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| Pineville, NC Logo |  |
| **Town Council Regular Meeting** |
| **town hall council chambers** |
| **MONDAY, november 8, 2022, AT** **6:30 PM** |
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| **Minutes** | |

**CALL TO ORDER**

Mayor Jack Edwards called the meeting to order @ 6:33 pm.

Mayor: Jack Edwards

Mayor Pro Tem: Ed Samaha

Council Members: Amelia Stinson-Wesley, Chris McDonough, Les Gladden

Town Manager: Ryan Spitzer

Town Clerk: Lisa Snyder

**PLEDGE ALLEGIANCE TO THE FLAG**

Mayor Pro Tem Ed Samaha led everyone in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Jack Edwards asked for a moment of silence for our first responders, fireman, police officers and our military.

**ADOPTION OF AGENDA**

Mayor Edwards wanted to add one item under New Business, the expansion of the property and evidence room at the Police Department. Council Member Amelia Stinson-Wesley made a motion to add this item to the agenda with a second made by Council Member Chris McDonough. It will be number 7 under New Business. All ayes. (***Approved 4-0*).**

**APPROVAL OF MINUTES**

The Minutes of the Town Council Meeting on October 11th, 2022, the Work Session on October 24th, 2022, were submitted for approval. Mayor Pro Tem moved to approve the minutes with a second made by Council Member McDonough. All Ayes. (***Approved 4-0)***

**CONSENT AGENDA**

Tax Refunds are the only thing under the Consent Agenda and the tax refunds. Council Member McDonough moved to approve the Consent Agenda as presented with a second made by Council Member Stinson-Wesley. (***Approved 4–0****)*

**BOARD UPDATES and PUBLIC COMMENT**

John Holibinko, Pineville Chamber of Commerce. The Chamber is holding an event at the Polk Presidential Estate on November 19th. A Christmas card has a 1940 International D2 pickup truck with the background of the Polk museum. They will be taking family pictures with all of the profits going to Pineville Neighbor’s Place. Mr. Holibinko displayed sample photos and a list of prices: 25 cards for $50; 50 cards for $95; 100 cards for $175; or an electronic image with unlimited publishing for $50. Pineville Neighbor’s Place is a great cause.

David Phillips, Pineville resident. Mr. Phillips read a statement (attached to these minutes) to Council from him and many other Pineville residents, regarding Cone Mill village and requested that no further development or construction in this area. The current infrastructure in the surrounding neighborhoods, as well as the primary arteries throughout the Town of Pineville, will not handle the influx of additional traffic and vehicles which is estimated conservatively at approximately 1,200 to 1,400 vehicles. It is already difficult, if not impossible, to exit these areas at certain times of the day or night now. Any future development of the vacant Mill property that would include any apartments or multi-family townhomes would completely destroy the character, charm and peacefulness, as well as the historic designation associated with this quaint Mill Village area. They urge each and every council member to remember this area is still a very vital part of Pineville and they all expect their support when the time for development decisions arrive by allowing single-family homes only on and around the vacant mill property and in our mill village neighborhoods.

Al Baskins, Pineville resident. Mr. Baskins seconded what Mr. Phillips said. Pineville Pride is where all of this came from. He does not want apartments or multi-family homes here. Traffic will be backed up more than it is now. He suggested building a road that runs parallel to the new pathway to McCullough out to the stoplight so there is another exit. He doesn’t feel that Pineville is prepared for that. He feels it will destroy their life, as they know it. Before they vote on this, please read these minutes every day.

Jane Shutt, Pineville Neighbors Place. The 6th Annual Potato Drop was a tremendous success with over 200 volunteers helping to bag 30,000 pounds of potatoes which were picked up by 25 food pantries, soup kitchens and community agencies. Carolina Place Mall and Pineville Police did a great job sponsoring Touch-a -Truck – almost $1,000 in donations were given to PNP along with 2 large wagons of food for the pantry. The Town of Pineville is sponsoring their annual food drive for Pineville Neighbors. Bring your donations to the electric company, Town hall, Belle Johnston Center, or Carolina Scoops Ice Cream shop. Over 350 people picked up free over-the-counter medications at the event last week sponsored by MC MedAssist, Atrium Health and PNP. Donations are currently needed for the Shop with a Cop program. You can also shop their Amazon wish list, found on their website. All donations are needed by December 1st. Carolina Scoops is donating 10% of their proceeds in November to support the Shop with a Cop program, so you can help by eating ice cream! The week of November 14th, they will be distributing 200 Thanksgiving meals, donated by Elevation Church Blakeney. The Chamber is offering a great deal on Christmas cards. All proceeds from that event will go to PNP. Last, PNP is now accepting applications for the Pineville Neighbor’s Place Board. If you know of someone who would like to be a part of this important work, please contact Ms. Shutt.

Justin Musick, Citizens Advisory Board. Mr. Musick gave an update on the Citizens Advisory Board by providing highlights of their recent meetings. The innovation piece of CATS, bus and rail system is building a new transit system. They are planning on moving that location to a new area and making it much grander. It will be located behind the arena. The bus stop is being built underground with office space and a hotel above it, as well as possibly the Charlotte Hornets practice facility. There are some ventilation challenges that go along with these changes. They are working through some designs to figure out the best way to handle that. Employee retention is another challenge. CATS is working very hard to try and retain its employees. They are also putting security on buses with certain routes, that have had security issues. A new app similar to Uber, is being planned, as to when you r bus will be there. These are the three big key things being discussed at the meetings. Mayor Edwards thanked Mr. Musick for the update.

**OLD BUSINESS**

**Fire Department Funding (Chief Gerin)** This discussion was being continued from the Work Session last month. Finance Director Chris Tucker reviewed the presentation, financial model, with Council that was reviewed at the Work Session.

Chief Gerin was asked by Mayor Pro Tem Ed Samaha to give justification for the new fire house. The fire house was bult in 1960 or 1970. Renovations were done in November of 2015 where office space and built some living quarters above. They want a fire department that the Town and Council can be proud of. Their vision is to have a fire house that meets the needs of Pineville, South Charlotte, as it becomes more global, it will meet the needs for that. As of today, we’ve run 2,518 calls. Our final goal is to make this a fire house good for another 50 to 100 years. Council member McDonough asked about the wash bay. Chief Gerin replied that it will be a very usable bay and not built solely as a wash bay. There will be a fire truck in there each day. He added that there is very limited office space; sleeping quarters might be addressed and is a pretty big need.

Mayor Edwards asked if the $13 to $15 million cost includes any architectural or pre-construction costs. Town Manager Spitzer replied that it does not. Mayor Edwards continued that he wants visibility of what the total cost is because that money may be coming out of reserve funds. Mr. Spitzer gave options for the loan and said that if council gives them a ceiling, they will not go above that ceiling amount. If needed, they can begin cutting things down. He added that prices are also starting to trim down.

Chief Gerin added that currently they’re operating as a combination fire department. However, in 20 years, there may be a full-time fire department with administrative assistants. Finance Director Tucker went over the excel spreadsheet he put together for Council and explained the general fund and what it entails.

He summarized that he is happy to report that we will be adding $2.8 million to the general fund balance and revenues are good. The Town has significant fund balance available to them. He continued that he feels we will have a balanced budget this year and will continue to see growth in the tax base. He reminded Council that these are assumptions and that he’s trying to mirror what we’ve done in the past.

Council Member Gladden feels that there are some residents who can’t afford to have their tax rates go up right now. We have to look at this realistically. Mr. Tucker said that the model is sound. Sales tax in Mecklenburg County have been steady. Salaries and benefits are harder to predict. Council Member McDonough asked if there were any grants available to build new fire stations? Chief Gerin replied that they have applied for grants to get things for the fire station.

Council Member Gladden asked if we can continue this discussion at our next work session as we’re at a stand-still. Mayor Edwards concurred and added that he would like to hear from Mecklenburg County. Town Manager Spitzer reminded Council that we’re time-constrained and we’ve already signed documents for this and have to make a decision at some point. The model we have is starting design to meet the December 2025 deadline. Designs will take six to eight months, then the building will take several months. Mayor Edwards thanked everyone for their input.

**NEW BUSINESS**

**Code of Ethics.** Town Manager Spitzer said that in 2009, the General Assembly had legislation that directed municipalities to adopt a Code of Ethics by 2011, however, the Town never did this. The draft sent to Council was modeled after the Town of Matthews, as they adopted it in 2011. It needs to be adopted, as a Resolution, that will carry on from year-to-year. Council Member McDonough moved to adopt the Code of Ethics with a second made by Council Member Stinson-Wesley. There were three ayes (McDonough, Samaha and Stinson-Wesley) and one no (Gladden). ***Motion passed (3-1)***.

**Discharge of Firearms.** Town Manager Spitzer discussed three options for amending Section 130.03 of the Town Code. This section of the Code has to do with the discharge of weapons to include guns, bows and crossbows. It was decided by Council to only allow the discharge of weapons at approved facilities or property. There are two exceptions that were kept from the original code section: (1) allowing officers of the law to discharge weapons in the course of their duty, and (2) allow of discharge of weapons for the protection of home and property. Council Member Gladden wanted to confirm that black powder is covered under the firearm. He replied yes. Mayor Pro Tem Samaha moved, and Council Member Stinson-Wesley seconded, to accept the ordinance for the Town of Pineville Amending Title XIII, General Offenses, at Section 130.03, Discharge of Firearms to Restrict Bow and Bow Type Weapons from being discharged. ***Motion passed (4-0)***

**Retrofitting of the property and evidence room.** Chief Michael Hudgins advised Council that they are running out of space within their building, to store property and evidence. To alleviate this matter, they looked into installing rolling space-saving shelves, but the cost was $70,000. As a secondary option, they looked at expanding the size of their property and evidence room. The cost of expansion will be $23,151 and they request using asset forfeiture funds to do so. He feels this should hold them for several years to come. Town Manager Spitzer shared with Council that this money is above and beyond what they put in the budget for this year. Mayor Pro Tem Samaha moved to move the asset forfeiture funds and to allow the police department to expand their property and evidence room with a second made by Council Member Stinson-Wesley. ***Motion passed (4-0)***

**Manager’s Report**. Mr. Spitzer reported that the Greenway is about finished in design. We will bid it out by December and hoping late Winter to early Spring to begin construction. This is the connection going out to McCullough and funded through ARPA funds.

A survey is out for Fall Fest. It’s on our Town’s Parks and Rec Facebook page through the week before Thanksgiving and we will put that information together and present to Council at the December meeting, or the prior work session.

ETJ. We did finalize the agreement with the County for $812,000/year. Council agreed to $809,000, but he got them up to $812,000. We will be hiring officers to go into the Academy starting in January. They should be policing down there in July. We have a five-year contract to see how we like it.

Congratulations to our Electric Department, who helped save tree-trimmers in the city along with the Fire Department since the Fire Department ladders could not reach them. Also, congratulations to Officer Down who helped out a homeless man by getting him a haircut and some other items.

Town Clerk Lisa Snyder gave an update on the grand opening celebrations with the library. It is scheduled for Friday, December 9th, at 10:00 am. In the event of rain, the celebrations will be held in the community room on the first floor, starting with speakers at 10:00, followed by refreshments and tours of the library following. On Saturday, December 10th, the library will be doing some of their own grand opening events including a scavenger hunt. A soft opening may be held next week, but as of now, there is no set date.

Council Member McDonough asked for an update on the Johnston Road realignment. Planning and Zoning Director Travis Morgan replied that he is trying to get reimbursement for the construction/design portion. If we cannot get reimbursement, the Town will have to fund the entire amount. NC DOT endorsed the winning bid which is with Sealand.

Council Member Gladden asked for an update on Lowry Street. Public Works Director Chip Hill answered that we are having some problems with the storm drains but thinks we got it worked out. They want to complete it when school is not in session.

Mayor Edwards announced a five-minute recess before going into Closed Session pursuant to NCGS 143-318-11(3) – investigation of conduct.

Mayor Pro Tem Samaha moved to go into Closed Session with a second made by Council Member McDonough at 8:20 pm. All ayes.

**ADJOURNMENT**

Motion was made by Council Member Stinson-Wesley to adjourn followed by a second made by Mayor Pro Tem Samaha. (***Approved 4-0***) The meeting was adjourned at 8:50 pm.

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|  |  | **Jack Edwards** |
| **ATTEST:** |  |  |
|  | **Lisa Snyder, Town Clerk** |  |