



**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, DECEMBER 9, 2014**

The Town Council of the Town of Pineville met in Regular Session on Tuesday, December 9, 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

Also in attendance: Park and Recreation Director, Kristy Detwiler

**CALL TO ORDER**

Mayor Edwards called the meeting to order at 6:30 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 wished all a very Merry Christmas and asked that those in attendance keep the less fortunate ones in mind. He also asked that those in the military, as well as the loved ones left behind, be remembered as well.

**ORDER OF BUSINESS:**

**Adoption of the Agenda:**

There being no changes to the agenda, Mayor Pro Tem Melissa Davis moved to approve the agenda with Council Member David Phillips seconding the motion. There were ayes by all and the agenda was adopted as is.

**Approval of Minutes for the Regular Session and Closed Session Minutes of November 18, 2014:** Mayor Edwards called for a motion on the Regular and Closed Session minutes of the November 18, 2014. There being no changes, Council Member Les Gladden moved to approve them both with Council Member Debbie Fowler seconding the motion. There were ayes by all and both sets of minutes were approved as is.

**Consent Agenda:** The following items were included: a) *Financial Report ending 11/30/14 (provided by Richard Dixon); b) Approval of Tax Refunds (Karen Bennett); c) Proclamations for Bill Griffin and Members of the Pineville Telephone Company; and d) Resolution No. 2014-17 for Surplus Items (Barbara Monticello).* Council Member Les Gladden moved to approve the Consent Agenda with Council Member David Phillips seconding the motion. There were ayes by all and the consent agenda was adopted with no changes.

**PUBLIC COMMENT:** Bill McConnell gave a brief update on the Downtown Merchants Association Meeting that was held

earlier in the evening. Fifteen merchants attended. He introduced Dan Haggerty as the newest merchant to move to Main St. Mr. McConnell stated that he was interested in leasing 323 & 324 Main St. as of March 1<sup>st</sup>. The Association elected Jennifer Fagan as their new president with David Zion stepping down after two years as president. A four-person marketing sub-committee was formed to help promote the downtown businesses. This year's Tree Lighting was the best one so far for the merchants on Main Street. He thanked Kristy Detwiler for including them in the plans this year. Susan Whitmore, owner of the Yarn Shop has decided to retire after 20+ years.

**PUBLIC HEARING:** *(The Public Hearing that was called during last month's meeting for this meeting had to be rescheduled to the January 13, 2015 meeting.)*

#### **OLD BUSINESS:**

- A. **Presenting Revised Trash Policy** *(Haynes Brigman)*. Town Manager, Haynes Brigman, stated that the suggested changes from the last meeting were made to the proposed Solid Waste Policy which included adding language about the roll-out containers and further defining "front yard" as it relates to storing of roll-out containers. Council Member Les Gladden stated that the timeframes for bringing carts to and from the curb were confusing and asked that be further clarified as in specifying "midnight" or "11:59 p.m." Mayor Edwards agreed. Mr. Gladden also wanted the policy to be very specific stating that we do not pick up any construction debris. Mayor Pro Tem Melissa Davis moved to approve the policy with the suggested changes. Council Member David Phillips seconded the motion and there were ayes by all to adopt the policy with the changes mentioned.

#### **NEW BUSINESS:**

- A. **Resolution of Intent to Amend Town Charter to 4-year Staggered Terms** – *(Haynes Brigman)*. Town Manager Haynes Brigman, stated he had conversations with staff and elected officials regarding four-year staggered terms for Council Members and was proposing this change be made to the town's Charter. With the 2015 election, the two highest vote-getters would be in office for four years while the next two highest vote-getters would serve two year terms. By the following election, all Council Members would be serving for four years. The Mayor would continue to have two-year terms. This would prevent all members of Council from being wiped out in one election and would create some continuity and stability with the Council. The process for the change would be the same as it was for changing our form of government – a public hearing would be scheduled for the next Council Meeting and an Ordinance adopted at the February meeting. With no further discussion, Council Member Debbie Fowler moved to adopt the resolution with Mayor Pro Tem Melissa Davis seconding the motion. There were ayes by all and the resolution passed. Mr. Brigman formally announced that a public hearing on the matter would be held on January 13, 2015.
- B. **Approval for Contract for Lease Agreement with Mecklenburg County** -- *(Haynes Brigman)*. Mr. Brigman explained that the new ball fields that were under construction at the Pineville Elementary School would be leased to the town at \$0 cost to the town. The lease would be for 25 years and the town would have sole control of the fields. The town had agreed to fund \$300,000 of construction with Mecklenburg County funding the remainder of \$160,000. Mayor Pro Tem Davis requested clarification of Section 6.01, Future County Construction. She was concerned that Mecklenburg County would take control of the property, causing CMS to break their agreement with Mecklenburg County and the town would be left with no ball fields. Mr. Brigman explained that it was just a way for the county to cover themselves legally and that the contract was almost identical to ones between the County and other towns. Council Member David Phillips stated that the town had never had any problems in the past when the town's fields were on school property but Ms. Davis still believed that something should be included in the agreement to prevent that from happening. Mr. Brigman reminded her that the agreement was with Mecklenburg County and not CMS. Mr. Brigman added that he received confirmation from CMS that the fields could be renamed with the old name and that Council had already approved the expenditure. He also confirmed that the fields would be ready in the spring. There being no further questions, Council Member Phillips moved to approve the agreement with Council Member Fowler seconding the motion. There were three ayes and one opposing vote (Melissa Davis). Motion passed in favor of adopting the agreement, 3-1.

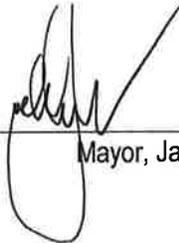
- C. **Update from James K. Polk Historic Site** (*Scott Warren*). Mr. Warren had informed the clerk that he was ill and would not be attending the meeting but asked that a message of thanks be conveyed to those that showed up at the Firemen's luncheon and for use of the Hut.
- D. **Livable Communities Plan Update** (*Heidi Preuss*). Town Manager, Haynes Brigman, introduced Heidi Preuss from Mecklenburg County who was present to provide an update on the Livable Communities Plan. Ms. Preuss explained that the project was a year in the making which started with a meeting of all the communities coming together last October to develop a unified vision for Mecklenburg County. With the population at about 1 million people currently in the county and a half a million more expected within 20 years, it was time to engage the public in planning for the future and to ensure opportunities for public, private and non-profit entities. She stated that Phase I included a vision and guiding principles that generated strategies and actions. In the first six months of the project, 150 individual partners from both the private sector and non-profit agencies had come together to understand how to work and collaborate together. The next steps will be to get feedback from elected officials, engage partners and finalize the initial plan which is scheduled to be completed in January, 2015. At that time, the county will be looking for resolutions in support of the plan.
- E. **Johnston Drive Traffic Redesign** (*Kimley-Horn*) – Mr. Johnathan Guy of Kimley-Horn was in attendance to present a report on options to consider for realigning Johnston Drive. A handout of the presentation was also provided in each Council Members packet of information. Mr. Guy presented three different options for Council to consider which would all produce the same results: Johnston Drive would be realigned so that it fed out to Main Street directly across from Church Street enabling one traffic light to be eliminated so that traffic would flow more smoothly. The three options ranged in estimated cost from \$836,000 to \$990,000. Two of the three options would require property purchases which makes the options more costly but necessary in order to achieve the desired goal. The pros and cons of each option were presented, questions were raised and comments made about each but one thing that was a benefit to the town is that Mr. Guy believed there was a good chance that NCDOT would provide some funding as they were very excited about the possibility of having traffic flow more smoothly through the area. They were very much in favor of the redesign. Mr. Brigman added that Council would not be committing to a dollar amount as there was some flexibility in moving from one option to another if the chosen one was not working as expected. Staff's choice was in line with what Kimley-Horn was recommending; option #3 was the best. Council Member Phillips moved to pursue concept #3. Council Member Gladden seconded the motion and there were ayes by all.
- F. **Polk Street Bridge Agreement** (*Haynes Brigman*) – Mr. Brigman informed the group that NCDOT was looking to replace the bridge on Polk St. although it had no plans to widen the street. The project was part of the Federal Bridge Replacement Plan. Sidewalks on both sides of the bridge would be added but the town would have to commit to pay 20% of the cost which was estimated to be \$4,301. Council Member Debbie Fowler moved to approve the project and commit to pay \$4,301 toward the cost of sidewalks. Council Member Les Gladden seconded the motion and there were ayes by all.
- G. **Recommendation for Audit Contract** (*Haynes Brigman*) – Mr. Brigman noted that the town had just completed an audit with Martin, Starnes & Associates. Finance Director, Richard Dixon, was satisfied with them so the contract was re-negotiated with them for another three years. The price for the services would only increase by 2% each year. Staff was recommending that the town continue using them. Mayor Pro Tem Davis moved to approve the new contract with Council Member Phillips seconding the motion. There were ayes by all to approve the new audit contract.
- H. **Approval of Park Master Plan** (*Kristy Detwiler/Carl Armanini*)—Park and Recreation Director, Kristy Detwiler noted that an Executive Summary Report had been presented to Council on December 2, 2014 and since that time, Carl Armanini of Woolpert Associates, made some changes and was presenting the final version of the Park Master Plan for Council approval. Mayor Pro Tem Davis expressed concerns that she was in favor of a Park Master Plan in general, but was not in favor of some of the specific things presented in it. Mr. Brigman explained that she was not

committing to having a facility built or any specific dollar amounts but a general plan that would be used as a road map for the future and to assist with obtaining grant funds. Council Member Les Gladden moved to approve the Park Master Plan with Council Member David Phillips seconding the motion. There were ayes by all and the Park Master Plan was approved.

- I. **Staff Updates:** 1) *Manager's Report*; 2) *Calendar of Events* – Manager Brigman explained that the advertising for the Public Hearing for an amendment to the ordinance regarding the discharging of weapons could not be placed in time for the hearing to be held that night so it had to be postponed until January 13, 2015. Mayor Edwards asked Chief Merchant to introduce the newest members of his department to Council. Elizabeth Fehling and Adam Malin were both introduced to the group.

**ADJOURNMENT**

At 8: 13 p.m. Council Member Phillips moved to adjourn the meeting with Council Member Fowler seconding the motion. There were ayes by all and the meeting adjourned.

  
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Mayor, Jack Edwards

**ATTEST:**

  
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Barbara Monticello, Town Clerk

