



## **MINUTES**

### **CALL TO ORDER**

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

### **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 Charles Finnison. He also requested we remember our first responders, police, fire, military and other front-line workers. He advised all to keep our heads on straight so that we could all get through this unsteady time together.

Mayor Jack Edwards requested a change in the Agenda. He requested to move the oath of office for the new Police Chief up before the recognition of the retirees as family of the new chief was present and needed to leave as soon as the swearing-in ceremony was over. He also requested to move Item 9 up so that the chief's service weapon and badge could be awarded to him as he was recognized for his years of service.

### **2. Introduction/Swearing In/Oath of Office for New Police Chief, Michael Hudgins**

Mayor Edwards swore the new Police Chief, Michael Hudgins, in to office. Chief Hudgins was sworn in to office with his family present to witness this honor.

### **1. Recognition of Retiring Employees/Presentation of Proclamations:**

- \* Police Chief, Rob Merchant
- \* Parks and Recreation Director, Kristy Detwiler

Mayor Edward presented long-time employee, Kristy Detwiler, with a proclamation and thanked her for her nearly 30 years of service to the Town of Pineville.

Next, Mayor Edwards thanked retiring Police Chief, Rob Merchant, and presented him with a proclamation for his 23 years of service to the Town of Pineville. At this time Mayor Edwards presented Chief Merchant his gun and badge via Resolution No. 2021-01.

Mayor Edwards noted employee, Karen Bennet, had also retired but was unable to attend the meeting. Ms. Bennett spent 10 years in the Finance Department at Town Hall. He recognized her 10 years of dedicated service to the Town of Pineville and thanked her for her years of service.

### **ADOPTION OF AGENDA**

Motion made by Council Member Maxim, Seconded by Mayor Pro Tem Davis to adopt the agenda with the changes mentioned earlier.

Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden.

### **APPROVAL OF THE MINUTES**

### **3. Approval of the minutes from the December 8, 2020 Regular Council Meeting**

Motion made by Council Member Gladden, Seconded by Mayor Pro Tem Davis to approve the minutes from December 8, 2020 as is.

Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden

## CONSENT AGENDA

The consent agenda consisted of the following items:

4. Revenue and Finance Reports as of 12/31/20
5. Proclamation for School Choice Week
6. Tax Refund for \$36.24

Motion made by Council Member Maxim, Seconded by Council Member Stinson-Wesley to adopt the consent agenda as is.  
Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden

## PUBLIC COMMENT

Mayor Jack Edwards read comments provided via email by Jane Shutt of Pineville Neighbors Place. They partnered with Shop with a Cop for 2020 and helped 235 children at Pineville and Sterling Elementary Schools. They also made the holidays happier for 10 Pineville Rehab residents.

Ms. Shutt also noted that Pineville Neighbor's Place helped over 2900 people in 2020 with a total of over a half million dollars in assistance but they no longer had any grant money left. Mayor Edwards urged all to help with donations, if possible, to keep this program going and to support our neighbors in need.

## PUBLIC HEARING

### Public Hearing for a new Townhome Community.

Motion made by Mayor Pro Tem Davis, Seconded by Council Member Gladden to open the first public hearing.  
Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden

7. **Public Hearing for a new Townhome Project** (*Travis Morgan*) Public Hearing to consider a new townhome development located at the northwest corner of NC51 and Downs Rd.

Planning Director, Travis Morgan, opened the discussion stating that the project was an approximate 26.6-acre site requesting a conditional rezoning to RMX (CD) for 166 townhome units on parcels 20504102, 20504116, 20504101, 20504115, 20504103, 20504104 and 20504119. Mr. Morgan reviewed the site plan with Council noting that since the last workshop, they have increased the size and type of planting material to be used, now proposing to go with 10-12 foot Green Giant Evergreens for a hedge along the northern buffer.

Additional items on the plan included:

- Vehicle stacking turn lanes were increased to 100 feet on NC 51.
- Porch size depth is six foot four inches. Our minimum is six feet.
- Minimum driveway depth is 20 feet.
- An allowance has been made to encroach in the rear setback for second floor and higher deck on the rear of each unit. This was determined to be 8' deck setback from rear property line.
- Fiber cement board will be used on the exterior of the homes, along with varied railings and varied roof lines with decorative bracket roof allowances.
- There will be public streets with private alley rollout garbage services.
- Lot size will be 22 feet by 76 feet long. Building measurements are 22 feet wide by 46 feet deep.
- Units will be a "For Sale" townhome product.
- Revised from 175 units to 166 units.
- Railings will be required on all porches and decks.
- Garages will be rear load only with alleys that will be two car-widths wide.

- Other items as shown on submitted plans.

Mr. Morgan noted that the applicant, Jeremy Smith, was present to answer any additional questions.

Mayor Pro Tem Melissa Davis asked if there was information regarding the HOA capping the number of rentals that would be allowed. Mr. Smith with Martin Stanley Homes, stated that it varied anywhere between 5% and 15% on the amount of rentals that would be allowed and added that was usually what was recommended for this type of product. That percentage was recorded in the covenants and the HOA board would need to enforce it.

Mayor Pro Tem Melissa Davis asked what the price point would be on these units. Mr. Smith replied that the price point was in the low \$300's now but he could not guarantee it would be the same when completed. Mayor Pro Tem Davis noted that the cost to remove all the rock on the property might have a negative impact on the quality of the end product and traffic was always a concern that could make matters worse. She asked that Planning Director, Travis Morgan, keep an eye of the construction to be sure it's a quality product.

Council Member Joe Maxim asked about a varied color scheme. Mr. Smith responded that Stanley Martin offered James Hardy Color Plus, which had a wider selection of colors than other builders had. He noted that traffic in and out of the complex will be felt during the rush hours. He asked Mr. Morgan if he was confident that the recommendations made in the traffic analysis were good ones. Mr. Morgan was confident, especially with the stacking lanes and the other improvements and noted the applicant was exceeding the recommendations with the 100' stacking lanes. He added that Mecklenburg County and the NCDOT would both have to review it all as well. The street lights would match the double headed lights on Main/NC 51 but internal lights will be the residential single standard light. Council Member Maxim commented that the Pennies for Progress Program was supposed to help alleviate some of the rush hour traffic with the NC51/SC21 interchange improvements that were supposed to take place but work hadn't even started on it yet.

Council Member Maxim then asked if the Fire Department had looked over the plan as well to which Mr. Morgan replied that they had and added that he would be sure that all the requirements would be met.

Council Member Les Gladden asked about lots #6 and #8 - discussion took place regarding driveways and setbacks. Planning Director Travis Morgan asked what the maximum depth of the rear porch would be. Mr. Smith replied they would be about 8 -10 feet. Discussion continued regarding the size of decks as they relate to the rear setbacks and buffer to adjoining property. Council Member Les Gladden asked that we clear up any discrepancies regarding decks and the rear set-backs. Mr. Morgan assured him he would make sure to nail it down. Council Member Gladden commented to the applicant that any additional parking that could be added to the plan would be a huge benefit as these types of complexes are always struggling for more parking.

There were no further questions or comments. Jeremy Smith thanked Council and staff for working with them on this project. A motion to close the Public Hearing was made at 7:24 p.m. was made by Council Member Gladden, Seconded by Council Member Maxim. Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden

**8. Public Hearing for the Building Center (Travis Morgan)** A Public Hearing to consider plans for improvements to the Building Center located on Industrial Drive.

Motion was made by Council Member Maxim and seconded by Council Member Stinson-Wesley to open the second public hearing at 7:25 p.m. There were ayes by all and the hearing began.

Planning Director Travis Morgan explained the site was a non-conforming one and was hoping to make it conforming. The request was for an addition for an outdoor saw shed located at 10201 Industrial Drive. Mr. Morgan explained that the intention with any non-conforming site, was to try to get it into compliance to make it conforming.

Mr. Morgan explained what was needed and recommended in order to bring this property into compliance, including landscaping and sidewalks. Also, there was an area between two yellow arrows that had extra on-street parking between them which concerned Mr. Morgan. It was a very narrow strip in which they were able to fit the sidewalk in but no landscaping. In lieu of landscaping, they were proposing a 3-foot-high fence but placed in front of the sidewalk, not behind it. If they were approved to do this, wheel stops would be recommended and beneficial but then it becomes a situation of who maintains the fence since it would be in the R-O-W.

The purpose of the shed was to house a specialty saw. The plan also called for additional wax myrtles along Industrial Drive.

Mayor Pro Tem Melissa Davis was opposed to the 3-foot fence and stated it should be on the building side, not the street side. Council Member Les Gladden noted that our ordinance called for decorative fence and what was proposed was not decorative. Additionally, he noted that having it on the outside of the walk would make it look like a private walkway. What they needed to do was to give up the parking for the trucks.

Council Member Joe Maxim had similar comments regarding size and material of the fence and found it to be an issue. Mr. Morgan noted that staff could make that change but we needed to hear from the applicants.

Corey, from the Building Center, discussed using the fence as screening with the material being a recommendation. He added that it was difficult for drivers and trailers to get in there now but to get a 5-foot fence in there would be a real challenge. Mr. Morgan asked if the applicant was agreeable to a decorative metal fence placed on the other side of the sidewalk.

A representative from the Building Center said they were not opposed to a decorative fence or the placement of it. It was the tightening of parking that was the challenge. Mr. Morgan suggested putting bollards in the parking lot.

Discussion on fencing material, placement of it and bollards continued for some time until all seemed agreeable to a vertical curb town standard to help prevent vehicles from driving on the sidewalk along with screen shrubs landscaped behind the sidewalk. Mayor Pro Tem Melissa Davis said she was in favor of the landscaping over the fence. All were in agreement and a motion was made by Mayor Pro Tem Davis, Seconded by Council Member Stinson-Wesley to close the public hearing at 7:58 p.m. Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden.

#### OLD BUSINESS - none

#### NEW BUSINESS

9. **Award Service Weapon and Badge to outgoing Police Chief, Rob Merchant - (Ryan Spitzer)** Retiring Police Chief, Rob Merchant, will officially be awarded his service weapon and badge via Resolution No. 2021-01.  
This item/action was moved to the beginning of the meeting. Outgoing Police Chief Rob Merchant was honored with his badge and gun after the new Police Chief, Michael Hudgins, was sworn in.
10. **Council vote on Townhome Project (Travis Morgan)** - Once Public Hearing is closed, Council must vote on the proposed townhome project to be located on NC51 and Downs Road (**ACTION ITEM**).  
After the Public Hearing and discussion regarding the townhome development by Stanley Martin, Council voted.  
Motion made by Council Member Maxim, Seconded by Council Member Gladden to approve the townhome project with an 8-foot setback allowance for a rear deck.  
Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. Motion passed 4-0.
11. **Council Vote on Building Center (Travis Morgan)**. Once the public hearing closed for the Building Center, Council needed to vote on the proposed plans for the Building Center located on Industrial Drive (**ACTION ITEM**).  
This item was approved with stipulations: there must be new curbing, sidewalk and landscaping per code and it will be the responsibility of the property owners to maintain it all.  
Motion made by Mayor Pro Tem Davis, Seconded by Council Member Gladden to approve the Building Center improvements with stipulations noted above. Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden – all in favor of the improvements as noted.
12. **Approval of 2021 Meeting Schedule (Barbara Monticello)**. Each year in January a schedule of proposed meeting dates should be adopted and approved by Council (**ACTION ITEM**). Mayor Pro Tem Melissa Davis recommended not having a work session in December. Town Manager Spitzer recommended approving the schedule as is until it is closer to the actual date then Council may cancel at that time.

Motion made by Council Member Maxim, Seconded by Council Member Stinson-Wesley to approve the schedule as is. Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. Motion passed unanimously.

13. **Board Appointments:** (*Barbara Monticello*) Each year appointments & reappointments to town and county boards and committees are needed (**ACTION ITEM**).

Council agreed to approve all appointments as presented except for Planning Board, Board of Adjustment and the Arts and Science Council spot to give others a chance to apply.

Motion made by Council Member Maxim, Seconded by Mayor Pro Tem Davis to approve all but the three noted above. Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. Motion passed.

14. **Covid-19 Leave Extension** (*Ryan Spitzer*) Town Manager to provide information on extending the Covid-19 Leave Regulations (**ACTION ITEM**).

Town Manager, Ryan Spitzer, explained that it had been left to each city/town to decide if they want to extend leave benefits for Covid-19 since the pandemic was still in full-swing. Mr. Spitzer recommended extending the Covid-19 leave benefits for another six months and making them retroactive back to January 1st.

Council Member Gladden asked that Mr. Spitzer speak with each Department Head to be sure everyone was on the same page and knows what the CDC guidelines were as each person may have a different opinion of what "exposure" means. There were loop holes that needed to be closed up. He asked that Mr. Spitzer create a policy, make sure to know what that policy was and that everyone else was aware of what it is.

Mayor Pro Tem Melissa Davis was first to make a motion to accept this proposal to extend Covid-19 leave for six months and make it retroactive back to January 1st, 2021. Motion made by Mayor Pro Tem Davis, Seconded by Council Member Stinson-Wesley. Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden were all in favor. Motion passed unanimously.

15. **Revenue Projections** (*Richard Dixon*) - Finance Director, Richard Dixon will provide information pertaining to projected revenues and budget items (**INFORMATIONAL**).

Finance Director Richard Dixon shared his findings after tracking revenue sources since August of 2020. He was keeping a close eye on it to gauge how much of an impact Covid-19 would have revenues. The only amount that appeared to be lacking was room occupancy tax. However, the town was still running above what they had projected. Ninety percent of the tax revenue shows in the months of December and January and right now we were doing very well compared to what was budgeted last June.

Town Manager, Ryan Spitzer, reminded Council that they had put off some projects because of the possible impact Covid-19 would have on the revenues and that they had agreed to look at them later in the year to determine whether to move forward with them or not. He asked Council if they wanted to allocate the extra one million dollars to anything in particular?

Council Member Joe Maxim noted both Town Manager Spitzer and Finance Director Dixon has done an outstanding job developing a conservative budget during last budget season and praised the team for a job well done. He would prefer to prioritize use of those funds on infrastructure over equipment.

Council Member Les Gladden asked if Mr. Spitzer still had a list of those projects that were put on hold. Manager Spitzer advised he would send it out to Council and that they would continue discussions on the matter at their next Work Session Meeting in January.

## STAFF UPDATE

16. **Manager's Report/Staff Reports**

Mr. Spitzer gave his manager's report:

- A directive issued by Gibby Harris, Mecklenburg County Public Health, recommend the public stay home and not go out but it is not being enforced; it was just a recommendation.

- We will be moving forward with the sale of the old police lot. It is on the agenda for the January Work Session.
- There will be a trailer stationed at the jobsite of the new Town Hall/Library arriving next Monday.
- The Yandell's were putting up new windows in their building today and an easement agreement was drawn up with them.

**17. Calendar of Events for January/February 2021**

**CLOSED SESSION - none**

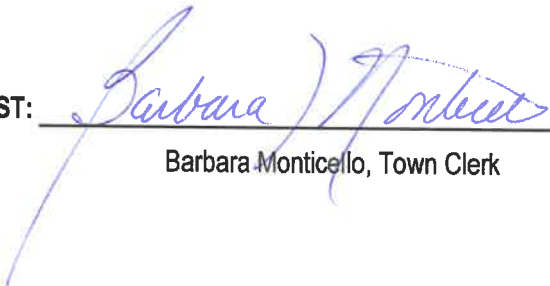
**ADJOURN**

Motion made by Council Member Stinson-Wesley, Seconded by Mayor Pro Tem Davis to adjourn the meeting at 8:30 p.m. Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. Ayes by all and the meeting adjourned.



Mayor Jack Edwards

**ATTEST:**



Barbara Monticello, Town Clerk

