to view it together. Mr. Rose told Council that Town Hall Day was being held on June 6th if anyone was interested in attending. Lastly, Kevin Icard explained that NC DOT was having a second Public Hearing on June 4th at the Hut between 3:30 p.m. and 6:30 p.m. about the widening of 485.

ADJOURNMENT

A motion was made by Council Member Melissa Davis and seconded by Council Member Debbie Fowler to

adjourn the meeting at 9:05 p.m. There were ayes by all and the meeting was adjourned.

ATTEST:


Barbara Monticello, Town Clerk


George C. Fowler, Mayor

