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| Pineville, NC Logo |  |
| **Town Council Regular Meeting** |
| **Pineville Hut Meeting Facility** |
| **MONDAY, AUGUST 22, 2022 AT** **6:30 PM** |
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| **Minutes** | |

**CALL TO ORDER**

Mayor Pro Tem Ed Samaha called the meeting to order @ 6:33 pm.

Mayor Pro Tem: Ed Samaha

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

Town Manager: Ryan Spitzer

Town Clerk: Lisa Snyder

Absent: Mayor: Jack Edwards

**PLEDGE ALLEGIANCE TO THE FLAG**

Town Clerk Lisa Snyder led everyone in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Pro Tem Samaha asked for a moment of silence for our first responders, fireman, police officers, and added that we hope that the Mayor recovers quickly. Council Member Gladden asked to remember the following Pineville residents: Dennis Cook, Kirby Moore, JoJo Crump, Robert C “Bobby” Hair and Sarah Thomas. Mayor Pro Tem asked for a moment of silence and prayers for each of them.

**ADOPTION OF AGENDA**

Mayor Pro Tem Samaha asked if there were any changes to the Agenda. Council Member Chris McDonough made a motion to adopt the Agenda with a second made by Council Member Les Gladden. All ayes. (***Approved 4-0*).**

**APPROVAL OF MINUTES**

The Minutes of the Town Council Meeting on June 14th, 2022, the Work Session June 27th, 2022 and the Town Council Meeting on July 12th, 2022 were submitted for approval. Council Member Stinson-Wesley moved to approve the minutes with no changes with a second made by Council Member McDonough. All Ayes. (***Approved 4-0)***

**CONSENT AGENDA**

Town Manager Ryan Spitzer outlined the Recission of the State of Emergency Order. Council Member Stinson-Wesley moved to approve the Consent Agenda as presented with a second made by Council Member Gladden. (***Approved 4–0****)*

**BOARD UPDATES and PUBLIC COMMENT**

(There were no Board Updates or Public Comment).

**NEW BUSINESS**

**Finance Report & Budget Amendments (Chris Tucker)** Mr. Tucker presented the Finance Report and four budget amendments for Council’s consideration. Budget Amendment **2023-3** brings forward fund balance appropriated across four funds to cover open purchase orders. For the General Fund - $430,045; Electric - $1,277,000; ILEC - $3,335; and CLEC - $36,555. Council Member Gladden moved to approve Budget Amendment **2023-3** with a second made by Council Member McDonough. (***Approved 4-0)***

Budget Amendment **2023-4** to increase fund balance appropriated in the amount of $469,645 for expenditures associated with restricted Powell Bill expenditures. Council Member Stinson-Wesley moved to approve Budget Amendment **2023-4** with a second made by Council Member McDonough. (***Approved 4-0***)

Budget Amendment **2023-5** to increase fund balance appropriated revenue and increase the Public Works function in the amount of $139,500 for expenditures associated with Lowry Street and to increase the Public Safety function appropriation in the amount of $55,000. Council Member Gladden moved to approve Ordinance **2023-5** with a second made by Council Member McDonough. (***Approved 4-0***)

Budget Amendment **2023-6** to increase transfer from other funds revenue and increase the general government function appropriation in the amount of $50,000 for expenditures associated with ARPA and increase the Public Safety function appropriation in the amount of $741,000 for expenditures associated with ARPA-Fire Apparatus expenditures. Council Member McDonough moved to approve Budget Amendment 2023-6 with a second made by Council Member Stinson-Wesley. (***Approved 4-0)***

**Adoption of new Covid Policy (Linda Gaddy).**  This updates the laws and regulations that are no longer in effect, outdated language, and clarifies that the “paid” Covid leave is no longer available, and that employees will have to use their sick time for Covid related absences. In addition, Ms. Gaddy described CDC’s guidelines of the disease and quarantine requirements as it relates to return-to-work guidelines. The updates comply with the government guidelines. Mr. Spitzer added that the Town must have a policy that follows the CDC. He further said that other Towns are doing their own thing, allowing some people to work from home and some not. Council Member Gladden asked if department heads can send employees home and require a test. Ms. Gaddy replied “yes.” Mr. Spitzer added that the difference is that we’re not paying anymore. Council Member Stinson-Wesley moved to approve the adoption of the policy with a second made by Council Member McDonough. (***Approved 4-0***)

**Outdoor Fitness Equipment (Matthew Jakubowski**). Mr. Jakubowski announced that the Town is looking to build its first outdoor fitness amenity at Lake Park. Mecklenburg County approved some HUD funding in the amount of about $245,000. He is working with the Mecklenburg County Park and Recreation Planning department and their ADA compliance representative to ensure that we meet all HUD requirements. ADA ranked the location for the outdoor fitness area in a map shown. The size of the fitness court is 38’ x 38’. He noted that it does not prohibit homeowners from seeing the lake, it comes right off the trail, it is the most ADA compliant. Council Member Gladden asked Matt about possible maintenance-level, how often it would need replacements, and the personnel needed to maintain the area. Mr. Jakubowski stated that he will be meeting on August 23rd and see what the other Towns have experienced with their outdoor fitness amenities. If Council approves, we could have it by the end of the year. There was some general discussion among Council members and no motion was made at this time. Mr. Spitzer and Mr. Jakubowski will get back to Council with answers to their questions.

**EB 5949 Award Letter (Travis Morgan**). Mr. Morgan stated that this award is for the Johnston Road realignment Part One. The EB 5949 is the NC DOT project number. DOT would like an official endorsement from Council of the winning bid before they proceed with the project. We have gone out to bid several times prior, unsuccessfully. The most recent bid received two qualified bids. (1) is from Sealand for the amount of $1,460,960.03 DBE of 6.16% and (2) from Nassiri for the amount of $1,531.691.75 DBE of 12%. After discussion and acceptance of the Sealand DBE Good Faith Effort, Council Member Stinson-Wesley moved to accept the low bid with a second made by Council Member Gladden. (***Approved 4-0***)

**OLD BUSINESS**

(There was no old business).

**Manager’s Report**. Mr. Spitzer reported that Mecklenburg County Tax Collector reported that they collected 99.33% of the taxes for Pineville.

Towne Centre Blvd sidewalks are being put in beginning August 23rd through September 13th and will be on the hotel side of the street.

The closing date of the old police lot is scheduled for September 19th.

The Fire Station had recently held two meetings and shared their wish list with the architect and Town Manager. Based on their wish list, and estimated 25,000 square feet, the anticipated cost is between $13.5 and $18 million dollars. Mr. Spitzer advised that we don’t have that money. They would have to decrease the number of footages to about 20,000 square feet. Instead of six bays we’ll probably have to go down to five bays. The easiest way to get the price down is to eliminate a bay. The planning is still in the early stages.

The Charlotte Observer ran an article that the Fire Department’s Twitter account and contacted him about it. The Fire Department is saying their account got hacked. Mr. Spitzer advised them that the Fire Department is a volunteer fire department and they have their own board.

We’re still in the process of purchasing the land for the substation and are talking with the land owner. We may have to realign where a stream goes, but he believes this is doable.

The September Council Meeting will have a budget amendment to pay for the transformers for this site. He added that they will take 24 months to be built.

Within the next two months, we will discuss the telephone layout yards. We may have a temporary site at Cone Mill.

Update on new Town Hall: The phone system is being installed August 29th through August 31st and staff will be trained on how to use it on September 1st and 2nd. We are going to start to move boxes over to the new building on August 29th. If it all works out, the Town Hall will shut down September 8th and September 9th for the internet transition and then begin working at the new Town Hall.

The next Council Meeting, in September, will be at the new Town Hall Council Chambers. There will be a small ribbon-cutting ceremony on Thursday, September 8th at 10:00 am.

Council Member Stinson-Wesley moved to go into Closed Session with a second made by Council Member McDonough at 7:48 pm.

Mayor Pro Tem Samaha announced that we will take a short break then go into Closed Session to discuss NCGS 143.318.11(a)(5) regarding a real estate matter.

Council Member Gladden moved to approach Mr. Thrower with an offer of $10,000 for an easement, or begin the condemnation process. In addition, Council wants to investigate an alternate route for the stormwater drainage. A second was made by Council Member McDonough. All ayes. (***Approved 4-0***)

**ADJOURNMENT**

Motion was made by Council Member Stinson-Wesley to adjourn followed by a second made by Council Member Gladden. (***Approved 4-0***) The meeting was adjourned at 8:15 pm.

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|  |  | **Mayor Pro Tem Ed Samaha** |
| **ATTEST:** |  |  |
|  | **Lisa Snyder, Town Clerk** |  |