



**MINUTES OF THE
TOWN COUNCIL MEETING OF THE
TOWN OF PINEVILLE, NORTH CAROLINA
TUESDAY, OCTOBER 15, 2013**

The Town Council of the Town of Pineville met in regular session on Tuesday, October 15, 2013 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: Interim Town Administrator, Ed Humphries

Planning Director: Travis Morgan

Town Clerk: Barbara Monticello

Planning Board Members: Jim Knowles, Thomas White and Mark King were present. Paul Sullivan and Jack Lee were both absent.

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: Tammy Spruill Cook (passed); Jack Mackey (passed); and Joe Presley (passed).

ORDER OF BUSINESS

Adoption of the Agenda:

There being no changes to the agenda, Council Member Debbie Fowler motioned to approve it 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 Session of the Council Meeting of September 10, 2013: Mayor Fowler called for a motion on the Regular Session Minutes from September 10, 2013. No corrections were noted so Council Member Debbie Fowler moved to approve the minutes with Council Member Les Gladden seconding the motion. There were ayes by all to approve the minutes as is.

Consent Agenda: The following items were included: a) Proclamations for the Military Order of the Purple Heart and Proclamation Promoting Youth Vote Days; b) Approve Purchase of 3 Police Vehicles; c) Approve Purchase of Truck for Administration; d) Financial Report Ending 9/30/13; e) Approve Payment of First Half of Budgeted Amount for CCAC; f) Set Public Hearing Date for November (none). Council Member Debbie Fowler moved to approve the

JOINT PUBLIC HEARING

A. A Request by the Town of Pineville to Amend the Zoning Ordinance Regarding Tree Topping. Council Member Debbie Fowler motioned to open the Public Hearing at 6:34 p.m. Mayor Pro Tem David Phillips seconded the motion and the public hearing was opened. Planning and Zoning Director, Travis Morgan, stated that there was already an ordinance in place regarding the practice of tree topping but that it needed to be clarified and strengthened. Council Member Les Gladden stated that this item was simply a housekeeping item to help keep trees trimmed properly to retain the fullness of them. Mr. Morgan added that the amendment applied only to "required vegetation". He asked for any questions or comments. Hearing none, Council Member Gladden moved to close the public hearing at 6:36 p.m. with Council Member Fowler seconding the motion. There were ayes by all and the public hearing was closed.

Mr. Morgan explained that he was hoping to fast track this item and with the Planning Board in attendance and their approval, he asked for their recommendation to Council. Planning Board Chair, Jim Knowles, acknowledged that there was a quorum of three out of the five members in attendance so the Planning Board could open its meeting and take a vote. Planning Board Member, Mark King, moved to accept the amendment to the ordinance with a change in the spelling of one word from "heath" to "health". Thomas White seconded the motion and they were all in favor of adopting the change to the tree topping ordinance. They recommended that Council adopt the change as well and moved to adjourn their meeting at 6:39 p.m.

Mayor Pro Tem David Phillips moved to adopt the change to the tree topping ordinance which was seconded by Council Member Debbie Fowler. There were ayes by all and the amendment passed unanimously.

OLD BUSINESS:

A. Review and Approve Purchase of Camera Equipment -- Chief Merchant addressed Council regarding a presentation that was made at a previous council meeting regarding the use of cameras throughout town as another tool for law enforcement to use to deter crime. He stated he was 100% in favor of using them. Mayor Pro Tem David Phillips added that he and the chief had met with Wildfire Camera Co. several times and that even Mike Kindle had been in on one of the meetings. Quotes for their services were included in the Council Packets, along with an email clarification for one of the quotes. There was an additional quote for a license plate reader in case it was decided to use it at the park. Otherwise, the plan was to install an inside camera at Belle Johnston as a security precaution for employees who may be working alone at the center. A total of five cameras and one call box was planned to be installed at the park.

The equipment can be leased for five years with a warranty included with the term of the lease. If the equipment is purchased outright, however, there is an extended warranty that can be purchased in addition. If there was an issue where the call box was used, it would ring directly into the 911 call center. The call box would be located somewhere near the stage and would be clearly marked. The cost of the warranty is \$140 per month but it could be added at a later date if they decided not to purchase it now.

Council Member Les Gladden moved to approve the purchase of five outside cameras, an inside camera for the community center, a call box and warranties for all cameras at a cost of \$150 per month (straight purchase/not lease). The motion was seconded by Council Member Debbie Fowler and there were ayes by all in favor.

NEW BUSINESS:

A. Discussion of New Microphones for Hut – Interim Town Administrator, Ed Humphries, stated that our current set of portable microphones were outdated and he recommended they be replaced as an updated microphone

system would be to the town's advantage. Park and Recreation Director, Kristy Detwiler, clarified that she was asked to budget for a new projector only but not microphones. Council Member Davis stated that she misunderstood it to mean that she was going to have all the A/V equipment replaced. Council Member Gladden clarified that the system that was currently in place was simply a "sound system" not a "microphone system" and he motioned to purchase updated microphones for the Hut. Mayor Pro Tem Phillips seconded the motion and there were ayes by all to purchase the new microphones.

B. Discussion and Approval of Purchase of New Street Sweeper – Mr. Humphries stated that our current street sweeper is used consistently every week and that we've spent a lot of money on it to keep it in working order. We hadn't planned on purchasing a new one until next fiscal year but we need to reconsider that idea as additional repairs are needed at a cost upward of \$2,000. Mr. Humphries noted that the town could "piggyback" off another town's previous bid request to get the same price as what the other town had paid for their new street sweeper. This would allow us to purchase a new sweeper at an already-negotiated price without having to go through the bid process so that it could be received quickly with very little down time. There is sufficient money in storm water funds which could be used to pay for the sweeper truck. Typically a sweeper that is used as frequently as we use it lasts, on average, between 5 to 7 years and by that time, the funds should be built back up again in case a new one is needed at that time. Mayor Pro Tem Phillips motioned to approve the purchase of a new sweeper truck with Council Member Davis seconding the motion. There were ayes by all in favor of purchasing a new sweeper truck.

C. Discussion and Approval of Street Paving Project Paid From Powell Bill Funds -- Mr. Humphries again addressed Council regarding the condition of some of the streets in town that need to be repaired. Powell Bill funds that we receive each year can be used to repair some of the more severe ones in need of immediate repair. We cannot fix all of them because of the cost involved, but the ones that have been ranked the poorest will be taken care of first. Council Member Gladden added that a study of our streets had been done in 2011 and Public Works Director, Chip Hill, had prioritized the list, set a fixed amount of money to be spent on repairs and then selected the worst streets to repair first. Responding to a question from Council Member Davis, Mr. Gladden stated that the project could begin as early as November 1st, weather permitting. As long as the temperature does not fall below 40 degrees, it could be done in a matter of 3 to 4 weeks. Ms. Davis was also concerned because she was working with CMUD on a sewer pipe project and did not want the streets that she was working on with CMUD to be paved and then have to be dug up again. Mayor Pro Tem David Phillips asked if the flex pavement that was used on Industrial Drive would be used again to which Council Member Gladden replied that it would because it held up well and lasts longer. Council Member Gladden moved to approve up to a total of \$330,000 on street repairs with the ability to switch out streets that are on the list for other streets that are in need of repair. Council Member Davis seconded the motion and there were ayes by all.

D. Approval of Agreement with Public Surplus -- Town Clerk, Barbara Monticello, noted that the town had a lot of surplus items to sell and wanted to try the services of Public Surplus to auction them off. The area representative had already been in to view and photograph the items to input onto their online auction site. Mayor Pro Tem Phillips stated that employees have always had an opportunity to bid on items that the town was offering for sale but Interim Administrator Humphries, advised that it was not good to do that and that employees could bid on the items like anyone else if they were interested.

E. Resolution No. 2013-09 to Declare Certain Property Surplus – A list of all the items to be declared surplus was attached to Resolution No. 2013-09 as exhibit A. Mayor Pro Tem Phillips moved to approve the resolution declaring the items surplus and to list the surplus items with Public Surplus. Council Member Gladden seconded the motion and there were ayes by all.

F. Staff Update – The calendar of events was reviewed with the Fall Fest event noted for October 18th and 19th.

At 7:29 p.m. Mayor Fowler called for a break before entering into closed session.

CLOSED SESSION: The meeting reconvened at 7:50 p.m. at which time Council Member Debbie Fowler moved to enter into Closed Session. Council Member Melissa Davis seconded the motion and there were ayes by all to enter Closed Session. A personnel item was discussed at length as it related to the Police Department. At 10:10 p.m. Council Member Fowler moved to end the Closed Session and move back into Regular Session, seconded by Mayor Pro Tem Phillips. There were ayes by all.

ADJOURNMENT

There being no additional business to discuss, Council Member Debbie Fowler moved to adjourn the meeting at 10:11 p.m. with Mayor Pro Tem David Phillips seconding the motion. There ayes by all and the meeting adjourned.



Mayor George C. Fowler

ATTEST:



Barbara Monticello, Town Clerk

