



**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, August 6, 2019**

The Town Council of the Town of Pineville met in Regular and Closed Session on Tuesday, August 6, 2019 at 6:30 p.m. at the Hut Meeting Facility in Pineville.

**ATTENDANCE**

Mayor: Jack Edwards

Mayor Pro-Tem: David Phillips

Council Members: Debbie Fowler, Melissa Davis and Joe Maxim

Town Manager: Ryan Spitzer

Planning & Zoning Director: (Travis Morgan was not in attendance for the meeting but was part of the audience)

Town Clerk: Barbara Monticello

**CALL TO ORDER**

Mayor Jack Edwards called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE TO THE FLAG (BM)**

Town Clerk Barbara Monticello led the group in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Edwards asked for a general moment of silence for our troops, first responders, police, fire and our military men and women. Mayor made mention of several losses: Garry Earnheart, Libby Boatwright's brother, Ed Boyd, and Martha Donohue all recently passed. The Mayor also made mention of the loss one of his personal friends' son at the age of 22.

**ORDER OF BUSINESS:**

**Adoption of the Agenda:**

Mayor Pro Tem David Phillips moved to adopt the agenda with Council Member Debbie Fowler seconding the motion. There were ayes by all and the agenda was adopted as is.

**Approval of the Minutes from the: Regular Council Meeting of July 9, 2019 and the Work Session of July 22, 2019.**

Council Member Melissa Davis noted a correction in the Work Session minutes regarding a set of roof specs that she was waiting on; not an invoice. Council Member Debbie Fowler moved to approve the minutes with the correction, seconded by Council Member Davis. There were ayes by all and the minutes were approved with the correction.

**Consent Agenda:**

The Consent Agenda consisted of the following items: a) *Tax Refund*; b) *Resolution for Surplus Items*. Council Member Debbie Fowler moved to approve the consent agenda as is, seconded by Mayor Pro Tem David Phillips. There were ayes by all and the motion passed 4-0.

**PUBLIC COMMENT:** None

**PUBLIC HEARING:**

**A. Public Hearing on Creating Districts and Two Additional Council Members (Ryan Spitzer):** Council Member Debbie Fowler motioned to open the Public Hearing and Mayor Pro Tem David Phillips seconded the motion. There were ayes by all and the Public Hearing opened at 6:35 p.m. Town Manager, Ryan Spitzer, reminded the audience of what had transpired so far on the subject of districting. A previous Public Hearing stating Council's intention to move forward to split Pineville into districts was held several months back with much opposition. Council rethought their decision and realized the fairest way to go about this process was to put it to a vote of the people. This public hearing was to gain any additional feedback from residents before moving forward. On August 26<sup>th</sup>, Council will vote on an ordinance to send to the Board of Elections to formally be put on the ballot in November. Information sessions will be held in September and October for anyone that still has questions about the process. The exact dates to be announced. Mr. Spitzer will also contact HOA's to speak with them separately if needed.

**Toni Grove** of the Willowhurst community spoke regarding her opposition to districting in Pineville. She listed five reasons why, in her opinion, districting would not be good for Pineville:

- **We are too small.** There are seven small towns in Mecklenburg County, of which Pineville is the smallest. Her research, using the 2010 census, showed that only Stallings has gone to districts because it is divided between both Mecklenburg and Union Counties. All of the others, although larger than Pineville, have no districts.
- **Artificial Boundary Lines.** She feels districts create a culture of division.
- **It limits the pool of candidates** – by requiring them to live in a particular district.
- **It could jeopardize the democratic process** by having appointed council members rather than elected ones. She provided an example that if no one ran in a district, council would have to elect a member to represent that district, thereby resulting in an unelected representative.
- **Consider the cost.** This would be tedious, time consuming and expensive, whether staff was charged with dividing the town into districts or a third-party consultant hired to do it.

She ended her comments thanking all members of Town Council for listening to her.

Council Member Joe Maxim requested, for clarification, that Council was in agreement that no one from Pineville should draw up districts. Town Manager Spitzer added that data from the 2020 Census would be used to divide the town into districts if the vote passed at the election but Council still had to approve the districts regardless. Council Member Debbie Fowler suggested we utilize the services of COG in helping to form the districts since we are a paying member. Mayor Edwards reminded everyone that council decided to do what the people wanted and that council will vote on August 26<sup>th</sup> for the issue to go to the Board of Elections to be placed on the November 5<sup>th</sup> ballot for a vote. This is what the public wanted and they will have the issue to vote on in November. Mr. Spitzer stated the dates for the next information sessions will be posted on Facebook, Next Door and the town website and would be held sometime in September or October. Council Member Debbie Fowler moved to close the Public Hearing and Mayor Pro Tem David Phillips seconded the motion. There were ayes by all and the Public Hearing was closed at 6:50 p.m.

**OLD BUSINESS:**

**A. Mowing Contract (Ryan Spitzer):** Town Manager, Ryan Spitzer, stated that he attempted to solicit four contractors for mowing town properties with only one proposing a bid because the others were unable to do it with current staffing. TNT was the only contractor able to provide a bid/estimate. He reviewed the numbers, stating that 6 cuts at a total of \$41,000 was about equal to the salary & benefits of a full time Public Works employee so we would be close to breaking even with the costs. Council Member Debbie Fowler asked about the robots that were put in place to mow the lawn at the Police Department. Mr. Spitzer advised that they were about \$10,000 each and we needed to make a decision soon regarding whether we will purchase them or not.

Council Member Debbie Fowler asked if the contract was just for one year. Town Manager, Ryan Spitzer, confirmed that it was a one-year contract but we could control the number of times the contractor cuts the lawn. Having a third party do the mowing would free up Public Works to do other projects including additional maintenance of town buildings and storm water projects. Council Member Melissa Davis requested that it be stated in the minutes that Public Works was not going to be hiring another employee at this time. Town Manager Spitzer confirmed that they would not be hiring an additional employee. Mayor Pro Tem David Phillips moved to approve the mowing contract with Council Member Melissa Davis seconded the motion. There were ayes by all and the motion passed unanimously.

**NEW BUSINESS:**

**Tax Collectors Settlement for Fiscal Year 2019 and Order of Collection for Tax Year 2019** Mayor Jack Edwards advised that it is standard procedure to adopt into the record the tax settlement statement and then name Mecklenburg County as our Official Tax Collector. Mayor Pro Tem David Phillips moved to accept the tax collector's settlement for fiscal year 2019 and named Mecklenburg County as our official tax collector. Council Member Melissa Davis seconded the motion and there were ayes by all.

**B. Staff Update (Ryan Spitzer)** – Town Manager, Ryan Spitzer, reported on the following items:

- Encouraged all to go over to the Park for National Night Out after leaving the meeting.
- August 26th – Council Work Session to vote on resolution/ordinance for a referendum on districting at the Police Building at 6:00 p.m.
- August 15<sup>th</sup> – Telephone Board Meeting at 3:30 at the Telephone Building.
- Encouraged people to use See, Click, Fix on the town's website.
- Part F – People from the State came to close out the splash pad grant. Impressed with the way it looked and the size of it. There were no issues with it; grant was signed off on and town will be reimbursed its portion of the grant funds.

Mayor Edwards requested a five-minute break at 6:57 p.m. before moving in to the Closed Session.

**CLOSED SESSION:** Council Member Melissa Davis moved to enter Closed Session at 7:10 p.m. seconded by Mayor Pro Tem David Phillips. An on-going economic development item was discussed. The consensus of Council was for Mr. Spitzer to move forward and negotiate to the best of his ability. At 8:30 p.m., Council Member Debbie Fowler moved to exit Closed Session, seconded by Mayor Pro Tem Phillips. There were ayes by all and the Closed Session ended.

**ADJOURNMENT:** Having no further business, Council Member Debbie Fowler moved to adjourn the meeting with Mayor Pro Tem David Phillips seconding the motion. There were ayes by all and the meeting adjourned at 8:31 p.m.



Mayor Jack Edwards

ATTEST:

  
Barbara Monticello, Town Clerk