



AGENDA

CALL TO ORDER

Pledge Allegiance to the Flag

Moment of Silence

ADOPTION OF AGENDA

APPROVAL OF THE MINUTES

- 1. Approval of Budget Meeting Minutes** - Minutes of March 25th, March 30th, April 15th and April 22nd Budget Meetings
- 2. Work Session Minutes** - Minutes from June 28, 2021
- 3. Town Council Regular Meeting Minutes** - Minutes of June 22, 2021 meeting

CONSENT AGENDA

- 4. Revenue & Finance Report** (*Richard Dixon*)
- 5. Resolution No. 2021-14 for surplus items and equipment**

PUBLIC COMMENT

PUBLIC HEARING

OLD BUSINESS

NEW BUSINESS

- 6. Budget Amendment** (*Richard Dixon*)
- 7. Encroachment Agreement for Sidewalk Dining** (*Travis Morgan*) - **ACTION ITEM**
- 8. Interlocal Agreement pertaining to Animal Control** (*Ryan Spitzer*) - **ACTION ITEM**
- 9. Early Voting Location** (*Ryan Spitzer*) - **ACTION ITEM**

STAFF UPDATE

- 10. Manager's Monthly Report** (*Ryan Spitzer*) - monthly report from Town Manager
- 11. HR Monthly report** (*Linda Gaddy*) - Monthly report from the HR Manager
- 12. Parks & Rec monthly report** (*Matthew Jakubowski*) - Monthly Report of Parks & Rec manager
- 13. Public Works Monthly Report** (*Chip Hill*) - Monthly report by Public Works Manager
- 14. Monthly Report by PCS Manager** (*Tammy Vachon*)

CLOSED SESSION - Per NCGS 143.318.11 (5)

ADJOURN

rspitzer@pinevillenc.gov is inviting you to a scheduled Zoom meeting.

Topic: July 13th Council Meeting

Time: Jul 13, 2021 05:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86888662282?pwd=Mk41d3B5Tm84WkJaUXBwOHhFaDRqQT09>

Meeting ID: 868 8866 2282

Passcode: 215123

One tap mobile

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Dial by your location

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Meeting ID: 868 8866 2282

Passcode: 215123

Find your local number: <https://us02web.zoom.us/u/kIJ6Y1p2A>

If you require any type of reasonable accommodation as a result of physical, sensory, or mental disability in order to participate in this meeting, please contact Barbara Monticello, Clerk of Council, at 704-889-2291 or bmonticello@pinevillenc.gov. Three days' notice is required.



**MINUTES OF THE
TOWN COUNCIL 3rd BUDGET WORKSHOP
THURSDAY, APRIL 15, 2021 @ 5:30 pm
The Hut Meeting Facility
413 Johnston Drive, Pineville, NC**

The Town Council of the Town of Pineville, NC, met in a Budget Workshop on Thursday, April 15, 2021 @ 5:30 p.m. The meeting was held at The Hut Meeting Facility utilizing ZOOM.

ATTENDANCE

Mayor: Jack Edwards
 Mayor Pro-Tem: Melissa Davis
 Council Members: Amelia Stinson-Wesley, Les Gladden and Joe Maxim
 Town Manager: Ryan Spitzer
 Town Clerk: Barbara Monticello
 Finance Director: Richard Dixon
 Planning & Zoning Director: Travis Morgan
 Don Mitchell: Electricities
 Police Chief: Michael Hudgins

CALL TO ORDER

Mayor Jack Edwards called the meeting to order at 5:30 p.m. and asked for a motion to open the meeting. Council Member Joe Maxim moved to open the meeting, seconded by Mayor Pro Tem Melissa Davis. There were ayes by all and the meeting was opened.

Town Manager Ryan Spitzer handed out revised revenue projections. With these updated figures, it now puts the town at \$135,000 over what we projected.

Planning and Zoning Director Travis Morgan went over his budget information. 2021 Zoning violations totaled 120, down from 178 in 2020. With Covid-19, many businesses were closed, which explains the lower number of violations.

Sign Permits = 100 this year, 63 last year. 15 Zoning Verification Letter last year, and 16 so far this year.

Site Plans, last year we had 90. So far this year, we have 63.

Johnston Road = Project # EB5949 = \$1,115,000. CDBG Part 1 = Renewal = \$133,574 + environmental civil design. CDBG Part 2 = South Polk Sidewalk = \$139,436. Park Road Crosswalk + NC51 Median = #U6806 = \$1,000,000 Town contributing. These items are all Grants.

Mayor Edwards asked Director Morgan if the CBDG Part 2 Grant included sidewalks on school side of the road. Travis stated that it stops just shy of it – due to redoing the Lowry Road right-hand turn lane. Mayor then asked if the Park Road Crosswalk had been pushed up sooner than 2025. Travis replied no, it has not.

Director Morgan stated his Primary Budget is the same as last year. Contract Services increased due to Comprehensive Land Use Plan at \$82,000. Dues and subscriptions increased slightly as well.

Mayor Pro Tem Melissa Davis asked about animal control and if we were working with the Police Department to reduce costs? A brief conversation took place and Mayor Pro Tem Davis suggested we get back with P.D. to work with them before calling animal control.

Goals: 1) Complete comprehensive land use plan.
2) Complete overlay district update.
3) Advance sidewalks and pedestrian walkability.

Council Member Joe Maxim asked if we still have an engineer to assist us in construction. Manager Spitzer said yes, it is under Public Works now. Discussion about engineering services and construction assistance to ensure builders are building what they agreed to on their plans.

Council Member Les Gladden advised this should be done on the front end, from day one, if the money is there. We need someone to approve plans the first day of construction to ensure they are building correctly. Council Member Joe Maxim agreed, stating there is a need for this assistance.

Director Morgan advised he can put a stop on construction at any time – we have more trouble at the end with issuing c/o's. No further questions or comments.

Electric – Don Mitchell gave an overview of work being done by the Pineville Electric Department:

- Installing lines at Preston Park
- Completed work along Downs Road
- Begin power lines for Carolina Logistics
- Starting work on Polk Street

Revenues \$13,200,000 – Electric Sales are up from last year – not projecting any increases to electric rates. He further stated that another substation will be coming down the pike.

Council Member Amelia Stinson-Wesley asked how much space is needed for a new substation. Don Mitchell advised a preference of about two acres. Manager Spitzer said the land should be kept next to Duke Transmission.

Mr. Mitchell advised he has reviewed his budget line items:

- Electric purchases are the only difference.
- Contract Services – payment to Electricities for employees, benefits, salaries.
- 3% merit increase, increase in funding for state retirement, travel, training and a new career development program.

Mr. Mitchell said he removed tree trimming substation maintenance and engineering from contract services. He said they are trying to get on top of the tree trimming so that we're not trimming trees that have already been trimmed.

\$2,680,000 is needed for capital outlay for the Carolina Logistics Project, Preston Park, Baynard property and work for the new Town Hall.

Mr. Mitchell advised they have completed pole inspections = \$150,000 to replace any rotted poles. This work is done every 5-6 years. He is looking to replace a 2010 truck at \$45,000. The rest of the operating budget is about the same as last year. We have a ten-year replacement cycle on vehicles. Money is in place in the budget to start the process of looking for space for a new Electric building.

Council Member Joe Maxim asked, with 3% merit – what type of evaluation program do you have.

Mr. Mitchell advised they have a formal evaluation program. Each employee has goals and they are rated on those goals. We do a market analysis/study every 2-3 years. We don't have a COLA increase, however.

BUDGET FOR THE POLICE DEPT. (Chief Hudgins) FY 22 Goals for Police Department:

Get Stratified Policing Model in place by November, 2021.
 Community engaged strategic management plan, first draft.
 Involve all department units in community engagement – make this a part of everyday policing.
 Reduce crime for FY22, reduce property crimes by 10% and violent crimes by 5%.
 Hire qualified, diverse agency, actively recruit women and minorities and attend five recruitment events.
 Salaries – one of the biggest issues we've discussed has been salaries.
 17 Officers left – 14 left due to pay. We are the lowest paid town in the area, ranked at number 38.
 Raise starting salary and address retention rate. Cost to do this is \$179,000. We want to keep our force competitive.
 When Toby Calhoun retires, it creates four promotional spots.

Telecommunicators – lowest paid dispatchers – 6 out of 10 said the pay was the reason why they left.
 Reclassify telecommunicators from grade 13 to grade 15 would cost \$29,087.50.

Council Member Les Gladden asked Manager Spitzer to calculate what it would be if we gave them a 15% across the board increase. Mayor Pro Tem Melissa Davis asked do we also compare the benefits along with the salary.

Several openings now in the Police Department – 4 Corporal, 2 Sergeants and 2 Lieutenants. The Police Chief is in favor of having a Law Enforcement Analyst.

Grade 21 Analyst salary range is \$44,183 - \$66,275. They are tech savvy, degreed, and have all types of background experience. It takes months to do a background check. Increase Corporal Positions by two = estimated cost \$9,512.00 (fill from within). Number one priority is to keep patrol staffed – street patrol is the most important.

Council Member Les Gladden suggested taking two of the four corporals and put them on rotation. Chief agreed it was a good idea.

\$700 CID phone lines installation (adding new cubicle). Telephone and Postage: \$3,600 recurring cost for new lines.

CIP PROJECETS

Mini split HVAC and temperature notification (server room backup) @ \$15,500
 Paint second floor of Police Department @ \$15,000
 Paint exterior of building @ 11,675.00
 Carpet for building \$20,000.

Council Member Les Gladden suggested LVT floors in some spots instead of carpet. Chief was ok with that idea.

Upgrade the MIFI in all the police vehicles.
 Pay for it out of the Asset Forfeiture Funds

Looking at drones, looking at LPR (License Plate Reader).

Council Member Joe Maxim suggested Public/Private partnerships with HOA communities to get some of these LPR's installed.

Special Operating Restricted Funds – Requesting \$320,000.

Contract Services:

Second year of new Harris Radios – the maintenance plan kicks in which we didn't have to pay the first year.

- 1) CI radio P-25 maintenance contract \$28,059
- 2) Clear contract \$4,200
- 3) Cleaning \$792
- 4) Leads online \$3,625
- 5) Body Cameras \$18,393

Capital Outlay
5 cars (\$286,000)

Council Member Joe Maxim asked of the Prioritized five roles, can we combine roles = 1) analyst/accreditation person? The Chief was ok with it but it will take a different route for accreditation. He is going to start to do more inventories of the property room.

GOVERNMENT BOARD

\$5000 increase due to an increase in the Audit Costs

Grants: \$5,000 from Electricities to upgrade the website.
Grant: \$5,000 for Facades Program.

GENERAL FUNDS CHANGES

\$100,000 – developments, legal costs.
4200.1250.10 Printing and publishing went down about \$6,000.
4200.3300.10 Department Supplies + \$5,000
4200.3800.10 Clerks fees and trainings – less \$4,000.

Next week there will be a full list of Capital Projects.

Meeting was adjourned @ 8:34 p.m.

Jack Edwards, Mayor

ATTEST:

Barbara Monticello, Town Clerk



**MINUTES OF THE
TOWN COUNCIL 2nd BUDGET WORKSHOP
Tuesday, March 30, 2021 @ 5:30 pm
The Hut Meeting Facility
413 Johnston Drive, Pineville, NC**

The Town Council of the Town of Pineville, NC, met in a Budget Workshop on Tuesday, March 30, 2021 @ 5:30 p.m. The meeting was held at The Hut Meeting Facility utilizing ZOOM.

ATTENDANCE

Mayor: Jack Edwards

Mayor Pro-Tem: Melissa Davis

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

Town Manager: Ryan Spitzer

Town Clerk: Barbara Monticello

Finance Director: Richard Dixon

Tammy Vachon & Marianne Hong

Jordan Williams & Scott Futter

CALL TO ORDER

Mayor Jack Edwards called the meeting to order at 5:36 p.m. and asked for a motion to open the meeting. Mayor Pro Tem Melissa Davis moved to open the meeting, seconded by Council Member Les Gladden. There were ayes by all and the meeting was opened.

DISCUSSION ITEMS:

A. GENERAL FUND BUDGET

(Ryan Spitzer) Town Manager, Ryan Spitzer, reviewed the changes from the first budget meeting. With the police officers and police communicators – to increase their pay to where they want it comes to \$100,000. Also, there was an increase of \$63,315 in capital projects that wasn't in Parks and Rec/Culture & Tourism budgets previously. He noted that they would need to look at where that money will come from.

Mr. Spitzer continued, stating that Council needed to decide if it wanted to give officers and telecommunicators 2.5 % COLA first and then increases to where you want them or do the increases first and then the 2.5% COLA. He added that would be talked about later. He also brought to Council's attention that where the Chief's pay was now, it was pretty close to the Captain's so Council would need to think about that as well.

B. DEPARTMENT BUDGET - COMMUNICATIONS

Communications Director, Tammy Vachon, gave highlights from Thursday's meeting, advising that a total of 192 new internet subscribers were added this past year. She advised there was some renegotiation of the cell tower rent for an increase of \$6,500 more in revenue a year. Her team was ready for the Carolina Logistics Park and Eagleton Downs warehouse projects on Downs Road. She explained that her department would be selling some of their old equipment, yielding about \$21,000 from the sale. They did not have to terminate any accounts due to Covid. All have been able

to pay or are on a payment schedule. Their drive-through machine worked out really well for them so people could still come by and make payments during Covid.

Council Member Les Gladden asked if overdue phone/electric bills could be collected from the Debt Set off Program. Ms. Vachon stated that they already do that. Debt Set Off can be used for anyone with a Tax ID #.

ILEC revenues, which is interest-based income, will be \$54,000 less than last year at \$89,000. She had \$30,000 budgeted for a Sales Position but bumped it down to \$15,000K. There was an Increase in land line revenues due to Covid with more people being home and using the phone more. There were fewer lines, however, with 523 for ILEC and 181 CLEC customers. Ms. Vachon stated that inventory is very fluid and she was trying to tighten it up. For FY21 they only needed \$28,656 to cover operating expenses. For FY22, however, she anticipated having +\$27,630 in surplus and may use it to purchase a new van.

Plant Under Construction Costs – Ms. Vachon added a line in her budget to allow for growth for Chadwick Park, Preston Park, Townhomes at 540 Main Street, more fiber to the home, Carolina Logistics Park and the completion of McCullough. For the FY 22 they may need funds for the infrastructure for the old police lot, the new Subaru Dealership, and the Miller and Baynard property developments. Council Member Les Gladden said the projected number of homes for the Miller property was approximately 450 to 500 homes and 150 to 200 townhomes.

Under capital items, Ms. Vachon stated her only request was for a new van.

Mayor Pro Tem Melissa Davis asked where she was with staffing. Did she plan on contracting out more work or hire more staff? Ms. Vachon advised the contract workers will need to seriously consider using more contractors as more homes/businesses grow. Mayor Pro Tem Davis suggested she give them some idea about contractors at one of their next Telephone Board Meetings.

Performance Measures – Exceeded 100 customers for Auto Pay, currently @ 114. Zero accidents – met this goal. Reduce Non-Recurring Purchases by 5% - negated by Covid-19/staffing shortage in Finance.

Department Goals for Next Year – Increase collections efforts. Offer payment arrangements. Cross train business office employees to ensure secondary support for each billing function. Gain 24 new PCS Internet subscribers from existing Electric only customers.

Mayor Pro Tem Melissa Davis asked if we charge late fees. Ms. Vachon said we typically don't charge late fees – Tammy will have to check if it's legal for a Municipality to charge a late fee.

Grants – (4) Safety Grant – Awarded \$1,273 – 50% of cost of items. (2) Portable Multi-Gas Meters.

Council Member Amelia Stinson-Wesley said to keep in mind if we need to recruit others or letters of support – from Council – we want to help in whatever way we can.

Tammy advised the new billboard is up and will stay up for eight weeks.

Future plans for growth: billboards, target market neighborhoods, community engagement, strengthen relationships with HOA's. Continue with outstanding customer service, get more fiber out there.

PARKS AND RECREATION

Town Manager Ryan Spitzer advised Council that Parks and Recreation didn't have very much change in their budget. There currently are no youth basketball programs. Jordan Williams of Parks and Recreation, said they are looking to start a youth basketball program. Mayor Pro Tem Melissa Davis advised she'd like to see it be affordable to all.

Council Member Joe Maxim asked about the manpower and sustainability of the program – how do you ensure that the program stays alive and doesn't fizzle out? Interim Parks and Recreation Director Jordan Williams said they send out surveys to see what sports residents are interested in, such as Lacrosse, etc.

Performance measures – a lot of their numbers were not met due to Covid. Delaying or dropping certain events, programs, etc.

Mayor Pro Tem Melissa Davis asked if we had discussed sponsorship signs.

Manager Spitzer said yes, but we compared our costs with other towns and we are in line with other towns.

Scott Futter of Parks and Recreation, said the maximum years for sponsorship banners is about two years.

Manager Spitzer advised we may have to revamp the program so that sponsors would need to buy new banners every so often.

Mayor Pro Tem Melissa Davis said it was Erin's job to go out and solicit for sponsorships, not Jordan's.

Jordan stated they had received the ASC Grant for murals. They are still waiting on the LWCF Grant to see if we get it.

Manager Spitzer said we may be allowed to use the grant money on another piece of land since we lost out on the other piece of property.

Mayor Pro Tem Melissa Davis said if they need volunteers, Council will do some of those events. Just let them know.

Jordan updated Council on the Farmer's Market dates – every Saturday from May 15, 2021 through September 15, 2021. Mayor Pro Tem Melissa Davis said she hopes it takes off this year as there were too many restrictions in the past. Council Member Les Gladden suggested speaking with Adele and she'll help get in touch with potential vendors.

Jordan gave an update on Rockin' and Reelin' dates. The first one will be June 11th and the last one will be September 10th. There will be food trucks at the Parks and Recreation events.

October 15th and 16th are the dates of Fall Festival this year. The plan includes fireworks on Saturday night.

The Christmas Tree Lighting event will be held on the first Saturday in December at the Lake Park.

Council Member Joe Maxim advised that the Sheltra Race and the Sheltra Race Foundation want to partner up with Pineville Parks and Recreation.

Mayor Pro Tem Melissa Davis asked about the Splash Pad. Will it be open this year or not? Jordan advised the plans are to get it cleaned and ready to open with a date of May 12th for that to happen. The plans are for it to be open this year, but we have not got an exact opening date at this time.

Manager Spitzer stated not a lot changed from last year. Maintenance decreased because painting took place last year. Decreased by \$32,000.

Capital \$69,153. \$6,500 – Scott informed Council the concession stand at Jack Hughes Park needs to have the gutters replaced.

- \$5,503 – Six surface mounted heaters for the outdoor restrooms at Lake Park. Discussed heat/air in outside bathrooms.
- \$10,180 – Paint the exterior of the Hut Meeting Facility needs to be done.
- \$28,770 – Large shelter roof/gutters – gutters are not performing properly.
- \$4,200 – Shay Stage gutters and down spout – possibly these can be repaired.
- \$14,000 – 663 feet for fence at Jack Hughes Park = 6 feet x #9 gage.

Mayor Pro Tem Melissa Davis said we need to have a place that kids can use for free. Suggested the multipurpose field for free, open use by resident kids.

All items that need to be done at Parks and Recreation include: Heaters, Concession Stand, Large Shelter roof and gutters, Painting the Hut, Fence, and Shay Statues.

Scott advised we need to replace the 2001 mower – 4000 series mower. \$36,000 – Replace 1975 model tractor with a four in one bucket with a new tractor with a safety seat.

Mayor Pro Tem Melissa Davis asked about staffing. She does not want to see three people working at the front desk at the Belle Johnston Community Center.

Jordan stated that Barbara is working Tuesday and Wednesday afternoons and evenings. Staff are rotating Mondays, Thursdays and Fridays. We are all covering different shifts and all are on a rotating schedule. He stated that Erin’s main job was updating the website, social media posts, helps with grab and go events.

Mayor Pro Tem Melissa Davis said she just wants Erin to be where she is supposed to be at all times. She said we are at the point when we can start thinking about some new gym equipment.

ADJOURNMENT: At 8:29 p.m., Council Member Amelia Stinson-Wesley made a motion to adjourn and Mayor Pro Tem Melissa Davis seconded it. There were ayes by all and the meeting concluded.

Jack Edwards, Mayor

ATTEST:

Barbara Monticello, Town Clerk



**MINUTES OF THE
TOWN COUNCIL 4th BUDGET WORKSHOP
THURSDAY, APRIL 22nd, 2021 @ 5:30 pm
The Hut Meeting Facility
413 Johnston Drive, Pineville, NC**

The Town Council of the Town of Pineville, NC, met in a Budget Workshop on Thursday, April 22, 2021 @ 5:30 p.m. The meeting was held at The Hut Meeting Facility utilizing ZOOM.

ATTENDANCE

Mayor: Jack Edwards
 Mayor Pro-Tem: Melissa Davis
 Council Members: Amelia Stinson-Wesley, Les Gladden and Joe Maxim
 Town Manager: Ryan Spitzer
 Town Clerk: Barbara Monticello
 Finance Director: Richard Dixon
 Planning & Zoning Director: Travis Morgan
 Fire Department: Jason Klemowicz
 Public Works: Chip Hill

CALL TO ORDER

Mayor Jack Edwards called the meeting to order at 5:30 p.m. There were ayes by all and the meeting was opened.

Jason Klemowicz of the Fire Department gave a budget presentation to Council. Due to Covid-19, 2020 was a difficult year. We are getting qualified volunteers from Charlotte, Fort Mill, Flint Hill firemen, as well as our own volunteers. Quality firemen are volunteering in Pineville.

General Fund: \$197,000 Salaries
 Travel/Training +\$3,000 due to new hires and state training
 Turn out Gear + \$6,000 due to new hires
 Uniforms + \$1,500 due to new hires
 Mandated Physicals +\$2,000 due to new hires
 Contribution of FD -\$50,000 moved three salaries tow new line item, \$10,000 requested for increase in Chief's pay and \$31,500 requested to add off duty officer for paperwork.

Capital Request

\$63,000 – 22-year old rescue truck. Emergency airbags are 10 to 15 years old – the truck needs rehabbing and to do that will cost \$63,000. The truck's motor is in good shape and is only used for car accidents. The lights alone cost \$60,000 with some of that cost being equipment replacement. Will pay 60% this year and 40% next year. Town will pay – use Atlantic for shelving and another company for equipment. Whole refurbish is \$103,000.

\$100,000 put in it to refurbish it for about another 5-10 years. \$3,000 is for EMS equipment and \$60,000 is for lights.

Mr. Klemowicz said they are looking at grants for the air packs. We have two people looking into them and they have a company writing grants for them.

Town Manager Ryan Spitzer said he has spoken to Peter Leek about the two locations lost next to the Fire Station. The new office building would be sold to the town if they are interested.

Mr. Klemowicz said the guys like the center of town.

Public Works

Director Chip Hill reviewed some of the accomplishments during this past year:

Annual reconciliation of the budget is done every quarter by Chip and Lydia.
 Update Shared Calendar for See, Click, Fix it.
 Statistic comparison chart – listed all items of significance and track these from start to finish
 Weekly supervisors meeting to address problems, staffing and any issues.
 Tamper resistant receptacles – Tim Jones working with an electrician on Amon Lane to update.

Performance – Their goal was to respond to 90% of See, Click Fix It issues within three days. They responded to all twenty-three requests within twenty four hours.

Storm Water Goals - They completed 1500 linear feet of storm water last year. 2,400 linear feet of storm water was cleaned this year.

Applied for one grant and received it. Already working on another one for this year.

Items that increased in the Public Works Budget:
 Fuels – 12% more for gas, up from last year. Currently using Fuelman.

Council member Les Gladden said Sam's/B.J.'s offers gas at a cheaper price. Finance Director Richard Dixon said we get a discount with Fuelman but we don't pay tax on gas.

New roof for the Public Works Building.
 Mobility – sidewalks - \$150,000.
 Town Center Blvd – sidewalks discussed – working on putting them in there
 Tire Changer – we got one five or six years ago but it was used, so we're looking for a replacement.

We have money left over from Sugar Creek Greenway Project - \$40,000 + \$200,000 for paving – next area will be Carolina Crossing. Cadillac and Industrial are before Carolina Crossing but we're not doing them because of Felix's project. No sense in paving because he'll be digging it up so we will hold off there. Diesel fuel is another cost as it is up \$4,000.

Sanitation

Council Member Joe Maxim asked if we are still pleased with the services of Waste Pro. He said they have gotten better since having a direct contact but constantly need to follow up with them.

Parks and Recreation

Heat and AC for bathrooms – A/C went up in price since they got the last quote. Director Chip Hill stated that the gutters are too small and should be replaced.

Stage – A/C - \$41,000 – does not include the permits. Could be another \$10,000 for permits, plus electrical fees to install A/C in the bathrooms by the stage.

Council Member Joe Maxim asked about the Lakeview/Lynnwood project, do we need to discuss this.

Manager Spitzer advised we started a project budget – when ready we can pull the money out of it. We are still working on getting a few signatures.

Hut – we obtained a quote from Bill Baskins to paint the exterior.

Large Shelter – no downspouts, it leaks and there are lots of dents and rivets in the gutter. It is in pretty bad shape.

Stadium – corrosion and needs new gutters.

Mayor Pro Tem Melissa Davis asked that the gutters be cleaned.

Police Department. Al Baskins gave Chip a quote to paint the Police Department. Chip stated he thinks the quote is too high.

Carpet and LVP flooring for the Police Department is about \$114,803 to replace. LVP is about the same price as carpet. Split A/C unit will be on the side door – back up for servers.

Ceiling in the Fire Department Building is peeling – Council Member Les Gladden recommended a good primer on the ceiling before it is painted.

Town Hall – brick above the gutter needs to be fixed. Tim Jones will look into prices of split units for the Lake Park bathrooms.

Council Member Les Gladden asked Director Hill what type of sweeper truck he would buy. Director Hill responded he would prefer a smaller unit to get on to smaller streets and easier to maneuver.

State Audit – all towns going through it – Mecklenburg County goes on Monday. Mecklenburg County is responsible for making sure Pineville is in good order. They check how many miles of pipe are cleaned, number of miles of streets swept, etc. for storm water regulations. Audit is done by the state every five years and is part of MS4 Permit.

HR Budget (Linda Gaddy)

Nothing changed in the Human Resources Budget. Linda to go over Health Benefits which have increased just over 5% based on our claims. Slight improvement – all primary care visits are zero dollars.

5.27% in medical costs which is very fair and reasonable. Recommended staying with First Carolina Care. Still shopping for dental insurance as we had a significant increase in dental insurance. Our current insurance carrier pays up to \$1250 per year for dental work.

Mayor Pro Tem Melissa Davis asked that Linda share any additional quote information with Council.

Linda wants to be sure that employees know what their total package is worth with salary plus the benefits.

Council Member Joe Maxim asked if we have looked into a self-funding plan as he was curious to know if there would be any cash savings by using a self-funding insurance.

Manager Spitzer advised it would cost more to do Our Health, which is self-insured, so that has been set aside.

Manager Spitzer let Council know we are eating the full cost of the 5.23% increase in insurance premiums. Linda will send something out on Lister to see how many municipalities still pay 100% of employee's medical coverage.

Manager Spitzer passed out salary adjustment sheet for tele communicators – 10% would be moving telecommunicators up two grades. It will make us competitive compared to other towns. Linda recommended going with 10% rather than 15%. A 15% increase would increase their pay significantly higher than other municipalities. We will put the on-call people aside, they make \$14.00 per hour as on-call telecommunicators. There are a total of three slots open as of August. A couple of years ago we made the decision to increase starting pay for all jobs to \$15.00 per hour.

Capital Improvement Plan.

Highlighted in yellow are items budgeted this year but held off on doing.

New Town Hall – needs vapor mitigation - \$95,000

New furniture for New Town Hall \$270,000

Administration

IT improvements \$50,000

Town Hall Mortgage Loan (20 years @ 4%) - \$356,236

Town Hall Construction – Commissioning - \$30,000 (end of project)

Sidewalks – CBDG Grant - \$15,000

RR Quiet Zone - \$600,000

Manager Spitzer said as part of conditional agreement for Meritage Homes – to do upgrades on Franklin and Quiet Zone (Train paid \$20,000).

Fire Department

Land Purchase - \$500,000 (Council will need to decide by adoption of the budget where to locate new station.

Building/Architect \$4,200,000

Building/Architect/Engineer \$480,000

Engine Truck - \$800,000

Engine Truck - \$900,000

Equipment - \$207,700

Heater Replacement (4) - \$17,000

Vehicle Squad (4) - \$63,000

Equipment for new ladder truck - \$68,000

Side by Side (new equipment) - \$30,000

Police Department – 5 new vehicles this year - \$324,220

911 – Equipment - \$931,000

Many pieces of equipment and repairs for Public Works - \$10,000 +

Parks and Recreation - \$10,000 for heaters for bathrooms at Shay Stage and \$35,000 for outdoor fitness equipment.

Scott, with Parks and Recreation, needs a new tractor - \$36,000

Gutters for concession stands, etc.

There is a \$131,000 overage in the budget which Ryan put under the Lynwood/Lakeview project.

Electric – 2.6 million worth of service/equipment needed for new infrastructure of new buildings and development.

Richard Dixon, Finance Director, feels that the budget in general is acceptable.

Mayor Pro Tem Melissa Davis asked to make sure that one department does not come back and ask for budget amendments.

Manager Spitzer recommended that we put \$15,000 aside for ASC and see how they perform giving them \$10,000 up front and seeing later if we should give them the additional \$5,000. Mayor Pro Tem Melissa Davis said she was in favor of that.

Council Member Joe Maxim asked to formalize up front what Council's compensation is and where it comes out of.

Adjourn – Mayor Pro Tem Melissa Davis made a motion to adjourn, with Council Member Amelia Stinson-Wesley seconding the motion. Ayes by all and the meeting was adjourned at 9:06 p.m.

Jack Edwards, Mayor

ATTEST:

Barbara Monticello, Town Clerk



**MINUTES OF THE
TOWN COUNCIL 1st BUDGET WORKSHOP
Thursday, March 25, 2021 @ 5:30 pm
The Hut Meeting Facility
413 Johnston Drive, Pineville, NC**

The Town Council of the Town of Pineville, NC, met in a Budget Workshop on Thursday, March 25, 2021 @ 5:30 p.m. The meeting was held at The Hut Meeting Facility utilizing ZOOM.

ATTENDANCE

Mayor: Jack Edwards
Mayor Pro-Tem: Melissa Davis
Council Members: Amelia Stinson-Wesley, Les Gladden and Joe Maxim
Town Manager: Ryan Spitzer
Town Clerk: Barbara Monticello
Finance Director: Richard Dixon

CALL TO ORDER

Mayor Jack Edwards called the meeting to order at 5:30 p.m. and asked for a motion to open the meeting. Council Member Joe Maxim moved to open the meeting, seconded by Council Member Amelia Stinson-Wesley. There were ayes by all and the meeting was opened.

DISCUSSION ITEMS:

GENERAL FUND BUDGET

1. *(Ryan Spitzer)* Town Manager, Ryan Spitzer, gave a general overview of the budget, including Revenues, Expenses, Salary, Solid Waste and Sponsorships. He advised it was a Balanced Budget with no tax increase to citizens.
2. Mr. Spitzer continued, stating this year's budget is \$16,000 to the good so far. There was a 3.5% increase in revenue from property taxes projected by the County. We won't see large tax revenue increases from new, large developments until one year after completion.

There were some large decreases in Investments and in the Room Occupancy Tax, mainly due to Covid 19. A total of \$100,000 will be used from the Powell Bill Funds for the Lynnwood/Lakeview Project. Another \$444,172 will be taken out of Fund Balance to pay for electric projects, along with \$713,000 to help with communications projects. Manager Spitzer and Financial Director Richard Dixon will have discussions with a financial person tomorrow.

3. Mr. Spitzer noted we were anticipating a 5% solid waste fee increase for trash, recycling and bulk pick-ups but the increase is not passed along to our residents. We are expecting more tax revenue this year, compared to last year.

Finance Director Richard Dixon said we are still projecting less Room Occupancy Tax this year.

Manager Spitzer stated that we will still be getting Covid funds for the next couple of years that will need to be spent. He advised of an increase of 44.5% in salaries, 3.7% increase in operating expenses, and 2.5% increase in debt services. Sponsorships – we have budgeted \$25,000 for them but the following requests totaled over \$50,000. PCAA

- \$10,000, Pineville Neighbors Place - \$7,500, James K. Polk - \$5,000, Downtown Merchants - \$8,000 (went in to the Parks and Recreation budget), Chamber - \$5,000 and Arts and Science Council asked for \$15,000 but we get \$5,000 back for a grant.

Mayor Jack Edwards asked if anyone had an objection to an increase of the Pineville Neighbor's Place sponsorship. No one objected but Council Member Joe Maxim would like to see the Chamber do more with the Downtown Merchants. The \$8,000 that was for the Downtown Merchants but was put into the Parks and Recreation Budget. He asked if we would we hold on to that? Manager Spitzer advised that we would hold onto it and put it toward the Farmer's Market.

Mayor Pro Tem Melissa Davis said she is not in favor of those who ask for more money than what was given to them. Mayor Edwards clarified that it was not a lack of interest on the Chamber's part, but more to do with the downtown businesses not always being able to afford to join.

Mayor Pro Tem Melissa Davis said the Farmer's Market was not the best this past year and the question was asked if it was still going to take place this year. Mr. Spitzer advised that the Parks and Recreation Department was taking it over again since the Downtown Merchants have basically disbanded. Council Member Joe Maxim recommended a conversation with Kevin Devanney. He stated that Kevin and Wendy tried to start up the Merchants Association again but no one showed up at the meeting.

Manager Spitzer asked Council if they wanted to give the Arts and Science Council \$15,000. Council Member Joe Maxim asked if the ASC had a targeted program, they'd be willing to do for us. Manager Spitzer advised they did do things this past year having music at Wendy's Unwind Tea Shop and with their "Cultural Bites" series. He will keep things as they are for now.

Manager Spitzer spoke on salaries. This year the town was proposing a 2% Cost of Living Adjustment based on CPI. He stated there would also be a 2.5% merit increase. Police Department expenses increased by \$190,000. The Chief is requesting a new Analyst position. A Rate Study adjustment for police officers will cost \$90,000. The cost to replace one officer with another is \$50,000. Manager Spitzer proposed a 5.5% increase to new officers to put us in the middle of the range with other towns. We have lost four officers in the last two years due to pay. We lose a lot to Union County Sheriff's Office.

Council Member Les Gladden did not want to put a band aid on it now and still have to deal with it again next year. He did not want this to be a waste of time for Council; he just wanted to deal with it now so it didn't come back again later. Manager Spitzer stated that the town was starting to give incentives for speaking multiple languages along with having educational degrees. Mayor Pro Tem Melissa Davis said we should focus on retention.

Mr. Spitzer continued, stating that we were looking to close the gap on technology issues and take out \$300,000 from the Asset Forfeiture money to upgrade police department's technology. Town Manager Spitzer referred to a handout from Human Resources that broke out all of the salaries along with benefits. He and Finance Director, Richard Dixon, would run some numbers to see where they stood should adjustments need to be made.

Mr. Spitzer stated there was a one-step increase of a \$30,000 adjustment for nine employees in the telecommunications department. Most towns start their telecommunication employees a couple of thousand dollars more to start out and we would be looking to increase our starting pay from \$15.00 to \$16.00/hr. In addition, Police Chief Hudgins requested an Analyst, a Planner/Accreditation position, two new corporal ranks and one new hire. He also requested a one-step increase for the Telecommunications Manager as well as promoting someone to Assistant Telecommunications Manager.

Council Member Les Gladden said he is not convinced that we need an analyst here in Pineville. Manager Spitzer replied he thinks that Matthews has two analysts – we might be able to make one job out of the analyst and Planner Accreditation position. Council Member Joe Maxim advised he was in favor of combining the two jobs. Council Member Amelia Stinson-Wesley asked how long the accreditations are good for. Manager Spitzer advised that most

are three to five years. Council Member Stinson-Wesley said she would like to know what other towns have Police Departments that are accredited.

Department Meetings are the next up for the second Budget Meeting. Departments will talk about their goals and any grants they have applied for. CIP was done at the last meeting – those projects that were \$5,000 or more. Mayor Pro Tem Melissa Davis asked if Council would be getting the department goals before the next meeting. Manager Spitzer advised he would supply Council with the changes on a spread sheet. Mayor Pro Tem Davis asked if each Department Head would be attending in person for the presentations. Mr. Spitzer advised they would be present.

ADJOURNMENT: At 7:37 p.m., Council Member Les Gladden made a motion to adjourn and Council Member Joe Maxim seconded it. There were ayes by all and the meeting concluded.

Jack Edwards, Mayor

ATTEST:

Barbara Monticello, Town Clerk



TOWN COUNCIL WORK SESSION
PINEVILLE COMMUNICATION SYSTEMS
MONDAY, JUNE 28, 2021 AT 6:00 PM

MINUTES

CALL TO ORDER

Mayor Edwards called the meeting to order at 6:00 pm.

DISCUSSION ITEMS

Council member Joe Maxim moved to open the meeting and Council member Les Gladden seconded.

New Fire Department

Town Manager Ryan Spitzer discussed the two studies that were done by Garner Brown Architects for possible locations of the new Fire Department. The proposed 6-bay, two-story building will fit on both potential locations.

Fire Chief Mike Gerin discussed the two possible locations for the Fire building and noted that both are identical buildings. He recently held a meeting and all members recommended to do the work at the current Fire Department location vs building at a new location. Both potential buildings have pros and cons, however, he recommends the current site.

Council member Melissa Davis was not opposed to the Fire Department being located downtown.

Town Manager Ryan Spitzer said that the land development cost on the S. Polk site could be in the mid-6 digits after paying for the cost of the land. This will not be known until after an engineer looks at the property and some subsurface investigation happens. Total costs above the College Street site could be from \$600,000 to \$1.5 million. He said that the Council needs to give direction so that staff can begin to negotiate with the property owners on price and begin due diligence. He will have more information at the July 13th meeting.

Fire Chief Gerin said that he would prefer to spend the money on the building rather than on land and groundwork.

Basketball Courts

Town Manager Ryan Spitzer discussed the possible locations for basketball courts in Pineville and outlined a couple of pocket locations that may be an option, including the Lake Park and Jack Hughes Park and council agreed to get costs for putting in basketball courts next to Town Hall.

Public Art at new Town Hall

Council discussed having public art at the new Town Hall. Council member Melissa Davis would like to see the art relevant to the Town. Amelia Stinson-Wesley stated that it would be nice to see the art rotate so the public can see various types of art displayed. Mr. Spitzer said that the artists can also sell the art, and it can be displayed upstairs as well as downstairs in the lobby area. He is wanting to see what the Council wants. There was some discussion about the possibility of having art displayed outside in front of the new Town Hall. Mr. Spitzer explained that the area is getting pretty full at this time.

Police Department Update

Chief of Police Michael Hudgins discussed the Police Department and updated Council on technology improvements, staffing and promotions. He currently has one officer who speaks Spanish, which is Officer McClure.

He also outlined his findings and costs regarding the Flock system. This system is an affordable license plate reader. Community members, neighborhood associations and businesses can also purchase a Flock system. He further explained the capabilities of Flock and indicated that the cost is \$2,500 for each camera plus \$500 to install one. Information is captured by the camera, then dispatched to whoever is requesting the information. It then goes to a server. The life span of a server is about ten years.

Chief Hudgins thanked the Council for allowing his staff to attend recent training. He is also pushing Mental Health classes for his officers to attend. He is putting together a mentorship program with the school and would like to begin a Citizen Police Academy Program.

Pineville will soon receive a video to 911 and texting capabilities to the 911 dispatchers. This is good news.

Council Member Amelia Stinson-Wesley expressed her appreciation of the new Police Chief and mentioned a few of the favorable comments that she has received from the community since his arrival.

The Work Session ended at 9:03 pm. Town Clerk Lisa Snyder was dismissed prior to the Closed Session meeting.

Council Member Amelia Stinson-Wesley made a motion to go into Closed Session at 9:08 pm, with Council Member Joe Maxim seconding the motion.

A Closed Session will be held pursuant to NCGS 143-318.11 (6) to follow up on a personnel issue and discuss progress made.

At 10:48 p.m. Council Member Melissa Davis moved to exit the Closed Session, seconded by Council Member Amelia Stinson-Wesley.

ADJOURN: Council Member Joe Maxim moved to adjourn the meeting, seconded by Council Member Joe Maxim. The meeting concluded at 10:49 pm.

Mayor Jack Edwards

ATTEST: _____
Lisa Snyder, Town Clerk



TOWN COUNCIL REGULAR MEETING
PINEVILLE HUT MEETING FACILITY
TUESDAY, JUNE 22, 2021 AT 6:30 PM

MINUTES

CALL TO ORDER

Mayor Jack Edwards called the meeting to order @ 6:30 p.m.

Mayor Edwards
 Mayor Pro Tem Melissa Davis
 Council Members: Joe Maxim, Les Gladden, Amelia Stinson-Wesley
 Town Manager: Ryan Spitzer
 Finance Director: Richard Dixon
 Zoning Manager: Travis Morgan
 Town Clerk: Barbara Monticello, Lisa Snyder
 Planning Board: Jim Knowles, Thomas White, Eric Fransen, Kevin Kendrick

Pledge Allegiance to the Flag (BM)

Town Clerk Barbara Monticello led everyone in the Pledge of Allegiance.

Moment of Silence

Mayor Jack Edwards reminded all of the passing of Daryl Hefner. He also requested we remember our first responders, police, fire, military and other front-line workers.

Oath of Office for New Town Clerk, Lisa Snyder

Mayor Edwards swore the new Town Clerk, Lisa Snyder, in to office

Commercial Block Proclamation. Council Member Amelia Stinson-Wesley wanted to highlight the Proclamation of the Commercial Block and expressed her appreciation to the owners for preserving the architectural aspects of the building and how the flavor and tenor of the building has been maintained. Mayor Edwards consented, as well.

Kira Stinson-Wesley made a presentation on behalf of Pineville Neighbors Place.

John Holibinko of the Pineville Chamber cited his own proclamation protesting Barbara Monticello's retirement with the Town. Barbara spoke briefly in response to his proclamation.

PUBLIC HEARING

Public Hearing for NCGS 160D Text Amendment

Planning Board Member Eric Fransen moved to open the Public Joint Hearing and Planning Board Member Thomas White seconded.

Planning Director Travis Morgan discussed the elements of the North Carolina General Statutes 160D text requirements and general ordinance updates.

Council Member Les Gladden discussed types of trees being planted and their roots potentially damaging the sidewalks as they grow.

Mr. Morgan stated he had seen problems with Red Maples as street trees and that the approved street tree list had been revised and Red Maples removed. It was noted new sidewalk construction specifications are in place and wider planting strips are encouraged.

Council Member Les Gladden requested that we increase the minimum size of parking lot screening shrubs from 2 ft to 3 ft.

Council Member Joe Maxim asked about default standards regarding Town versus County related to the zoning permitted uses chart. Mr. Morgan stated we have our own Table of Uses which prevails. County and/or state standards mentioned are for building standards, storm water, fire, and similar engineering items not included in the zoning ordinance.

Council Member Amelia Stinson-Wesley inquired about odor nuisance ordinance and applicability within or outside of Town limits. Mr. Morgan stated that our ordinance is used with odors typically originating within Pineville. Mrs. Stinson-Wesley inquired about if our ordinance could be used to help others such as with the out of state odor issue. Mr. Morgan noted the best option for applicability and enforcement for out of state odor issue would be through the local governing body there but could further look into any odor issues as they impact property within Town limits.

Council Member Les Gladden inquired about permitted accessory structures. Discussion was made around permitted secondary dwellings units (mother-in-law suites) versus accessory structures and maximum permitted sized for each. Conversation ended on agreement to remove existing added language for accessory structures for properties less than two acres to revisit maximum sizes on smaller lots in the future.

Concern was noted for illegally constructed structures. Bottom line is that a resident will need a permit and zoning approval for storage structures.

Mr. Morgan summarized the discussion from Council and Planning Board:

- Change in the minimum parking lot screening shrub height from 2 ft. to 3 ft. tall.
- Permitted uses in the zoning ordinance does not default to Charlotte or Mecklenburg standards.
- Maximum number of vehicles parked in the front yard based on bedrooms is related to the primary dwelling and excludes secondary (mother-in-law suite) dwellings.
- Accessory structure amendment provisions for residential lots of 2 acres or less was to be removed in favor for additional future discussion.

Mr. Morgan asked the Planning Board if they were ready to make a recommendation on the Zoning Ordinance updates, Table of Uses Chart, and Current Zoning Map.

Planning Board member Thomas White moved to recommend to the Pineville Town Council the Zoning Ordinance text amendments with the above four summary amendments noted, along with the updated zoning table of uses chart and 2021 Zoning Map.

Planning Board member Thomas White moved to close the public meeting. Second by Eric Fransen. 5 – 0 to close.

Mayor Edwards called for a Motion on 160D Zoning Ordinance. Council Member Les Gladden made the Motion to Approve the revised Zoning Ordinance with the four noted items previously stated by Mr. Morgan and recommended by the Planning Board.

Council Member Les Gladden moved and Council Member Amelia Stinson-Wesley seconded. Motion passed 4 – 0.

PUBLIC HEARING

Subaru dealership located at 10400 Cadillac Street

Planning Director Travis Morgan Council introduced the proposal for a new 60,000 square foot dealership and noted the particular site at the end of Cadillac Street and near Little Sugar Creek floodplain. Mr. Morgan discussed the dealership signage noted by Council Member Les Gladden to not be above the dealership actual roof, landscape plan, lighting plan and display cars as shown. Proposal was to meet all applicable Town and County requirements. Mayor Pro Tem Melissa Davis noted and questioned the desire for businesses like the car dealerships to locate within Pineville but not to include the Pineville name but the name “South Charlotte” instead. Council Member Les Gladden inquired if the dealership would be willing to meet the newly approved 3 ft. tall parking lot shrubs above what was shown along the front of the dealership. Steve Porter, of Subaru, was on Zoom meeting and agreed to plant larger bushes.

Council member Joe Maxim moved to close the Public Hearing and seconded by Mayor Pro Tem Melissa Davis. Motion passed 4 -0.

PUBLIC HEARING TO AMEND PSA WITH US DEVELOPMENTS

Town Manager Ryan Spitzer discussed the phase one study. A study was done and will now require a phase two to determine if the level of contaminants are at a high level. Phase two has to be done to re-evaluate and re-develop. US Development is requesting that the Town pay for Phase two. The proposed cost is between \$27,000 and \$42,000. Council discussed and agreed that it has to be done. Motion made by Council Member Joe Maxim and seconded by Council Member Les Gladden to close the public hearing. Motion passed 4 – 0.

OLD BUSINESS

Proposed Budget. Town Manager Ryan Spitzer presented three changes to the proposed budget since the May meeting. He explained the different type of funds available to the Town. A balanced budget is needed by July 1st. He outlined Restricted Funds and how they can be used. Project Budget was reviewed. The tax rate will remain the same at .33 cents per \$100. Employees will receive a 2% COLA increase and the Police will receive a higher increase of 10%.and stepdown as the grade goes up. Telecommunicators will also see a 10% increase.

Adoption of Electric Rates. Electric rates did not increase for residents. This is the fifth year in a row that rates were not increased. Town Manager Ryan Spitzer also discussed the budget impacts for FY 21-22. He anticipates \$2.6 million over the next two years for Covid Relief. We have until the year 2026 to spend those funds.

New Town Hall. Mr. Spitzer updated the progress of the new Town Hall. It is expected to open the Summer of 2022 with the library following two to three months after.

Since the Public Hearing on May 3rd three changes were made to the budget:(1) reduced Fire Dept. salaries; (2) removed fencing of project at Jack Hughes Park and (3) remove the split A/C units at Lake Park.

Council member Les Gladden moved to adopt the budget and Council Member Joe Maxim seconded. Motion passed 4-0.

Electric rates. Mr. Spitzer noted that the rates increased due to the NC State Statutes for the Renewable Energy and Energy Efficiency Portfolios Standard (REPS):

- Residential: 77 cents to 81 cents
- Businesses: \$4.19 to \$4.41 per month
- Industrial: \$43.15 to \$45.45 per month

A motion was passed to adopt the Electric Repts and Riders rates with 4 – 0 vote.

Vote on Subaru. There was a vote to change the height of the bushes from 2 ft to 3 ft. Council member Les Gladden moved and Joe Maxim seconded. Motion to change the height of the bushes passed 4 – 0.

Vote on the amended PSA with US Development. Council Member Joe Maxim moved to vote on the amended PSA/US Development and Mayor Pro Tem Melissa Davis seconded to approve. Motion passed 4 – 0.

Year-End Budget Finance Director Richard Dixon discussed the year-end budget. There were no questions. Motion made by Council Member Joe Maxim and seconded by Mayor Pro Tem Melissa Davis to approve. Motion passed to approve all year-end budget amendments.

Approve Project Budget for Lynnwood/Lakewood Project. Council member Les Gladden would like to make it easier for residents to understand the next step to determine if council wants to pay those who do not want to donate their land. Mayor Pro Tem Melissa Davis moved to approve and Council Member Joe Maxim seconded to approve the project budget. Motion passed 4 – 0.

Project Budget Fire Department. Finance Director Richard Dixon discussed and requested approval for the creation of a Capital Project budget. The total budget is \$1 million. At this point in time, funds can be added in the account as the project gets implemented. Council Member Les Gladden moved and Council Member Joe Maxim seconded. Motion passed 4 – 0.

Resolution 2021-13 for Town Manager to accept ARPA funds. \$2.64 million is the anticipated fund amount. We expect to receive half by July 1st with the remainder being distributed within two years. The money has to be spent by 2026. We have to have a plan on how to spend the money by 2024. Council member Joe Maxim moved and Council Member Les Gladden seconded. Motion passed 4 – 0.

ARPA Grant Ordinance. Richard Dixon shared his discussion with the auditors. He would like the approval of this ordinance so he won't have to return to Council. Town Manager Ryan Spitzer will report back to Council when he receives the monies. Council member Amelia Stinson-Wesley asked if we have the personnel to handle the details with what this grant would entail. Mayor Pro Tem Melissa Davis moved and Joe Maxim seconded. Motion passed 4 – 0.

Interlocal Agreement. Town Manager Ryan Spitzer explained it will be a mutual aid agreement across State lines to assist law enforcement. Council member Amelia Stinson-Wesley asked Chief Hudgins if he feels comfortable with dealing across the lines and he answered yes. Motion made by Council member Les Gladden to approve and seconded by Council Member Amelia Stinson-Wesley. Motion passed 4 -0.

Manager's Report. Town Manager Ryan Spitzer reported on the new town hall progress. He noted that the Symphony will be in Town this weekend.

Approval or Minutes. A motion was made to approve the May 11 and May 24 Minutes. Council member Amelia Stinson-Wesley moved and Mayor Pro Tem Melissa Davis seconded to approve the Minutes. Motion carried.

ADOPTION OF AGENDA

Motion made by Council Member Joe Maxim, Seconded by Council member Amelia Stinson-Wesley to adopt the agenda.

ADJOURN

Motion made by Council Member Stinson-Wesley, Seconded by Mayor Pro Tem Davis to adjourn the meeting at 8:55 p.m. Meeting adjourned.

Mayor Jack Edwards

ATTEST: _____
Lisa Snyder, Town Clerk

**TOWN OF PINEVILLE
BUDGET AMENDMENTS**

WHEREAS, the Governing Board of the Town of Pineville, North Carolina adopted on the 9th day of June, 2020, the Town of Pineville budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021; and

WHEREAS, it is appropriate to amend the accounts in the fund listed for the reasons stated;

NOW, THEREFORE, BE IT ORDAINED by the Governing Board of the Town of Pineville, North Carolina, that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as shown and that the total amounts are herewith appropriated for the purposes shown.

Section 1: To amend the CLEC Fund, the appropriations are to be changed as follows:

Department	Number	Decrease	Increase
DSL SVC EXP.	6310		60,000
Total			60,000

Section 2: To amend the CLEC Fund, the estimated revenues are to be changed as follows:

	Number	Decrease	Increase
NON-REG DSL SVC	5280		60,000
Total			60,000

To amend appropriations for increased DSL Services expenditures associated with the increase in sales with an effective date of 6/30/2021.

Adopted this 13th day of July, 2021

Town of Pineville, North Carolina

John Edwards, Mayor



RESOLUTION NO. 2021-14

**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 some 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 others 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 July, 2021.

ATTEST:

SEAL:

Jack Edwards, Mayor

Lisa Snyder, Town Clerk

EXHIBIT "A"

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

Surplus Items

Dept.	Item/Desc.	Make/Model	Misc.	How Disposed	Eff. Date	Miles
PD	2008 Ford	Crown Victoria	VIN#40317	Online Auction	7/06/21	113,275
PD	Knoll Workstation			Online Auction	7/06/21	

**TOWN OF PINEVILLE
BUDGET AMENDMENTS**

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WHEREAS, it is appropriate to amend the accounts in the fund listed for the reasons stated;

NOW, THEREFORE, BE IT ORDAINED by the Governing Board of the Town of Pineville, North Carolina, that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as shown and that the total amounts are herewith appropriated for the purposes shown.

Section 1: To amend the General Fund, the appropriations are to be changed as follows:

Department	Number	Decrease	Increase
Administration	4200		50,000
Total			50,000

Section 2: To amend the CLEC Fund, the estimated revenues are to be changed as follows:

	Number	Decrease	Increase
Sales Tax	3450		50,000
Total			50,000

To amend appropriations for estimated amount needed for budget compliance.

Adopted this 13th day of July, 2021

Town of Pineville, North Carolina

John Edwards, Mayor

Memorandum



To: Mayor and Town Council
From: Ryan Spitzer
Date: 7/8/2021
Re: Sidewalk Dining Agreement

Overview:

In 2013 the General Assembly adopted legislation (Session Law 2013 – 266 (H 192)) that allowed local governments to enact sidewalk dining ordinances affecting sidewalks located within the ROW of NCDOT highways and streets. When this law was passed and the Town allowed outdoor dining on sidewalks that encroached on NCDOT streets and was supposed to enter into an encroachment agreement with NCDOT and adopt a local ordinance that provided a structure for outdoor dining. The Town never entered in to an agreement or approved an Ordinance. In order to keep outdoor dining we must go through the approval steps.

The Session law said that outdoor dining areas on sidewalks had to be a minimum of 6ft from the travel lane unless parked cars serve as the buffer (how it is downtown). Sidewalks must also allow room for pedestrians to pass by thus usually 10 feet or more wide. The Session Law does require the restaurant operator that wishes to take advantage of the legislation to provide liability insurance that serves to protect both the NCDOT and the local government from liability.

The process for allowing outdoor dining to encroach in the NCDOT right-of-way is:

1. Obtain an approved Agreement
2. Adopt and Outdoor Dining Ordinance
3. Accept Permit Applications from businesses with liability insurance covering NCDOT

Attachments:

Sidewalk Dining Agreement

NORTH CAROLINA

SIDEWALK DINING AGREEMENT

DATE: 7/1/2021

**NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION**

AND

TOWN OF PINEVILLE

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department", and the Town of Pineville, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the North Carolina General Assembly (NCGA) has enacted legislation to allow sidewalk dining (or the serving of food and beverage) on property within or adjacent to State right of way; and,

WHEREAS, this AGREEMENT is made under the authority granted to the Department by the NCGA including, but not limited to, the following applicable legislation: North Carolina General Statutes (NCGS), Section 136-18(9) and Section 136-27.4; and,

WHEREAS, this AGREEMENT is made in accordance with the most recent *Stewardship and Oversight Agreement on Project Assumption and Program Oversight*, executed between the Federal Highway Administration (NC Division) and the Department; and,

WHEREAS, this AGREEMENT outlines the Municipality's administrative rights and responsibility to enact a Sidewalk Dining Ordinance and issue Permits for such;

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

I.SIDEWALK DINING ORDINANCE AND PERMITS - CONDITIONS OF APPROVAL

The Municipality is given approval to administer a sidewalk dining ordinance and issue approval of permits allowing such in State right-of-way in or near the vicinity of the Municipality under the condition that the Municipality meets the following criteria:

- A. The Municipality shall enact an ordinance that meets the requirements of, but not necessarily limited to the requirements of the General Statutes of North Carolina (NCGS), Section 136-27.4.
- B. The Municipality shall provide the Department a copy of the ordinance once enacted and shall provide the Department any updates to the ordinance.
- C. The permit issued by the Municipality shall require the restaurant operator to provide evidence of adequate liability insurance in an amount satisfactory to the local government, but in no event in an amount less than the amount specified by the local government under G.S. 160A-485 as the limit of the local government's waiver of immunity or the amount of Tort Claim liability specified in G.S. 143-299.2, whichever is greater. The insurance shall protect and name the Department and the local government as additional insureds on any policies covering the business and the sidewalk activities.
- D. The permit issued by the Municipality shall require the restaurant operator to provide an agreement or evidence to indemnify and hold harmless the Department or the local government from any claim resulting from the operation of sidewalk dining activities.
- E. The permit shall require the restaurant operator to provide a copy of all permits and licenses issued by the State, county or city, including health and ABC permits, if any, necessary for the operation of the restaurant or business, or a copy of the application for the permit if no permit has been issued to the Municipality. This requirement includes any permits or certificates issued by the county or city for exterior alterations or improvements to the restaurant.
- F. The Municipality shall also meet any other requirements deemed necessary by the Department, either for a particular local government or a particular component of the State highway system to safely allow sidewalk dining.
- G. The Municipality may impose additional requirements on a case-by case basis and nothing in this AGREEMENT requires the Municipality to issue or maintain any permit for sidewalk dining activities if, in the opinion of the Municipality, such activities cannot be conducted in a safe manner in the State right-of-way.
- H. The Department shall cancel this AGREEMENT and revoke the permission of the Municipality to issue permits if at any time the Department considers that the safety of the traveling motorist, pedestrians, or any other third party may be compromised.
- I. The Department reserves the right to cancel this AGREEMENT on a case-by-case basis if the Department deems the activities permitted by the Municipality cannot be conducted in a safe manner.

- J. No permits may be issued for sidewalk dining on any interstate route.
- K. The Municipality shall obtain permission from the Department to permit the right-of-way of any federal-aid route on or off the National Highway System to be used for sidewalk dining. A request for permission should be coordinated with the Department's Division Engineer.
- L. The Municipality shall keep and maintain a list or database of all current permits and issued parties that may be requested by the Department at any time. A copy of all paperwork and submitted documents shall be kept on hand and provided to the Department if requested. If the permit is incomplete or does not meet the standards of this AGREEMENT, the Department reserves the right to cancel this AGREEMENT.

II. SIDEWALK DINING ORDINANCE AND PERMITS - MINIMUM CONDITIONS OF ORDINANCE

The ordinance enacted by the Municipality shall be consistent with, but not necessarily limited to, the following minimum criteria:

- A. Tables, chairs, and other furnishings shall be placed a minimum of six feet from any travel lane.
- B. Tables, chairs, and other furnishings shall be placed in such a manner that at least five feet of unobstructed paved space of the sidewalk, measured from any permanent or semi-permanent object, remains clear for the passage of pedestrians and provides adequate passing space that complies with the Americans with Disabilities Act.
- C. Tables, chairs, and other furnishings shall not obstruct any driveway, alleyway, building entrance or exit, emergency entrance or exit, fire hydrant or standpipe, utility access, ventilations areas, or ramps necessary to meet accessibility requirements under the Americans with Disabilities Act.
- D. The maximum posted speed permitted on the roadway adjacent to the right-of-way to be used for sidewalk dining activities shall not be greater than 45 miles per hour.
- E. The standards set forth by this AGREEMENT are minimums according to General Statute. Every potential site for Sidewalk Dining shall be reviewed by the Municipality for safety. Meeting these minimum guidelines alone does not imply that minimum standards for safety have been met. NCDOT reserves the right to limit or restrict application of this AGREEMENT along specific corridors or locations if safety becomes an issue.
- F. The restaurant operator shall cease part or all sidewalk dining activities in order to allow construction, maintenance, or repair of any street, sidewalk, utility, or public building, by the

Department, the local government, its agents or employees, or by any other governmental entity or public utility.

III. SIDEWALK DINING ORDINANCE AND PERMITS - TIME FRAME

This AGREEMENT shall remain in place until canceled in writing by either party with thirty (30) days written notice to the other party.

IV. ADDITIONAL PROVISIONS

- A. This AGREEMENT shall not preempt or override local ordinances which have been enacted within the authority of the NCGS that are currently in place.
- B. The Department shall not be held liable for any damages resulting from implementation of any ordinances or issuance of any permits under the terms of this AGREEMENT.
- C. This AGREEMENT contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this AGREEMENT except as expressly set forth herein.
- D. The parties hereby acknowledge that the individual executing this AGREEMENT on their behalf is authorized to execute this AGREEMENT on their behalf and to bind the respective entities to the terms contained herein and that he has read this AGREEMENT, conferred with his attorney, and fully understands its contents.
- E. A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the AGREEMENT as binding as an original, and the parties agree that this AGREEMENT can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the AGREEMENT.
- F. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

IN WITNESS WHEREOF, this AGREEMENT has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

TOWN OF PINEVILLE

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by LISA SNYDER, Clerk of the local governing body of the TOWN OF PINEVILLE

as attested to by the signature of Clerk of said governing body on _____ (Date)

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

__56-6001310_____

Remittance Address:

__PO BOX 249 PINEVILLE, NC 28134_____

DEPARTMENT OF TRANSPORTATION

BY: _____

(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)

Memorandum



To: Mayor and Town Council

From: Ryan Spitzer

Date: 7/8/2021

Re: **Interlocal Agreement for Animal Control Services**

Overview:

The Town of Pineville contracts with CMPD Animal Care and Control on an annual basis for animal control services. The contract is for four (4) years and is renewed in one (1) year increments. If at any time at an annual renewal the Town wants to contract with someone else or provide the services, we have the ability with a thirty (30) day written notice. The costs for services are reviewed annually by CMPD and provided to the Town within ninety (90) of renewal for review. The current rate is \$208 per call and will increase to \$240 with the signing of this contract. In FY 19-20 the Town spent \$11,187. In FY 20-21 the Town spent \$9,229 which equated to 42 calls for service and 21 calls for impound and boarding.

Code Enforcement checks the bill every month to make sure addresses the Town is billed for are within Town limits and Pineville Police respond to calls to try to keep the costs minimal.

Attachments:

Interlocal Agreement with CMPD for Animal Control Services

**STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG**

AGREEMENT

THIS AGREEMENT, made and entered into this 1st day of July, 2021, by and between the TOWN OF PINEVILLE, a municipal corporation organized under the laws of the State of North Carolina, (hereinafter referred to as “Town”), and the CITY OF CHARLOTTE, a municipal corporation organized under the laws of the State of North Carolina, (hereinafter referred to as “City”).

WITNESSETH:

WHEREAS, North Carolina General Statute § 160A-461, “Interlocal cooperation authorized,” authorizes interlocal agreements between units of local government for any undertaking, which is defined in North Carolina General Statute § 160A-460(1); and

WHEREAS, the Town has requested the Animal Care & Control Division of the Charlotte-Mecklenburg Police Department of the City (hereinafter referred to as “Animal Care & Control”) to provide some animal control services within the limits of the Town, and the City Council of the City and the Town Board each have adopted a resolution as required by North Carolina General Statute § 160A-461, included as Attachments I and II and incorporated herein by reference; and

WHEREAS, the parties hereto desire to reduce the terms of this Agreement to writing:

NOW, THEREFORE, for and in consideration of mutual promises to each other, as hereinafter set forth, the parties do mutually agree as follows:

1. **Term:** The term of this Agreement shall begin the 1st day of July 2021 and shall continue for a period of one (1) year. This agreement shall automatically renew for four (4) additional one (1) year periods on the same terms and conditions set forth herein, except for the rate of compensation which may be adjusted as provided in Section 3, “Compensation,” herein. Either party may terminate this agreement as provided in Section 6, “Termination of Agreement,” herein.
2. **Services:** The Animal Care & Control shall provide the contracted animal control services for the Town, as set forth in Attachment III, which is incorporated herein by reference.
3. **Compensation:** The Town shall pay the City at a rate of two hundred forty dollars (\$240.00) per call for service. A call for service is defined as any activity or event to which an Animal Care & Control Officer responds, as set forth in Attachment III. Additionally, the Town shall pay the City for animal sheltering services as set forth in Attachment III.

The City shall invoice the Town monthly. The Town shall have five (5) business days to reconcile the invoice and notify the City of any discrepancy. The Town shall pay the City upon receipt of invoices from the City showing the total number of calls for service received and animal sheltering services during the period covered by the invoice.

The terms of compensation are subject to annual review and recalculation based upon costs and frequency of use of services provided by the Animal Care & Control. Proposed adjustments to the compensation rate and animal sheltering services charges shall be sent to the Town at least ninety (90) days prior to the expiration of each annual term. The adjusted compensation rate and animal sheltering services charges shall automatically become effective and enforceable at the beginning of the next annual term. If the Town objects to the adjusted rate or charges, the Town may terminate the Agreement as provided in Section 6, "Termination of Agreement," herein.

4. Citations: Animal Care & Control will issue citations for ordinance violations that occur in the Town. The money for payment of citation will be sent directly to the City. The City will keep separate records of money received for the citations issued within the Town. Such money shall belong to the City.
5. Independent Contractor Status: It is agreed between the parties that the Animal Care & Control is an independent contractor and is not an employee or agent of the Town. The employees of the Animal Care & Control shall carry out their responsibilities in accordance with their own independent professional judgment as directed and authorized by the Animal Care & Control Manager.
6. Termination of Agreement: This agreement may be terminated with or without just cause by either party upon thirty (30) days written notice delivered to the Office of the Clerk of the governmental unit to whom the notice is directed.
7. Legal Representation: The Town shall be responsible for providing legal counsel and/or representation for any inquiries, hearings, court action or other legal matters pertaining to enforcement of its animal control ordinance and actions or omissions of its animal control officer(s), including the care and treatment of animals while in the custody of its animal control officer(s).

The City shall be responsible for providing legal counsel and/or representation for any inquiries, hearings, court action or other legal matters pertaining to enforcement actions taken by employees of the Animal Care & Control, except claims challenging the constitutionality or interpretation of the Town's animal control ordinance. The City shall also be responsible for any inquiries, hearings, court action or other legal matters pertaining to an animal while in the custody of the Animal Care & Control, except for the acts or omissions occurring while the animal is not in the custody of the Animal Care & Control.

8. Veterinarian and Other Costs: If the Animal Care & Control determines that an animal has been injured or otherwise requires veterinary attention, other than normal and routine inoculations and examinations given to animals, then the Animal Care & Control shall send

the invoice for such costs to the Town for payment. If payment is not made and the City is required to make payment to the veterinarian or animal hospital, the City shall add said costs to the next monthly invoice sent to the Town. Provided, that the Animal Care & Control shall make reasonable efforts to contact the Town to obtain approval from the Town before incurring any such veterinarian or other costs.

- 9. Amendments to Agreement: The Animal Care & Control shall not undertake any additional services except those set out hereinabove unless it is stated in writing and adopted as an amendment to this Agreement. An amendment to this Agreement must be approved for the City by the City Manager or an Assistant City Manager and for the Town by the Town Manager.
- 10. Entirety of Agreement: No oral agreement shall occur, and this written agreement and its written amendments alone shall constitute and represent the basis of the relationship between the parties to this agreement. All attachments to this Agreement are incorporated by reference herein as if fully stated.
- 11. Prior Agreements: This Agreement shall supersede any existing interlocal agreements between the City and the Town regarding the same subject matter and any such existing agreements shall hereby be deemed terminated.

IN WITNESS WHEREOF, the City and the Town have executed this Agreement on the day and year first above written.

ATTEST:

CITY OF CHARLOTTE

City Clerk

By: _____ (SEAL)
City Manager

ATTEST:

TOWN OF PINEVILLE

Town Clerk

By: _____ (SEAL)
Town Manager

Approved as to Form:

Town Attorney

**ATTACHMENT I
(City Resolution)**

**A RESOLUTION AUTHORIZING INTERLOCAL AGREEMENTS PERTAINING TO
THE PROVISION OF ANIMAL CONTROL SERVICES BY THE CITY OF
CHARLOTTE TO THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE,
MATTHEWS, MINT HILL, AND PINEVILLE.**

WHEREAS, N.C. General Statute § 160A-461, "Interlocal cooperation authorized," authorizes units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

WHEREAS, each of the above captioned Towns wish to enter into individual Interlocal Agreements with the City of Charlotte, by which the City of Charlotte has agreed to provide certain animal control services to each of the above captioned Towns, pursuant to the attached Interlocal Agreements;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte does hereby ratify each of the attached Interlocal Agreements between the City of Charlotte and each of the following towns, to wit: Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville. The City Manager or an Assistant City Manager of the City of Charlotte is hereby authorized and directed to execute the attached Interlocal Agreements, and any amendments thereto, and this resolution shall be spread upon the minutes.

CERTIFICATION

I, _____, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the ____ day of _____, 20____, the reference having been made in Minute Book _____, and recorded in full in Resolution Book ____, Page ____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the ____ day of _____, 20__.

**ATTACHMENT II
(Town Resolution)**

Town of Pineville, North Carolina

**RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT PERTAINING TO
PROVISION OF ANIMAL CONTROL SERVICES BY THE CITY OF
CHARLOTTE TO THE TOWN OF PINEVILLE**

Resolution No.:

WHEREAS, NCGS §160A-461 permits municipalities to enter into Interlocal Agreements with other governmental agencies for the providing of services, and

WHEREAS, the Town of Pineville (“Town”) and City of Charlotte (“City”) entered into an Interlocal Agreement for animal control services for the Town, and

WHEREAS, said Interlocal Agreement expires June 30, 2021, and

WHEREAS, the parties have agreed to renew such Interlocal Agreement effective for the period beginning July 1, 2021 and continuing as set forth in terms of said Interlocal Agreement.

NOW, THEREFORE, be it **RESOLVED** the attached Interlocal Agreement between the Town and the City is hereby approved and ratified, and the Town Manager and Town Clerk are hereby authorized to execute the said document as the act of the Town, and this Resolution shall be spread upon the minutes.

ADOPTED this the ____ day of _____, 2021.

CERTIFICATION

I, _____, Town Clerk of the Town of Pineville, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Board of Commissioners of the Town of Pineville, North Carolina, in regular session convening on the ____ day of _____, 2021.

WITNESS my hand and the corporate seal of the Town of Pineville, North Carolina, this ____ day of _____, 2021.

Town Clerk

ATTACHMENT III

Services to Be Provided by the Animal Care & Control

1. Ordinance Enforcement: When providing service within the Town, the Animal Care & Control shall enforce the Town of Pineville Animal Control Ordinance, as adopted on January 11, 2005, and as subsequently amended by the Town of Pineville.

2. Sheltering: The Animal Care & Control shall provide all animal sheltering services to the Town when space is available. The City shall have no obligation to provide animal sheltering services if sheltering space is not available. For Fiscal Year 2022 (July 1, 2021 through June 30, 2022), the Town shall pay the City for animal sheltering services for animals impounded/seized and/or housed/boarded for criminal investigations, court cases and quarantines pursuant to the fee schedule below. Subject to adjustments required by the Annual Cost Analysis and City Council’s approved and adopted fee schedule, for all subsequent Fiscal Years the Town shall pay the City for animal sheltering services pursuant to the fee schedule set forth below for animals impounded/seized and/or housed/boarded for criminal investigations, court cases, quarantines, and for all other animals until they become the property of the City. Except when the Animal Care & Control has responded to a call for service, as provided under Section 3 herein, and has impounded an animal, the Town shall be responsible for all required notices pertaining to an animal’s seizure and delivery to the Animal Care & Control. The Town shall also be responsible for providing any special instructions (e.g. extending the normal “hold” period) to be entered on the animal’s kennel record. If no special instructions are provided, the disposition of the animal shall be in accordance with the Animal Care & Control’s sheltering procedures. If, after the effective date of this agreement, the Town acquires direct access to the Animal Care & Control’s computer system, the Town shall be solely responsible for entering the animal’s kennel record, as well as any special instructions on said record, in the circumstances described above. The Town shall be responsible for all administrative proceedings relating to enforcement of the ordinance, including impoundment of the animal at the Animal Care & Control.

Animal Type	Impound/Seizure Fee	Daily Boarding Fee
Dog	\$40.00	\$15.00
Feline	\$25.00	\$9.00
Large Livestock	\$50.00	\$18.00
Medium Livestock	\$10.00	\$6.00
Small Livestock	\$10.00	\$3.00

3. Licensing: Animal Care & control shall provide all animal licensing services for the Town and the City shall be entitled to retain all fees generated therefrom.

4. Requests/Calls for Service: The Animal Care & Control shall provide services to the Town in response to requests from the Pineville Police Department and/or the Town animal control officer. A request for service shall be deemed authorization by the Town for the

services provided by the Animal Care & Control and shall authorize all subsequent calls for service as required by state law or other necessary follow-up.

5. Dispatch: Calls for service originating within the Town received by the Animal Care & Control shall be referred to the dispatcher for the Pineville Police Department.
6. Calls for Service Reports: The Animal Care & Control shall provide to the Town a monthly report containing all of the calls for service that Animal Care & Control responded to within the Town, as well as all animals impounded for the Town and the length of stay.
7. Bite Incidents/Reports: Animal Care & Control shall respond to and investigate all incidents with the Town involving animal bites. The City shall report all such incidents that it investigates to the Mecklenburg County Health Director, as required by North Carolina General Statute § 130A-196.

Memorandum



To: Mayor and Town Council

From: Ryan Spitzer

Date: 7/8/2021

Re: Early Voting Site

Overview:

The Mecklenburg County Board of Elections contacted the Town because they would like to put an early voting site here for the upcoming election. Since the City of Charlotte is delaying their elections, the Board is looking to put the early voting sites in each of the towns and see Pineville as a potential island since the city surrounds us. Typically, they like to put these early voting sites in libraries, but can not do that in Pineville. After speaking to the Board of Elections representative we identified two potential locations that may not interfere with current town parks and recreation programming; the conference room at PCS or the cafeteria at the Belle. The representative is coming on July 9th to look at both sites to give feedback for their suitability.

As of right now the Elections Board would need the room from approximately 7am-7pm, seven days a week from October 13th – October 30th. Specifics such as how many days a week or time open for voting will not be finalized until the Board of Elections meets on July 20, 2021. They like to have ten (10) voting machines at each site.

I will be able to give you more specifics at the meeting after the representative comes to view the locations on July 9th. Once I get their preference, I will work with the Department Head to see what conflicts could arise with programming and present to Council.

The Board of Elections would like a decision by the Town by their July 20th meeting.



Human Resources

Linda Gaddy, PHR SHRM-CP MSHR
lgaddy@pinevillenc.gov
(704) 889-2362

To: Ryan Spitzer, Town Manager
Members of the Town Council

From: Linda Gaddy

Date: 7/8/2021

Re: Human Resources Monthly Report
Ryan,

Enclosed is the Human Resources Department Monthly Report for the month of June 2021.

New Hires:

Matthew Jakubowski, Parks & Recreation Director

Resignation:

Vadaesha Stanley, 911 Telecommunicator

Retirements:

Toby Calhoun, Police Captain - retired July 1

Barbara Monticello, Town Clerk – July 1

Promotions:

None

Current Openings:

Seasonal Tournament Grounds Crew member – hired one for the early part of the season, interviewing for another for the end of the season

Recreation Assistant - Temporary – selected candidate cleared and planned to start 7/21/21

911 Telecommunicators – interviewing and background checking

Law Enforcement Analyst – selected candidate completed background process, accepted offer

Police: 1st round of promotions to take place on July 21 have been identified, second round planned for Sept 29.

Departmental Update:

EmPerform Performance Management Software Update-

Implementation almost complete, testing in progress, training of managers will be next, anticipated rollout third week of July, 2021. Annual reviews for all staff except sworn officers to be completed by end of July.

Finance and H.R. have worked to implement COLA and approved pay increases for Police and Telecommunicators, as well as new benefit deductions due to annual open enrollment. Progress continues with the newer team members working with the experienced team members and our vendors to smooth out processes.

Linda has made strides toward connecting with the leadership of the Police Department to be prepared to address any issues and support the leadership. Meetings with the senior leadership have given them opportunity to share suggestions and concerns, and have increased Linda's understanding of P.D. operations, culture and opportunities for improvement.

May 2021

Special Events

Clue Scavenger Hunt Game: We thought it would be fun to have to set clues around Lake Park for people to find. We advertised that we had a crime occur and we needed help to figure out who did it, with what weapon, and where it happened just like the classic game clue. Families had to figure out who killed Dr. Covid. We got a lot of great feedback with this game/activity. People wanted to know when we do another one and praised how much fun they had with their families participating in the activity. We picked 3 winners from the many families who emailed us their guesses.

Senior Drive Thru: We held two Senior Citizen drive thrus on May 4th and May 14th. May 4th was National Orange Juice Day so we handed out individual orange juice bottles and a muffin to all the seniors who came through. We had around 50 seniors come through. May 14th was National Chocolate Chip Day so we handed out Chocolate Chip Cookies from McAlister's and they had a choice of water or soda. We had about 45 seniors come through. It was great to see everyone!

Family Game Night: We held a Bingo Family Game Night on May 14th. We had around 35 people sign up and 30 showed up. We were able to keep the bigger families together at their own table. The smaller families sat on opposite sides of a table for some social distancing. Every single family had at least one Bingo win which is great! We offered snacks and drinks and had an array of prizes to choose from.

General Programming

Pickleball at the Belle: Pickleball has been going strong since September. Each person must sign a COVID-19 waiver. We added Wednesdays 11:00am to 2:00pm at the end of March.

Painting Class: Sharon held a paint class on May 18th. She had 6 people in attendance. She plans to get one more class in June in before we start Summer Camp.

Cookie Decorating Classes: There were two cookie decorating classes on 5/8 and 4/5/13. Each class only holds 10 people and they were booked solid with people on the waiting lists. She plans to have three more classes in June. Everyone has signed waivers and wear masks.

Cardio Funk: He holds class on Tuesdays at 6:30pm. They are widely social distanced in the gym. Each participant has signed a COVID-19 waiver.

Cheerleading: They hold classes on Thursdays. They have two different classes with different age groups. They are only doing non-touch cheerleading, so no pyramids or stunts. They have all signed waivers.

Karate/Self Defense: They started holding classes on Wednesdays in April. They also started holding classes on Saturday afternoons at the end of May. These classes are for adults and children. They sign waivers.

Park Maintenance Update

Belle Johnston/ Lake Park

Cut as needed

Replaced exposed broken gutter drain pipe at stage

May 2021

- Turned stage irrigation on and replaced bad heads
- Planted flowers at entrance sign
- Sprayed weeds in common areas
- Sprayed remaining clover in turf
- Pressure washed splash pad
- Repaired leaking gasket at splash pad
- Replaced broken boards on bridge at large shelter
- Relaced chain on pendulum swing
- Pressure washed front side walk
- Pressure washed rear patio
- Building inspections
- Trimmed shrubs around the Belle
- Turned on water fountains
- Replaced transmitter start button splash pad

Hut

- Set up council
- Washed rocking chairs
- Cut as needed
- Spayed weeds in common areas
- Building inspection

Jack Hughes

- Daily field and tournament prep
- Cut as needed
- Sprayed weeds in common areas
- Building inspections
- Paint soccer fields weekly
- Mower maintenance as needed
- Turned on water fountains
- Edge fields
- Replaced light photo cell at shelter 2
- Replaced irrigation rain sensors

Cemetery

- Cut as needed
- Trimmed shrubs
- Sprayed weeds as needed

Dog Park

- Picked up limbs as needed
- Adjusted exit gate

Pineville Memorial Ballpark

- Irrigation check and replaced rain sensor

Police Dept



May 2021

Irrigation audit with Edifice to determine repairs needed to make functional in rear

Special Events

May 1: PCAA Hit-A-Thon Fundraiser

May 8-9: Perfect Game Tournament

May 15-16: Perfect Game Tournament

May 22-23: Perfect Game Tournament

May 29-30: Perfect Game Tournament

Administration

-Splash Pad opened Saturday May 29th!

-Jordan completed a 4-week virtual seminar on

Creating a Culture of Business in Parks and Recreation

-Social Media Insights May 2021:

Posts Reach: 12,603 +157%

Post Engagements: 2,984 +257%

New Followers: 93 +174%

-Summer camp begins Monday, June 14.

-The Rockn' & Reeln' Movie/Concert Series begins Friday, June 11th with Chicago/REO Speedwagon Tribute Band.

Farmers Market

The Downtown Pineville Farmers Market opened Saturday, May 15th. There are a wide variety of vendors that are signed up throughout the season and scheduled to so that there aren't too many of the same type of vendor on the same day. I also have new produce vendors that are scheduled to start coming for frequently now that they are getting items in due to the late freezes in April. Vendors range from Produce, Handmade Dresses, Handmade Bags, Honey, Baked goods, Fresh Flowers, Monogrammed Items and Pork Skins.

Farmers Market Social Media Insights May 2021:

Posts Reach: 1,076 +72%

Post Engagements: 159 +115%

New Followers: 37 +30%



May 2021



Facility Rentals

The Hut: 1 Rental cancelled due to Covid

The BJCC Dining Room: 3 Rentals

The BJCC Gym: 0 Rentals

Large Shelter: 17 Rentals

Medium Shelter: 13 Rentals

Tot Lot at Lake Park: 2 Rentals

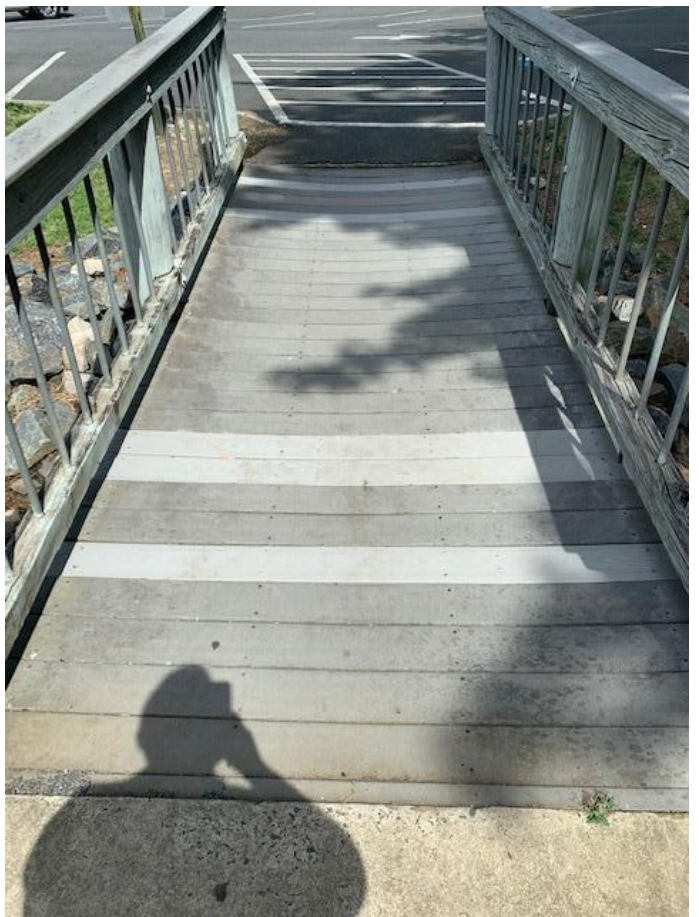
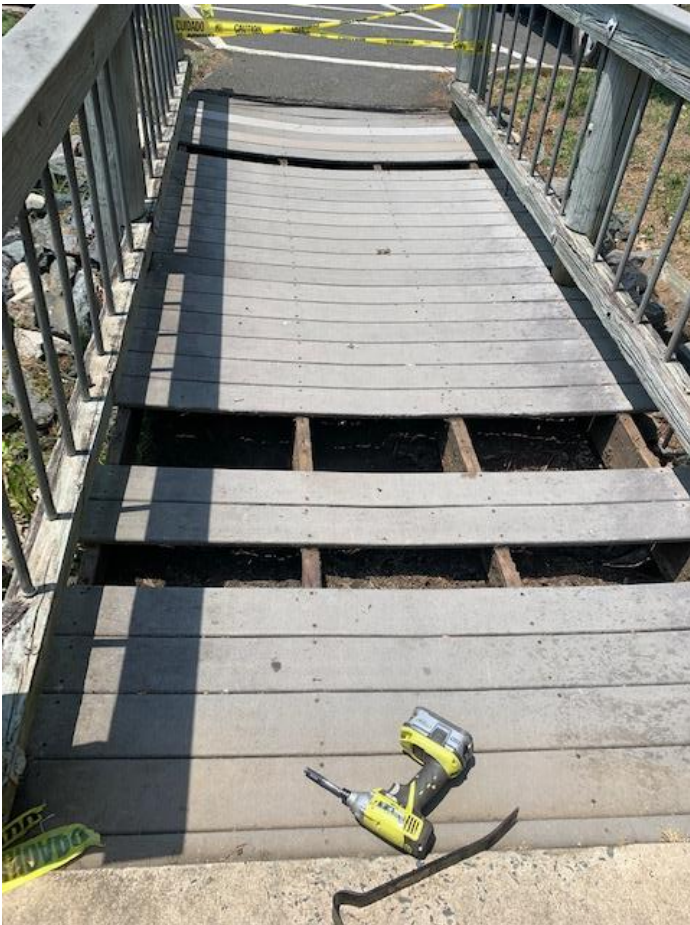
***Shelter 1 at JH:** 0 Rentals

***Shelter 2 at JH:** 0 Rentals

***Shelter 3 at JH:** 0 Rental

***WE DO NOT RENT JACK HUGHES SHELTERS WHEN THERE IS A TOURNAMENT GOING ON.**

May 2021





Department Update

PUBLIC WORKS

To: Town Council

From: Chip Hill

Date: 07/01/21

Re: **Public Works Updates**

Fans at the Belle Bathroom: As Tim worked with the electrician to install a timer on the fans for the Belle restroom, they noticed during the repair that several exhaust fan motors were not working. New motors were ordered for all the vents and replaced. The repairs seem to be working as designed. (see picture #1)

Clean Sweep: Public Works' staff just finished with clean up. Over all tonnage was average, being about 130 cubic yds. (see pictures #2 & 3)

Stripping: Town Hall along with the parking lot behind The Rug Shop was restriped. (see pictures #4 & 5)

Paving: Paving is completed for FY 20-21 with the lower section of Boatwright Road. (see pictures #6 & 7)

Ditches: Per our Storm Water Permit with Mecklenburg County/NCDOA the Town is required to maintain various BMPS/outfalls in town. Public Works cleaned out two outfalls this month, one on Cone Avenue and the ditch on the left side of the cemetery, as well as two BMPS at the Police Department. (see pictures #8, 9, 10 & 11)

Potholes: Our staff helped the Power Company with patches behind The Rug Shop and the shops off of Commerce Drive across the street from Arby's. (see pictures #12 & 13)

Meyer Lane: Project has not been completed because the as-builts have not been approved by Mecklenburg County. When a time frame is received for the completion, I will relay that information to Ryan.

*see attached list of permits issued/pending for FY 2022









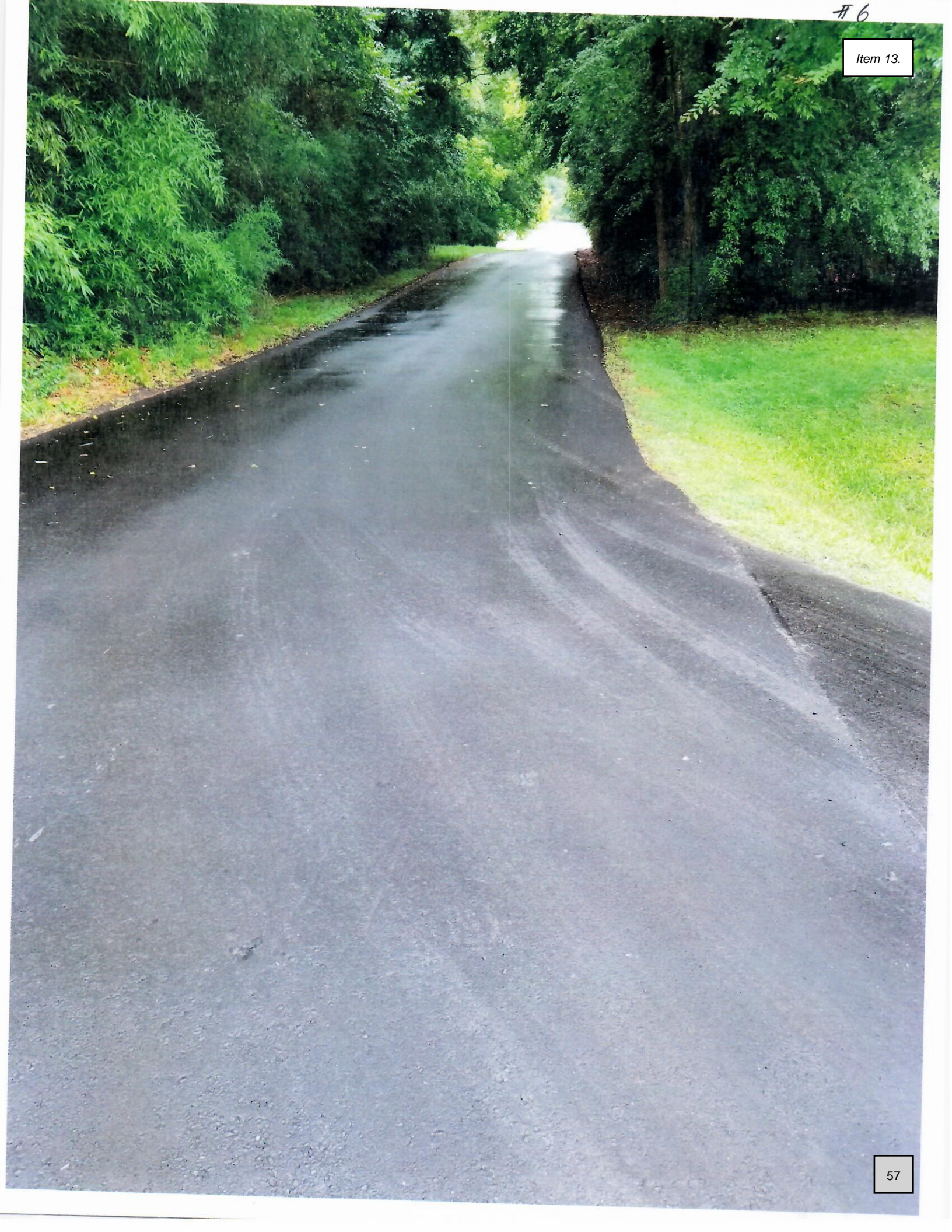
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#5

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Item 13.



#7

Item 13.



Item 13.

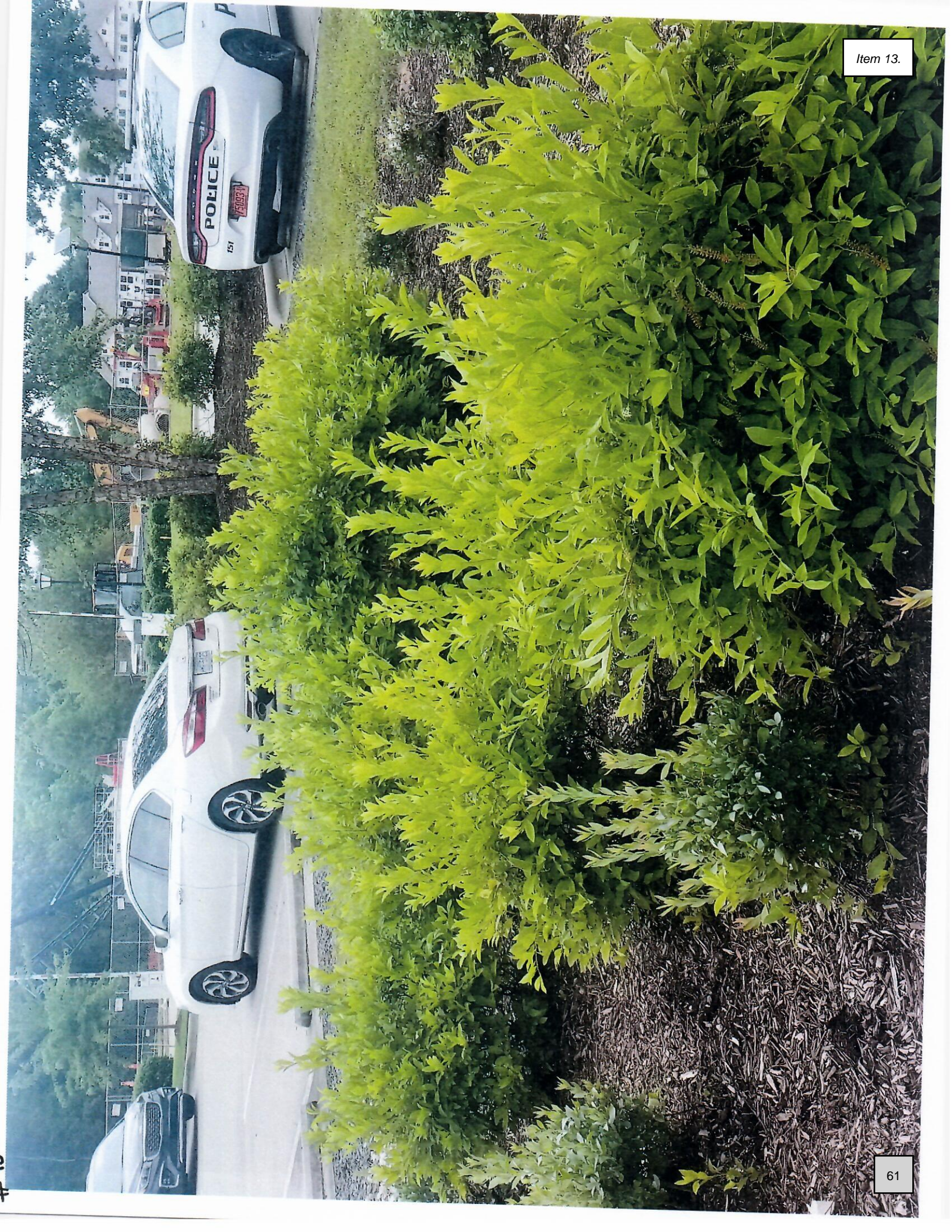


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Item 13.

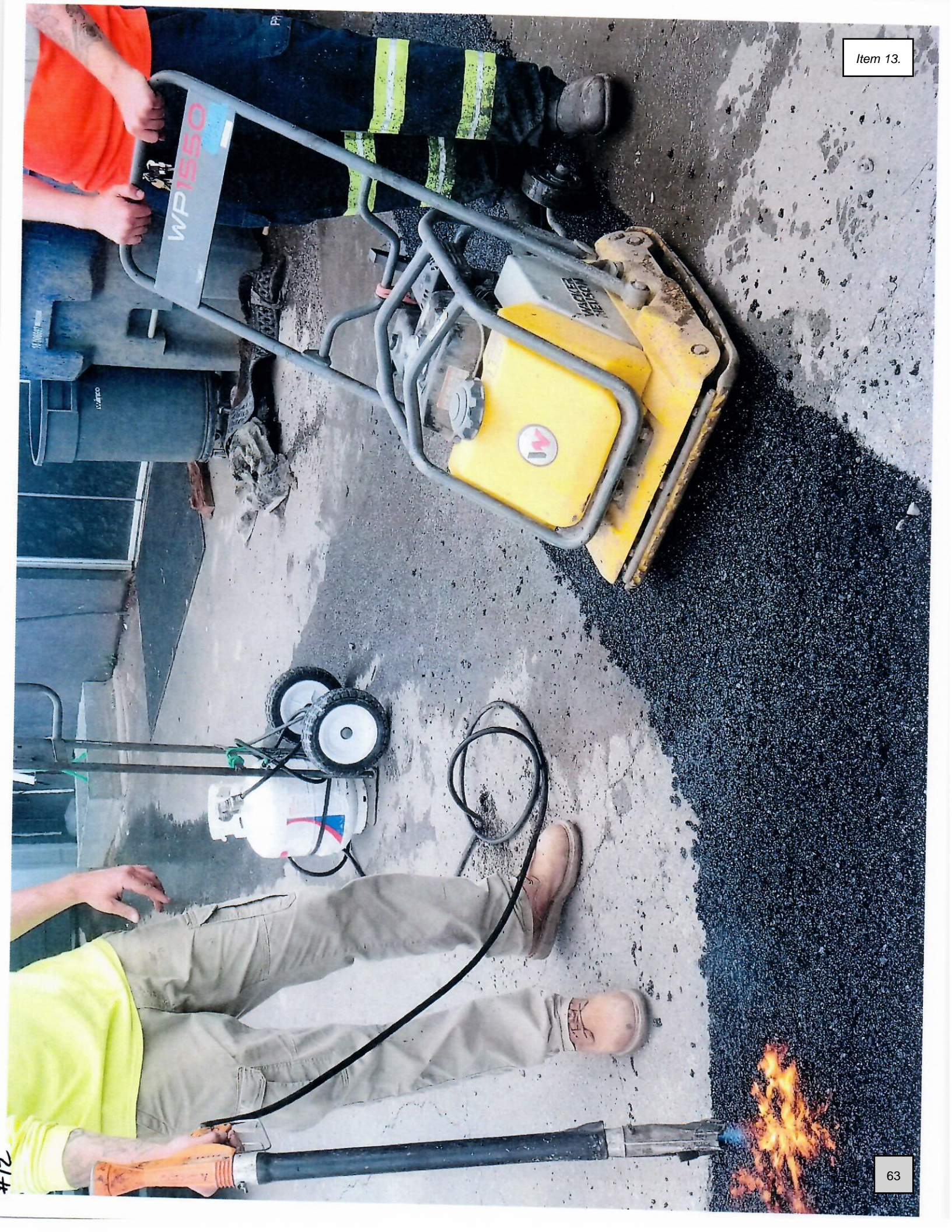


Item 13.



Item 13.







PERMITS ISSUED/PENDING**COMPANY**

Fiscal Year 2022

LOCATION**STATUS**

Mears for Piedmont Natural Gas	Cranford Drive/Main Street	Pending
PNG/Matt Bare of WK Dixon	12228 & 12004 Carolina Logistics Dr/Nations Ford & Downs Rd	Pending
AT&T	10710 Centrum Parkway	Pending
PNG/Catrina Pealer	406-410 Park Avenue/Lakeview Drive	Pending
PNG/Catrina Pealer	902 Lakeview Drive	Pending
Spectrum	10100 Rodney Street/Industrial Drive	Pending
PNG/Paul Tatsis	10907 Rail Tye Place	Pending

PINEVILLE COMMUNICATION SYSTEMS

INTERNET RESULTS FOR MONTH ENDING 06-30-2021

REVENUE AREA	INSTALLS IN JUNE	DISCONNECTS IN JUNE	MONTH ENDING 5-31-2021	MONTH ENDING 6-30-2021	SOLD IN JUNE INSTALLING IN JULY	DISC IN JUNE AFTER BILLING COMPLETED	NET GROWTH	TOTAL ACTIVE AND PENDING INSTALLING AS OF 6/30/2021
ILEC	9	-1	413	421	3	0	11	424
CLEC	11	-7	561	565	7	0	11	572
TOTAL	20	-8	974	986	10	0	22	996

****7 of the 8 disconnects were consumers moving out of the service area, 1 Competitor ****

WE MISSED OUR 1000 INTERNET CUSTOMER GOAL BY 4 CUSTOMERS

REVENUE AREA	PENDING INSTALLS ON SCHEDULE SOLD IN JUNE INSTALLING IN JULY.	SOLD WAITING FOR SIGNED CONTRACT SO THEY CAN BE SCHEDULED	UPGRADES IN SPEED COMPLETED IN JUNE WILL INCREASE REV	UPGRADES SOLD AFTER BILLING WILL INCREASE REV AUG	EXISTING COPPER CUSTOMER CONVERTING TO FIBER ON SCHEDULE FOR JULY	PENDING DISCONNECTS ON SCHEDULE FOR JULY
ILEC	3	0	10	6	8	0
CLEC	7	0	13	0	0	0
TOTAL	10	0	23	6	8	0

****THE 0 PENDING DISCONNECTION OF SERVICE ORDERS IS A SUBSCRIBER IS IN ILEC AREA AND MOVING TO COMPETITOR****

**** THESE CUSTOMERS SOLD IN JUNE BUT INSTALLATION SCHEDULED FOR JULY****

****WE HAD 23 EXISTING ACCOUNTS THAT UPGRADE SPEED IN JUNE****

****The EXISTING COPPER CUSTOMERS CONVERTING TO FIBER IN JULY ****

INCREASED SPEED OFFERING TAKE RATE TO DATE

TOTAL SUBSCRIBERS AS OF 06/30/2021	MONTH ENDING 05/2021	MONTH ENDING 06/2021	SERVICE AREA	RES OR BUS	SPEED	NET GROWTH/LOSS FROM PREVIOUS MONTH	
986	169	170	CLEC	RES	100M	1	
	44	48	CLEC	RES	200M	4	
	13	13	CLEC	RES	400M	0	
	149	156	CLEC	RES	GIG	7	
	0	0	CLEC	BUS	100M	0	
	5	5	CLEC	BUS	GIG	0	
	14	14	ILEC	BUS	100M	0	
	6	6	ILEC	BUS	200M	0	
	3	3	ILEC	BUS	400M	0	
	15	15	ILEC	BUS	GIG	0	
	68	74	ILEC	RES	GIG	6	
	56	62	ILEC	RES	100M	6	
	13	13	ILEC	RES	200M	0	
	3	4	ILEC	RES	400M	1	
TOTAL	558	583				25	
0.59127789							

59% of our 986 Internet subscribers now subscriber to 100M or higher (increase by 25 from previous month)

RESIDENTIAL AND BUSINESS LINE COUNT MONTH ENDING 06-30-2021

NET LOSS OF -2

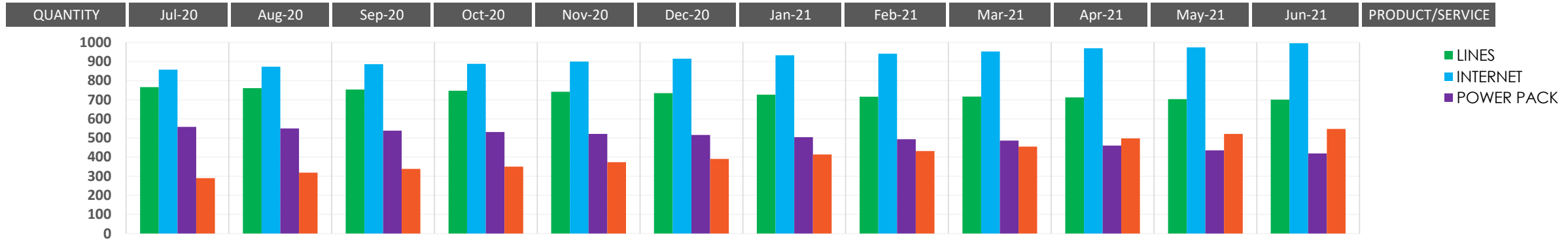
	COUNT AS OF	COUNT AS OF	
CLEC LINE COUNT	05/2021	06/2021	NET LOSS/GAIN AS OF 06/2021
BUS	48	48	0
RES	129	128	-1
SUB TOTAL	177	176	-1
ILEC LINE COUNT	COUNT AS OF	COUNT AS OF	NET LOSS/GAIN AS OF 06/2021
BUS	371	370	-1
RES	155	155	0
SUB TOTAL	526	525	-1
GRAND TOTAL	703	701	-2

PCS REWARDS MONTH ENDING 06-30-2021

NET INCREASE OF 26 PCS REWARDS
NET DECREASE OF 16 POWER PACK DISCOUNTS
NET INCREASE OF 15 SUBSCRIBERS RECEIVING DISCOUNT

PCS REWARDS	COUNT AS OF 05/2021	COUNT AS OF 06/2021	NET LOSS/GAIN AS OF 06/2021		
RES	521	547	26		
SUB TOTAL	521	547	26		
POWER PACK DISCOUNT	COUNT AS OF 05/2021	COUNT AS OF 06/2021	NET LOSS/GAIN AS OF 06/2021		
RES	435	419	-16		
SUB TOTAL	435	419	-16		
TOTAL CUSTOMERS RECEIVING REWARDS	956	966	15		

Lines, Internet, Power Pack and PCS Rewards FISCAL YEAR JULY 1, 2020 THRU JUNE 30, 2021



PRODUCT	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	Total For FY21	Trend
LINES	766	761	754	747	742	735	727	716	717	712	703	701	-63	
INTERNET	858	873	886	888	900	915	933	941	953	970	974	996	138	
POWER PACK	558	550	538	531	521	516	504	494	486	460	435	419	-139	
PCS REWARDS	290	319	338	350	373	390	414	432	455	498	521	547	257	

The above totals are month ending reporting. For instance July totals are for month ending July 31st, August 31st, September 30th, October 31st & November 30th etc

August

2021



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10 6:30 COUNCIL MTG @ THE HUT	11	12	13	14
15	16	17	18	19	20	21
22	23 6:00 WORK SESSION @ PINEVILLE ELECTRIC	24	25	26	27	28
29	30	31				

July

2021



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 HOLIDAY	6	7	8	9	10 9-12 STORM DRAIN EVENT
11	12	13 6:30 COUNCIL MTG @ THE HUT	14	15	16	17
18	19	20	21	22	23	24
25	26 6:00 WORK SESSION MTG @ PINEVILLE TELEPHONE	27	28	29	30	31