



## **MINUTES**

### **CALL TO ORDER**

Mayor Jack Edwards opened the meeting at 6:31 p.m.

### **Moment of Silence**

Mayor Jack Edwards asked for a moment of silence for Council Member Amelia Stinson-Wesley's mother, who recently had a stroke, and Gary Campbell, Lenny Adams, and Mike Lee who recently passed. He also asked that we remember our first responders, police, fire, EMT's and our military men and women.

### **Pledge Allegiance to the Flag**

Council Member Les Gladden led the Pledge of Allegiance.

1. **Census Recognition** - The US Census Bureau thanked and recognized the Town for its participation in making the 2020 Census a success. In turn, the town would now like to recognize resident, Troy Fultz, for the outstanding job he did on the Mecklenburg County 2020 Census Committee.

### **ADOPTION OF AGENDA**

Motion made by Council Member Gladden, Seconded by Council Member Stinson-Wesley to adopt the agenda as it was presented. Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. All were in favor.

### **APPROVAL OF THE MINUTES**

2. **Approval of the Minutes from the January 12, 2021 Regular Council Meeting and the January 25, 2021 Work Session and Closed Session Minutes.**

Motion made by Mayor Pro Tem Davis, Seconded by Council Member Maxim to approve the minutes with the correction as noted.

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

### **CONSENT AGENDA**

3. **Resolution No. 2021-02** - to surplus a 1991 Ford F600 no longer needed in Electric Department and equipment in the Public Works Department.
4. **Proclamation for Presidents' Faith Awareness Month**
5. **Revenue and Finance Reports as of 1/31/21**
6. **Annual Audit from Marin, Starnes & Associates** - Each year Council must approve a contract to perform the annual financial audit.

Town Manager Ryan Spitzer clarified for Council that we were in year four of a five year contract with Martin, Starnes & Associates for our annual audit. We were paying \$45,000 for the audit and next year the cost will rise to \$47,000 for the final audit of the five year contract. We will then go out for bid when the contract expires.

Motion made by Council Member Gladden, Seconded by Mayor Pro Tem Davis to approve the contract for audit services from Martin, Starnes & Associates. Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. Motion passed unanimously.

## PUBLIC COMMENT

None

## PUBLIC HEARING

7. **Public Hearing for a PSA for Old Police Lot and Other Parcel Options** (*Ryan Spitzer*) - Public Hearing to present a Purchase/Sale Agreement with US Developments (**INFORMATIONAL**).

Council Member Joe Maxim made a motion to open the Public Hearing, with Mayor Pro Tem Melissa Davis seconding the motion. There were ayes by all and the Public Hearing opened at 6:37 p.m.

Town Manager Ryan Spitzer advised he was sharing the presentation with the audience. Council Member Les Gladden asked if there had been any changes since the work session. Manager Spitzer stated that everything remained the same.

Council Member Amelia Stinson-Wesley asked how many public people were in attendance via zoom. Manager Spitzer answered there were about five people online via zoom.

Mr. Spitzer reminded Council that a Downtown Development Plan was done in 2008 which included shifting the downtown area to College Street where it was more feasible to hold events off of Main Street.

US Developments wants to purchase the old Police Department lot and about 5 plus acres of additional land later and planned to pay a \$495,000 non refundable deposit for this lot. The remaining lots would be purchased at a cost of \$2.5 million representing the total amount of all the properties that remain of interest to them.

This will be a three Phase plan beginning with the lot and parking lot of the old Police Building, followed by an extension of parking and an office building and redevelopment of the Fire Department's lots. Redevelopment of the remainder of the lots will be the final phase of the project.

US Developments will have a due diligence period of 60 days to inspect and investigate the lot. Five thousand square feet of it has to be retail or commercial of some kind, with the first building being five stories, with four stories facing Main Street and the fifth floor set back seventy feet. They will have 365 days after due diligence to get all their permitting done and all of the work must follow downtown overlay district regulations.

Manager Spitzer stated that within sixty days of due diligence, US Developments must present the site plan to the town. They will need to come before Council multiple times.

Upon finishing the first lot, US Developments will have five years to develop on the other lots. They will have exclusive rights to those lots for five years meaning no one else can buy them within that timeframe.

Council Member Les Gladden asked if there is a stipulation in the agreement about setting the fifth floor back from the road in the first building? Mr. Spitzer said no, as long as it is stipulated tonight, they will have to abide by that.

They will also develop the lot behind the old Police Department lot and in front of the Public Works building. That will all be on US Development's dime. There will be a parking easement allowing one space for each rental unit (seventy three units). Once the parking garage is built, seventy three spaces will be dedicated in the garage to US Developments.

Manager Spitzer stated that Phase I of the development will generate \$6500 in sales tax on this lot and eventually bring in \$58,500 in tax revenues. In Phase II, tax revenue on this property is expected to be at \$380,000 and the project is expected to create 402 jobs.

Mayor Pro Tem Melissa Davis spoke of her concern for the future of the Post Office. She does not want us to lose our Post Office. Mr. Spitzer replied that US Developments would talk with the Post Office about leasing space in the new building. He also said there would be a restaurant on the first floor for at least ten years with a sidewalk large enough for outdoor dining. Once it is zoned residential, it will stay residential for the tenants.

Council Member Joe Maxim asked how many parking spaces there were currently behind the Police Department building. Manager Spitzer said there are about forty spaces there now and about one hundred after the build out. Temporary parking will be another 135 spots.

Council Member Joe Maxim stated that five stories is a bit much but it does fit with the plan for the overall downtown master plan. What is the height of the proposed property compared to the new Town Hall? Mr. Maxim wanted to make the point that the new town hall was equal in height to the new building. He also wanted to know if there would be temporary parking during construction. Mr. Spitzer stated they would look at how to incorporate temporary parking during construction.

Council Member Joe Maxim thought that the public might want to hear from the applicant. Mr. Steven Rosenberg with US Developments thanked Council and staff for their time and cooperation. He stated the objective was to get people to the down town. By creating urban space off of the Main Street, it will give Pineville the community space that it needs to hold festivals, street fairs and the like. Traffic can be controlled much easier once it's off of the Main Street. People want a place to work, play and live. We want to create interesting office space for people who want to live and work close by as well as provide dining and entertainment for them. We see this as mixed use for the community. They were involved with developing Birkdale which was huge success and they want to build a community center similar to that where residents can go and mingle.

Council Member Amelia Stinson-Wesley stated that the rendering was helpful in putting things into perspective and asked how much space there would be between the new building and the rug store? Manager Spitzer advised there would be enough room for two people to walk through.

Hearing no comments or questions from the public, Council Member Les Gladden made a motion to close the Public Hearing with Council Member Joe Maxim seconding the motion. Public Hearing was closed at 7:07 p.m.

## OLD BUSINESS

- 8. Board Appointments - Council to complete appointments to Planning Board, Board of Adjustment and Arts and Science Council (ACTION ITEM).**

There were two seats on the Arts and Science Council Board since Mr. Neely gave up his seat on that board for a seat on the Board of Adjustment. He vacated the seat on the ASC so that there would be an open spot for the Parks and Recreation Director, which seemed to be advantageous to the town when the previous P&R Director was on it. The other seat would be filled by resident, Claire Jenkins.

Randy Smith has been the alternate on the Planning Board and was recommended by Council Member, Joe Maxim, to move into the regular open seat on this board and then recommended putting Gary Wright as alternate on the Planning Board.

Council Member Les Gladden thought it was a good idea to include and encourage the alternates to come to the meetings as they needed to be up to speed on what was going on with any cases that were presented. Have alternates attend the Planning Board meetings as well as the regular members.

Council Member Joe Maxim stated he was fully in support of that idea, noting that it made sense.

Council Member Les Gladden made a motion to approve appointments as stated with Council Member Joe Maxim seconding the motion. Ayes by all. Motion passed.

## NEW BUSINESS

- 9. Council Vote on PSA with US Developments and Approve Resolution No. 2021-03 (Ryan Spitzer) - Once public hearing is over, Council will need to vote on the agreement along with Resolution No. 2021-03 (ACTION ITEM).**

Town Manager Ryan Spitzer distributed an updated Resolution No. 2021-03, revised to include wages for economic development. Mayor Edwards reminded all that this was the biggest decision Council would likely make and was the total plan for our downtown area. This was considered "major development" for downtown.

Motion 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. Ayes by all and the motion passed to approve Resolution No. 2021-03 for the sale of the old police lot located at the corner of Main and Church Streets.

10. **Adoption of Mobility Plan** (*Travis Morgan*) - Kimley-Horn will make a short presentation to the public after which Council will need to vote on adoption of the plan (**ACTION ITEM**).

Nathaniel Hayward from Kimley-Horn gave a short presentation to the public on the Pineville Mobility Plan. He reviewed what transpired in order to get to the plan. The plan took into consideration both bicycle and pedestrian movement, as well as transit projects. The company used "guiding priorities" and common themes that kept coming through on the public engagement with the community. They used these priorities to guide the process, along with the common themes throughout. They took the needs that were important to the community, along with these priorities to formulate recommendations and then documented it all. The final step was to now vote on adopting the plan.

A big part of the process was the community engagement. The project got underway just before the pandemic hit with a meeting held for the public to get acquainted with the project and solicit their feedback on what was important to them. This was followed by a survey sent out to the community later that generated about 125 responses.

Their team analyzed traffic, economic factors, and other variables to determine what was most needed for Pineville. Using survey results, they scored the projects, which were not set in stone, but used as a guide for the town for moving forward. They found the three most important items needed for Pineville were:

- Bike and pedestrian paths
- Intersection improvements
- Improved transit options

The floor was opened for questions or comments.

Town Manager, Ryan Spitzer, handed out a sheet showing the projects that were ranked and prioritized. It also noted which projects would have the least disruptive impact when implementing.

Council Member Joe Maxim thanked him for the presentation. Regarding low, medium and high construction projects, he asked if they coincided with the mobility project? Mr. Spitzer stated that it was more on how they ranked with the public and how they impact traffic than the timing of other projects and also the time it takes to complete those identified priorities. Council Member Gladden added that the low impact projects could be done more easily than some of the others.

Council Member Joe Maxim noted that the town would need to start planning for funds that it would need to start laying out these projects while taking into consideration the cost of a project now vs 15 years from now. Mr. Hayward replied that the cost to implement some of the projects was definitely a consideration but that there were windows of opportunities such a grants the town could take advantage of. He added that to have a Mobility Plan in place, strengthens the possibility of securing the grant.

Council Member Joe Maxim made a motion to adopt the mobility plan as presented. Mayor Pro Tem Melissa Davis seconded the motion. Ayes by all, motion passed.

11. **Budget Amendment** (*Ryan Spitzer*) - a budget amendment will be presented for the Electric Department for installation of power lines along Downs Rd. (**ACTION ITEM**).

Town Manager Ryan Spitzer advised that Pineville would be running power lines along Downs Road but since the town did not plan for this, a budget amendment needed to be done. It will all come out of the fund balance for Electric.

Council Member Les Gladden made a motion to approve with Council Member Amelia Stinson-Wesley seconding the motion. Ayes by all; budget amendment approved.

Mayor Jack Edwards asked if they would be running fiber for internet while running the power lines along Downs Road. Manager Spitzer answered yes.

12. **Organizational Structure/K-9 Officer for Police Department** (*Chief Hudgins*) - Chief Hudgins will be present to discuss proposed organizational structure and K-9 Officer for the Police Department (**INFORMATIONAL**).

New Police Chief, Michael Hudgins, presented his proposed organizational structure for the police department.

There were several positions he would like to budget for including detective, corporal, crime analyst and an Accreditation position, along with changes to the current staff moving Sgt. Davis to the street team and keeping both K-9's but putting them in the patrol unit. Mayor Pro Tem Melissa Davis asked if most positions will be internal from existing employees. Chief Hudgins replied yes. He also wants to add an Over Hire Position that helps keep staff at a count of forty. He would like two designated community outreach officers but wants to orient the entire department in that direction so that all officers are involved, not just the two designated ones, to be paid for out of asset forfeiture funds.

Mayor Pro Tem Melissa Davis and Council Member Amelia Stinson-Wesley were in favor of his plans, especially the community engagement piece. Council Member Les Gladden stated that the Fire Department used an Over Hire position for years and it worked well. If the police department was short-staffed, it would be putting police officers in jeopardy so he was in favor of that position for the Pineville PD.

Council members expressed their pleasure with what Chief Hudgins has done so far in a short amount of time. They were impressed and praised him for an outstanding job so far. Chief Hudgins, in turn, complimented his staff members after meeting with each of them one on one. He had gotten some great feedback from them.

## STAFF UPDATE

### 13. Managers Report/Staff Reports

Town Manager Spitzer provided updates on the following items:

- announced to everyone know that Margaux's made the top twenty "most anticipated places to dine". He anticipated an opening in mid to late February.
- progress was being made with underground utilities at the Jack Hughes Park or the new Town Hall building.
- Valentines drive through lunch is this Friday. Parks and Recreation anticipated about 115 would be driving through to receive a bagged Valentine lunch. This was being done in lieu of the normal banquet dinner due to the Covid-19 pandemic.
- NC DOT seemed to be on board with the Johnston Road realignment project. No easements were required for underground storm water so this should keep the project on time to start in the spring.

Council Member Les Gladden asked about the standing water at Franklin. Manager Spitzer discussed the problem with Public Works Director Chip Hill and stated that the NC DOT was going to fix the issue with standing water.

Council Member Joe Maxim for an update on the Lynnwood/Lakeview drainage issue but Mr. Spitzer advised it would be discussed in the February work session.

## CLOSED SESSION *(None)*

## ADJOURN

Council Member Amelia Stinson-Wesley made a motion to adjourn. Mayor Pro Tem Melissa Davis seconded the motion. There were ayes by all and the meeting adjourned at 8:10 p.m.

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Mayor Jack Edwards

ATTEST: \_\_\_\_\_

Barbara Monticello, Town Clerk