



TOWN COUNCIL REGULAR MEETING
TOWN HALL COUNCIL CHAMBERS
TUESDAY, DECEMBER 13, 2022, AT 6:30 PM

MINUTES

CALL TO ORDER

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

Mayor: Jack Edwards
Mayor Pro Tem: Ed Samaha
Council Members: Chris McDonough, Les Gladden
Town Manager: Ryan Spitzer
Town Clerk: Lisa Snyder

Absent: Council Member Amelia Stinson-Wesley

PLEDGE ALLEGIANCE TO THE FLAG

Council Member Les Gladden led everyone in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Jack Edwards asked for a moment of silence. Amelia will not be here; she has Covid, she was tested today and she is home and can't talk, not feeling very well, so remember her in your prayers, as always remember our military, our fire, our police service, every single day. Thank you, Chief.

ADOPTION OF AGENDA

Mayor Edwards said there is one additional change under Closed Session. There will be one additional personnel issue and one real estate issue added, so we have three items. Mayor Pro Tem Ed Samaha moved to accept the Consent Agenda with the one change, with a second made by Council member Chris McDonough.. (**Approved 3-0**).

APPROVAL OF MINUTES

The Minutes of the Town Council Meeting on November 8th, 2022, the Special Meeting on November 18th, 2022, were submitted for approval. Council member McDonough moved to approve the minutes as presented, with a second made by Mayor Pro Tem Samaha. All Ayes. (**Approved 3-0**)

CONSENT AGENDA

Consent Agenda is Resolution 2022-11 for sale of surplus items, Tax Refunds and Budget Amendment. Mayor Pro Tem Samaha moved to approve the Consent Agenda as presented with a second made by Council Member McDonough. (**Approved 3-0**)

BOARD UPDATES and PUBLIC COMMENT

There were no Board updates.

Pineville Neighbors Place, Kevin Kendrick. Kevin Kendrick presented a report on behalf of Pineville Neighbors Place. The food drive sponsored by the Town of Pineville is continued through the end of December. Drop off food donations at the electric company, Town Hall, or the Belle Johnston Community Center. Shop with a Cop is going strong. On Saturday morning, 44 Pineville elementary students shopped with our Pineville police officers. On Thursday, parents of 119 Sterling elementary students will pick up donated toys for their children. They also sponsor 10 residents at Pineville Rehab. Altogether, with our help, we have provided Christmas joy for 296 people.

The Pineville Neighbors Board is working on the succession plan for when Jane retires next summer. The position of Executive Director has been advertised and they have received 16 applications so far. The screening process has begun, and they look forward to finding the most qualified candidate for the next chapter of service to our community by Pineville neighbors. The Pineville Neighbors office will be closed from December 23rd through January 2nd for the holidays.

PUBLIC HEARING

Public Hearing regarding the rezoning of 106 Franklin from R12 single-family residential to RMX residential mixed-use. Mayor Pro Tem Samaha moved to go into public hearing with a second provided by Council member Les Gladden. All ayes. Planning and Zoning Director Travis Morgan said that property owner, Darin Morton, first inquired about straightening the property lines between his two properties on 618 Main and 106 Franklin. Both properties are zoned separately and adjusting property lines would impact zoning boundaries, as well. There are no development plans by the property owner, and he is willing to dedicate a portion of his lot to the Town for right-of-way. Existing Main Street property line goes into the vehicular lane. Mr. Morgan proposes 16.7 feet dedicated Town right-of-way (9.6 feet from back of curb) along main and 6 feet from back of curb along Franklin. This is consistent with adopted plans. His request has gone in front of the Planning Board, and they have approved.

Pineville resident, Yvette Isaacs, lives on Brian Circle and asked about the rezoning and what will be done. Mr. Morgan replied that it will be a conditional site.

Pineville resident, David Phillips didn't sign up for public comment, but he didn't realize that we were going to add things to the executive session tonight. He would be extremely cautious if the person that we added tonight, has anything to do with the development, who bought the land around Church and College; he has no rights or special privileges to the land down here. He doesn't understand why, all of a sudden, he gets put on this agenda. It's not appropriate to do that. All kinds of things have been done with this property behind closed door meetings with this developer and it's going to stop. If he has to get an attorney involved it's going to stop. It's not getting done right and every one of you know it. I'm going to fight from start to finish. We love our Town.

Town Manager and Mayor Edwards advised Mr. Phillips that it has nothing to do with that property.

Council member Gladden asked Mr. Morgan how far this is this going to eat back into the residential area? Can he build a three-story office building there? Mr. Gladden wants to protect the old established neighborhood. Mr. Morgan replied that this property and the northern property are zoned R-12 and extend further south than the other adjacent RMX zoning lines. He would thus far only support going so far to match the adjacent overall RMX zoning line. Mr. Gladden said that we need to ensure that there's a stopping point to go from business to residential, and inquired about zoning uses. Mr. Morgan replied residential and light commercial uses, like the existing State Farm office, or as fully detailed in the permitted uses chart. Some higher intensity uses like apartments are conditional only. New developments tend to seek site-specific approvals, giving council another opportunity in the future to review a development plan. Mayor Pro Tem Samaha concurred, as well as Council Member McDonough.

Mayor Pro Tem Samaha moved to leave the public hearing with a second made by Council Member McDonough. All ayes.
(Approved 3-0)

Mayor Edwards responded to Mr. David Phillips that he has an issue with inuendo of threat when we are doing everything based on state law and what we can do in closed session. There is nothing being done behind the scenes. We've had two people come forward over the last few years, with interest in the mill. They have a right to at least present what he has to offer. What we approve, is two different things. If there are other people out there, we will certainly entertain that.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Auditor Presentation. Finance Director Chris Tucker introduced Ko Tang Cha-Moses, with Martin and Starnes, who presented the audit findings with council. The state has not accepted our report yet, but they do not anticipate having any major concerns. The General Fund had a very positive year. The Electric fund remains healthy and Telephone funds remain consistent with their recent activity. Current assets can cover current liability by 5.42 ratio and this is not a concern for the Town. Mr. Tucker added that he previously sent Mayor, Council, and the Town Manager an email with more detailed information. Bound books should be available by mid-January.

Assessor Presentation (Ken Joyner). Mr. Joyner stated that revaluations are done in each county at least once every eight years, per NCGS 105-286. It was last done in 2019. The Mecklenburg County Board of Commissioners have advanced the revaluations to a four-year cycle. The purpose is to keep the values current, the public stays more educated on the revaluation process, and reduces the likelihood of large market increases. It is not a means to increase property tax revenue. The notification review and appeal process has been pushed back from January to March for sales up to January 1st. Mr. Joyner outlined the process that takes place, which includes five steps. Communication has been made easy for customers. A QR code is available and now will take you directly to see what your home's value is. If a customer is not tech-savvy, a form will be mailed to them. He added that his department cannot accept .zip files at this time. In conclusion, he discussed the qualifications for tax exemptions and exclusions. Applications are available online.

Mayor Edwards said that Pineville's revaluations have gone up 64%. Council Member Gladden added that their tax rates will go up that much. It has gone from an eight-year cycle to a four-year cycle and asked why? Mr. Joyner replied that the decision was made prior to the market changes. Council member Gladden concurred with Mayor Edwards and added that many of the Town's residents are going to suffer, especially those that are fixed incomes.

Mr. Joyner responded that revenue neutral does not mean that you've got less revenue it means that you've got the same level of revenue and growth that you've seen over the last x number of years. Council member McDonough asked if the commissioners have talked about going from eight years to six years and let this higher inflation seek a level that would be more tolerable. Mr. Joyner replied that no, there has not been any discussion with that.

Rezoning of 106 Franklin from R12 single-family residential, to RMX residential mixed-use. Mr. Morgan advised that since the public hearing portion is closed, he can answer any questions on this request. He asked for a motion for approval on the modification of this process. Council Member McDonough says that it's logical that the lines be evened out. Council member Gladden reminded council that it will be straight RMX. Mayor pro tem Samaha is ok with the change and that it cleans up the lot lines. Mr. Morgan reiterated that the change is consistent with the Plan.

Motion to accept the zoning of 106 Franklin from R12 single-family residential, to RMX residential mixed-use was made by Council member Gladden with a second made by Mayor pro tem Samaha. **(Approved 3-0)**

Recap of Fall Fest (Matt Jakubowski/Jordan Williams). They propose to keep the event at Jack Hughes Park. The survey comments, from the survey, talked about vendors, wrist bands, repositioning the stage, among other items. They met with the police department about traffic flow and how we can make that better logistically. Mr. Jakubowski estimated that there were 2,000 people that attended the Fall Fest this year.

CDBG for fitness court at Belle Johnston Community Center. Mr. Jakubowski announced that Mecklenburg County approved the funding for this project, and he is waiting for the allocation. He showed the new proposed location for the outdoor fitness equipment. Based on federal stipulations and wildlife, they recommended that the location be moved. Town

Manager Ryan Spitzer explained that when near water, you have to go through the National Fish and Wildlife Service, and if you're within 100 feet of the water, you take a chance on not getting permitted. The County has to use the CDBG funds during this fiscal year and didn't want to take a chance on losing the funds.

Manager's Report. Mr. Spitzer reported that Jack Hughes Park will be closed tomorrow for training in the park area for one day. The Christmas Party for the Town is from 11 to 2 on December 22nd. After 11:00 am, Town offices will be closed. They will also be closed December 23rd through December 27th. They will be closed January 2nd for the New Year holiday. The library grand opening was a big success. The Cone Mill memorial is at 80% design currently. They are discussing the lighting. Mr. Spitzer will report to council in January. The Greenway connector is anticipated to be done by mid-January then will go out for bid. The County agreed to the ETJ services last month. We will be getting approximately \$812,000 per year for that project for four years.

Mayor Edwards announced a five-minute recess before going into Closed Session pursuant to NCGS 143-318-11(5) – a real estate matter.

Council Member McDonough moved to go into Closed Session with a second made by Mayor pro tem Samaha. All ayes.

ADJOURNMENT

Motion was made by Council Member Gladden to adjourn followed by a second made by Council Member McDonough (**Approved 3-0**) The meeting was adjourned at 9:19 pm.

Jack Edwards

ATTEST: _____

Lisa Snyder, Town Clerk