

Mayor
Jack Edwards

Mayor Pro Tem
Ed Samaha

Town Manager
Ryan Spitzer



Town Council
Les Gladden
Amelia Stinson-Wesley
Chris McDonough

Town Clerk
Lisa Snyder

**WORK SESSION MINUTES
MONDAY, OCTOBER 23, 2023, AT 6:00 PM
TOWN HALL COUNCIL CHAMBERS**

The Town Council of the Town of Pineville, NC, met in a Work Session on Monday, October 23, 2023 @ 6:00 p.m.

ATTENDANCE

Mayor: Jack Edwards
Mayor Pro Tem: Ed Samaha
Council Members: Chris McDonough, Amelia Stinson-Wesley, Les Gladden
Town Manager: Ryan Spitzer
Town Clerk: Lisa Snyder
Fire Chief: Mike Gerin
Planning & Zoning Director: Travis Morgan

Mayor Jack Edwards called the meeting to order at 6:00 p.m.

GUN RANGE

Planning & Zoning Director Travis Morgan began the discussion and explained that the gun range proposal is a two-part: the text amendment and the site plan. The first part is the text amendment. The second part is site plan specific with the site plan in question. To start, an actual change to the ordinance in the B-4 zoning district is requested, to allow specifically indoor gun ranges. The applicant requests to have an indoor gun range as conditional with special regulations in this B-4 zoning district. Currently we have a provision for gun and ammunition sales, but not for indoor gun ranges. The proposal is to add indoor gun ranges in the B-4 zoning district, not permitted by right, but on a site plan-specific basis with specific regulations.

The Planning Board met and also discussed the proposal and there were two main takeaways. They would like clarifications as to letters G and I. Item G had to do with the separation requirements. The Planning Board felt that they wanted to have consideration for gun ranges as it relates to any establishment that sells alcohol nearby. There wasn't an exact distance stated in there. They wanted to see a specific dimensional requirement.

The way we currently have it written: such facility shall be located no closer than 200 feet away from any church, public park, education facility or school and 1,000 feet away from any residence. Mayor Pro Tem Ed Samaha asked if the distance is from door to door or building to building. Mr. Morgan replied that it is measured from the subject property's front door to the off-site property line.

They also felt clarification was needed for letter I. The intent of letter I is to prohibit the stockpiling, or larger scale, of selling ammunition. We want to make sure that it's clear that the simple, storage room merchandise related to retail sales, but not to the extent of stockpiling or using the majority of the property.

There's also a fire code requirement, as well. The Fire Marshall has to do an inspection before they even open the door, according to Council Member Les Gladden. The applicant, Ben Wilson, with Palmetto Armory, stated that the ammunition for sale will just be inventory and they do not clean or repair firearms there. Mr. Morgan said that the Planning Board did recommend. Mr. Wilson added that his staff will not sell to someone who smells of alcohol or drugs or appear to be unstable otherwise.

Mr. Morgan stated that the next step will be a public hearing and more notices sent to the adjacent property owners. Staff would recommend that we keep this site plan specific basis, because one spot may be appropriate for it depending on what's around it, and another spot may not be appropriate. The grandfathered rules and requirements are specific to the gun range not adjacent uses.

The containment systems were discussed and the applicant, Mr. Wilson, added that there is actually no governing code, however, they have several backstops guidelines from the NRA, which is the most stringent and make sure they're in compliance. He added that they've had no escapes. Mr. Morgan stated that the Charlotte ordinances are not quite as precise as what we have. Ours is more elaborate than 90% of the ones he reviewed.

Part 2 of the request is get the individual site plan at 9610 Pineville-Matthews Road, Pineville, the current Office Depot location. The exterior of the building would have to be in compliance and all of the glass would be dialed back and have other brick detailing and the parking lot and street front would be brought into compliance. The existing location does not have any of our zoning requirements. The applicant is good with all of the requirements, and they are happy to comply with what council would like.

FIRE DEPARTMENT

Ken Newell began the discussion of the Fire Department drawings and pricing. Kim Parton is the project manager and explained the drawings and design for council. They wanted to create a focal point with the stair tower. At night it will be lit up and contain an area for fire department memorabilia. She continued explaining the other entrances of the building. Mr. Newell continued the discussion reviewing the floor plans. Chief Gerin added that he is good with the proposed plans.

Town Manager Ryan Spitzer said that what council just saw is about \$15 million dollars. He further added that as we get past the 30% design, some of the numbers will start to shrink up. There are cost savings that we'll see as we go through the process, in the area of \$750,000 to \$1 million.

Mr. Spitzer further explained the Fire Department construction costs. The goal is to see what council is comfortable with. He noted that all scenarios will see some sort of tax increase, but what is the rate they are comfortable with. Currently, we are over budget by \$1.58 million. He noted that cuts can be made, including looking at different materials and different designs. These numbers are preliminary numbers, and each penny is equal to \$365,000. These numbers reflect 2022 numbers and don't have our current tax rate in there. Mr. Spitzer continued explaining the three scenarios that they can consider which all involve the use of some fund balance.

Finance Director Chris Tucker talked about how to make the tax rate not so much. We have cash, but how do we best leverage that. We are using a 5% interest rate. He summarized that 5%, fifteen years on \$16 million is a debt payment of \$1.9 million per year. All council members want to stay within the \$16 million range but want to try and bring it down and everyone needs to work on that.

PANHANDLING ORDINANCE

Chief Mike Hudgins is requesting to modify its town panhandling ordinance and add criminal penalties to it to give the officers one more tool to deal with this issue in our town. The current civil penalty is ineffective for this type of activity and runs contrary to NC General Statutes and State Law, which impacts the department's authority to enforce on town streets and areas not near a state highway.

He is requesting updates to the verbiage of Town Code Section 74.08 which focuses on town roads and highways, and 130.04, which includes areas not associated with roadways, and after consulting with Town Attorney Janelle Lyons, she recommended some rewrites as shown in the packet. He noted an error under Town Code Section 130.04 which states a maximum fine as a Class 3 misdemeanor does not exceed \$500; it should read \$200. Ms. Lyons also suggested adding the definition of aggressive panhandling to a revised ordinance for the town, which they did.

A public hearing will need to be scheduled for November.

A motion to close the Work Session was made by Mayor Pro Tem Samaha with a second made by Council Member Stinson-Wesley. (***Motion passed 4-0***)

The Work Session adjourned at 7:33 pm.

Jack Edwards, Mayor

ATTEST:

Lisa Snyder, Town Clerk