



TOWN COUNCIL REGULAR MEETING
TOWN HALL COUNCIL CHAMBERS
TUESDAY, APRIL 11, 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: Amelia Stinson-Wesley, Chris McDonough, Les Gladden
Town Manager: Ryan Spitzer
Town Clerk: Lisa Snyder
Planning & Zoning Director: Travis Morgan

PLEDGE ALLEGIANCE TO THE FLAG

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

MOMENT OF SILENCE

Mayor Jack Edwards asked for a moment of silence for Debbie Fowler and her family. Debbie served 14 years on Town Council and worked for the Town. She had requested no funeral, but memorials can be made at McEwen Funeral Home in Pineville. Please remember her family, our first responders, firemen, police officers and the people who serve in Public Works who serve us each and every day.

ADOPTION OF AGENDA

Mayor Pro Tem Ed Samaha made a motion to accept the agenda as presented, with a second made by Council Member Les Gladden. All ayes. **(Approved 4-0)**.

APPROVAL OF MINUTES

The Minutes of the Town Council Meeting on March 14th, 2023, the Work Session on March 27th, 2023, were submitted for approval. Council Member Chris McDonough moved to approve the minutes with a second made by Mayor Pro Tem Ed Samaha. All Ayes. **(Approved 4-0)**

CONSENT AGENDA

Consent Agenda items, the Finance Report, Proclamations for National Telecommunicators Week and National Municipal Clerk's Week, and Resolution 2023-3 for a new response configuration for MEDIC were approved by a motion made by Council Member Les Gladden with a second made by Council Member McDonough. **(Approved 4-0)**

AWARDS & RECOGNITION

Mayor Edwards welcomed and presented a badge to our newest Police Officer Jakayla Kelley. Her family attended and her father pinned her new badge to her uniform, and photos were taken to celebrate her as a new police officer for the Town of Pineville. Chief Hudgins announced that he is very proud of her, and she will be a great addition to the department.

He also thanked the officers in the back of the room and noted that we are eleven officers down. While our crime is down 18% and they keep on bumping it and bumping it. He also thanked Council for all of their support.

Mayor Edwards presented a proclamation and plaque and key to Ms. Shutt and Council Member Stinson-Wesley read the proclamation to Jane Shutt, Pineville Neighbors Place, for what she has done (proclamation attached to the minutes for reference). Mayor Edwards said that she had a calling to serve the people who don't have a home, don't have food, don't have medical care. She has been absolutely phenomenal beyond anything he has ever seen. Ms. Shutt said that it has been a privilege and thanked the Town for all of their support.

Mayor Edward presented a plaque and key, and proclamation to the Pineville Library for National Library Week April 23rd through the 29th, and thanked the Library CEO, Marcellus "M.T." Turner for their joining the Town of Pineville. Council Member Stinson-Wesley read the proclamation to the attendees of the meeting (proclamation attached to the minutes for reference). Mayor Edwards added that Melissa Davis worked years, when she was on council, to get a library here. We are so happy to have them here.

BOARD REPORTS & PUBLIC COMMENT

James Polk Historic Site. Scott Warren, President and Site Manager, introduced Jim Ryder, President of Polk Friends Group, thanked everyone for their support of the site and gave a brief report of the upcoming events to be held at the James Polk site, including a Death & Dying Tour scheduled for April 15th, an evening program on April 22nd, including a tour of the cemetery site, and a big event is planned for April 29th in which the Catawba Nation representatives are coming to share their rich history at 10:00 am followed by dancing from 11:00 am until noon that day. They would love to see everyone there.

PCAA report. PCAA provided a written board report to Council but was not in attendance. Highlights from the report include Spring 2023 registration numbers, recently completed projects, upcoming projects, and upcoming fundraisers. The Annual Spring Fling Hit-a-Thon will be held on Saturday, April 29th at Jack Hughes park, throughout the day. Night out with the Charlotte Knights will be Friday, May 12th. PCAA has purchased tickets for this event at \$12 each and can sell the tickets at \$16 each to make \$4 from each ticket for the fundraiser. Mayor Edwards read their report (which is attached hereto for reference).

Staci McBride, Pineville Neighbors Place. Ms. McBride introduced herself as the incoming Executive Director of Pineville Neighbors Place. Jane was also there but is retiring at the end of the month. She has built an amazing organization and every person she has met since she came on board has told her that she has big shoes to fill!

They received a \$20,000 grant from Campbells Snacks which will help them grow their food program. They have partnered with The Bulb and are supporting about 30 families a month with a fresh box of produce. She continued to share a few stories about our Pineville neighbors. They are expecting a full house for their 5th Annual Fundraiser Dinner on April 20th. The event will be held at Pineville United Methodist Church at 6:30 pm.

Al Baskins. Mr. Baskins said that this is one of the most racist towns he has lived in, but he is happy to see this new officer, and it is getting better. He is concerned about parking spaces with the new construction coming up. Give the people somewhere to park. He cares about the town and isn't against new developments but does not like overdevelopment. He asked Council to slow down the building in Pineville.

PUBLIC HEARING

Council Member Gladden moved to go into Public Hearing with a second made by Mayor Pro Tem Samaha. All ayes.

Planning & Zoning Director Travis Morgan stated that there were some issues with the cell tower proposal, and the applicants could not be here tonight. He recommended to Council that this hearing be tabled to the May 9th council meeting to consider the proposal and allow them time to resolve the issues involved.

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

OLD BUSINESS

There was no old business.

NEW BUSINESS

Budget Amendment 2023-12, for moving insurance and bonds from the Department budget to Administration budget, was presented by Finance Director, Chris Tucker. Council Member Gladden moved to approve with a second made by Council Member Stinson-Wesley. All ayes. (**Approved 4-0**)

Budget Amendment 2023-13, to create an IT function under General Government budget, was presented by Mr. Tucker. Mayor Pro Tem Samaha moved to approve with a second made by Council Member McDonough. All ayes. (**Approved 4-0**)

Budget Amendment 2023-14, for the purchase of a fire truck was also presented by Mr. Tucker. Council Member Gladden moved to approve with a second made by Council Member McDonough. All ayes. (**Approved 4-0**)

Cell Tower vote. Due to the technical difficulties, this vote will be moved to the May 9th council meeting if they can work out their problems. A motion to continue was made by Mayor Pro Tem Samaha and seconded by Council Member Stinson-Wesley. All ayes. (**Approved 4-0**)

Acceptance of the Lynnwood/Lakeview Contract. Town Manager Spitzer reviewed the contract with Council. Public Works Director, Chip Hill, also reviewed and said they're good. A vote was made to accept the low bidder, Efficient Developments, by Mayor Pro Tem Samaha and seconded by Council Member McDonough. All ayes. (**Approved 4-0**)

Award of the purchase of underground cable. David Lucore, Electricities Manager, reported that he solicited formal bids and received two bids. He recommended awarding the contract to the low bidder, which is Border States, for \$177,025.00. Council Member Gladden moved to award the contract to Border States with a second made by Council Member Stinson-Wesley. All ayes. (**Approved 4-0**)

LIV Downtown Development. Town Manager Spitzer distributed handouts to Council for review. This is a continuation since there were some questions regarding parking, and LIV has gone back and changed the parking and is now at 1.65 spaces per unit, which equates to 284 spaces. Our agreement had 1 space per unit for 74 units; now it's down to 65. In our zoning ordinance we have given an allowance for the mixed-use developments of one space per unit. No spaces are needed for commercial space.

Council Member Gladden discussed the desired parking for downtown businesses and requested a written agreement with the railroad for confirmation of what Mr. Rosenburgh stated. There was general discussion among council members and Mr. Rosenburgh.

Mr. Rosenburgh added that he has an email from the railway saying what they can use as long as it is 25 feet, which he is happy to share. He added that he thinks a lot of things have changed in terms of parking; there is ride-share, Uber, work from home, and they have made some changes with respect to their design and parking. He feels that the product they've worked for fits the community and will continue to work with staff to get these things accomplished.

Council Member McDonough wanted to hear more from Mr. Rosenburgh since he was not on council at the time this was set up. Mayor Pro Tem Samaha added that with the potential construction, couldn't we add a temporary parking lot for about 100

spaces. It could start out as temporary, then determine later if it's still needed as parking. He'd like to see a shovel in the ground.

Council Member Stinson-Wesley remains concerned about the parking, changing the site plan, and Council Member Gladden's comments. She is interested in Mayor Pro Tem Samaha's suggestion.

Council Member Gladden believes that Mr. Rosenburgh's numbers are short approximately 237 parking spaces and that Mr. Rosenburgh hasn't addressed several items, and people will have trouble finding places to park.

Council Member Gladden made a motion to deny the project at the current site. He continued to read a statement from US Developments' website that has been up for quite some time and says that we approved it. A second to Council Member Gladden's motion was not made.

Mayor Edwards stated that at that time, Council approved Building 1 and the other buildings would be built after that. The site plan that was attached to the PSA as part of the PSA was approved. Town Manager Spitzer added that Council has to make a decision by the April 24th Work Session, or the PSA stands.

Mr. Rosenburgh said that if the criteria is to gravel or pave to get Council's agreement, they are happy to do that. If that's the requirement they are happy to do it. The agreement for Building 1 has been approved.

Council Member Gladden moved to deny the current form and to give them 60 days to come back with improvement on the parking situation there with their property, and with our property, and work with staff, with a second made by Council Member Stinson-Wesley. Mayor Pro Tem Samaha = nay; Council Member McDonough = nay. **(2 – 2)**

Mayor Edwards that the issue has come up, through rumor, that he has a relationship he has with Mr. Rosenburgh, so he recused himself, because he does not want the question to come up that this was done illegally. The contract was written, and it was signed. He reminded Council that when they make decisions it can't be based on personalities, it needs to be based on what is best for Pineville. Mr. Rosenburgh wanted to clarify that they own this property as of today.

Mayor Pro Tem Samaha moved to go to the 30 days, maximum amount, to work with Travis Morgan, to work with Ryan on a definite parking plan, and to make a decision at the April 24th Work Session, with a second made by Council Member McDonough. Council Member Stinson-Wesley – Yes; Council Member McDonough – Yes; Council Member Gladden – No. **(Approved 3-1)**

Manager's Report. Mr. Spitzer reported that Mecklenburg County is having a meeting at the Library, which will allow residents to speak on corporate-owned rentals. The meeting is on April 27th and will begin at 6:30 pm.

The Sheltra Run is scheduled for Saturday, April 22nd beginning at 7:30 am, and will run through the Town of Pineville that morning.

The last two budget meetings are scheduled for April 27th and May 2nd. He anticipated that we will need both of those meetings in preparation for the May 9th council meeting.

The next quarterly Town Hall Meeting will be Thursday, April 20th beginning at 5:30 pm in the Town Hall Chambers. Chief Hudgins may be asked to attend, as well, to answer questions.

Two contracts that are going out are for PCS and Electric buildings probably the beginning of next week, and also an RFQ for the outdoor fitness equipment. It is moving forward.

He has been talking with DFI and noted that they haven't used them in the last year and a half. If Council is in agreement, he will terminate that agreement and not have any financial obligations moving forward.

Mayor Edwards announced a five-minute recess before going into Closed Session pursuant to NCGS 143-318-11(4) – economic development.

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

Council Member Stinson-Wesley made a motion to leave closed session with a second made by Mayor Pro Tem Samaha. All ayes.

ADJOURNMENT

Council Member Stinson-Wesley made a motion to adjourn followed by a second made by Council Member McDonough. (**Approved 4-0**) The meeting was adjourned at 8:55 pm.

Jack Edwards

ATTEST: _____

Lisa Snyder, Town Clerk