



**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, JULY 8, 2014**

The Town Council of the Town of Pineville met in Regular Session on Tuesday, July 8, 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 David Phillips.

**MOMENT OF SILENCE**

Mayor Edwards called for a moment of silence for the following: Betty Helfner (passed); Telephone employee, Gary Creech's mom, Thelma (passed), along with veterans and their families left behind and those that were ill in the hospital.

**ORDER OF BUSINESS:**

**Adoption of the Agenda:**

There being no changes to the agenda, Council Member Debbie Fowler moved to approve the agenda with Council Member David Phillips seconding the motion. There were ayes by all and the agenda was adopted.

**Approval of Minutes for the Regular Session Meeting of June 10, 2014:** Mayor Edwards called for a motion on the Regular Session minutes of June 10, 2014. There was one correction to the spelling of a resident's name. Council Member Les Gladden moved to approve the minutes with the correction. Council Member David Phillips seconded the motion and there were ayes by all to approve the minutes with the change.

**Consent Agenda:** The following items were included: a) *Financial Report ending 6/30/14 (not available at this time); b) Proclamation for Founding Fathers' Faith Awareness Month; c) Resolution No. 2014-08 for Surplus Items; and d) Set Public Hearing for August 12, 2014 for Proposed Car Dealership.* Town Administrator, Haynes Brigman, noted that the Financial Report ending 6/30/14 was not yet available as it was year-end closing and not all of the data had come in yet. Once all the data was received, the report will be completed and distributed to Council. Council Member Debbie Fowler moved to approve the Consent Agenda without the Financial Report. Council Member Les Gladden seconded the motion and there were ayes by all.

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

**OLD BUSINESS:** None

**NEW BUSINESS:**

**A. Update on Additional Regulations for Auto Dealerships on Polk St.** (*Travis Morgan*). Planning Director, Travis Morgan, stated that he was following up on a request from Council on a previous text change pertaining to car dealerships. Council had requested staff investigate additional restrictions to limit the spread of car dealerships into the Historic Downtown and residential areas of Pineville. He was adding letter "G" to the existing regulations for their consideration.

To further limit the spread of car dealerships, he was proposing that new dealerships could only be located on parcels of land within a half mile radius of the 485 on-ramps. He included an aerial photo depicting the radius points from the two on-ramps in Pineville. Mayor Pro Tem Melissa Davis requested clarification of where the boundaries ended for each of the distances calculated. Mr. Morgan responded that one fell right around where the IHOP restaurant was located on NC51 and the other fell right by where the Mercedes dealership was on Polk Street. He added that since any requests would be conditional, Council could always deny the request for another dealership if they could cite specific reasons for the denial. There were no further questions or comments. Council Member Les Gladden moved to approve the additional restriction with Council Member David Phillips seconding the motion. There were ayes by all and the new regulation will be included as part of the text change amendment.

**B. Fund Balance Policy --** (*Haynes Brigman*) – Town Administrator, Haynes Brigman, stated that to protect the future of the town's reserve funds, made up of the General Fund and the two enterprise funds, he wanted to institute a Fund Balance Policy. Additionally, the Local Government Budget and Fiscal Control Act requires that a municipality maintain at least 8% of its General Fund operating expenses in reserve to ensure financial stability. Many towns choose to maintain higher percentages and he was recommending to keep at least 40% in General Fund reserves and at least 25% in both the Telephone and Electric Fund Reserves. Doing this would ensure enough funds were available for emergencies or special projects and prevent future boards from weakening the financial stability of the town. No board could take action to reduce the reserves without first voting to void this policy.

Council Member Gladden moved to approve the policy with Council Member Fowler seconding the motion. There were ayes by all to approve the new Fund Balance Policy.

**C. Staff Updates – (a) Manager's Report** (*Haynes Brigman*); **(b) Calendar of Events.** Mr. Brigman noted that the town was looking to hire two part-time cleaners to maintain all town facilities. He indicated that several qualified candidates had applied and the plan was to have one work during daytime hours to accommodate the police building and the Belle Johnston Community Center while the other worked evening hours to clean the Telephone & Electric Building and Town Hall.

He provided an update on the two Dover Street properties stating that it was difficult to find someone that could give an accurate appraisal of the properties because of their age and proximity to the mill but was finally able to locate someone willing to take on the task. He should have some information on it in August.

Mr. Brigman also stated that he had been working on designs for new banners along Main St. The proposed designs were included in the Council packets and he requested that if any of the Council members had comments or suggestions regarding the banners, to let him know. He also informed them that the Civic and Cultural Arts Center of Pineville had voluntarily sought to end its partnership with the town and had moved out of their Main Street location on June 30<sup>th</sup>.

Mayor Edwards updated Council on his trip to Raleigh for Town Hall Day in May. He was particularly unhappy with

Senator Rucho who was pushing a law to end tax incentives for sites that have been declared historic. At 6:55 p.m. he called for a break before entering into Closed Session.

**CLOSED SESSION**

A motion was made and seconded to enter into Closed Session. Brief discussions were held regarding the town administrator's six month evaluation and the town charter after which Council Member Les Gladden moved to end the Closed Session. Council Member David Phillips seconded the motion and there were ayes by all.

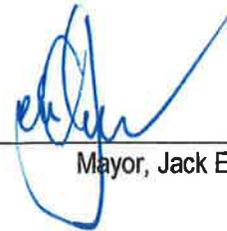
**REGULAR SESSION**

Council Member Les Gladden moved to enter back into Regular Session with Council Member Debbie Fowler seconding the motion. There were ayes by all and Council moved back to Staff Updates. Mr. Brigman provided an update on the progress of the mill. An abatement went out to the mill's owner on July 3<sup>rd</sup>. He has 30 days to remedy the issues. Council Member Gladden asked why the property hadn't had a lien placed on it instead. Mayor Jack Edwards stated that an abatement is a court-ordered judgment that would force the owner to court and to correct the situation. Councilman Gladden noted that the owner had a history of dragging out court cases and held the record for the longest divorce proceedings in the state of North Carolina. Mr. Brigman suggested that they reassess the situation after the court date. Mayor Edwards asked Mr. Brigman to clarify if the fines were still running on the property. Mr. Brigman agreed to provide an update in 30 days.

Mayor Edwards asked Council Members to write to their representatives about losing tax credits on historic properties and that he would email them with the names of those they needed to contact. Mayor Pro Tem Davis asked the clerk to provide some dates in August to consider viewing the Ethics webinar.

**ADJOURNMENT**

At 7:35 p.m. Mayor Pro Tem Davis moved to adjourn the meeting with Council Member Phillips seconding the motion. There were ayes by all and the meeting adjourned.



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Mayor, Jack Edwards

**ATTEST:**



Barbara Monticello, Town Clerk

