



**MINUTES OF THE
TOWN COUNCIL MEETING OF THE
TOWN OF PINEVILLE, NORTH CAROLINA
TUESDAY, MAY 13, 2014**

The Town Council of the Town of Pineville met in regular session on Tuesday, May 13, 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
Town Clerk: Barbara Monticello

CALL TO ORDER

Mayor Edwards called the meeting to order at 6:32 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 led by Council Member Debbie Fowler.

MOMENT OF SILENCE

Mayor Edwards called for a moment of silence for veterans, those left behind and those that were ill. Mayor Pro Tem Melissa Davis asked that Bobby Hall, who passed away, be remembered. Mayor Edwards announced that on Sunday, May 18th, a memorial service would be held for deceased Pineville veterans. He also added that he recently spent some time at Pineville Rehab calling out BINGO numbers. He encouraged those in the audience to visit the rehab center as patients often times do not have visitors.

ORDER OF BUSINESS

Adoption of the Agenda:

Council Member Debbie Fowler moved to have Item E under New Business removed from the agenda but Mayor Edwards wanted it discussed in regular, open session. Council Member Fowler withdrew her original motion. Council Member David Phillips then moved to approve the agenda as is with Council Member Les Gladden seconding the motion. There were ayes by all and the agenda was approved as is.

Approval of Minutes for the Regular Session of April 8, 2014: Mayor Edwards called for a motion on the Regular Minutes from April 8, 2014. There was one correction to page 4 that needed to be made regarding the cost for Phase I of ball field construction. Council Member Debbie Fowler moved to approve the minutes with the correction as noted. Council Member David Phillips seconded the motion and there were ayes by all.

Consent Agenda: The following items were included: a) *Financial Report ending 4/30/14 (Richard Dixon)*; b) *Proclamation for National Public Works Week*; c) *Approval of tax refunds*; d) *Resolution Declaring Surplus Property*; e) and *Job Reclassification (Pineville Telephone)*. Mayor Pro Tem Melissa Davis asked to have Item E removed from the

Consent Agenda to be discussed at a later date. Ms. Davis moved to remove Item E which was seconded by Council Member Debbie Fowler. There were ayes by all and the Consent Agenda was approved with Item E removed from it.

PUBLIC COMMENT: There were no questions or comments from the Public.

OLD BUSINESS:

- A. *Text Amendment to the Pineville Zoning Ordinance to Amend Acreage and Building Size Requirements Relating to Car Dealerships* (Travis Morgan).** Mr. Morgan reported that the Planning Board had held their meeting and made their recommendation. He noted two changes from the original proposal: 1) *the Planning Board was recommending that the acreage requirement be lowered to a minimum of 4 acres; and 2) that there be no elevated displays of vehicles permitted.* He added that the building square footage requirement of 28,000 square feet was still the same and it was still considered a Conditional Use. Mr. Morgan answered questions and concerns from Council Members regarding building materials, other lots becoming car dealerships along Polk Street and the proximity of car dealerships to the downtown area.

This led to a lengthy discussion on exactly how many car dealerships the town was willing to allow and exactly what would be considered too close to downtown. There was also discussion about what additional regulations needed to be put in place to limit the number of dealerships that come to town. Town Administrator, Haynes Brigman, suggested that he and Mr. Morgan develop additional restrictions using 485 as a possible starting point to determine the distance a car dealership can be located from it. The concern was that there would be more requests for smaller dealerships along Polk St. and that if additional restrictions were not instituted soon, the property where the Golf Village was, would be very attractive to someone interested in developing a car dealership. Mr. Brigman estimated that it would take about two months to develop the new regulations.

Council Member Les Gladden moved to approve the text amendment with an additional condition – building materials on the front façade must be carried through at least 200 feet back on the side visible from the R-O-W. Council Member Phillips seconded the motion. There were ayes by all.

NEW BUSINESS:

- A. *Pending Approval of Text Amendment to Car Dealerships, Set Public Hearing for Conditional Zoning Proposal for June.*** With the text amendment just being approved, Council Member Debbie Fowler moved to set a Public Hearing for June 10, 2014 to hear a Conditional Zoning Proposal. Council Member Gladden seconded the motion and there were ayes by all.
- B. *Mecklenburg County Manager* (Haynes Brigman) –** Town Administrator, Haynes Brigman, introduced County Manager, Dena Diorio, who was in attendance to introduce herself and Trevor Fuller, County Commissioner at Large. She thanked council for having her and stated that they were looking to work outside the borders of Charlotte to build relationships. They gave a brief overview of this year's budget process, plans to roll out an economic development program in the future and a status on the continuing revaluation process.
- C. *Presentation on Livable Communities Plan* (Heidi Pruess) –** Mr. Brigman introduced Heidi Pruess, Mecklenburg County's Community Plan and Sustainability Office. Ms. Pruess explained that she was involved with pulling together a Livable Communities Plan which was a joint initiative between the Foundation for the Carolinas, Mecklenburg County and the cities within the county. Discussions over arching communities together have been ongoing for a year and a half. There are roughly 150 plans in Mecklenburg County with no way to connect them.

A group of 150 community members, with representatives from all the areas, has been meeting regularly to develop strategies for connecting them and had drafted their vision for quality of life by building upon existing plans, introducing new programs and setting targets for each community. They established goals that fell within

six guiding principles to form an initiative that looks 10-20 years into the future. The group is entering the last part of Phase I which began in October 2013 and will run through January 2015. Out of a series of goals and strategies will come actions that each town or entity may have to implement in order to help connect the existing plans.

- D. ***Downtown Merchants Association – (Bill McConnell)*** – Mr. Bill McConnell gave an update on the last Downtown Merchants Association Meeting which 16 merchants and interested parties attended. He gave a status of the Crops & Shops festival that was planned for Saturday, May 17, 2014. The town had donated money for a banner to advertise the event, fliers had been made and posted, the media had been notified and the town's Park and Recreation Department loaned them staff T-shirts to wear for the event. As of that evening, they had 9 confirmed market vendors. There were two musicians performing and the event was scheduled to run from 8:30 am until mid-afternoon.

Mr. McConnell also noted that the Downtown Merchants had a new website that would soon be launched which they wanted to link to the town's website. He asked the town to assist with funding for the new website. He was in favor of continuing the Farmer's Market on Saturdays and asked that the vendors be permitted to use half the parking lot on the corner of Dover and Main Streets. He would act as the Market Manager and would police the vendors to be sure they parked in the gravel lot beside Town Hall.

- E. ***Historic Landmarks Commission Proposal – (Haynes Brigman/Dr. Dan Morrill)*** –Proposal from the Historic Landmarks Commission for properties located on Dover St. Mr. Brigman presented three options for the town-owned properties on Dover Street:
- a. Sell properties as is
 - b. Renovate them for the CCAC or other purposes
 - c. Seek out assistance from HLC

Mr. Brigman was trying to get a gauge on how Council felt about the last option. The general concepts for the proposal were presented in an agreement that was part of Council's packet. Dr. Morrill was unable to attend but the Chairman of the Historic Landmarks Commission, Mr. Len Weiss, was in attendance to answer questions.

Mr. Weiss stated that the HLC would first "stabilize" the two buildings but would let the town know how much it would cost to accomplish that. Mayor Pro Tem Melissa Davis asked if the two structures could be torn down to which Mr. Weiss replied that they could. She also asked if the town could have them first declared "historic" and then sell them on their own. Mr. Weiss again answered that it could be done but deed covenants would be put in place to protect the historical value of the homes. Ms. Davis wanted to first get an idea of what the market value on the homes currently is.

Council Member Les Gladden asked if the cost to "stabilize" the homes would be passed on to the town. Mr. Weiss stated that the HLC would give the town an idea of the cost to repair the homes and a clause would be included in the contract to back out of the agreement if the town felt it would cost too much money. Mayor Edwards explained that some of the Council had reservations about contracting a deal with the HLC because of a past experience and before committing to one, they would like to find out the market value of the homes. Additionally, the consensus of Council was to have the covenants placed on them and then have the HLC buy the homes outright. Mr. Weiss was not at liberty to approve proposals or discuss the Commission's stand on the homes but offered to take it back to the committee to their next meeting and present the town's counter proposal. Their next meeting was scheduled for June 9, 2014.

Council Member David Phillips asked that Council consider what role those two pieces of property would play if the mill was sold and the property redeveloped. New owners may want those properties, too, as part of a deal to purchase the mill. Mayor Pro Tem Davis moved to table the item until the July Council Meeting with Council Member Les Gladden seconding the motion. There were ayes by all to table it until July.

- F. **Resolution Opposing Flat Rate Privilege License Tax** – (Haynes Brigman). Mayor Edwards explained to Council that the General Assembly was proposing to institute a flat rate on privilege licenses beginning next year. They were proposing a flat rate of \$100 regardless of the type of business it is. This would result in a loss of hundreds of thousands of dollars of revenue for the town. He asked the clerk to prepare a resolution in opposition to the proposal that he planned to take with him to Raleigh for Town Hall Day. Council Member Gladden moved to approve the resolution with Council Member Phillips seconding the motion. There were ayes by all to approve Resolution No. 2014-06.
- G. **Demolition of Old Police Building** (Haynes Brigman) – Mr. Brigman explained that quotes had been obtained for the demolition of the old police building although this was not something that was budgeted for this year. He was proposing to use \$30,000 in contingency funds and the remainder to be used from the General Fund Fund Balance. The building has asbestos which makes the demolition more expensive at \$65,000. He was seeking approval from Council to move forward and approve up to \$65,000 for the project. Council Member Gladden moved to approve up to \$65,000 for the demolition of the old police building. Council Member Phillips seconded the motion but asked to add that no contractor be paid until the job is done and everyone is in agreement with the work. Council Member Gladden agreed to amend the motion to include that and there were ayes by all to approve the demolition.
- H. **Budget Introduction** (Haynes Brigman) – Town Administrator, Haynes Brigman, was not making a formal presentation on the budget but was formally introducing it and setting a public hearing for June's Council Meeting on the 10th. Copies of the proposed budget would now be available for public inspection at Town Hall. There was no tax rate increase for this year although there was a 2% decrease in revenues and a reduction in expenditures due to property tax reductions. There continues to be strong sales tax growth, however. Additionally, there was some loss of grant money for the Police Department and some Storm Water and Powell Bill funds were used for projects this budget year. Both Mr. Brigman and Finance Director, Richard Dixon, will be creating a Capital Improvement Plan program and Fund Balance policy for the next fiscal year. Council Member Debbie Fowler moved to set the Budget Public Hearing date for June 10, 2014. Mayor Pro Tem Melissa Davis seconded the motion and there were ayes by all.
- I. **Staff Updates** – (a) *Manager's Report* (Haynes Brigman); (b) *Animal Control Update* (Haynes Brigman); (c) *Calendar of Events*. Mr. Brigman stated that there would be a shift in how animal control calls were being handled. The current cost of \$117 per call to Animal Control was being increased to \$125 per call and in an effort to help reduce that cost, our Police Department will respond to the call first to assess the situation. If they are able to handle it, they will take care of it. If they are not able to handle it, then Animal Care and Control will respond. This will take place on June 1st and will be a significant savings to the town.

At 8:17 p.m., Mayor Edwards called for a five minute recess before heading into Closed Session.

CLOSED SESSION

At 8:30 p.m. Council Member Debbie Fowler moved to exit Regular Session and enter into Closed Session. Council Member Les Gladden seconded the motion and there were ayes by all to open the Closed Session. Town Administrator, Haynes Brigman, was seeking direction on what to do with a piece of town-owned property. Several options were discussed but Council came to a general consensus of what they would like to see on that piece of property and they directed Mr. Brigman to start moving forward with the process since developing it would take several years.

Mr. Brigman reminded Council that his six months employment with the town was approaching. Council directed him on how they would proceed with the evaluation process. Additionally, Mayor Edwards reminded Council that he would be attending Town Hall Day and if they had anything they would like discussed while he was in Raleigh, to let him know.

ADJOURNMENT

At 9:12 p.m. Council Member Les Gladden moved to exit Closed Session. Council Member David Phillips seconded the motion and there were ayes by all to end Closed Session and move back into Regular Session. At 9:13 p.m., Council Member Debbie Fowler moved to adjourn the meeting with Council Member David Phillips seconding the motion. There were ayes by all and the meeting adjourned.



Mayor Jack Edwards

ATTEST:



Barbara Monticello, Town Clerk