



**CORRECTED MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, MAY 14, 2013**

The Town Council of the Town of Pineville met in regular session on Tuesday, May14, 2013 at 6:29 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 6:30 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 Les Gladden.

**MOMENT OF SILENCE**

Mayor Fowler called for a moment of silence for the following individuals: Mayor Pro Tem David Phillips lost a good friend and colleague he worked with for 23 years; Daryl Blackwell, father of former employee, John Blackwell (passed).

**ORDER OF BUSINESS**

**Adoption of the Agenda:**

There being no changes made to the agenda, Council Member Melissa Davis moved to adopt the agenda as is with Council Member Les Gladden seconding the motion. There were ayes by all to adopt the agenda as is.

**Approval of Minutes for the Regular & Executive Session and Special Called Meetings:** Mayor Fowler called for a motion on the on Regular and Executive Session Minutes from April 9, 2013, the Special Called Budget Meetings of March 26, 2013 and the April 2, 2013 and the Special Called Meeting of April 30, 2013. Council Member Melissa Davis noted one change to be made to the name of a piece of equipment on the Budget Meeting Minutes of April 2<sup>nd</sup>. Council Member Debbie Fowler moved to approve all minutes with the one correction. Council Member Les Gladden seconded the motion and there were ayes by all to approve all sets of minutes with the one correction.

**Special Recognition:** *Libby Boatwright, "Notable Nurses" Proclamation.* Mayor Fowler informed the group that former Council Member, Libby Boatwright was nominated for a Notable Nurse award by her colleagues that she works with at the hospital. They also contacted the clerk to see if the Town would do something similar to recognize her long-time nursing career and community efforts. A proclamation in her honor was read out loud and presented to her.

**Consent Agenda:** The following items were included: a) *Tax Refunds*; b) *Proclamations for Public Works Week, National Police Week and NC Domestic Violence 100*; c) *Set Public Hearings for June*. Mayor Fowler stated that the next Council Meeting would be changed from June 11<sup>th</sup> to June 25<sup>th</sup> and he set the date for a Public Hearing on that day for a Zoning Text Change. He added that there would be a Public Hearing for the Budget on that day, too. Council Member Debbie Fowler moved to approve the consent agenda as is with Mayor Pro Tem Phillips seconding the motion. There were ayes by all to approve the consent agenda as is.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**A. R-O-W Permit and Fees – discussion and approval of the proposed ROW permit and fees.** Council Member, Les Gladden, explained to the rest of Council that an ordinance had been adopted several years ago to hold anyone digging in our R-O-W's accountable for any damage that is done and/or to fix any property that was disturbed during the course of their work. It had come to the town's attention, after discovering some workers digging in town and laying cable that they did not obtain a permit from the town to dig nor did a permit exist. One had been drafted, along with proposed fees, and was being presented for Council approval. Mayor Fowler asked Council Member Les Gladden to meet with Travis Morgan, Gary Creech and Chip Hill to work out a system with the new permits and fees. There was no further discussion and Council Member Gladden moved to approve the permit and proposed fees, seconded by Council Member Debbie Fowler. There were ayes by all to approve it.

**B. Discussion of Traffic on Cone Ave. –** At the last Council Meeting, Council Member Davis expressed concern with parking and traffic issues on Cone Ave. The discussion was centered around the situation of cars parked on the street and specifically when cars are parked on both sides of the street. It makes it difficult, if not impossible, for emergency vehicles such as fire trucks, to get through. Ms. Davis was also concerned for the safety of the children that live and play on Cone Ave. If cars are parked on the street and a child darts out from between two parked cars, a driver might not see or react in time to stop. It's making for a very dangerous situation.

Captain Bill Connell of the Pineville Police department, passed out a rendering of Cone Ave. with two cars parked along both sides of the road. The drawing showed the distance between cars at 12 feet and the amount of space needed for a fire truck to get through was 15 feet. A number of suggestions were discussed such as no parking allowed on Cove Ave. at all, parking only on one side of the road or alternating days/times that cars can be parked on either side of the road.

Eliminating parking altogether on Cone Ave. would make it difficult for some as their driveways are not long enough to accommodate multiple cars. To only allow parking on one side of the street would cause complaints from those on the opposite side of the street and alternating parking could bring a lot of confusion. There did not seem to be a reasonably easy and fair way to regulate the parking except to simply enforce the ordinance that states there must be a certain distance between parked vehicles. Council was in favor of increasing the distance from 12 feet to 15 feet and instructed Zoning Director, Travis Morgan, to do an amendment to the ordinance for the next Council meeting. They also agreed to give verbal warnings before issuing a citation to get people used to the change and to educate them. The active enforcement of the regulation should be made known to residents through letters, the website and the newsletter as residents in the Cottages also have this issue.

**C. Staff Updates:** (a) *Calendar of Events* and b) *Set Budget Workshop date and Public Hearing date for June*. Council was reminded of the upcoming events over the weekend of May 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> – the start of Rockin' and Reelin', the opening of the Farmer's Market, and the Veterans Memorial Service. Mayor Fowler set a Budget Workshop for Tuesday, May 28<sup>th</sup> at Telephone and Electric Conference Room at 6:30 p.m. and the Budget Public Hearing for Tuesday, June 25<sup>th</sup> at 6:30 p.m. at the Hut.

Mayor Fowler then called for a break at 7:06 p.m. before moving into Executive Session.

### EXECUTIVE SESSION

At 7:34 p.m. Council Member Debbie Fowler moved to enter into Executive Session with Council Member Melissa Davis seconding the motion. There were ayes by all and Council entered Executive Session. Per NCGS 143-318.11(6) discussion ensued regarding the recent setback in recruiting efforts for a Town Administrator. Additional strategies were discussed in the continuing search to fill this position as well as the finance position. At 9:15 p.m. Council Member Debbie Fowler moved to exit the closed session, seconded by Mayor Pro Tem Phillips and enter back into regular session. There were ayes by all and Council entered back into Regular Session.

### REGULAR SESSION

Mayor Pro Tem Phillips informed Council of a situation with some of the stores at the mall were advertising high-end shoes on sale where customers are lining up during the middle of the night to purchase these items and fights have broken out. Pineville police had to be called in on some occasions. He also informed everyone that the Pineville Gun Shop has officially closed and the property has been cleaned up. A brief discussion was held regarding the step pay plan for the police department. Council wanted to be sure we were administering the program correctly.

Council Member Les Gladden brought up an issue regarding Brad Bowman and the Traditions neighborhood. The Town cannot accept the roads in the development because they are not up to standard and Mr. Bowman does not want to fix them. Mecklenburg County had released some of his bonds before they were supposed to with the exception of the last map (Map 5) which will not be released until the roads are acceptable for the town to take them over. There are four lots left on this map which he is selling. This will most likely develop into a legal situation. Additionally, Council Member Gladden noted that the NC DOT would start laying new pipes under Main St. to alleviate flooding after a heavy rain.

### ADJOURNMENT

At 9:33 p.m., Mayor Pro Tem Phillips moved to close the meeting. Council Member Fowler seconded the motion to adjourn the meeting and there ayes by all.

  
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Mayor George C. Fowler

ATTEST:

  
Barbara Monticello, Town Clerk