



**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, MARCH 11, 2014**

The Town Council of the Town of Pineville met in regular session on Tuesday, March 11, 2014 at 6:30 p.m. at the Hut Meeting Facility in Pineville.

**ATTENDANCE**

Mayor: Jack Edwards

Mayor Pro-Tem: Melissa Davis

Town Council Members: Les Gladden, Debbie Fowler and David Phillips

Town Administrator: Haynes Brigman

Planning Director: Travis Morgan was absent

Town Clerk: Barbara Monticello

**CALL TO ORDER**

Mayor Edwards called the meeting to order at 6:27 p.m. and welcomed those in attendance. Those wishing to speak were invited to sign the speaker list.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

The Pledge of Allegiance was conducted.

**MOMENT OF SILENCE**

Mayor Edwards called for a moment of silence for those that were ill or hospitalized. Additionally, he asked that we remember the troops that were fighting for our freedom.

**ORDER OF BUSINESS**

**Adoption of the Agenda:**

Mayor Edwards stated that there would be one change to the agenda: he wanted to add a closed session pursuant to NCGS 143-318.11(a)(5) to discuss a real estate matter that had come up. Council Member David Phillips moved to approve the agenda with the addition of a closed session. Mayor Pro Tem Melissa Davis seconded the motion and there were ayes by all to approve the agenda with the addition of a closed session.

**Approval of Minutes for the Regular Session of February 11, 2014:** Mayor Edwards called for a motion on the Regular Minutes from February 11, 2014. Council Member Les Gladden moved to approve the minutes as is with Council Member David Phillips seconding the motion. There were ayes by all to approve the minutes as is.

**Consent Agenda:** The following items were included: a) *Financial Report Ending 02/28/14 (Richard Dixon)*; b) *Approval of Tax Refunds (Karen Bennett)*; c) *Audit Contract for Services*; d) *Proclamation Welcoming Dignitary to Town*; e) *Resolution No. 2014-03 Declaring Surplus Property*; f) *New Vehicle Purchase*; and g) *Set Joint Public Hearing Date for April 8<sup>th</sup>*. Mayor Pro Tem Davis asked that items "e and f" be removed from the consent agenda and Council Member Debbie Fowler asked that item D be removed. Ms. Davis stated that \$30,000 was excessive for a new vehicle and suggested one for half the cost. Rather than to pull the entire resolution for surplus items off the

agenda, it was decided just to pull the last item, a 2007 Ford Escape, off the resolution declaring certain items surplus until it was determined if the vehicle will be traded in or kept longer. The rest of the items listed on the resolution were fine to declare as surplus. Item "d" was a proclamation that no one remembered signing from the previous year. Council Member David Phillips motioned to remove only the 2007 Ford Escape from the Surplus Resolution and remove items "d and f" altogether from the Consent Agenda and table until April. Council Member Debbie Fowler seconded the motion and there were ayes by all.

**PUBLIC COMMENT:** Mayor Edwards stated that citizens had a right to be heard and could speak on any item they chose but they would be limited to just 3 minutes and a combined total of 15 minutes was being allotted to the Public Comment section of the agenda. He added that Council may or may not respond to the comments.

Resident Sue Campana asked for an update on Huntley Glen, the soccer complex on Dorman Rd. and the round-about on Dorman Rd. Town Administrator, Haynes Brigman, stated that the Planning Director would contact her with an update since he was not at the meeting to provide one.

Resident Judy Osborne stated that the town's website was difficult to understand and navigate. She was having trouble finding specific information. With the Civic and Cultural Arts Center of Pineville looking for new space to move into, she informed Council that three businesses were going into foreclosure on Main St. and that most non-profits had an opportunity to purchase these properties before the general public.

Resident Al Baskins stated his concerns about PCAA coming back to the community with their signs reflecting Ballantyne.

There were no additional comments from the Public.

#### **OLD BUSINESS:**

**A. PCAA Partnership/Mecklenburg Co. Agreement** (*Haynes Brigman/Jennifer Honaker*) Mr. Brigman stated that this was a two part item: one part was proposing a partnership with PCAA and the second part pertained to an agreement with Mecklenburg County Parks and Recreation and they needed to be considered separately. Regarding the partnership with PCAA, Jennifer Honaker would serve as the president of the PCAA Board, along with two other individuals from Pineville. As for the cost of constructing new ball fields, Mecklenburg County was willing to enter into an agreement to assist with construction. He wanted Council's feedback on both.

Mayor Pro Tem Davis had a lot of concerns, especially with the cost of constructing and maintaining the fields, as well as paying out an almost \$40,000 salary for an additional employee. Mayor Edwards pointed out that the first proposal was simply to form the partnership with PCAA and the second proposal with Mecklenburg County would deal more with the costs of construction. Ms. Davis was not comfortable voting on this item without additional details. Discussion continued regarding family fees, background checks, outdated bylaws and if Ms. Honaker would have the time to invest in these additional duties as PCAA president. A representative for PCAA stated that the bylaws would need to be amended if they went into a partnership. Mr. Brigman added that a lot of Park and Recreation expenses would come out of the Culture and Tourism money as he did not want to use tax payer money to fund this project. Council Member Les Gladden stated that the partnership piece had nothing to do with money but was simply an agreement to begin discussing the particulars of the agreement. He noted that the town would be leasing the grounds for \$1.00 a year for the next 50 years and if we didn't do this that another athletic association would come in and take the fields and we would lose the fields altogether. He reiterated that there was no relationship with Ballantyne from this point on. Council Member David Phillips asked if the town wanted to get into the baseball arena but wanted to make a decision because Council could not continue to table everything.

Town employee, Jennifer Honaker, stated that the fields would be for the town to use as it saw fit but if we didn't do this now, they would not be available for us to use at all. Mr. Brigman stated that it was a great opportunity and that

the town would never find an already graded lot with parking anywhere else – those things were already in place and would not cost the town a penny. Mayor Pro Tem Davis was not convinced and was not going to commit to \$400,000. She did not believe the people of Pineville should have to foot the bill for kids of Ft. Mill or other surrounding towns. Discussion continued.

Town Administrator Brigman stated that he would not be able to say what the costs would be until he had an opportunity to meet with others but would have a better idea for the April Council meeting. He assured Ms. Davis that the commitment to a partnership was not committing to any amount of money but showing our support to move forward. Ms. Davis stated that we needed to sit and tell them what we wanted. Ms. Honaker stated that once the partnership was formed, then they could all sit down to negotiate. She added that there would always be maintenance costs but that those were sacrifices that needed to be made in order to provide additional services for residents. Mayor Edwards reiterated that the town had to accept PCAA before they could move on to the second part of the item and Council Member Phillips reiterated that this was a time-sensitive issue and they needed to move forward. Ms. Davis stated that she wanted to see the fields built but not at a cost of 1.4 million dollars.

Mayor Edwards called for a motion on the item. Council Member Phillips moved to officially have the town partner with PCAA but with no promises of money. Council Member Gladden seconded the motion and there were ayes by all.

Moving to the second part of the item, Mr. Brigman stated that he needed a vote that evening for either for or against having an agreement with Mecklenburg County so he could begin conversations with them about field construction and costs. Council Member Debbie Fowler moved to approve the agreement with Council Member Phillips seconding the motion. There were ayes by all to move forward with an agreement with Mecklenburg County.

**B. Marketing Plan for Telephone Department (Haynes Brigman).** Town Administrator, Haynes Brigman, stated that the company that is redoing the town's website was in attendance to present a marketing plan for Pineville Telephone. He introduced Mia Holshauser of Granite Sky Designs. Ms. Holshauser stated that she had met with Gary Creech and Interim Manager, Ed Humphries about creating a marketing plan for Pineville Telecommunications. She noted the long history of Pineville Telephone, the quality of the customer service and unique situation of a town owning its own telephone company but that there were opportunities for them to tap into. Their marketing needed to be stepped up a bit, a communications plan developed and branding the telephone company as a whole was also a good idea. Their website should be different, a portal site but still remain part of the town's overall site. Additionally, their marketing materials needed to be more professional looking and they also needed to utilize the town's media channel.

Ms. Holshauser addressed questions and concerns from Council Members regarding how long the process will take, the effects of rebranding the telephone company and the decreasing number of households using landlines. Mayor Edwards noted that in his meeting last week with Gary Creech and Pineville Telephone's attorney, it was suggested the town consider changing its classification. Ms. Holshauser agreed because it was more of a "communications" company than strictly a "telephone" company. Mayor Pro Tem Davis wanted to see more of how the website would look before moving forward. Council Member Phillips remarked that it was okay to wait on this since it was only a discussion item at this point.

**C. Urban Archery Season (Haynes Brigman).** Mr. Brigman stated that Mr. Alan Brown was in attendance to answer questions regarding the Urban Archery Program. Mr. Brown spoke about the program noting that it was a citizen's request to implement such a program for Pineville. The program was intended to extend the deer hunting season by way of archery to help reduce the deer population. In order to begin such a program, a letter of intent would need to be sent to the North Carolina Wildlife Resource Commission by April 1<sup>st</sup> in order to be eligible for the 2015 program.

Mayor Pro Tem Davis had several questions for Mr. Brown. She was mostly concerned with who monitors the

program. Mr. Brown explained that the rules would need to be set by the town along with the parameters of where the archery could be held. There are usually two or three individuals who are designated as administrators. All of this falls under the jurisdiction of the North Carolina Wildlife Resource Commission but is monitored by a group of citizens. A governing group also must screen anyone that wants to join the group. It is against the law to shoot a mother deer with a baby and if anyone tries to hunt the deer without first going through the screening process, they will be banned from hunting forever. The town still has the right to control the rules even after the letter of intent is sent in and the program can be rescinded if the town chooses to end the program.

Council Member Les Gladden moved to send the letter of intent to start an Urban Archery Program in Pineville. Mayor Pro Tem Davis seconded the motion. The vote was 3-1 in favor of the Urban Archery Program. Les Gladden, Melissa Davis and David Phillips were all in favor and Debbie Fowler voted against the program.

#### **NEW BUSINES:**

**A. Cemetery Plot Addition (Haynes Brigman)** – Administrator Brigman informed Council that he had received a letter from Mr. Eubanks whose family members are buried at the Pineville Cemetery. He was requesting to purchase an additional 2 to 4 plots to bury other family members. There appear to be two paths along either side of a family grave that he would like to purchase and use as gravesites. There would be no headstone, only footstones and it would not impede maintenance in any way. He understood that the town has only maintained the cemetery and has never sold plots before but he was looking for direction from Council.

Mayor Pro Tem Davis wanted to have this looked into more to be sure there were no stipulations in place. Council Member Debbie Fowler thought that there was some stipulation that did not allow any plots to be sold. Council Member Gladden was concerned about the possibility of someone already being buried in one of those spots. He thought the burden should be on the party that was interested in purchasing the plots to prove there wasn't someone already buried there. Council Member Phillips moved to table this item until April's Council meeting. Mayor Pro Tem Davis seconded the motion and there were ayes by all. Item will be tabled until next meeting.

**B. CCAC Sponsorship (Haynes Brigman)** – Administrator Brigman, reminded Council that the Civic and Cultural Arts Center had to be out of their current location by the end of March. They had looked at and discussed many different options and narrowed it down to two: either find additional space to rent or work out an agreement to turn over the two properties on Dover Street. Mr. Baumgarten was in attendance and the floor was turned over to him.

Mr. Baumgarten stated that they were in a crunch period and immediate steps needed to be taken. Ideally, he would like to keep CCAC on Main Street. The facility they were currently in was about 2800 sq. feet but with classes, meetings and exhibit area, they needed 9,000 sq. feet and to add additional programs, they would be looking at 12,000 sq. feet. However, the immediate need was for an interim spot as soon as possible. They have not been able to grow enough to save funds to move into a different location. They did not have assets or employees and they have always been volunteers since the beginning. Likewise, they have always asked the town for their rent and utilities to be paid. To have employees and be open all day would cost \$200,000. Kids go to school all day and adults are working so they tend to be open later when people are home. Teachers and programs cost money.

Mr. Baumgarten continued wondering how much longer they could continue to volunteer. He asked Council to look at their budget and they would realize that what they were contributing to CCAC was minimal and if they weren't totally into growing the CCAC, then they should stop funding them and part ways as of July. They just needed some place to carry them through until July so that Council had some time to determine if there was still a relationship between them. Mayor Pro Tem Davis stated that she liked the arts but had heartburn over the amount charged for rent in the downtown area as well as the cost to rehab both houses on Dover St.

Council Member Phillips stated that it seemed as though the goals were different now than when they started and that Mr. Baumgarten had lost focus of where they were going because he was getting too involved with education.

He didn't think the town needed to be in the business of education. He had not seen anything in writing about the programs they offered and did not know what they were doing to generate memberships. The town could not support everything he was requesting. Discussion continued with Council Member Gladden adding his concerns that with 650 memberships, his doors were not open on a Saturday morning. He wanted to see them get back to the basics with the program offerings. Mayor Edwards was also concerned that the CCAC was never open but added that funding the arts costs money and it was a decision Council was going to have to make.

Council Member Phillips moved to agree to offset the difference in rent with the office on Main Street if an agreement could be reached with Mr. McConnell and with the flexibility to look at other options within reason. Council Member Fowler seconded the motion and there were ayes by all.

**C. ISS Workload Study -- (Haynes Brigman)** – Administrator Brigman informed Council that there was an opportunity for ISS to perform an analysis of our police staff and their rankings to determine if they were meeting the needs and expectations of Council and the town in general or if staffing adjustments and/or reclassifications were necessary. However, in order to move forward with this action, he needed Council's approval.

Mayor Pro Tem Davis asked if this was a normal thing to do in a police department. Council Member Phillips explained that it was something done usually every 5 – 7 years and that the chief and Mr. Brigman would work hand-in-hand throughout the study. He added that if tax payers wanted to be sure they had the best public safety program possible evaluating the rankings and positions of the employees was the best way to ensure that. Ms. Davis stated that she never received a copy of the outcome from the last investigation that ISS did. Mr. Phillips explained that the internal results of the investigation were private and could not be made available to her or any other Council Member. He added that because the police department is more military in its structure, they are the only department to have this sort of thing done but because they've invested a lot of money in the police department this year, it was recommended that this study be done to complete the process.

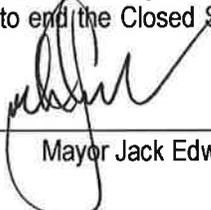
Council Member Gladden moved to approve the work study not to exceed the amount of the quote provided. Council Member Phillips seconded the motion and there were ayes by all.

**D. Staff Updates – (a) Manager's Report (Haynes Brigman)**—Mr. Brigman noted that the final two budget workshops would be held on April 2<sup>nd</sup> and April 17<sup>th</sup> at 5:00 p.m. at the Pineville Police Training Room and reminded the group about the big Health Fair that our Parks and Recreation Department was sponsoring on March 29<sup>th</sup>.

At 9:35 p.m. a recess was called before moving into closed session.

#### **ADJOURNMENT**

At 10:00 p.m. Council Member Debbie Fowler moved to enter into Closed Session pursuant to GS 143-318.11(a)(5). Council Member Les Gladden seconded the motion. There were ayes by all and Council entered into Closed Session. Town Administrator Haynes Brigman was looking for input and direction from the board on whether to proceed with some real estate transactions that were discussed. At 11:00 p.m. Council Member David Phillips moved to end the Closed Session and re-enter Regular Session to adjourn the meeting. Council Member Debbie Fowler seconded the motion and there were ayes by all to end the Closed Session, re-enter Regular Session and adjourn the meeting.

  
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Mayor Jack Edwards

ATTEST:

  
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Barbara Monticello, Town Clerk

