



**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, DECEMBER 11, 2012**

The Town Council of the Town of Pineville met in regular session on Tuesday, December 11, 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: Les Gladden, Debbie Fowler and Melissa Davis  
Town Administrator: Position is vacant at this time  
Planning Director: Travis Morgan  
Town Clerk: Barbara Monticello

**CALL TO ORDER**

Mayor Fowler called the meeting to order at 6:34 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 Debbie Fowler.

**MOMENT OF SILENCE**

Mayor Fowler called for a moment of silence for the following individuals: Chief Merchant's mom who is almost done with chemotherapy treatments and ready to start radiation; Mayor Fowler's sister-in-law, Patsy Stevens, suffered a stroke and Maxie McCulley (passed).

**ORDER OF BUSINESS**

**Adoption of the Agenda:**

A motion was made and seconded to adopt the agenda as is. There were ayes by all.

**Approval of Minutes for the Regular & Executive Session Meetings of November 13, 2012 :** Mayor Fowler called for a motion on both the Regular and Executive Session Minutes. Council Member Melissa Davis noted that the name under the Moment of Silence should read, Tammy Spruill, not Debbie. Council Member Debbie Fowler moved to approve both sets of minutes with the correction. Council Member Les Gladden seconded the motion. There were ayes by all to adopt the Regular and Executive session minutes with the change.

**Consent Agenda:**

The following items were included: a) *Mecklenburg County Tax Refunds*; b) *Budget Amendment*; c) *Employee/Employer Agreement*; d) *Corrections to Amend Two Motions from Previous Meetings*; and e) *Set Public Hearing for January (indoor soccer facility)*. Mayor Fowler had one change to the Consent Agenda. He requested Item C be removed from the Consent Agenda and placed on the Executive Session agenda. Council Member Les Gladden then moved to approve the consent agenda with Mayor Pro Tem David Phillips seconding the motion. There were ayes by all to approve the Consent Agenda with the change.

## **OLD BUSINESS:**

**A. Mercedes Benz – Request to Amend CUP --** *Mercedes Benz requested a delay of the vote until the January Council Meeting.* Planning Director, Travis Morgan, noted that the Mercedes dealership was requesting their vote be delayed until the January 8, 2013 Town Council Meeting to allow for Felix Sabates to attend the meeting. Council Member Debbie Fowler moved to delay the vote, seconded by Mayor Pro Tem Phillips. There were ayes by all to delay the vote.

**B. Recreational Needs Study - Presentation by Kristy Detwiler on a needs analysis for Pineville Parks and Recreation Department.** Parks and Recreation Director, Kristy Detwiler, stated that Council Members were given a copy of the full proposal by ESP to review and asked for any questions or comments. Council Member Melissa Davis shared information she had obtained from the School of Government regarding the possibility of the appearance of a conflict of interest with Tristan McMannis of ESP working on this project since he was also a member of the town's Planning Board. Council Member Les Gladden stated that he was taken off the project and that he would have nothing to do with any decisions that may come before the Planning Board and if something did come up, an alternate would vote in his place.

Council Member Davis then asked who would make up the Steering Committee and how would residents be informed of the study. Ms. Detwiler replied that it would be made up of Pineville residents and that there were several ways to make residents aware of the study: by using a type of Reverse 911 System that the telephone department had, to insert messages on resident's electric bills and/or advertise in the town's newsletter and on the website. All of these sources could be utilized to inform residents of the study.

Council Member Davis had additional concerns with the proposal. She noted that the proposal appeared to be open-ended with no cap on the amount and she wanted to know where the money would come from to fund the project. Council Member Gladden stated that a Public Works project that was originally supposed to take place was no longer going to happen and the money would be transferred from Public Works to Parks and Recreation.

A discussion took place regarding the amount that the project should be capped at. Council Member Gladden suggested that Kristy Detwiler be able to spend up to \$3,000 without having to seek approval. There were no objections to this but the Mayor did ask that Ms. Detwiler let the Council know when that limit was being reached. Council Member Gladden moved to approve the contract and to allow Kristy Detwiler an allowance of up to \$3,000. Anything above that amount would require additional approval by Council. Additionally, Tristan McMannis would not be involved with any decisions regarding the project. Mayor Pro Tem Phillips seconded the motion and there were ayes by all.

Mayor Fowler asked Mr. Garry Hill to come forward to speak. Mr. Hill introduced himself and said he and his sons ran a business in Pineville on Rodney St. He was before Council to thank them for Jack Hughes Park. He stated it was a tremendous value to the youth and college summer league teams. He used the fields to coach 20 teams and through baseball, he teaches life lessons to children and young adults. He thanked Council for the opportunity to speak. Mayor Fowler thanked him for his comments.

## **NEW BUSINES:**

**A. Staff Updates:** *1) Acceptance of Roads in Traditions; 2) COG-CONNECT Meeting; and C) Calendar of Events.* Planning Director, Travis Morgan, explained that the Traditions development was ready to turn the

roads over to the town. Five maps were included with each Council Member's packet to show all of the roads that make up the community. The builder is bankrupt and would not be building any more homes on the land even though there were still a few lots open. There was no bond money on any of the roads except for the ones appearing on Map #5. Mr. Morgan stated that there were no major defects on the roads but some deficiencies did exist. Council Member, Les Gladden, stated that the sooner the town accepted the roads, the sooner they could be placed in line with the other roads in town that needed to be fixed. They could be repaired before they got any worse and the town could start collecting Powell Bill money on them. Mr. Morgan's recommendation was to accept the roads on Maps #1, 2, 3 and 4 as town roads. Council Member Davis asked Mr. Morgan to communicate this information to the Homeowners Association.

Council Member Les Gladden moved to approve taking over the roads on Map #1, 2, 3 and 4 only with the understanding that they be ranked and prioritized, along with all the other roads in town, to determine where they would fall on the repair list. Council Member Davis seconded the motion and there were ayes by all to take over the streets in the Traditions neighborhood. Council Member Gladden also directed Mr. Morgan to investigate the possibility of putting a lien on the lots that were not buildable or check with the owner to see if he would be willing to turn the lots over to the town with the possibility of making a park out of the property.

Town Clerk, Barbara Monticello noted that she and Council Member Debbie Fowler would be attending the COG-CONNECT Meeting that was being held on Friday, December, 14<sup>th</sup>. Mayor Fowler reminded the Council of the upcoming Legislative Dinner to be held in Matthews. He asked them to let the clerk know if they intended to attend the dinner. Mayor Fowler then called for a break at 7:06 p.m. before entering into Executive Session.

#### EXECUTIVE SESSION

Council Member Debbie Fowler moved to enter into Executive Session at 7:30 p.m. Personnel issues were discussed at length in the Closed Session. At 9:55 p.m. Council Member Debbie Fowler moved to exit the Executive Session, seconded by Council Member Melissa Davis. There were ayes by all.

Council Member Fowler then moved to enter back into Regular Session with Mayor Pro Tem Phillips seconding the motion. There were ayes by all and Council entered back into Regular Session. Council Member Debbie Fowler moved to approve an agreement between the Town of Pineville and employee, Fred Cantrell, for compensation owed him with the following changes: Mr. Cantrell is to be given one week of compensation time per year over a period of three years. The first week of time taken off each of the three years must be compensation time. There will be no town sponsorship of dependent coverage for the past, present or future. Motion was seconded by Mayor Pro Tem Phillips and all were in favor.

Council Member Gladden then moved to terminate the agreement with the Mercer Group, seconded by Council Member Davis who requested that a formal letter be sent. All were in favor. Council Member Davis was instructed to inform the Human Resources manager of the above changes and to contact several candidates for the position of Town Administrator to determine if they were still interested in the position.

#### ADJOURNMENT

At 10:05 p.m., Council Member Debbie Fowler moved to adjourn the meeting with Council Member Melissa Davis seconding the motion. There were ayes by all and the meeting was adjourned.

ATTEST:

  
Barbara Monticello, Town Clerk

  
George C. Fowler, Mayor