



TOWN COUNCIL REGULAR MEETING
TOWN HALL COUNCIL CHAMBERS
TUESDAY, NOVEMBER 12, 2024, AT 6:30 PM

MINUTES

CALL TO ORDER

Mayor David Phillips called the meeting to order @ 6:30 pm.

Mayor: David Phillips
Council Members: Amelia Stinson-Wesley, Chris McDonough, Danielle Moore
Town Manager: Ryan Spitzer
Town Clerk: Lisa Snyder
Town Attorney: Janelle Lyons
Absent: Mayor Pro Tem Ed Samaha

PLEDGE ALLEGIANCE TO THE FLAG

Mayor David Phillips led everyone in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor David Phillips asked for a moment of silence and asked everyone to remember lifelong resident, Chip Eaker, who passed away unexpectedly recently, and another resident, Jay Eller, passed away last night, and also our first responders.

ADOPTION OF AGENDA

Mayor Phillips announced that we need to add one item to the Agenda which is the Award of purchase of materials for the substation construction presented by Electricities Director, David Lucore, which will become Item #6, and to move the COG Board Report to the December Council Meeting so that handout materials are available. Council Member Stinson-Wesley made a motion to adopt the agenda with said adjustments and a second was made by Council Member Moore. All ayes. **(Approved 3-0)**.

APPROVAL OF MINUTES

The Minutes of the Town Council meeting on October 8, 2024, and the October 28, 2024, Work Session were submitted for approval. Council Member McDonough moved to approve the minutes as presented with a second made by Council Member Moore. All Ayes. **(Approved 3-0)**

AWARDS AND RECOGNITION

There were no awards or recognition at this meeting.

BOARD REPORT

The COG Board Report will be provided at the December Town Council meeting so that handouts are available.

CONSENT AGENDA

The Consent Agenda consisted of two items for approval: Resolution 2024-19 for Surplus Items and the Closed Session Minutes for the September 23, 2024, meeting (sealed). Council Member Moore moved to approve the Consent Agenda with a second made by Council Member Stinson-Wesley. (*Approved 3-0*)

PUBLIC COMMENT

There were no public comments.

PUBLIC HEARING

Mayor Phillips announced that anyone wanting to speak at the Public Hearing approach the podium and state their name in case we need to get back to them and answer their questions.

Cone Mill. Council Member Moore moved to open the Public Hearing with a second provided by Council Member Stinson-Wesley. Town Manager Spitzer said that this is the public hearing for the Cone Mill PSA in which Council approved last month. In that PSA it is stated that a public hearing must be held within 45 days from the day they voted on the PSA. The PSA starts a timeline of the milestones. He added that this is a \$5 million project. The buyer is slated to purchase the property for \$5 million dollars. The appraised price is \$4 million dollars. The builder has up to 165 townhomes that they're approved to build in addition to commercial space. The closing date is not to exceed thirty months. The applicant has to submit a new Brownfields document to the State. This may take nine to fifteen months to accomplish.

Mr. Spitzer further explained the concept plan for the Cone Mill, which will include green space near the parking area. Ninety (90) spaces of that will be reserved for downtown parking. This project will consist of more parking than what is required in our zoning requirements. Architectural renderings have to be approved by the Planning & Zoning Department before they are built. Currently, all of the townhomes are a For Sale product, however, if the developer changes some of the homes to be for rent, it will require ten percent of the 165 townhomes. There is a six-foot fence along the property boundary and joint property owners. The development will have private trash. They will reuse the smokestack and possibly relocate the water tower. After the Brownfields are obtained, it will be about fifteen months to get county permitting which is why we have a closing date of May 1st. Mayor Phillips asked when the traffic study will be done. Mr. Spitzer replied that it would be done after the permitting is done and brought back to Council for review and discussion.

Melissa Davis, Pineville resident, spoke and stated that she did not want townhomes and more traffic. She asked who will monitor the percentage of rentals. Mr. Spitzer said that the property owners would have to sell the house and be purchased by someone who will turn around and put it up for rent. During the first year, they cannot rent it out, after that one-year mark, they're not in control of that. Mrs. Davis asked what the Town invested in the property. She thought it was about \$5 million dollars. Mr. Spitzer replied that it came to just under \$4 million dollars.

Al Baskins, Pineville resident, said that there was a petition circulated and signed by over one thousand residents who opposed the townhomes or apartments going in there. He feels that all of the property in question are not Brownfields, only a portion of that area are. He added that he feels we have a traffic problem in Pineville.

Attorney Janelle Lyons said that those who want to speak must speak one at a time and please state your name. Council is ever changing, and one council member may make decisions that another council member may not feel the same way about. They also have the right to change their minds and consider new developments. In addition, there are also HOA requirements to consider, in addition to covenants and other restrictions.

Yvette Isaacs, Pineville resident, agreed with what Mrs. Stout said and added that she prefers more commercial for this area, places to eat, shop and play. She would also like to see more brick, not painted, which often gets discolored over time if not maintained. She asked what the price range will be of these townhomes. Mr. Visconti replied they will be from \$450,000 up to the upper \$500,000's and you can see the product in Ballantyne.

Debbie Brown, Pineville resident said that she had different issues as she watches dump trucks go by her house every morning. She was under the impression that a memorial park was going to be placed there. Mr. Spitzer answered that the price tag for the memorial was approximately \$550,000 and Council decided to not go forward, however, the land was still town-owned and reserved for a park and open space. Ms. Brown feels that the Public Works offices and building should go there.

Jacob Hill, Pineville resident, asked if property values would increase. Mr. Spitzer replied that it could go up or down depending on the market. Countywide, taxes are going up everywhere. Mr. Hill added that traffic is a big problem and is a logistical nightmare. He would prefer to see no homes, but rather, something for everyone to enjoy.

Laura Stout, Pineville resident, said that she doesn't want to see more traffic, and the addition of 165 townhomes is going to create more traffic. Her neighborhood was built around the Mill and she lives in a mill house. It's unique and we should honor that. This is the best plan she has seen so far but not the right plan.

Judy Thompson-Phillips, Pineville resident, said that the traffic is already bad. Council should think of the quality of life here.

Council Member Stinson-Wesley moved to close the Public hearing followed by a second made by Council Member Moore. All ayes.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Award to Purchase Materials for substation construction (David Lucore). Mr. Lucore requests approval to purchase the materials for the substation construction. Formal bids were solicited and he has a bid summary and recommendations for those bids. The total amount for these items is for \$2 million dollars and only spent out as the materials are delivered. The lead times on the majority of these items are long and money wouldn't be spent for some time (26 to 60 weeks) after the order is placed. This should be for the majority of the materials. All items come with a warranty.

GMP (Guaranteed Maximum Price) for Fire Department (Ryan Spitzer). Town Manager Spitzer said that Edifice did bid out the project for \$14,467,644 which came in just under the estimate. GMP means that the price without add-on work will be \$14.46 million dollars. If anything under the \$14.46 million Edifice will share in those savings on a prorated basis, and anything over will be the responsibility of Edifice. We are going out for a loan for \$16.5 million dollars. The other \$1.5 million is for signal work that will have to take place out onto N. Polk Street so the traffic will stop for the fire apparatus, and furniture and fixtures. There's an amendment to the contract with Edifice for prework for \$90,000 but you'll see the \$14.4 million is on top of that for the full scope of work. All ayes. **(Approved 3-0)**

Final Findings Resolution (Chris Tucker). Finance Director, Chris Tucker, said that we are ready to move forward with the \$16.5 million dollar contract which has been reviewed several times in the past few months. This Final Resolution states that we're accepting Webster's proposal and we're using this building as collateral for that. This is the final piece before going to the LGC on December 3rd. The LGC is waiting for Council's approval then we're on the calendar for December 17th closing. We got our audit done early and on time. Council Member Stinson-Wesley asked if we are held harmless to any rate changes, to which Mr. Tucker replied, we agreed to the approved proposal and are locked in. Council Member McDonough moved to approve the Final Findings Resolution followed by Council Member Moore providing a second. All ayes. **(Approved 3-0)**

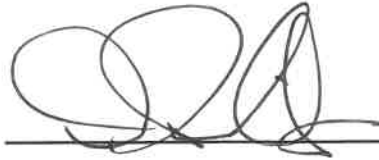
Cone Mill PSA (Ryan Spitzer). Mayor Phillips said that after additional discussion with Council we have decided to table the vote until our December 10th meeting to allow further discussion and questions. Council Member Stinson-Wesley moved to table this action item until December 10th with a second made by Council Member Moore. All ayes. **(Approved 3-0)**

MANAGER'S REPORT


Town Manager Spitzer sent Council a spreadsheet of projects that have been done with completion dates and costs as requested by Council Member Moore. The fountain will finally be complete by December 1st and operational for our tree-lighting. On Monday, December 2nd, the Fire Department will have their groundbreaking with details on the Town's website. The public is invited to the groundbreaking itself. The Christmas Tree Lighting is scheduled for Thursday, December 5th from 5:00 to 6:30 pm. We are looking at a scheduled road closure this Friday, November 15th from 8:00 pm and 12:00 am at Carolina Place Parkway.

ADJOURNMENT

Council Member Stinson-Wesley made a motion to adjourn followed by a second made by Council Member Moore. All ayes. The meeting was adjourned at 8:00 pm.



David Phillips, Mayor

ATTEST:  _____

Lisa Snyder, Town Clerk