

**COUNCIL MEETING  
AGENDA**

**Pineville Meeting Hut  
Tuesday, August 6, 2019  
6:30 p.m.**



**PINEVILLE TOWN COUNCIL AGENDA  
6:30 P.M. - PINEVILLE HUT MEETING FACILITY  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, AUGUST 6, 2019**

- 1) Call Meeting to Order:**
  - a) **Pledge Allegiance to the Flag: (BM)**
  - b) **Moment of Silence:**
- 2) Adoption of Agenda:**
- 3) Approval of the Minutes from the:** Regular Session Meeting of July 9, 2019 and the Work Session of July 22, 2019.
- 4) Consent Agenda:** a) *Tax Refund*; b) *Resolution for Surplus Items*
- 5) Public Comment:**
- 6) Public Hearing:**
  - A. Public Hearing on Creating Districts and Addition of Two Council Members**
- 7) Old Business:**
  - A. Mowing Contract (Ryan Spitzer)** Per recommendations from previous meetings, a revised contract for mowing services will be presented (**ACTION ITEM**)
- 8) New Business:**
  - A. Tax Collector's Settlement for Fiscal Year 2019 and Order of Collection for Tax Year 2019 (Barbara Monticello)** Per NCGS 105-373(3), the Tax Collector's Settlement is required to be entered into record and then the Order of Collection approved authorizing Mecklenburg County to collect taxes on the town's behalf (**ACTION ITEM**).
  - B. Staff Update:**
    - 1) *Manager's Report*
    - 2) *Calendar of Events*

# **MINUTES**

**Minutes from the Town  
Council Meeting July 9,  
2019 and Town Council  
Work Session July 22, 2019**



**MINUTES OF THE  
TOWN COUNCIL MEETING OF THE  
TOWN OF PINEVILLE, NORTH CAROLINA  
TUESDAY, July 9, 2019**

The Town Council of the Town of Pineville met in Regular Session on Tuesday, July 9, 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 6:33 p.m.

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

Town Manager Ryan Spitzer 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 our military men and women. He also mentioned the shooting incident earlier in the day at the Steak & Shake just outside of town and asked everyone to keep the families and officers of those involved in their prayers.

**ORDER OF BUSINESS:**

**Adoption of the Agenda:**

Mayor Pro Tem David Phillips moved to adopt the agenda with Council Member Melissa Davis 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 June 11, 2019 and the Work Session of June 24, 2019.**

Council Member Debbie Fowler noted that on the minutes of the Work Session, "Davidson" should be corrected to "Cornelius". Mayor Pro Tem David Phillips moved to accept both sets of minutes with the changes to the 2<sup>nd</sup> set of minutes, seconded by Council Member Melissa Davis. There were ayes by all and the minutes were approved with the changes noted by Council Member Fowler.

**Consent Agenda:**

The Consent Agenda consisted of the following items: a) *Financial Report as of June 30, 2019*; and b) *Renewable Energy Portfolio Standards (REPS) Charge*. Council Member Joe Maxim 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:**

**Jane Shutt of Pineville Neighbors Place** updated the Council on those who have been helped by her organization. In June they served 101 people with \$8,700 paid in rent and utilities. So far this year they have served 404 people, and even though it's only half way through the year, they have already served more people this year than all of last year. Ms. Shutt noted that they are in need of school supplies to fill the 700 back packs they have collected for all of the students at Sterling Elementary School. Pineville Neighbors Place will be participating in National Night Out which will take place August 6<sup>th</sup>. She invited all to come out and join them as they will also be collecting financial donations for Shop with a Cop on that same evening.

**Susan Rodriguez McDowell** introduced herself as our County Commissioner and encouraged members of the audience to contact her with any issues. Mayor and Council Members thanked her for coming to the Pineville Town Council Meeting.

#### **NEW BUSINESS:**

- A. New Appointee to the Airport Roundtable:** *Appointment of Theresa Brunner to the Airport Roundtable* – Mayor Edwards introduced and thanked Ms. Theresa Brunner for volunteering to participate on the Airport Roundtable Committee and stated he was happy to see people volunteering and getting involved. Theresa stated she was happy to be on board to represent Pineville. Mayor Edwards also thanked Amelia Stinson-Wesley for her 2 years of service on this committee. Mayor Pro Tem David Phillips moved to accept the nomination of Theresa Brunner to this position, seconded by Council Member Melissa Davis. There were ayes by all and the motion passed.
- B. Update on Census Committee – (Troy Fultz)** Mr. Fultz spoke regarding the importance of a full count of Pineville residents for the 2020 Census. He is participating on the Complete Count Committee representing Pineville. They have already met 3 times in preparation for the upcoming Census. There is \$675 billion dollars in funding available depending on population counts so it was important to be sure everyone was counted. The committee is in the process of establishing sub-committees right now. He asked that we all pay attention to the news regarding information about the Census, which will kick off on April 1<sup>st</sup>, 2020. Information will be sent out in March that will offer several options for how people can respond to the questions, which this year will include answering Census questions by phone and online. He encouraged everyone to start talking about the Census and become aware of the importance of being counted. The committee is targeting the hard to reach populations, including those under the age of five, transient (homeless) people, African Americans and non-English speaking residents. There are plans to post information on our web site, in our newsletter as well as an abundance of representation from the county school systems, healthcare agencies, etc.
- C. Resolution of Intent to Amend Charter for Number of Council Members/Mode of Election** – Town Manager, Ryan Spitzer spoke regarding the proposed changes in the town's Charter – to go to districts and possibly add two additional council members which council decided to put to a vote in November. We will now have to do another resolution. Council can keep resolution as it was before with both items on the resolution or they can split the mode of elections and the number of council members into two separate resolutions. Mayor Edwards asked for a clarification on resolution – is it one resolution or two? Ryan advised that it would be one resolution with combined changes or two resolutions if you want to vote on the issues separately. Mayor Pro Tem David Phillips commented that it makes no difference to him how it is, and it can stay as we had it previously. He was in favor of expanding the Council to add two more seats, but if districting isn't passed, then there is no need to add additional members to council.

Mayor Edwards then asked that if we went to districts and no one ran in a certain district, how would it be handled? Mr. Spitzer stated that the person that was doing it before stays in office or a write in vote is allowed. Council can find someone if no one at that point decides to run. Mayor Pro Tem Phillips asked that we schedule additional informational meetings. Mr. Spitzer stated he would schedule one for the end of July and would get with Kristy to check availability of the Hut for two additional informational sessions in September and/or October. Council Member Melissa Davis stated that we may not need 6 council members if there are no districts. Mr.

Spitzer reminded everyone that if districting did pass the vote, new districts would not take effect until 2021. Council Member Joe Maxim added that it would be after the Census count to ensure the districts were divided as equally as possible using the most recent Census data. Having informational meetings was important and necessary. Mr. Spitzer responded that this was correct.

Mr. Spitzer gave a brief overview of the process and stated that there were some maps already drawn up but they could only be used to give people an idea of what districts could look like. We will do a forum near the end of July and two more before November. We will also have a booth at Fall Festival for people who may still have questions about the districting process and what it entails. He stated that GS-128-7 was the statute that addressed the situation when no one wanted to run in a particular district. Council Member Debbie Fowler moved to pass Resolution No. 2019-06 as is and go with option C allowing the population at large to vote for the candidates of each district. Mayor Pro Tem David Phillips seconded the motion and there were ayes by all. Resolution No. 2019-06 passed unanimously.

**D. Change to the Schedule of Fees – (Ryan Spitzer)** Mr. Spitzer reviewed the three proposed changes to the town's fee schedule. Council Member Melissa Davis asked if we could charge a larger sum for a returned check, suggesting \$50.00 to cover any administrative costs. Tammy Vachon then stated she would check to make sure we can charge more than what the bank charges us for a returned check since the rules may be different for utilities. Council Member Melissa Davis then asked if we could charge less for Pineville residents as vendors at Fall Festival. Kristy Detwiler mentioned adding a \$50.00 deposit to shelter rentals due to parties going beyond their contracted hours of rental for use of the shelters. Council Member Melissa Davis moved to adopt the Schedule of Fees with the proposed changes, along with the additional ones just discussed with the exception of the returned check fee which Tammy Vachon will research. Mayor Pro Tem David Phillips seconded the motion. The changes were approved and the motion passed 4-0.

**E. Budget Amendment – (Richard Dixon)** Finance Director, Richard Dixon, requested a transfer of funds from the ILEC to CLEC account of \$50,000. Based on an analysis performed and talking with Cyndi and Tammy, \$50,000 was the amount suggested. Council Member Joe Maxim moved to accept the budget amendment and Mayor Pro Tem David Phillips seconded the motion. There were ayes by all and the budget amendment was passed.

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

- Work Session for Town Council will be July 22<sup>nd</sup>.
- CATS coming in to report on the light rail workshop sessions
- Banard property will be back in for plan approval
- He reminded everyone to come out and see the "Misfits" play by the Pineville Players
- Waste Pro-starts both recycling and trash this week. If residents want to swap out the lids so that the carts are all one color, Waste Pro is fine with that.

Ryan advised the Splash Pad passed all but one item of the Health Inspection. There was a discrepancy in the pipe measurements as the plan called for use of a 10-inch pipe when an 8-inch pipe was installed. We need a letter from the engineer stating that the 8-inch pipe will be sufficient before the project can be re-inspected. He spoke of a possible Grand Opening either Thursday or Friday.

Mayor Edwards encouraged everyone to attend the Pineville Players "Misfits" Play this weekend and next weekend. He also advised the audience of the change of date for the August Council Meeting to August 6<sup>th</sup> due to schedule conflict. Mayor Pro Tem David Phillips offered information regarding the Pineville Police as they are running radar along Main Street to slow people down to the 20-mph speed limit. Information can be found on the Pineville Police website and social media pages.

**ADJOURNMENT:** Having no further business, Mayor Pro Tem David Phillips moved to adjourn the meeting with

Council Member Debbie Fowler seconding the motion. There were ayes by all and the meeting adjourned at 7:15 p.m.

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Mayor Jack Edwards

ATTEST: \_\_\_\_\_  
Barbara Monticello, Town Clerk



**MINUTES OF THE  
TOWN COUNCIL WORK SESSION OF  
Monday, July 22, 2019 · 6:00 P.M.  
Pineville Telephone Bldg.  
118 College St., Pineville, NC**

The Town Council of the Town of Pineville, NC, met in a Work Session on Monday, July 22nd, 2019 at 6:00 p.m. at the Pineville Telephone Building at 118 College St., in Pineville NC.

**ATTENDANCE**

Mayor: Jack Edwards

Mayor Pro-Tem: David Phillips

Council Members: Melissa Davis, Debbie Fowler and Joe Maxim via conference call.

Town Manager: Ryan Spitzer

Town Clerk: Barbara Monticello

Planning Director, Travis Morgan

Human Resource Director, Dornessa Froneberger

**CALL TO ORDER**

Mayor Edwards called for a motion to open the meeting at 6:04 p.m. Council Member Debbie Fowler moved to open the meeting, seconded by Mayor Pro Tem David Phillips. There were ayes by all and the meeting commenced.

**DISCUSSION ITEMS:**

- A. Presentation by CATS** – Jason Lawrence of the Charlotte Area Transit System (CATS) presented a recap of the long-range transportation plans for the Light Rail. Future plans for the Light Rail include a segment going from Matthews to the Airport and on to Belmont. Planning for the Silver Line and North Bus lines will begin in the fall. The 2030 Transportation Plan includes extending the Light Rail to Pineville and Ballantyne. He stated there was a lot of interest in Pineville and Ballantyne for the Light Rail to connect the region – this brings opportunities for mixed-use developments in both Pineville and Ballantyne. It is estimated to take about 8 – 10 years to begin building this section of Light Rail. A comparison of geographies shows both Pineville and Ballantyne as large areas that would benefit from having a light rail connection.

CATS has had meetings to obtain public feedback on the Light Rail extension with the 1<sup>st</sup> meeting being back in April, the second one in May and a third and final one in June. Carolina Place Mall was more the center of where people wanted to see the Light Rail go. In Ballantyne, the focus was to have access to both sides of 521 – enough to justify stops for either side of the light rail tracks. This would be considered an extension of the Blue Line to Pineville and Ballantyne but what CATS was looking to determine, was on which side of the Carolina Place Mall the station should be located. Should it be located closer to the 485 side of the mall or more toward downtown and the greenway? In order to determine this, CATS will need to eliminate any environmental issues in the way. The public would like to see the line go closer to the downtown and greenway area instead of the 485 side. Ballantyne wanted more of residential integration as they have plans to develop more corporate office parks. CATS will go to the MTC to make a recommendation and if approved, it will go on the thirty-year plan. For Pineville, the recommendation was to align the Light Rail to parallel 485 – but on the other side of the Carolina Place Mall closer to downtown and the greenway. For Ballantyne they will keep both options open for now. If extended to Pineville and Ballantyne, the Light Rail would need three car trains. They also plan improved bus



service in Pineville in an attempt to make smaller changes now with the bus service before the larger changes with the Light Rail take place. The plan includes the Silver Line from Matthews to Belmont. Council Member Melissa Davis wanted to know if there were any concerns about the Mall staying open. Jason answered that all retail is going through changes with malls and retail struggling. That will probably continue for a while as malls reinvent themselves to align better with current economic conditions. However, the Mall is still healthy enough to warrant an extension of the Light Rail.

Council Member Melissa Davis expressed concern about the cost of the project and the crime that may arise with having light rail. She stated there were some people that did not want it. She asked if there was any way to get crime statistics to see if the Light Rail generates more crime. Mayor Pro Tem David Phillips commented that it does not make sense to go west to east instead of north to south when traffic is heaviest going that way. Does not make sense to do this now. Jason responded that Mecklenburg County has the ¼-cent sales tax that helps with the funding while South Carolina does not. There is money in North Carolina but South Carolina does not have the funds so it's better to do it now that there is money. Council Member Melissa Davis stated she would hate to see us put money into it and not have the ridership needed. Both Council Member Davis and Mayor Pro Tem Phillips voiced concern that much of the future transportation plans, especially with the 485 express lanes, by-passed Pineville and would not really be serving the Pineville community. Mayor Pro Tem Phillips asked how big of a hub would be at the Mall. Mr. Lawrence replied that the design of the station and how it looks would be up to Pineville.

- B. Discussion of Baynard Property** – Travis Morgan, Planning and Zoning Director, stated that the Baynard Property along Downs Road and NC 51 was before Council again. However, he added that if the only thing that council had a headache over with the previous presentation was the rental property issue, that has been resolved. Kaplan has pulled out of the contract and are no longer part of the plan. There is now a builder interested in doing the project as sales, not rentals. Shaun Tooley of Land Design, was interested in moving forward with the project since there was now momentum with it and to get approval while there was still the interest.

Mr. Tooley stated that they were still proposing 175 units, although that number may go down just a bit. Lot sizes would increase slightly, with 20-21 ft. townhouses. All units would be for sale; no rentals. Mr. Bill Baynard, owner of the property, said all contractors they had spoken with were in favor of the sale of the units. The preferred builder has no problems with the architectural requirements and plans showed they were well above the parking minimums. Elevations would be very similar to what had already been proposed by Kaplan but he planned to work with Mr. Morgan if any changes were needed. They were looking for approval with the exact agreement and plans as before but with no rentals.

Ron Corrao, with Capstone Companies, stated that they took councils feedback from the previous meeting and will not entertain any rental proposals. Council Member Melissa Davis noted that owners could not be prevented from renting out their units. Mr. Corrao stated that the HOA would control the number of rental units allowed in the development. Council Member Joe Maxim added that McCullough was allowed 10% of the units to be rentals and it was the HOA that controlled it, not the builders. Mayor Edwards noted that legislators in Raleigh were about to change all that and that we had better get used to it.

Lot owner, Bill Baynard, commented that the biggest challenge with the site will be the rock removal. Council Member Joe Maxim added that he wanted builders to be aware of the architectural requirements and asked that they be sure the regulations are met. Shaun Tooley stated that the elevations that were previously presented is what they would work with although there may be some minimal adjustments made. Travis will be keeping a strict eye on the architectural details of the units. Mr. Corrao stated that getting the plans approved up front would benefit all and make it easier for a builder to come in and start building without having the project be delayed any further by having to have it approved. All the legwork would be done. Bill Baynard commented that the condition of the contract states that they will build according to approved plans.

Council Member Melissa Davis asked if the garages would be larger to accommodate two cars and the roll out containers for waste removal. Travis stated that was correct. Mr. Tooley stated that these would be public streets,

so they had the option of either private or public trash collection. Town Manager, Ryan Spitzer, commented that the contract notes specify private collection but that may change depending on what the turn radius winds up being for the garbage trucks. Mayor Pro Tem David Phillips asked if the builders had seen the elevation requirements. Mr. Tooley and Baynard both stated that the builders had seen them and they have no problem with them. Council Member Debbie Fowler wanted to know if we were asking for both a rezoning and conditional use for this project. Travis stated that they were. There are several parcels put together to make up this property. Bill Baynard stated that the property is actually made up of six parcels that are all owned by him. Some of the property is currently zoned R44 and some of it is zoned G1. The developer is seeking to rezone the property to RMX, residential mixed use. Mr. Tooley added it should not take more than two years for the builders to complete this community.

Council Member Melissa Davis asked if there would be a phase 2 since there appeared to be a road stub on the plans. Both Mr. Tooley and Baynard stated that there were no plans for a phase 2 in the project but there might possibly be some road connectivity. Council Member Melissa Davis asked if there were any concerns regarding the businesses that are in the area like the body shop, Herlocker and the landscaping business? She asked if the builder had any concerns about that. Mr. Tooley stated that the builder is experienced and can make it work with existing surroundings. Ms. Davis then asked what the price point would be. Mr. Tooley stated they were looking at \$250 to \$300 thousand dollars per unit to which Ms. Davis commented that it would be nice to have working class housing for police, firemen, teachers, etc. and not have prices escalate as they have in Chadwick Park.

The conversation moved towards affordable housing for working class people and the possibility of offering incentives or discounts to community service workers. Council Member Joe Maxim cautioned that, that sort of a conversation needed to be framed very carefully to make sure how that would work. He stated we are evaluating this project through what has happened with other projects in the past and that we should figure out how to address reoccurring themes and bad experiences we have had with previous builders. He suggested that we have the builders come to public hearings to assure the town that they are on the same page as the town council and residents. Council Member Debbie Fowler stated that in the past we have had trouble with infrastructure and roads not meeting our standards. She asked if a portion of the units be more standard and not as high end as some of the others in order to keep the prices low. Mr. Tooley noted that there were programs very similar to that, like the House Charlotte Program. Council Member Joe Maxim asked if we could work with the county to get an inventory of programs that are available. Town Manager Ryan Spitzer stated that he would talk to the county and builders as well, to see what programs are available.

Mayor Edwards stated that we need to eliminate all of these issues before we have a Public Hearing. Mayor Pro Tem David Phillips stated that he is comfortable with the plans as they are. Council Member Fowler remarked that all of her questions had been answered. Bill Baynard asked if we could bring the builder in at the August 26<sup>th</sup> Work Session. All were in favor of having them at the next Work Session. Mr. Spitzer offered that we could then schedule a Public Hearing for the September Council Meeting. Council Member Melissa Davis stated that traffic is still a concern of hers. She asked if this project would be done before the planned road improvements or after. Both Travis and Ryan stated that most likely they would be going on at the same time. Council Member Melissa Davis then stated that traffic would be the biggest issue facing them at the public hearing. She stated that the builder's reputation would need to be top notch in order for the public to be convinced that traffic will not continue to be an issue with this project.

**C. Resolution of Support for NCDOT Bicycle and Pedestrian Planning Grant** (*Travis Morgan*) Planning Director, Travis Morgan, stated that town planner, Brian Elgort, was applying for a Bicycle and Pedestrian Planning Grant offered by the NCDOT. It's a population-based grant and with our population just under 10,000, NCDOT would cover 90% of the cost with the town only having to pay the remaining 10%. The grant pays for consultants that are prequalified by NCDOT, to draw up plans. The estimated cost for the consultants is between \$40,000 and \$50,000. The application would go in front of the TCC committee of which Mr. Morgan is a member and then through the MTC of which Mayor Edwards was a member. However, a resolution of support was needed from council to complete the package.

Council Member Melissa Davis was happy to hear that Brian was working on a grant as she believes more employees should be utilizing grants to help offset the cost of some projects. Mr. Spitzer stated that the plans would be for the whole town, not just a portion of it. Council Member Debbie Fowler moved to approve the Resolution #2019-07 in support of the grant. Mayor Pro Tem David Phillips seconded the motion and there were ayes by all. Motion passed unanimously.

**D. Discussion on Purchasing Property from Norfolk Southern Railroad (Ryan Spitzer)** Mr. Spitzer stated that he had been working with a land attorney to research ownership of several properties along Dover St. What started out as determining ownership of one sliver of land turned out to be more complicated than that due to no title searches being done at all, titles being passed down to family members when there were no rights to do so, or missing information altogether leaving some of the parcels of land questionable as to who actually owns them.

Mr. Spitzer then started talks with Norfolk Southern Railroad to purchase the sliver of land that bisects two properties that the town owns but the railroad is reluctant to sell just that sliver of land – they wanted to sell several other parcels to the town at \$9/sqft. The town could try to purchase just the sliver that was needed or purchase all of the property while trying to negotiate a better price per sqft. If the town did purchase R-O-W from them, it couldn't build on it but it could put parking on it which would be valuable. He added that if the town couldn't prove ownership, then it would be considered the railroad's property. After some discussion, all agreed that it was a mess that needed to be cleaned up and it was probably best to purchase as much of the property as possible. Mr. Spitzer and the land attorney felt they could get all of the property totaling about 4 acres for about \$300,000 and council was in agreement to authorize him to negotiate with the railroad for the property.

**E. Discussion on Insurance Coverage for Retirees (Ryan Spitzer)** Mr. Spitzer stated that there were concerns from Council Member Debbie Fowler regarding the benefits offered to retirees. She had drawn up a list of items she wanted to review including how much has been paid out to current retirees, what accounts they were being paid out of, a list of current employees with 20+ years of experience who will be eligible for retiree benefits and copies of separation letters authorized by the previous Mayor. All of that information was collected and put together in a packet for the other council members. Additionally, clarification of Parts A, B, C & D of the Medicare plan was provided along with an explanation of supplemental insurance coverage and a sampling of what some other towns do.

Discussion centered around the special arrangements made in the past, why some employees were entitled to benefits when others were not, and what to do about future retirees. All agreed that the arrangements made in the past were wrong but they had little recourse since some of those arrangements were in writing. It would not be worth spending money to fight them in court with the odds of losing so high. The best thing to do was to focus on what to do with future retirees. Mr. Spitzer stated he would work with Human Resources and the town attorney to come up with a policy of some type that will be fair to all. Council Member Debbie Fowler asked that, if possible, at least two options be presented so Council has a choice.

Several other items were briefly discussed:

- Splash pad – another walk-thru of items that needed to be fixed will be done on 7/25/19 at 9:00 a.m.; missing invoices due to Council Member Davis who would still like to see concrete and roofs fixed
- Concern of the quality of workmanship of recent concrete work
- Lack of Downtown Merchant's meetings lately
- Mr. Spitzer will supply Council Member Davis the costs to outfit a CMPD police car
- Transitioning to time clocks
- Informational Session on Districting to answer residents' questions will be held at the Hut from 6:30 p.m. until 8:00 p.m. on July 30, 2019

**ADJOURNMENT:** Having no further business to discuss, Council Member Debbie Fowler moved to adjourn the meeting, seconded by Mayor Pro Tem David Phillips. There were ayes by all and the meeting adjourned at 9:16 p.m.

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Jack Edwards, Mayor

**ATTEST:**

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Barbara Monticello, Town Clerk

# **CONSENT AGENDA ITEMS**

*a) Tax Refund*

*b) Resolution for Surplus Items*



P.O. BOX 249 ♦ PINEVILLE, NC 28134  
TELEPHONE: 704-889-2291

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**MEMORANDUM**

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**TO:** MAYOR EDWARDS AND TOWN COUNCIL  
**FROM:** FINANCE DEPT  
**SUBJECT:** TAX REFUND  
**DATE:** 7/30/19

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Please approve the following tax refund during the August 2019 council meeting. Total refund due \$241.96, to Morningstar Cleaners at 2813 Redfield Dr, Charlotte NC 28270. Reason for refund is listed in error.

Approval: \_\_\_\_\_ Date \_\_\_\_\_

## **Marianne Hong**

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**From:** Montesdeoca, Stephanie <Stephanie.Montesdeoca@mecklenburgcountync.gov>  
**Sent:** Monday, July 29, 2019 3:17 PM  
**To:** Marianne Hong  
**Cc:** Karen Bennett; Feaster, Lotrel  
**Subject:** Pineville Refund BOCC meeting 7/2  
**Attachments:** Pineville Refunds with no interest\_2019\_06\_16.xlsx

Good Afternoon Marianne,

Please process check for the attached approved Pineville refunds for BOCC meeting date 7/2/2019.

Kind Regards,

*Stephanie Montesdeoca*

Fiscal Support Assistant III  
Mecklenburg County Assessor's Office  
3205 Freedom Dr Suite 3500  
Charlotte, NC 28208  
Office Phone: 980-314-4291

Please take a moment to rate my customer service [County Assessor's Office Survey](#)



[ASSESSOR'S WEBSITE](#)

**PINEVILLE Refunds**

Tax Year	Bill Number	Source Type	Adj #	Adj Reason	Date of Adj.	Refund Recipient Name	Refund Address Line 1	City	State	Zip	Refund Amount (\$)
2017	0007225611-2017-2017-0000-00	BUS	575023	Listed In Error	6/14/2019	MORNINGSTAR CLEANERS	2813 REDFIELD DR	CHARLOTTE	NC	28270	125.99
2018	0007225611-2018-2018-0000-00	BUS	575024	Listed In Error	6/14/2019	MORNINGSTAR CLEANERS	2813 REDFIELD RD	CHARLOTTE	NC	28270	115.97
<b>Total \$</b>											<b>241.96</b>

3250.0000.10

LL  
 PDD  
 7-30-15





**RESOLUTION NO. 2019-10**

**RESOLUTION OF THE TOWN OF PINEVILLE, NORTH  
CAROLINA DECLARING SURPLUS ITEMS FOR SALE  
VIA ELECTRONIC AUCTION AND/OR DISPOSAL VIA  
DONATION OR RECYCLE**

**WHEREAS**, G.S 160A-265 authorizes the Town Council to dispose of surplus property and G. S. 160A-270 (c) authorizes the sale of surplus property by means of electronic auction; and

**WHEREAS**, the Town Manager, along with Department Heads, have declared surplus and unusable personal property as listed in "Exhibit A";

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Town Council hereby authorize the Town Manager to dispose of the listed items by utilizing the on-line internet auction services of Public Surplus and/or Gov Deals and the Town Clerk to dispose of other surplus items via donation or recycling of such items. The Town Manager and Town Clerk shall have the right to add or delete from the properties listed and any items not sold may be disposed of by any other means available, including sale at public auction, donation to non-profit organization, or destruction, whichever is deemed to be in the best interest of the Town.

Adopted this \_\_\_\_\_ day of August, 2019.

SEAL:

\_\_\_\_\_  
Mayor Jack Edwards

ATTEST:

\_\_\_\_\_  
Barbara Monticello, Town Clerk

**EXHIBIT "A"**

Surplus Property for Auction, Donation, Recycling, Destruction, Sale

**Surplus Items**

<b>QTY</b>	<b>DEPT</b>	<b>DESC</b>	<b>Vin/Model/Serial #</b>	<b>How Disposed Of</b>	<b>Effective Date</b>
1	PW	Toro Z Master 52" Deck Mower	Model # 74233 Serial # 220000593	Online Auction	8/6/19
1	PW	John Deere Z235 42" Deck Mower	Model # Z235-42C Serial # M153440	Online Auction	8/6/19

# **Public Hearings**

**A) Public Hearing on Creating Districts  
and Addition of two Council Members**

## **OLD BUSINESS**

### **A. Mowing Contract *(Action Item)***

# Memorandum



**To:** Mayor and Town Council

**From:** Ryan Spitzer

**Date:** 8/1/2019

**Re:** Mowing Contract

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## **Overview:**

The Town contacted four (4) different landscaping companies for quotes. Only one (1) company responded, which was T-N-T Lawn Service, LLC. The other three companies stated that because of the timing and staffing (having a shortage to do the required work in the contract) they could not bid on the work at this time.

The proposal from T-N-T has seven (7) months of grass cutting. We will only need six (6) months this FY. The cost for six (6) months of service will be \$59,532. The Town already has budgeted \$18,000 to do corridor mowing. An employee making \$16/hour has a total cost of around \$40,000, which we will not replace.

The mowing contract is configured on a per cut basis. If the area sees a drought where mowing is not needed as often the cost is lowered. The language also states the Town can alter the number of cuts and the landscaper is not guaranteed a specific base fee.

In July 2020, we will work to execute another contract. This will also give the Town the opportunity to bid out the work again in the winter to, hopefully, get more proposals.

## **Attachments:**

T-N-T Proposal

## **Recommendation:**

Accept the proposal from T-N-T

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Pineville Public Works  
 316 College Street, Pineville, NC 28134  
 Telephone: 704-889-7467

Company Name T-N-T Lawn Service LLC Date 7/12/19

Scope of Work for Mowing - FY2020 (growth season) July-October 2019 March-June 2020

**(Basic Mowing)**

Location	No. of Mows	Cutting Height	Pruning Shrubs	Spraying	Cost *per year
Behind Waldhorn	14	3	-	7	*2590
Polk Street @ Town limits (speciality)	17	3	4	7	*3265
Leitner Drive	17	4	-	10	*6225
Main St. beside Green house	17	TL	-	-	*2380
Telephone Building	28	TL	6	14	*6615
Public Works (vacant lots)	28	TL	5	7	*8050
Field behind Main St. buildings	28	4	-	7	*2800
Police Department (Bermuda/Fescue)	28	3	5	28	*6825
3 spots @ shoulder (Lakeview and Lynnwood)	14	3	-	7	*1680
Old Police Department	28	TL	5	7	*4865
485 by CMC	14	3	-	7	*8400
51 from Downs to State Line	14	3	2	7	*9100
Dover St. (Town Hall to Mill)	14	3	6	10	*5410
Sheltra Bridge (South Polk Street)	7/WE	-	-	7	*1260

WE = weed eat  
 TL= travel lock

Yearly Total \$69,455  
 \*yearly total divided by 7 = monthly total  
 Monthly Total \$9,922.14

- Edge
- Spray: under guard rails/curbing and sidewalk joints/around poles/guide wires/around plantings etc.
- Pick up trash as needed (paper/wood and metal debris)
- The Town reserves the right to change +/- number of cuts/locations
- The Town reserves the right to void contract for performance deemed unacceptable by the Town
- Payment to be made once a month
- Contractor is responsible for maintaining insurance
- The Town will not be held responsible for damages to equipment, human, vehicles or property

\*\*Based on # of visits & time period shown

\*\*These prices reflect 7 months of requested pricing based on services beginning Aug, 2019.  
 Yearly total divided by 7 = monthly as shown.

## **NEW BUSINESS**

**A. Tax Collector's Settlement for Fiscal Year 2019 and Order of Collection for Tax Year 2019.**

**B. Staff Update**

- 1) Manager's Report**
- 2) Calendar of Events**

# Memorandum



**To:** Mayor and Town Council

**From:** Barbara Monticello

**Date:** 7/30/2019

**Re:** New Business: Tax Collectors Settlement & Order to Collect Taxes

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North Carolina General Statutes require the governing board of a municipality to accept the Tax Collector's Settlement into its official records and adopt an order directing the collection of taxes for the upcoming year. Attached is a copy of the official settlement and the order giving Mecklenburg County the authority to act on our behalf as Tax Collector. As is stated, the county was successful in collecting 99.81% of personal/real property and motor vehicle taxes.

***Action Requested:*** Accept the settlement into the official town records and approve the Order of Collection authorizing the Mecklenburg County Tax Collector to collect taxes on behalf of the Town.





**MECKLENBURG COUNTY**  
Office of the Tax Collector

July 19, 2019

Ryan Spitzer  
Town Manager  
P.O. Box 2449  
Pineville, NC 28134

RE: TAX COLLECTOR'S SETTLEMENT FOR FISCAL YEAR 2019  
ORDER OF COLLECTION FOR TAX YEAR 2019

Dear Mr. Spitzer:

Please find the enclosed FY 2019 Tax Collector's Settlement. I am pleased to inform you that we achieved our collections objectives. We will continue to collect taxes for FY 2019 and other prior years as we move forward with the FY 2020 billing cycle (tax year 2019).

According to NCGS 105-373(3), the Tax Collector's Settlement must be entered into the official record of the governing board. Please have this document entered into the record to comply with the statute.

I have also included an Order of Collection for tax year 2019 (FY 2020). The order must also be approved by your board after the settlement is placed into the record. Your attention to both of these documents is greatly appreciated. Please approve the Order of Collection before September 1<sup>st</sup> and return a signed copy to my office.

It was my pleasure to serve you, your board, and your residents again this year. I welcome any feedback about our service to Pineville. Please contact me at [Neal.Dixon@MecklenburgCountyNC.gov](mailto:Neal.Dixon@MecklenburgCountyNC.gov) or 980-314-4488 if I can be of further assistance.

Sincerely,

Neal L. Dixon  
Director/Tax Collector

c: Richard Dixon, Finance Director, Pineville  
Barbara Monticello, Town Clerk, Pineville



## MECKLENBURG COUNTY Office of the Tax Collector

**To:** Ryan Spitzer, Pineville Town Manager  
**From:** Neal L. Dixon, Director/Tax Collector  
**Date:** July 19, 2019  
**Subject:** Tax Collector's Settlement for Fiscal Year 2019

Pursuant to the provisions of N.C.G.S. 105-373, this memorandum is the Tax Collector's report of settlement to the Pineville Town Council for Fiscal Year 2019 (tax year 2018).

The total FY 2019 Real Estate, Personal Property, and Registered Motor Vehicle Tax charged to the Tax Collector for collection was \$6,517,191.48.

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$6,517,191.48	\$6,505,089.08	\$20,821.95	99.81%

At the end of FY 2019 there was 1 tax bill in the amount of \$1,277.08 under formal appeal with the Board of Equalization and Review or the Property Tax Commission; consequently, the Tax Collector was barred from pursuing collection for this tax bill. The Tax Collector was barred by the U.S. Bankruptcy Court from collecting 1 business personal property tax bill totaling \$22.50. When the above totals, which were barred from collection, are removed from the net levy calculation, the collection percentage increases to 99.83%.

Reference is hereby made to reports in the Office of the Tax Collector that list the persons owning real property and personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. These reports are available for inspection and review upon request. The Tax Collector has made diligent efforts to collect the taxes due from the persons listed by utilizing the remedies available to him for collection.

ORDER OF COLLECTION

NORTH CAROLINA, PINEVILLE

TO THE TAX COLLECTOR OF MECKLENBURG COUNTY

GENERAL STATUTE 105-321(b)

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records, filed in the Office of the Tax Assessor and the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be first lien upon all real property of the respective taxpayers in Pineville and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real and personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor of Pineville (SEAL)

Attest:

\_\_\_\_\_  
Clerk to the Board

# August

# 2019

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
29	30	31	1	2	3	4
5	6 Council Meeting 6:30 p.m. @ Hut Public Hearing	7	8	9	10	11
12 E L E C T R I C I T I E S C O N F E R E N C E	13	14	15 Telephone Brd. Meeting @ Tele Bldg. @3:30 p.m.	16	17	18
19	20	21	22	23	24	25
26 Council Work Session 6:00 p.m. Police Bldg. 2 <sup>nd</sup> Fl.	27	28	29	30	31	1
2	3	4	5	6	7	8

Notes:

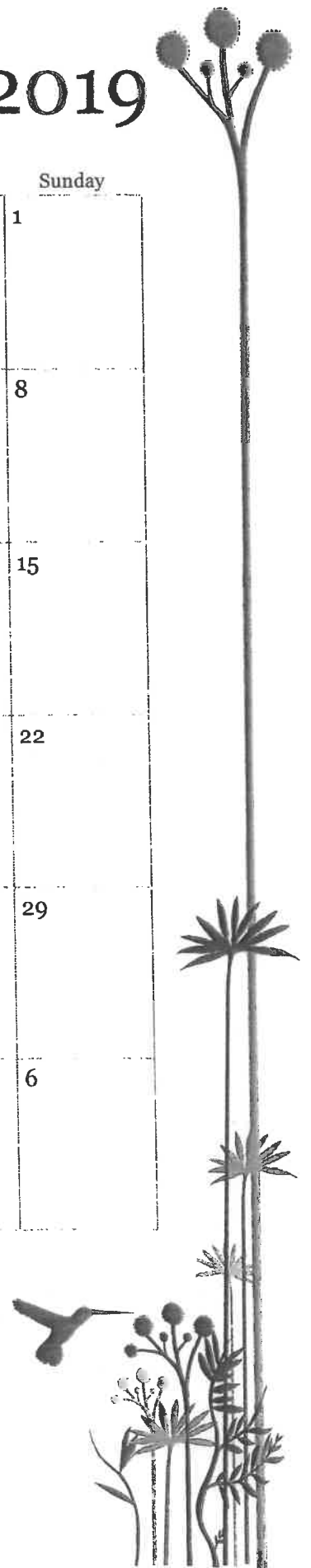


# September

# 2019

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
26	27	28	29	30	31	1
2 Labor Day Holiday - Offices Closed	3	4	5	6	7	8
9	10 Council Meeting @ Hut @ 6:30 p.m.	11	12	13	14	15
16	17	18	19	20	21	22
23 Council Work Session @ Pineville Tel.Bldg. @ 6:00 p.m.	24	25	26	27	28	29
30	1	2	3	4	5	6

Notes:



## **CLOSED SESSION**

*Discussion of matters pursuant  
to NCGS 143-318.11(4)  
(Economic Development)*

# **ADJOURNMENT**