



**MINUTES OF THE
TOWN COUNCIL MEETING OF THE
TOWN OF PINEVILLE, NORTH CAROLINA
TUESDAY, JANUARY 13, 2015**

The Town Council of the Town of Pineville met in Regular Session on Tuesday, January 13, 2015 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 6:30 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 Les Gladden.

MOMENT OF SILENCE

Mayor Edwards called for a moment of silence for the following individuals: Rita Satterfield and Alene Catoe as noted by Mayor Pro Tem Davis who asked that they be kept in our thoughts and prayers. Mayor Edwards added that resident, John Smith, had arranged flags recognizing Pineville veterans in front of the Police Building to commemorate Veteran's Day back in November.

ORDER OF BUSINESS:

Adoption of the Agenda:

Mayor Edwards asked that "Item F, Salary Study", be removed from the agenda and that a Closed Session be added to the agenda citing GS143-318.11(6) as the reason for it. There being no other changes to the agenda, Council Member Les Gladden moved to adopt it with Mayor Pro Tem Melissa Davis seconding the motion. There were ayes by all and the agenda was adopted with the changes.

Approval of Minutes for the Regular Session Meeting of December 9, 2014: Mayor Edwards called for a motion on the Regular Session minutes of the December 9, 2014 Council Meeting. There being no changes, Mayor Pro Tem Melissa Davis moved to approve them with Council Member David Phillips seconding the motion. There were ayes by all the minutes were approved as is.

Consent Agenda: The following items were included: a) *Financial Report ending 12/31/14 (provided by Richard Dixon)*; b) *Approval of Tax Refunds (Karen Bennett)*; c) *Resolution No. 2015-01 for Surplus Items (Barbara Monticello)*. Council Member Les Gladden moved to approve the Consent Agenda adding one additional batch of tax refunds. Council Member David Phillips seconded the motion and there were ayes by all. The consent agenda was adopted with the addition of another batch of tax refunds.

PUBLIC COMMENT: Mr. Bill Phillips spoke about installing a free library in front of his house at the corner of Cone Ave. and Eden Circle. The free library is a large box where someone can take a book from it and leave a book in it. Friends and neighbors can help themselves to books inside the box or they can stock it with whatever books they want to leave in it for others to enjoy. He and his wife will handle the upkeep of the box. He asked if Council had any questions regarding the idea. Mayor Pro Tem Davis was in favor of it and Council Member Gladden asked if the box would be located in the corner. Mr. Phillips indicated that it would be and that they would be using about 2 to 3 feet of the town's R-O-W but it would be moved should the town need to access that space. Both adults and children's books will be stocked in the box and when the books get too old, they will be removed and recycled. Books would also be donated by Charlotte's library. Laura Yandell-McConnell stated that she had actually used two such facilities in Charlotte.

Town Manager, Haynes Brigman, stated he had no problems with it and it did not interfere with any utilities. Staff supported his project. Mayor Pro Tem Davis moved to allow Mr. Phillips to construct the free library seconded by Council Member Fowler. There were ayes by all and the project was approved.

PUBLIC HEARINGS:

- A. Public Hearing on Proposed Amendment to Town Code Regarding the Discharging of Weapons.** Council Member Les Gladden moved to open the Public Hearing with Council Member Debbie Fowler seconding the motion. There were ayes by all and the Public Hearing was opened. Town Manager, Haynes Brigman, explained that a change to how the text reads regarding the discharge of weapons was being proposed -- changing from "discharging of firearms" to "discharging of weapons" so that bow and arrows were covered under the ordinance. He opened it up to the public for comment but no one spoke. He further explained that it would give our police department authority to fine and assign penalties to violators that would have to be at least 300 feet from a neighboring property before a bow could be discharged. Mayor Edwards stated that the ordinance amendment would be brought back in February for a vote. Council Member Debbie Fowler moved to close the Public Hearing, seconded by Council Member David Phillips. There were ayes by all and the Public Hearing was closed at 6:47 p.m.
- B. Public Hearing on Proposed Change to Town Charter from Two-Year to Four-Year Terms.** Council Member Debbie Fowler moved to open the Public Hearing with Council Member David Phillips seconding the motion. There were ayes by all and the Public Hearing was opened. Mr. Brigman explained that a change to the term length of council members was being proposed from two-year terms to four-year terms to prevent the entire council from being ousted in one election. A Resolution of Intent was done in December and the ordinance will be adopted formally in February. The Mayor's term would remain the same at two years. Resident Chris McDonough asked why the Mayor's term would not be changed as well. Mr. Brigman responded that in North Carolina it was very common for Mayor's to have two-year terms and since they were non-voting members of the Council, he recommended keeping the Mayor's term at two years. There being no further questions or comments, Council Member David Phillips moved to close the Public Hearing, seconded by Council Member Debbie Fowler. There were ayes by all and the Public Hearing was closed at 6:51 p.m.

OLD BUSINESS:

None

NEW BUSINESS:

- A. Announcement of New Fire Chief – (Mayor Edwards).** Mayor Edwards announced that Bill Griffin had stepped

down as Fire Chief of Pineville's Volunteer Fire Department and that Mike Gerin, a Captain at Charlotte's Fire Department, had been voted in as the new Fire Chief. Mike has been on the Pineville Squad for a number of years and became the new chief as of January 1st.

- B. Board Appointments -- (Haynes Brigman).** Town Manager, Haynes Brigman, reviewed each of the expiring positions on the town's boards. Jack Lee's position on the Planning Board had expired in December. Resident Chris McDonough was interested in moving from the alternate position to the permanent position to replace Mr. Lee. Resident, Jennifer Braganza was interested in being an alternate on this board as well. Council Member, Les Gladden, noted that Mr. Jerome Bell was interested in being an alternate on the Planning Board and nominated him as such. The Planning Board will now consist of: Jim Knowles, Paul Sullivan, Thomas White, Amelia Stinson-Wesley and Chris McDonough with Jennifer Braganza and Jerome Bell as the alternates.

The next board that was discussed was the Board of Adjustment. Both Joe Yarber and Mark Matthews' seats expired in December. Mark Matthews had expressed interest in continuing but Clerk Monticello was unable to get a response from Mr. Yarber. Council asked that the seat remain open until Mr. Yarber was able to be reached to see if he was still interested in being on the board. The rest of the members, Chris McDonough, Mark Matthews, Paul Sullivan and Thomas White will all continue on the board. Jennifer Braganza will be the alternate for this board.

The Telephone Board will consist only of Town Council Members, the Town Manager and the Telecommunications Director (Gary Creech).

Members of the rest of the committees were all re-appointed and are as follows:

Citizen's Transit Advisory Group	=	Jennifer Braganza
Arts and Science Council	=	Kristy Detwiler
CRTPO (MUMPO) Representative	=	Les Gladden
MTC Representative	=	Mayor Jack Edwards
Centralina Council of Gov'ts. (COG) Delegate	=	Jack Edwards (Haynes Brigman – Alternate)
Mecklenburg County Planning Committee	=	David Phillips
Electricities Representative	=	Jack Edwards (Haynes Brigman – Alternate)
Tax Collector	=	Mecklenburg County
Town Attorney	=	Janelle Lyons

Council Member David Phillips asked if Jim Knowles could be an alternate for him on the Mecklenburg County Planning Committee. Mr. Brigman wasn't sure that he could be an alternate so before appointing him, he said he would check into it. Council Member Phillips then moved to approve all the appointments and reappointments with the changes mentioned. Council Member Gladden seconded the motion and there were ayes by all.

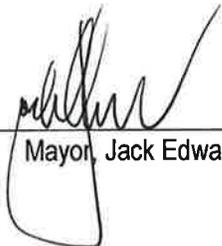
- C. Update from James K. Polk Historic Site (Scott Warren).** Mr. Warren had informed the clerk that he was ill and would not be attending the meeting so there was no update presented.
- D. Update on Downtown Merchants Association (Bill McConnell).** Mr. Bill McConnell gave a quick update on the Downtown Merchants Association's last meeting. A total of 16 merchants attended as well as several other interested parties. Town Manager, Haynes Brigman gave a presentation on the plans to realign Johnston Drive with Church St. so business owners could get an idea of how it would look once completed. He explained that several options were considered but that one option was favored over the others. However, depending on what surveyors/engineers have to say, the plan might have to be reconfigured if it can't be constructed the way it's currently being proposed. Mr. McConnell stated that the group came up with a comprehensive marketing plan to hold four major events throughout the year: Crops & Shops in the spring (May 16th), Fall Fest on Main (Oct. 17th), Shop Small (Nov. 28th) and the Holiday Tree Lighting Event (Dec. 6th). He was hoping to get some funding for these events from the town. Council voted to allot \$2400 to the Merchants Association. Council Member David Phillips moved to approve \$2400 for the next upcoming event, Crops & Shops, seconded by Council Member Debbie Fowler. There were ayes by all.

- E. Introduce Additional Regulations Pertaining to Massage Parlors (Haynes Brigman)** – Mr. Brigman stated that some additional regulations were being proposed as it relates to massage parlors and associated businesses. In the past, it had been difficult to charge violators that were conducting more than just the standard back massages on clients because of loop-holes in the State law which did not define areas of the body that can be massaged or touched by a service provider. A sample policy borrowed from the City of Charlotte was enclosed in each Council Member's packet for their review. If Council was interested in moving forward with the additional regulations, a Public Hearing would be set for the February Council Meeting. Officer Shaun Boyter suggested that adding lewd acts to the ordinance would ensure them the ability to address any such behavior, particularly some of the activity that had transpired at the Carolina Place Mall. The consensus of Council was to move forward with the additional regulations and to set a Public Hearing. Council Member Debbie Fowler moved to set a Public Hearing for February 10, 2015 at 6:30 p.m. Mayor Pro Tem Davis seconded the motion and there were ayes by all.
- F. Salary Study Recommendation (Haynes Brigman)** – Pulled from agenda.
- G. Staff Update:** 1) *Manager's Report*; 2) *Calendar of Events* – Manager Brigman stated he had nothing to report. Mayor Edwards called for a five minute recess before moving into Closed Session.

At 7:35 p.m. a motion was made and seconded to enter Closed Session. Discussions took place for the next 2 ½ hours pertaining to personnel and related issues. A consensus was reached by Council to go with recommendations discussed with the exception of one position. At 9:55 p.m. Council Member Phillips moved to exit closed session, seconded by Council Member Gladden. Council Member Debbie Fowler moved to enter back into regular session with Council Member Phillips seconding the motion. There were ayes by all.

ADJOURNMENT

At 9:56 p.m. Council Member Fowler moved to adjourn the meeting, seconded by Mayor Pro Tem Davis. There were ayes by all and the meeting adjourned.



Mayor, Jack Edwards

ATTEST:



Barbara Monticello, Town Clerk

