



**MINUTES OF THE
TOWN COUNCIL WORK SESSION OF
Monday, December 16, 2019- 6:00 P.M.
Pineville Police Bldg.
437 Main Street, Pineville, NC**

The Town Council of the Town of Pineville, NC, met in a Work Session on Monday, December 16, 2019 at 6:00 p.m. at the Police Building, 437 Main St. in Pineville NC.

ATTENDANCE

Mayor: Jack Edwards

Mayor Pro-Tem: Melissa Davis

Council Members: Joe Maxim, Les Gladden & Amelia Stinson-Wesley

Town Manager: Ryan Spitzer

Town Clerk: Barbara Monticello

Planning Director: Travis Morgan

CALL TO ORDER

At 6:18 p.m. Mayor Jack Edwards called for a motion to open the meeting. Council Member Joe Maxim moved to open the meeting, with Mayor Pro Tem Melissa Davis seconding the motion. There were ayes by all and the meeting commenced.

DISCUSSION ITEMS:

- A. IPEX USA, LLC** – Planning Director, Travis Morgan, explained that IPEX, located at 9919 Industrial Drive, was requesting another expansion to store pipes as they had lost the lease on the property on which they had been storing them. IPEX owns a large tract of land behind the building they currently occupy and would like to utilize it for storage purposes. The parcel of land is about 10 acres. The town was asking for all the street scaping, a 5 ft. berm plus plantings on top of it. There are clear ROW's for both Industrial Dr. and Rodney St. One of the stipulations of their last expansion was that they must do the street scaping with the next expansion they were proposing.

Council Member Les Gladden asked if the other side of the property, which hits Industrial Drive, would have screening. Mr. Morgan replied that it was not brought up when they made their last request for an expansion. Council Member Gladden would like the front of the existing property to also be improved with screening. Mr. Morgan suggested curbing and sidewalks on the front side of the property and stated he would work up a diagram for street scape improvements before the next council meeting.

IPEX representative, Shawn White, noted that it would be challenging to do a proper streetscape along the front of the property but Mr. Morgan offered to assist them with this issue before the public hearing. Mayor Pro Tem Melissa Davis asked if IPEX had their noise issues under control. Mr. Morgan noted that he hadn't heard any complaints in a long while and Ms. Davis stated she had not gotten any complaints and had not heard any noise herself being generated from them either.

Council Member Joe Maxim asked if the land use was appropriate for storage purposes and if doing the street scaping was all that was needed. Mr. Morgan indicated that it was but added that they needed to make sure the R-O-W's were correct through the re-platting process.

Council Member Les Gladden asked for clarification as to what the applicant was asking for – approval of the expansion tonight, along with future buildings without looking at them first? Mr. Morgan clarified that it was just reviewing plans for the pipe storage and gatehouse for the future, nothing major. Mr. White stated that the gatehouse was merely a half bath for the truck drivers.

Council Member Amelia Stinson-Wesley asked about a square in the upper right corner of the plans. Mr. White replied it was just an old telephone junction box. Mr. Morgan stated that the applicant would clean things up before the Public Hearing on January 14th and stated that all the information for the Public Hearing was needed by 1/9/2020.

- B. Town Homes on Dorman Road** – Planning and Zoning Director, Travis Morgan, stated that the applicant was proposing 19 single-story townhomes at 13160 Dorman Rd. The property sits between the Laurels and the Haven and was previously approved for office, community or support services. Since this is a modification to residential property, an age-restricted use is permitted without re-zoning the property to residential.

The applicant is proposing to construct 19 units on 2.214 acres. There are currently 35 parking spots on the property with the plan showing a total of 41. The usual number of spaces are not required due to it being an age-restricted community – they only needed a total of 24 spaces. The homes are proposed at 808 square feet with two beds and two baths. Mr. Morgan had reached out to HOA's and received a letter back from one HOA stating they were more in favor of residential than office use.

Mr. Morgan's commented that he needed to make sure the sidewalks looped around the complex. There is an existing monument sign and some landscaping but he believed the roof lines could be broken up a bit more in their plans. Mayor Pro Tem Davis asked if the units would have garages to which Mr. Morgan replied that they would not. Ms. Davis asked that if they didn't sell all of the units with the age restriction in place, would they then sell to anyone? It was Mr. Morgan's understanding that it was only for individuals 55 and older. There was also some concern that there be a fence separating properties which Mr. Morgan confirmed would be required.

Council Member Joe Maxim asked about an updated storm water study. The applicant, David Tibbals, stated that they had been working on the property for over a year and the storm drainage was coming from the current property. The plan originally called for 24-25 townhomes but was reconfigured to 19 to so that they could work with the existing elements already in place. He added that a solid fence would be installed.

Council Member Les Gladden asked if there was a reason why the front of the units wouldn't face the entrance. Mr. Tibbals said they chose to orient the buildings with the backs facing the entrance so they could utilize the parking as it exists now and added that grade was more of an issue than distance for ADA requirements. Mayor Pro Tem Davis was surprised there was no parking closer to the units to which Mr. Tibbals noted that the parking at the Dorchester just down the road was 300 feet from their entrances. Both Council Member Les Gladden and Mayor Pro Tem Melissa Davis had concerns with the parking. Mr. Tibbals stated that they wanted to work with the existing infrastructure because adding more infrastructure would become too costly.

Council Member Amelia Stinson Wesley asked if there would be landscaping in the middle area or just grass. Mr. Tibbals stated that there was talk about some garden areas. A suggestion was made to flip the bottom three units to make the green space functional as well. Mayor Pro Tem Melissa Davis inquired as to whether there would actually be patios behind the "patio homes"? She did not believe it would look nice seeing the back of the home given the distance between them and the parking lot. She also asked about the price range per unit.

Mr. Tibbals responded that they were working that out but the goal was to keep it under \$200,000 per unit. Mr. Morgan reiterated that the zoning allowed for senior housing – 55+. Council Member Stinson-Wesley asked if all residents had to be over 55 or just the majority of the people who lived there. Mr. Tibbals responded that the one who purchased the unit was required to be 55+.

Council Member Joe Maxim noted that the orientation of the homes, back patios, the green space and the proximity of parking were all concerns for Council but added that a good plan for the green space could help out with a lot of those issues.

Council Member Les Gladden commented that 20,000 sq. ft. was the limit before new storm water requirements kicked in. Additionally, all the sidewalks would need to be redone to meet the 5-foot wide requirement. It looked as though Mr. Tibbals was fighting a losing battle to stay under the storm water limit to avoid having to do an updated study. By the time all was said and done, the applicant would be very close to or over that limit, which would trigger the requirement for one. He stated that, overall, Council liked the concept but there was still work to be done to get it where it needed to be. He suggested going back to Mr. Morgan to work things through with him.

- C. **Lynwood Lane/Lakeview Drive Subdivision Proposal** – Mr. Morgan gave an overview of the proposal. The property is currently zoned for one-acre home sites. The developer was proposing a total of 99 homes and a rezoning of the property to RMX. This would reduce lot size to 6000 sq. ft. with lot dimensions of 50' X 120' to accommodate a 40' wide, two-car garage product. After looking into the water situation more, he found the existing water line was not wide enough and would need to be increased to an 8-inch pipe, along with additional storm water upgrades. He noted that the timing of this project was crucial because, if a new water line needed to be installed, town roads were scheduled to be paved and the pipe installation should be done before any new paving takes place. Additionally, the ground must be able to support 80,000 lbs. of equipment.

Sewer lines would feed back to Mallard pump station. Charlotte water acknowledged they can accommodate the community but sewer upgrades may be needed. Additionally, Mr. Morgan noted that having over 30 homesites requires two ways into and out of the community and should go through and be approved by Pineville Fire Department. There are plans for a "fire access road" in lieu of a regular road to be used for fire emergency purposes.

The question was raised that, if approved, could the developer come back later and add more home or townhomes to the existing property? Mr. Morgan replied that they could not and the property was only for single-family residences and was capped at 99 homes. The whole plot of land is under one umbrella of restrictions. Any changes to plan would require the developer to go back before the board.

Council Member Les Gladden stated development of this site has been going on for a long time. There are numerous issues and still too many unanswered questions. He did not think that neighborhood could stand that many more cars on the road and they have not come up with answers to these questions.

Chris Todd, Civil Engineer for the Timmons Group tried to answer questions and address concerns of Mr. Gladden and the rest of Council, noting that there was only so much that can be done here. He highlighted the fact that the Greenway follows the creek and basically surrounded the community which is a great amenity. As far as water goes, they are installing a new water line next to the old water line that is big enough to service everyone. They met with the Fire Marshall 3 times. The code reads there needs to be two access points which they worked with Randy Frazier on to work something out to have a "fire access" road. This is not a regular road but one that emergency vehicles will have access to.

Additionally, they met with Charlotte Water; the wet well is not deep enough so they will need to lower it. The pump is fine but the well is just not deep enough. The depth of the well needs to be about 5-6 feet deeper so they have engineered it and have gotten the green light from Charlotte Water for sewer as long as they change out the wet well. They have dedicated 3.5 acres to common, open space and the community is low density. With less than 24% impervious ground, they do not have to do BMP.

Long term maintenance will be handled through the HOA as well as the easements; the only thing not covered by them would be lawn maintenance which the homeowner would be responsible for. They have signed easement agreements which is unusual to be able to get them. Homes will average between 2400 to 2800 sq. ft. the asking prices that they're shooting for is the high \$300's to the low \$400's.

Council Member Joe Maxim asked what the plan would look like if they stuck to the current zoning calling for one acre lots. Mr. Todd replied that it would equate to about 45-47 units. Council Member Stinson-Wesley asked what the homes would look like if the zoning was kept as is? Mr. Brian Macula responded that it would not work for him with only 45 units as it would not be cost-effective. He would lose money.

Mayor Pro Tem Melissa Davis stated that the homes were not attractive-looking to her and that traffic was still an issue for her. Council Member Les Gladden stated that it made no sense to add that many cars to the road. He did not see that putting an extra 250 cars in that community was doable and suggested making a bigger house, a nicer product at a higher price point and it would still sell quickly.

Mayor Pro Tem Melissa Davis asked the developer if he thought the economy could withstand a down turn in the market? Mr. Macula stated that Charlotte was one of the best markets around with overall good economic growth. He added that Pineville had great opportunity. He then asked council what type of architectural features they'd like to see.

A brief discussion regarding tap fees followed with costs ranging from \$3800 to \$12,000 but before the discussion got off track, Mayor Edwards asked the developer to continue communication with Mr. Morgan because there were still some issues, they needed to work through with him. He then requested a ten-minute break at 8:38 p.m.

- D. Fleet Management** - Town Manager Ryan Spitzer continued discussions regarding GPS on Town Vehicles, noting there were a total of 92 vehicles in the town's fleet. Of that, he was proposing that 84 of the vehicles be equipped with a GPS system with vehicles in the Fire Department, Police Department, Telephone and Electric Departments as well as Zoning, Administration, Public Works and Parks and Recreation.

Mr. Spitzer gave an overview of two systems: Geotab and Verizon and associated costs with and without diagnostics. Both systems do active tracking but Verizon can do "fencing" around an area with an alert sounding when a vehicle leaves an area. Both Mayor Pro Tem Davis and Council Member Maxim were in favor of installing a GPS tracking system in town vehicles as long as it was presented that the Town was moving toward this as a safety precaution. Council Member Maxim asked if it were possible to negotiate a three-year contract and was favoring the Verizon system with diagnostics and speed limit tracking over Geotab. Council Member Les Gladden said he was also favoring the Verizon system at \$5500.

Mayor Pro Tem Melissa Davis asked if dispatchers were going to be trained to which Manager Spitzer replied yes, Verizon would come in to train. He added that there were ways to set permissions so that Department Heads could only view their own department's vehicles. Council Member Amelia Stinson Wesley asked what kind of information could be extracted by the system. Manager Spitzer replied that it was up to council to decide what information they wanted to see.

Council Member Joe Maxim didn't want management to automatically start going into reviewing every vehicle. Mr. Spitzer responded that they could start by setting parameters and if anyone went outside those parameters, he could send Council a report to let them know who was. Council Member Amelia Stinson-Wesley just wanted to be sure the data would be working the way they wanted it to. Manager Spitzer stated he would check with Verizon on a contract and bring it back to council.

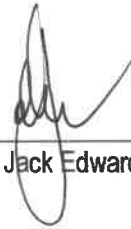
Council Member Amelia Stinson Wesley made a motion to close the open session @ 9:20 p.m. with Council Member Les Gladden seconding the motion. The motion passed 4-0 and the open session was closed.

Mayor Pro Tem Melissa Davis made a motion to go into closed session and Council Member Les Gladden seconded the motion. There were ayes by all and the Closed session began @ 9:21 p.m.

Closed Session: Once in Closed Session, pursuant to NCGS 143-318.11(5), an on-going real estate transaction was discussed with feedback provided to the Town Manager. At 9:47 p.m. a motion was made and seconded to move out of the Closed Session and back into Open Session. There were ayes by all and Council was back in Open Session.

Open Session: Once in Open Session, Council Member Les Gladden moved to authorize the Town Manager to sign the contract at \$514,000 that was just discussed in the Closed Session regarding a piece of real estate. Council Member Joe Maxim seconded the motion and there were ayes by all.

ADJOURNMENT: Having no further business, Council Member Amelia Stinson-Wesley moved to adjourn the meeting at 9:49 p.m. with Mayor Pro Tem Melissa Davis seconding the motion. There were ayes by all and the meeting adjourned at 9:49 pm.



Jack Edwards, Mayor

ATTEST:



Barbara Monticello, Town Clerk

