



**TOWN COUNCIL REGULAR MEETING**  
**PINEVILLE HUT MEETING FACILITY**  
**TUESDAY, DECEMBER 08, 2020 AT 6:30 PM**

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## **MINUTES**

### **CALL TO ORDER**

Mayor Edwards called the meeting to order at 6:31 p.m.

### **PRESENT**

Mayor Jack Edwards  
Mayor Pro Tem Melissa Davis  
Council Member Joseph Maxim  
Council Member Amelia Stinson-Wesley  
Council Member Les Gladden

**Pledge Allegiance to the Flag (LG)** - Council Member Les Gladden led the group in the Pledge of Allegiance.

**Moment of Silence** - Mayor Edwards asked that we remember our police, fire and military men and women.

**ADOPTION OF AGENDA** - Mayor Edwards announced a change in the agenda; Item #8, US Developments' Plan and PSA will be moved to the January Council Meeting and that there would be no Closed Session at tonight's meeting. Mayor Pro Tem Melissa Davis moved to adopt the agenda with the changes, seconded by Council Member, Les Gladden. There were ayes by all and the motion passed.

### **APPROVAL OF THE MINUTES**

1. **Approval of the Minutes from the November 10, 2020 Regular Council Meeting.**

Hearing no comments or questions, a motion was made by Council Member Gladden, Seconded by Mayor Pro Tem Davis to approve the minutes as presented.

Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden

### **CONSENT AGENDA**

2. **Revenue and Finance Reports as of 11/30/20 (*Richard Dixon*)**

Motion made by Mayor Pro Tem Davis, Seconded by Council Member Stinson-Wesley to approve the Consent Agenda as is.

Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. Motion passed.

**PUBLIC COMMENT** - None

### **PUBLIC HEARING**

3. **Review of Finance Documents for New Town Hall/Library Building:**

- a) Installment Financing Contract
- b) Deed of Trust, Security Agreement and Fixture Filing

Town Manager, Ryan Spitzer, introduced Mr. Stephen Cordell of Nexsen Pruet, PLLC, who was hired to assist with obtaining financing for the project as well as guide Council through the process of dealing with the Local Government Commission.

Mr. Cordell explained that, per state statutes, the town must have a Public Hearing regarding the financing of the project. He spelled out the terms of the loan agreement for a total of \$21million to be paid back in 20 years. He

explained that there is a first lien mortgage on the building, parking area and fixtures on the building. The first floor will be a public library and the second floor is where town offices will be located.

Mr. Cordell asked for comments or questions of which there were none.

Council Member Les Gladden moved to close the Public Hearing, seconded by Mayor Pro Tem Melissa Davis. There were ayes by all and Public Hearing ended.

## OLD BUSINESS

4. **Review Plan for the Building Center** (*Travis Morgan*) - A representative of the Building Center will present plans for Council's review and decision to move forward with Public Hearing in January (**INFORMATIONAL ITEM**).

Planning Director, Travis Morgan, stated that the Building Center was before Council with plans for new sidewalks and landscaping in an effort to bring their building into compliance.

Mr. Morgan stated that he thought the planting material being used for the screening was a Wax Myrtle but asked that there be additional ones added to the plan. There will also be Oak Trees along one side. There will be new, five-foot sidewalks except for an area that is too narrow to accommodate the width. He noted that staff would like the sidewalk to be consistent at five feet all the way around. He added that the building was non-conforming as it stands today and that any additional expansions or modifications would need to go before council.

Council Member Gladden asked if there would be any landscaping in the front area but Mr. Morgan stated it was too narrow and suggested possibly fencing would fit there. Council Member Gladden reported that their delivery trucks were using R-O-W to park and that the trucks hang off into the street.

The representative from the Building Center said that his company had paved the area at their own expense about ten years ago because there would be overnight deliveries where the trucks would park until morning when the building opened. Their intent was to alleviate and facilitate the traffic.

Council Member Les Gladden responded that the town got complaints all the time and that it was not the town's responsibility to provide space for their trucks. These delivery trucks were getting by with something that no one else could.

Mayor Pro Tem Melissa Davis asked if it was intentional to have the sidewalk at three-feet. The representative responded that it was not and that it should be five feet. The representative stated that Industrial Drive was a fairly narrow road. Mayor Pro Tem Davis stated it was an improvement to what is there now and will be safer with new sidewalks in place. Mr. Morgan added that he would review and go over with the Building Center, any options for the narrow, front strip of land.

Town Manager Spitzer also noted that the applicant wanted to have their public hearing in January. Mr. Morgan noted the date of the January meeting was January 12, 2021. Discussion concluded.

## NEW BUSINESS

5. **Retirement of Police K-9, Yona** (*Officer Todd Bradshaw*) Officer Bradshaw will be present to discuss the retirement of Police K-9 Yona.

a) Council to consider Resolution No. 2020-07 to officially retire and surplus Yona (**ACTION ITEM**).

b) Proclamation recognizing Police K-9 Yona and her accomplishments.

Town Manager, Ryan Spitzer, noted that Officer Todd Bradshaw was looking to retire and wanted to take Police Canine, Yona, with him. He explained that since he was the dog's only handler and the dog took orders only from him, that it would only make sense to retire her the same time as he did.

Mayor Pro Tem Davis asked that Officer Bradshaw share some of Yona's accomplishments. Officer Bradshaw stated that all three police canines, Raffa, Yona and Cero have brought in a total of about six million dollars. On one occasion alone, Yona sniffed out over \$280,000 in drug money causing a disruption in the trafficking of one organization. She has attended several public events and has demonstrated her abilities to school children, scouts and churches while they toured the Pineville Police building.

Mr. Spitzer asked Council to consider the amount that they wanted to surplus Yona at. Council Member Joe Maxim acknowledged the significant return on their investment in the dog. With no further comments, a motion was made by Council Member Gladden, Seconded by Mayor Pro Tem Davis to go ahead with retiring Yona and surplus her for \$1.00.

Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. Motion carried. Yona's retirement is to coincide with the retirement date of Officer Bradshaw.

A proclamation honoring Yona's years of service was also presented.

6. **Council Approval of Financing Documents** (*Richard Dixon/Stephen Cordell*). After Mr. Stephen Cordell's presentation during the public hearing, a vote was now needed from Council to approve the extract of minutes from this meeting, along with Resolution No. 2020-08 regarding the installment financing for a new Town Hall/Library complex and Deed of Trust, Security Agreement and Fixture Filing.

a) Approve Extract from Minutes of the Town Council Meeting of December 8, 2020 (**ACTION ITEM**).

b) Approval of Resolution No. 2020-08 for installment financing contract and Deed of Trust, Security Agreement and Fixture Filing (**ACTION ITEM**).

Mr. Cordell stated that the closing on the loan was expected to take place on January 13, 2021. Finance Director, Richard Dixon, noted that Mr. Cordell did a great job. There will be a total of 180 payments made on the loan. Mecklenburg County will pay us monthly for 50% of the shell of the first floor of the building and the landscaping.

Motion made by Council Member Gladden, Seconded by Mayor Pro Tem Davis to approve the Extract of Minutes of the Town Council Meeting of December 8, 2020 and Resolution No. 2020-08 for installment financing for the project.

Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. Motion passed.

7. **Interlocal Agreement and Lease for New Library** (*Ryan Spitzer*) - Council to review and approve an Interlocal Agreement and a Lease Agreement with Mecklenburg County for a new library.

a) Council vote on Interlocal Agreement with Mecklenburg County (**ACTION ITEM**).

b) Council vote on Lease Agreement with Mecklenburg County (**ACTION ITEM**).

Town Manager Ryan Spitzer advised that the County was committed to the project (new Town Hall/Library combo) and drew up an interlocal agreement spelling out the terms of payments for construction and utilities. Mecklenburg County had voted on this, giving County Manager, Dena D'orio authorization to negotiate the terms.

Mayor Edwards asked when the blanks would be filled in on the agreements to which Mr. Spitzer responded that Edifice was working on that and the estimate was that their share would be about 45% of \$21million. Once all the totals have been figured out, Mr. Spitzer will let Council know what those figures are.

Motion made by Mayor Pro Tem Davis, Seconded by Council Member Maxim to approve the interlocal agreement with Mecklenburg County.

Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. Motion passed.

Mayor Jack Edwards asked for a motion to approve the lease agreement.

Motion made by Council Member Maxim, Seconded by Council Member Stinson-Wesley to approve the lease agreement.

Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden. Motion carried.

Mr. Spitzer added that the meters would be separate for the electric except for the lobby area. When it comes to maintenance of things like the roof or AC, the county will put money into an account to help pay for any issues.

Council Member Amelia Stinson-Wesley asked what the address would be. Planning Director, Travis Morgan, stated that they still needed to get it officially assigned but would follow-up on this for Council Member Stinson-Wesley.

8. **US Developments Plan and PSA** (*Ryan Spitzer*) Stephen Rosenberg from US Developments will be in attendance to provide a plan for economic development and a PSA for purchase of property. Attorney John Buben will also be present (**INFORMATIONAL ITEM** if Council wishes to discuss further in Closed Session or **ACTION ITEM** should Council wish to vote on this item).

Item removed from agenda and rescheduled for January, 2021 Council Meeting.

#### STAFF UPDATE

9. **Manager's Report/Staff Reports**

- Town Manager, Ryan Spitzer, advised that construction fencing went up and equipment would be brought in next week for the new Town Hall. The side road and parking lot would be closed so anyone entering or leaving the grounds would need to use the second driveway to get in or out of the Police Bldg. He also noted that there would be a camera on top of the Police Department Building to live stream the Town Hall/Library construction.
- Governor Cooper modified the stay-at-home order; as of 5:00 p.m. Friday, bars and restaurants have to be closed by 10 p.m., with alcohol sales stopping at 9 p.m. He asked that people stay home unless they have to go out, and a curfew is in place from 10 p.m. to 7 a.m.
- Parks and Recreation did a great job with their Light the Night Event held in lieu of the tree lighting.
- Telephone Board meeting will be held at the Telephone building to discuss financing to move telephone equipment to the new Town Hall.
- NC DOT advised that the Johnston Road re-alignment was on-track to start sometime between January to early spring of 2021.
- New Police Chief will be in town 12/18/2020. He will begin working on 12/29/2020. We will swear him in at the January Council Meeting.
- Firefighter/Driver job has been posted. Beginning in January we will need to hire for that.

Council Member Gladden noted that there would be an overlap of the retiring Police Chief, Rob Merchant, whose last official day would be December 31st and the new Police Chief Hudgin's whose official start day is December 29th. Parks and Recreation Director, Kristy Dewiler's last official day was also December 31st. An interim manager would be named over the Parks and Recreation Department until a permanent Director could be hired.

10. **Calendar of Events for December, 2020 & January, 2021**

#### CLOSED SESSION

11. **Discussion of matters pursuant to NCGS 143-318.11 (4)** - real estate contract related to economic development.

Closed Session was cancelled and rescheduled for the January, 2021, Council Meeting.

#### ADJOURN

Motion made by Council Member Gladden, Seconded by Mayor Pro Tem Davis to adjourn the meeting at 7:21 p.m.

Voting Yea: Mayor Pro Tem Davis, Council Member Maxim, Council Member Stinson-Wesley, Council Member Gladden

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Mayor Jack Edwards

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

Barbara Monticello, Town Clerk