



**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, MARCH 12, 2019**

The Town Council of the Town of Pineville met in Regular and Closed Session on Tuesday, March 12, 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  
Town Clerk: Barbara Monticello

**CALL TO ORDER**

The meeting was called to order by Mayor Jack Edwards at 6:38 p.m. due to some A/V technical issues.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Mayor Jack Edwards led the group in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Edwards asked for a general moment of silence for our police, fire and first responders and our military men and women. Additionally, a video of the past year's experiences of the Pineville Volunteer Fire Dept. was shown as a way of recognizing all that they do. Last year alone they received a total of 2800 calls for service.

**ORDER OF BUSINESS:**

**Adoption of the Agenda:**

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

**Approval of the Minutes from the Regular and Closed Session Meeting of February 12, 2019 and the Work Session Minutes of February 26, 2019.**

Hearing no requests for changes and no comments on the minutes, Council Member Joe Maxim moved to approve all sets as is, seconded by Council Member Melissa Davis. There were ayes by all and the minutes were adopted as is.

**Consent Agenda:**

The Consent Agenda consisted of the following items: a) *Financial Report as of February 28, 2019*; b) *Resolution No. 2019-02*; c) *Tax Refund*; and d) *Census Volunteer*. Council Member Debbie Fowler moved to approve the Consent Agenda as is, with Council Member Melissa Davis seconding the motion. There were ayes by all and the motion passed 4-0.

**PUBLIC COMMENT:**

**Dan Sacs** – Mr. Dan Sacs of Bishops Gate Blvd. thanked Council for reconsidering and deciding to put the issue of districting out to referendum for a vote by the people. Regarding the parking issue that was addressed at the last meeting, he felt that there was a justified concern from the owners of larger vehicles of where to park their vehicle but hoped that Council would consider the safety side of the issue as well.

**Jane Shutt** – Jane Shutt of the Pineville Neighbors Place thanked all who attended their first fund raiser dinner at Pineville United Methodist Church. They had expected 120 people but 180 actually showed up. They raised a total of \$15K. The team helped a total of 80 people during the month of February assisting with food, rent and utility bills.

### **OLD BUSINESS:**

- A. **Districting** (*Ryan Spitzer/Mayor Pro Tem Phillips*). Town Manager, Ryan Spitzer, explained to all that Council had reconsidered the districting proposal and had determined the best way to handle the issue was to put it to referendum so that people could vote on it. Mayor Pro Tem Phillips stated that it had caused issues between the residents and himself and was glad that council agreed to look at it again. He was sorry it had gotten to this level but in the end, he wanted to do what the voters wanted and that was to allow them to vote on it.

Council Member Melissa Davis commented on some of the remarks made at last month's meeting and wanted people to understand that districting had been mentioned in the past and at their retreat but not to the extent that it has been recently and that as the town continues to grow, it was important that all areas of it be represented. She noted that a flyer had been created and only distributed to certain neighborhoods which, she pointed out, was the kind of thing that further divided neighborhoods. She encouraged people to continue to attend meetings and reminded them that Council was there to represent them.

Mayor Edwards stated that it was nice that council came together to reconsider the options and do what was best for the voters. He is not against districts; he believes it brings in new bodies with fresh ideas. He thanked everyone for their comments and passion regarding the issue.

Council Member Joe Maxim, stated that Council Member Phillip's remarks were the culmination of council coming together to work things out and to do what's right to bring the town together. He was appreciative of the time and discussions they had together. Mayor Pro Tem Phillips then moved to put the issue of districting to referendum to be put on the November ballot. Council Member Debbie Fowler seconded the motion and there were ayes by all. The audience showed their appreciation by giving Council a round of applause.

### **NEW BUSINESS:**

- A. **Urban Archery** (*Ryan Spitzer*) – Manager Spitzer stated that each year it was necessary to notify the North Carolina Wildlife Resources Commission if the Town intended to renew its application for Urban Archery for the next season (2020). A short discussion followed. Hunting during the Urban Archery season is only permitted on one piece of property in town and that the piece is across from the McCullough neighborhood owned by Mr. Miller who is shopping around to sell that property eventually. There was one individual that signed up for the 2019 season. Mayor Pro Tem Phillips stated that he realized there was only one piece of land left to hunt on but asked to continue the program at least for one more year. He motioned to renew the Urban Archery program in Pineville for the 2020 season. Council Member Maxim seconded the motion and there were ayes by all to allow Urban Archery for another season.
- B. **Adoption of Records Retention Schedule** (*Barbara Monticello*) – Town Clerk, Barbara Monticello, stated that the NC Department of Cultural Resources recently made changes to various sections of the Local Records Retention Schedule. Once the changes are published, each town must sign off on them and send the signature page to Raleigh so they have record that the town acknowledged and approved the changes. Council Member Debbie Fowler moved to approve the changes, with Council Member Melissa Davis

seconding the motion. There were ayes by all and the new Records Retention Schedule was approved.

**C. Resolution No. 2019-03 (Mayor Edwards)** – Mayor Edwards stated that Pineville only gets 1/10 of a percent back from all sales taxes collected by the county. Since Pineville generates a lot of sales tax revenue due to all of the retail/restaurant/hotel businesses it has, and it's not getting its fair share of the revenues, a ¼ percent sales tax is being proposed that only Pineville will receive. The tax will be on food/restaurants, hotel stays, and consumer goods. The money collected can be used for road improvements and other infrastructure projects. The resolution has to pass through the Senate and the House and without it and the support of council members, it won't happen. This will also be on the November ballot for residents to vote on. Council Member Joe Maxim moved to approve the resolution in support of a local sales tax, with Council Member Debbie Fowler seconding the motion. There were ayes by all and the motion passed 4-0.

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

- The right-hand turn lane on Franklin should be completed next Friday
- Footers are in for the Splash Pad building; county has to inspect every four feet
- Belle Johnston gym floor was ripped out last week; concrete is drying out; vapor barrier applied to ¾ of the area so far
- Council agreed on rendering #3 for the placement of the logos on the new flooring
- There will be a Work Session on March 25<sup>th</sup> to go over pre-budget items and discuss increase in county fees (tipping fees and development fees)

Council Member Joe Maxim asked if the Splash Pad was still on schedule to open for Memorial Weekend. Mr. Spitzer replied that it was still schedule to open on May 24<sup>th</sup>. Mayor Pro Tem Phillips asked if there was any new water from recent rains that hit the gym floor. Mr. Spitzer replied that there was no additional water and no mold was found either, just wet concrete.

Mayor Edwards reminded the group that Budget Meetings were scheduled for the 1<sup>st</sup>, 8<sup>th</sup>, 15<sup>th</sup> and 16<sup>th</sup> of April. Paws in the Park will be on Saturday, April 6<sup>th</sup>, the kids Easter Egg Hunt was slated for Saturday, April 13<sup>th</sup> and the annual Junk Week was scheduled for the week of April 22<sup>nd</sup> through the 26<sup>th</sup>.

Mayor Edwards called for a recess at 7:29 p.m. before moving into Closed Session.

**CLOSED SESSION:** At 7:47 p.m. a motion was made and seconded to enter Closed Session. There were ayes by all and Council was in Closed Session. An on-going real estate project was discussed with plans becoming firmer as a preliminary proposal for the project was presented. There will be several options that Council will need to consider in the near future and DFI will be back to help sort things out. In the meantime, the consensus of council was to continue to move forward with the initial proposal. Mayor Pro Tem Phillips motioned to end the Closed Session at 8:30 p.m., seconded by Council Member Maxim. There were ayes by all and Council moved back into Open Session.

**ADJOURNMENT:** Having no further business, Council Member Melissa Davis moved to adjourn the meeting with Mayor Pro Tem David Phillips seconding the motion. There were ayes by all and the meeting adjourned at 8:34 p.m.

  
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Mayor Jack Edwards

ATTEST:

  
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Barbara Monticello, Town Clerk

