



**TOWN COUNCIL REGULAR MEETING
PINEVILLE HUT MEETING FACILITY
TUESDAY, OCTOBER 11, 2022, AT 6:30 PM**

MINUTES

CALL TO ORDER

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

Mayor: Jack Edwards
Mayor Pro Tem: Ed Samaha
Council Members: Amelia Stinson-Wesley, Chris McDonough
Town Manager: Ryan Spitzer
Town Clerk: Lisa Snyder

Absent: Council Member Les Gladden

PLEDGE ALLEGIANCE TO THE FLAG

Mayor Edwards led everyone in the Pledge of Allegiance. In addition, he welcomed everyone to the new 75-year to go Town Hall. It took a lot of work and effort and I think you see the returns on it. The Library should be opening in November, possibly. Thank you to our Commission/Representative Susan McDowell for being here.

MOMENT OF SILENCE

Mayor Edwards asked for a moment of silence for our Town Clerk, Lisa Snyder, who lost her dad last week suddenly. Also, please remember our police, our fire, our military who watch out for us every day; we thank you very much for your services.

ADOPTION OF AGENDA

Mayor Edwards asked if there were any changes to the agenda. Council Member Chris McDonough made a motion to adopt the Agenda, as is, with a second made by Council Member Amelia Stinson-Wesley. All ayes. **(Approved 3-0)**.

APPROVAL OF MINUTES

The Minutes of the Town Council Meeting on September 13, 2022, were submitted for approval. Mayor Pro Tem Ed Samaha moved to approve the Minutes as stated with a second made by Council Member Stinson-Wesley. **(Approved 3-0)**

CONSENT AGENDA

There are two items on the Consent Agenda. A Proclamation for Fire Prevention Week and a Proclamation for Operation Green Light which is for veterans who are returning from military service. This is a new group who are in the Charlotte area. Council Member Stinson-Wesley moved to approve the Consent Agenda as presented with a second made by Council Member Chris McDonough. **(Approved 3-0)**

BOARD UPDATES and PUBLIC COMMENT

David Neeley reported on the Advisory Council. The Council sends its warm greetings. October is National Arts and Humanities Month. There is currently a study going on in Mecklenburg County to study the economic impact on Arts. There are volunteer opportunities, not just for the board, but for anyone who would like to attend.

Mayor Edwards noted that the representative for the Citizen Transit Advisory Board will be presented at next month's meeting.

James Phillips. Thanked Council for the beautiful building for Pineville and he has been here for many, many years. He thanked the Council for the little library that he finally had to take down, after thousands of people, children, the elderly, veterans, the people in restaurants, and churches. He wasn't going to take it down until the new library got started, but it had to come down. Thank you again and have a very nice week coming up.

Janet Shutt, Pineville Neighbors Place. A reminder that the sixth Annual Potato Drop is scheduled for Saturday, October 22nd beginning at 9:00 am at Carolina Place Mall. Sign-ups are available on our website. Touch-a-Truck is also scheduled for Saturday, October 29th. People can donate money or food to PNP. There will be lots of raffles and lots of fun. NC MedAssist, in partnership with Atrium Health and PNP will be hosting an over-the-counter medicine giveaway on Friday, November 4th, at Pineville United Methodist Church. Anyone can drive-through and pick up common over-the-counter medicines for colds, allergies and more. There are no income requirements. Letters have gone out to the community requesting donations for Shop with a Cop. Many thanks to Middle James Brewing for their fundraiser on September 17th. They raised about \$2,300. PNP is now accepting applications for PNP Board. If you know someone who would like to make a difference in our community, please have them contact Jane Shutt.

Al Baskins, resident of Pineville. The Mill property is very important to the Town of Pineville and when this property was bought by the Town, the Town promised that the Mill property would be taken care of, because he had brought this to the Council, and the Town promised. Today there is trash and there are other places that this could go. We want to be shown some love in the Mill Village. He feels they are being left behind when they drive by each day and want Council to show them some love and take the tarps down and share the beautiful view.

Mayor Edwards also thanked David Phillips, who was previously on Town Council and Melissa Davis for all their input and all their work getting this new Town Hall put together, in addition to the library.

Update contract with US Developments (Ryan Spitzer). Mr. Spitzer gave a briefing on an updated contract with U S Developments. Some of the key points: they want to pay for all of the property up front, however, while we're in the PCS they want to have a lease with us, and we will pay one dollar a year for that lease, but we don't pay rent and we don't have a penalty. They will pay us one million dollars for the police lot tomorrow then the rest of the money will go in escrow. The telephone lease in the contract is for August 2023. The Fire Department is March, 2025. This is when the Fire Department will be constructed, and the Fire Department will be in there. We will have a note in trust for these properties. In the lease agreement, he has to pay us within thirty days of when we vacate those properties.

Mayor Pro Tem Samaha moved to accept the proposal with the changes, with a second made by Council Member Stinson-Wesley. **(Approved 3-0)**

NEW BUSINESS

Fail Fest (Matt Jakubowski) Matt is excited for our Fall Fest and having it at Jack Hughes Park. He shared maps of the site and parking that will be available, including handicapped parking. The rides will be back. There will be 58 vendors, a kid's zone, and many other things. The police will be on site at all times and at the entrance to the Park controlling the parking and traffic coming in and leaving Main Street. There will be a variety of parking places, including the old Town Hall, Belle Johnston Community Center and the Hut parking lots. Three shuttles will be going around picking people up. We have a great line-up of music and events.

Upfit Police Cars (Ryan Spitzer) We had an unfortunate incident with a young lady while transporting her to the uptown Jail; we had a recommendation from the police officers was to put bars back on the windows of police cars. This is a budget amendment to use asset forfeiture funds to put bars to prevent someone from slipping out the window. Mayor Pro Tem Samaha moved to approve the purchase of the cages into the police cars with a second made by Council Member McDonough. *(Approved 3-0)*

Resolution for Censure. Mayor Edwards made a comment before this is discussed. There was an investigation by ISS in the police department, and as a result of the information that was reported to us in a closed session last month, there was an individual that was involved too heavily with what went on with the policemen, individual police officers and the name kept coming up from thirty different officers, so Council voted to censure Leslie Gladden for actions that were beyond his position as an elected position on Council. Amelia will be reading the Censure then we will vote on that. There are no questions. Any questions should be directed to Ryan Spitzer. Council Member Stinson-Wesley read a statement from Council ahead of the Resolution No. 2022-09 (see Exhibit A). In addition, she read Resolution 2022-09. Mayor Edwards said that we are all elected officials and have to answer to someone. Mayor Pro Tem Samaha made a motion, effective today, to approve the Resolution to Censure with a second made by Council Member McDonough. *(Approved 3-0)*

MANAGER'S REPORT

Manager's Report. Mr. Spitzer reminded everyone that Fall Fest is this Friday and Saturday beginning at 6:00 pm on Friday, at Jack Hughes Park. It will end Saturday night with fireworks.

The Grand Opening of the new Town Hall and Library will be scheduled soon.

The Fall Shred Event has been rescheduled to Saturday, October 22nd from 9:00 am until noon.

Pineville Neighbors Place is looking for volunteers for the annual potato drop on October 22nd.

ADJOURNMENT

Motion was made by Mayor Pro Tem Samaha to adjourn followed by a second made by Council Member McDonough. *(Approved 3-0)* The meeting was adjourned at 7:01 pm.

ATTEST:



Lisa Snyder, Town Clerk



Mayor Jack Edwards

Exhibit A

Statement from the Town Council of the Town of Pineville:

I want to make it clear that the Town Council asked me to make this statement on their behalf. Tonight's words and actions represent our collective thought, not one individual's ideas. We want to be clear that:

In a democracy there is the naturally occurring corrective in the form of the ballot box for elected officials who have compromised the integrity of their office.

Also in our democracy, the Fourth Estate serves as a corrective to those who have violated public trust.

That being said, for us as a Council to wait on either of those entities to function in a timely manner or rely solely on them as a corrective or even a response to a situation is to neglect our own duty that is incumbent upon us to protect the integrity of the body to which we were elected. Additionally, we have a responsibility to the citizens of our Town as well as to our Town Employees to hold one another to high standards of ethical conduct.

Once we as a Council, were presented with information from a third-party investigation by Investigative Security Services, that brought to light certain habitual, long-term behavior on the part of Council Member Les Gladden that was egregious in nature, created an atmosphere of intimidation, and compromised the integrity of the Body to which we were elected and on which we serve, for us as a Council to choose not to respond would be a dereliction of duty on our part.

Therefore, I read now in public and before Council the following statement of Resolution of Censure:



RESOLUTION 2022-09
CENSURE OF COUNCILOR LESLIE “LES” R. GLADDEN

WHEREAS, while we believe that in a constituted democracy, the highest and best corrective for those in elected office is the ballot box, we acknowledge that in some instances behavior is so egregious that a response is needed and deserved by the public, before the opportunity to visit the ballot box occurs;

WHEREAS, once Town Council was presented with information in a third-party investigation that brought to light and to witness certain habitual, long-term inappropriate behavior on the part of Council Member Leslie “Les” R. Gladden that was egregious in nature, created an atmosphere of intimidation, and compromised the integrity of the Body to which we were elected and on which we serve, we as a Town Council made the decision to take action and inform our constituents of such in the open meeting of Town Council;

WHEREAS, in order to maintain the integrity of the Body on which we serve, we adopt the following resolution on this 11th day of October, 2022;

WHEREAS, we the Town Council, condemn the actions of Council Member Gladden and repudiate his interference with the actions and operations of the Police Department of the Town of Pineville. Further we assert that the atmosphere of intimidation created by the words and actions of Council Member Gladden is anathema to the standards of conduct expected by those of us who serve on the Town Council of the Town of Pineville;

NOW BE IT RESOLVED, as a result of said findings, the Council enact the following acts of censure against Council Member Gladden effective until the end of his current term:

1. Council Member Gladden is only allowed inside the Police Department building in so far as it pertains to official town meetings and at all times must be accompanied by the Town Manager while within those walls and on that parcel. Council Member Gladden may not enter the Police Department property without supervision, or it will be considered trespass.
2. As the grounds of the Police Department are adjacent to and contiguous with the grounds of Town Hall and of one of our Parks, Council Member Gladden may be present and move freely around those grounds outside of the police department parcel and in buildings found on said grounds.

3. While representing the Town or acting on behalf of the Town, Council Member Gladden must cease using language and verbal communication in public that disparages the Police Chief and Police Officers of the Town of Pineville.
4. Council Member Gladden is restricted from meeting with all department heads without the presence and supervision of the Town Manager.
5. Council Member Gladden is restricted from communicating directly with any Town employee with the exception of the Town Manager or attempting to take any action which could be interpreted as attempting to interfere with any personnel matters of the Town.

These acts of censure shall be in effect immediately and last through the end of Council Member Gladden's current duly elected term. If the terms of these censures are violated, Town Council will move forward with the required proceeding to remove Council Member Gladden from the elected body of the Town Council of the Town of Pineville.



Mayor Jack Edwards



Mayor Pro Tem Ed Samaha



Amelia Stinson-Wesley



Chris McDonough