

Mayor
David Phillips

Mayor Pro Tem
Ed Samaha

Town Manager
Ryan Spitzer



Town Council
Amelia Stinson-Wesley
Chris McDonough
Danielle Moore

Town Clerk
Lisa Snyder

TOWN COUNCIL MINUTES OF MARCH 11, 2025

CALL TO ORDER

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

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

PLEDGE ALLEGIANCE TO THE FLAG

Council Member Amelia Stinson-Wesley led everyone in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor David Phillips asked for a moment of silence for our first responders, police officers and firefighters, as well as all of our workers here in Town, and please keep them in your thoughts and prayers.

ADOPTION OF AGENDA

Mayor Phillips said that there is one change on the Agenda, which is under Item 4. We will remove the Fire Truck from Resolution 2025-04 for Surplus Items. Council Member Stinson-Wesley made a motion to adopt the agenda with the removal of the fire truck, with a second was made by Mayor Pro Tem Samaha. All ayes. (**Approved 4-0**).

APPROVAL OF MINUTES

The Minutes of the Town Council meeting on February 11, 2025, the Closed Session meeting on February 11, 2025 (Sealed), the February 24, 2025, Work Session, and the March 5, 2025, Budget Workshop were submitted for approval. Council Member Moore moved to approve the minutes as presented with a second made by Council Member McDonough. All Ayes. (**Approved 4-0**)

AWARDS AND RECOGNITION

There were no awards at this meeting.

BOARD REPORT

Pineville Library Director, Cameron Smith, gave a presentation to Council and began recognizing Caitlin Moen and the Mecklenburg Library CEO, Marcellus Turner. The Pineville location offers programs to children, teens, and adults. An average of 12,892 items are checked out each month. Some of the popular formats include Launchpads, picture books and graphic novels for children. They also have magazines, books on disc, Playaways and DVDs. They have an average of 674 computer sessions each month. Approximately 3,000 people enter the Library each month and they process about 571 new library cards per month. The Library participates in the following Town events: Arts in the Park, Fall Festival, Truck or Treat, and the annual Tree Lighting.

CONSENT AGENDA

The Consent Agenda consisted of Resolution 20225-03 for the Surplus of Service Weapon and Badge for Sergeant Wright, Resolution 2025-04 for Surplus Items for Public Works items, Support for Grant Funding for Co-responder units in local Police departments, and the Audit Contract. Mayor Pro Tem Samaha moved to approve the Consent Agenda with a second made by Council Member Moore. All ayes. (**Approved 4-0**)

PUBLIC COMMENT

John Holobinko, Pineville Chamber, announced the annual Business Expo. It is scheduled for Thursday, March 20th from 1:00 to 4:00 pm at the Belle Johnston Community Center. They are completely sold out. They have given over \$1,000 worth of spaces, including the Police Officers, Pineville Neighbors Place, and Hope Soccer Ministries. He hopes to see everyone there.

Yvette Isaacs, Pineville resident. Ms. Isaacs thanked Council for recognizing the passing of her father at the December meeting. She also thanked Council Member Amelia Stinson-Wesley for the heads up about the road opening up in Preston Park. She also expressed her frustration on the vote for Cone Mill and how quickly Council voted for it. She feels like residents were dismissed and it didn't matter. Council needs to earn back the trust of the residents.

PUBLIC HEARING

Public Hearing #1 Proposed Text Amendment to the Pineville Zoning ordinance relating to Accessory Dwelling Units (Travis Morgan). Mayor Pro Tem Samaha moved to open the Public Hearing followed by a second made by McDonough. All ayes. Mr. Morgan said that the applicant is requesting to remove the ownership portion of the Ordinance. The Planning Board offered an alternate proposal. He explained that an ADU is a smaller, secondary dwelling next to a primary dwelling and is located on the same property. Staff is requesting approval of the applicant's request, the Planning Board's recommendation, or some other recommendation. There was a general discussion among council, Mr. Morgan and the Town Attorney, Ms. Lyons.

The first speaker was Jim Knowles, 1013 Cone, Pineville. He stated that he is a resident and Planning Board member. His concern is primarily about investors coming to town and turning their properties into rentals, thus creating more traffic and possible other problems.

The second speaker was Yvette Isaacs, Pineville resident. She feels that ADUs will create more traffic, as well, and doesn't want to see renters in their back yards. She feels it's a slippery slope. Council Member Stinson-Wesley moved to leave the public hearing followed by a second made by Mayor Pro Tem Samaha. All ayes.

Public Hearing #2. Request for Bids on the potential sale of Pineville Communications Systems (PCS) (Ryan Spitzer).

Mayor Pro Tem Samaha moved to go into the Public Hearing followed by a second from Council Member Moore. All ayes. Mr. Spitzer said that this has previously gone in front of the PCS Board. This is our first public hearing for the residents to hear. Assistant Manager/Finance Director, Chris Tucker, and PCS Director, Tammy Vachon, were also present in case there were any questions. Mr. Spitzer provided a history of PCS and gave a presentation. There have been five board members since 2014 which included Mr. Spitzer, Ms. Vachon (who are non-voting members), and the Mayor and Council members. The Town Charter allows us to go up to nine board members. Mayor Phillips would like to add two more members to this board and eliminate the two boards being the same.

There have been three studies since 2015. In 2024, an evaluation study was done by JSI and six different scenarios were reviewed. Mr. Spitzer shared three scenarios at this meeting. He further outlined the SWOT Analysis pros and cons, opportunities, and barriers. Council Member Moore asked what would happen if an employee leaves now. Mr. Spitzer replied that it would become a point of failure; meaning that an employee leaves to go to another company or retires and they are the only one who has that position.

Council Member Moore feels that we need to be fiscally responsible and that the Town should not use Town money to fund them to simply stay afloat.

Jim Knowles, Pineville resident, spoke in support of keeping PCS and shared the positive experiences he has had with them over the years. Their service can't be beat. Judy Phillips, Pineville resident, also said that this has been very informative and transparent, and she applauded Mr. Spitzer for his research and the dedication that he has done. Debbie Brown, Pineville resident, asked if her electric bill will increase with the elimination of the internet. Mr. Spitzer replied "yes" because she'll lose that discount.

Mayor Pro Tem Samaha moved to leave the Public Hearing followed by a second made by Council Member Moore. All ayes.

OLD BUSINESS

Industrial Warehouse Conditional Zoning Request, Travis Morgan. Mr. Morgan stated that this is regarding the 2018 Industrial Conditional Zoning update for the last lot at 10203 Pineville Distribution Street. Public Works has been working on traffic control measures to help prevent tractor trailers from going into the Preston park development via Emmett Drive. Emmett Drive has not been turned over to the Town so the best course of action is seeing if the applicant is willing to help contribute into a fund towards this traffic control.

Turner Fortin, the applicant, thanked Council for their consideration of his request and stated that they want to help get Council what they want. He said that they are willing to pay \$50,000 before putting a shovel in the ground. He added that they could get signage for as little as \$10,000 or a small bump for \$25,000 to defer truck traffic. Mayor Pro Tem Samaha moved to approve the conditional permit with the \$50,000 in contributions to solve the traffic problems, with a second made by Council Member Stinson-Wesley. All ayes. (**Approved 4-0**)

NEW BUSINESS

Text Amendment to the Pineville Zoning Ordinance relating to ADUs (Travis Morgan). Mr. Morgan reviewed the legal opinion, current and pending state law, the League of Municipalities advice, and existing legal case precedent and recommends removing ownership-related restrictions from town zoning. He further recommends clear and more legally upheld enforcement options.

A motion was made by the Mayor Pro Tem Samaha to update the Zoning Ordinance to change "Secondary Dwelling" to "Accessory Dwelling" in keeping with common word usage used for the classification. He also motioned to remove the owner occupancy provision from "Accessory Dwelling" requirements in reference to legal case precedent. He also motioned to remove "Accessory Dwellings" from the Zoning Ordinance as a permitted use from this date moving forward, and that any legally existing and permitted accessory dwelling units that are place prior to this meeting (March 11, 2025) remain following the legal non-conforming section of the Zoning Ordinance.

Mayor Pro Tem moved to approve the text amendment as noted above with a second made by Council Member Moore. All ayes. (**Approved 4-0**)

Electric Substation Construction Bid Award (David Lucore). Mr. Lucore received three bids with Hux Construction being the lowest bidder in the amount of \$512,488.50. Council Member Moore moved to approve the award with Council Member Stinson-Wesley providing a second. All ayes. (**Approved 4-0**)

Code of Ethics (Mayor Phillips). Mayor Phillips said that he would like to review the Code of Ethics resolution each year and have each board member sign and approve. This is the same Code of Ethics that they signed last year. Council

Member Stinson-Wesley moved to approve the Code of Ethics with a second made by Council Member McDonough. All ayes. (**Approved 4-0**)

Mayor and Council Filing Fees (Ryan Spitzer). Mr. Spitzer advised that each year the Council has the opportunity to set the filing fees for the Mayor and Town Council. Historically, we've kept the same rates. He provided a comparison of the surrounding municipalities' fees. Council Member Stinson-Wesley moved to approve the filing fees listed with a second by Council Member Moore. All ayes. (**Approved 4-0**)

MEDIC funding request (Ryan Spitzer). Mr. Spitzer requests Council to formalize him negotiating with MEDIC on behalf of the Town and the volunteer Fire Department in response to our response times, as well as the fees they pay. Huntersville, Cornelius, and Charlotte recently gave notice to them to stop their contracts in the hopes of negotiating. All of the managers will be meeting with MEDIC in April. Council Member Moore moved to approve giving the Town Manager authority to meet with MEDIC to negotiate terms with Council Member Stinson-Wesley providing a second. All ayes. (**Approved 4-0**)

Discussion of adding PCS Board Members (Mayor Phillips). Mayor Phillips asked for a motion to add two additional board members. Council Member Stinson-Wesley moved to add two members and the motion failed due to lack of a second.

Mayor Phillips stated that PCS Board will remain at five voting members.

Request for Bids on the potential sale of PCS (Ryan Spitzer). Mayor Pro Tem Samaha moved to move forward with the potential sale of PCS with a second made by Council Member Moore. All ayes. (**Approved 4-0**)



MANAGER'S REPORT

Town Manager Spitzer gave a brief update on Johnston Rd realignment. Chip Hill met with the property owner and parking will still be available in the parking lots. Good job to Chip Hill on problem-solving that. A reminder that our next budget meeting is on Thursday, March 20th in the PD training room at 6:00 pm.

CLOSED SESSION

There was no Closed Session.

ADJOURNMENT

Council Member Moore made a motion to adjourn followed by a second made by Council Member Stinson-Wesley. All ayes. The meeting was adjourned at 9:30 pm.

Mayor David Phillips

ATTEST:

Town Clerk Lisa Snyder