



## **MINUTES**

### **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

### **PLEDGE ALLEGIANCE TO THE FLAG**

Mayor David Phillips led everyone in the Pledge of Allegiance.

### **MOMENT OF SILENCE**

Mayor David Phillips asked for a moment of silence and asked everyone to bow their heads for a moment of silence.

### **ADOPTION OF AGENDA**

Mayor Pro Tem Ed Samaha made a motion to accept the agenda as presented, and a second was made by Council Member Amelia Stinson-Wesley. All ayes. (**Approved 4-0**).

### **APPROVAL OF MINUTES**

The Minutes of the Town Council Meeting on February 13, 2024, and the Work Session on February 26, 2024, were submitted for approval. Council Member Stinson-Wesley moved to approve the minutes as presented with a second made by Council Member Danielle Moore. All Ayes. (**Approved 4-0**)

### **AWARDS AND RECOGNITION**

Mayor Phillips recognized and welcomed four new police officers to the Town of Pineville: Officer James Walker, Officer Eric Hazard, Officer John Frye, and Officer Theodore Warren. Chief Hudgins stated that he is proud to have them on the team. The Town is happy to have you with us.

Mayor Phillips also recognized Pineville resident, Jim Knowles, for over 19 years of service on our Planning Board and Board of Adjustment, along with Pineville resident, Thomas White, for more than 13 years of service on the Planning Board and Board of Adjustment. Mr. Knowles and Mr. White were each presented with a Proclamation by the Mayor and a key to the town for their service to the Town for many years.

## BOARD REPORTS

**Downtown Partners, Sara Longstreet, owner of Carolina Scoops.** Sara began by stating that Pineville lost Mary Ann Braun, a long-time employee and patron of the Pineville Tavern, last week. She hosted karaoke and open mic nights. They will be having an open mic tribute at the Tavern on Thursday, April 4<sup>th</sup>, at 7:00 pm. Please support the Pineville Tavern as they work through this difficult time.

Sara continued with updates to the Downtown Merchants, including the loss of 3 businesses in the downtown area. New businesses include the Brass Bird, the Moxie, Skin NP, Two Buck Saloon, One Touch and coming soon, 123 Main Mexico. In addition, she was just notified that a new woman's boutique will be moving into the old Z's Home Furnishings location. The Garrison will be open for lunch beginning Monday, March 25<sup>th</sup>.

She summarized by stating that they have spent most of the money already that the Town gave them. She added that about 200 to 300 people attended the events that they put together for downtown. Food trucks are scheduled to be in the downtown every Thursday and Friday nights. They are requesting \$35,000 in funding to create murals for three locations downtown and will be working with the Arts & Science Council.

The Social District is close to being ready. Sara shared the stickers that will be used on the cups and windows of the businesses in the social district. All of the information is on the Town's website.

**Arts & Science Council, Marcie Kelso.** Marcie is a member of the Board of Directors. She gave a presentation to Council showing how they are involved in Pineville. She thanked Council for the \$10,000 sponsorship last year. Their YTD investment in Pineville is \$48,852. She added that Culture Blocks bring cultural experiences closer to where the residents live. She thanked Council for their past support and has requested for FY25 sponsorship of \$13,782.60. This specific number comes from multiplying the population, 10,602, by \$1.30 per resident. ASC staff is eager to continue working with Pineville Parks & Rec and serving the residents.

**Pineville Chamber, John Holobinko, President.** Mr. Holobinko shared that the Chamber sponsored its Third Annual Business Expo was held recently and was a success. He saw businesses from Fort Mill, South Charlotte, Ballantyne, and Indian Land who are interested in doing business in Pineville. All the sponsored tables were sold out and they even had a waiting list. The Chamber now has a Member-to-Member Deals page where businesses can give discounts to each other. They have an entire page on their website dedicated to starting their own businesses. The Chamber now reaches over 1,500 businesses.

## CONSENT AGENDA

The Consent Agenda consisted of three items for approval: Resolution 2024-05 for Declaration of Surplus items, Resolution 2024-04 Declaring Detective Chris Delux' Service Weapon and Badge as Surplus, and Tax Refunds.

Mayor Pro Tem Samaha moved to approve the Consent Agenda as presented with a second made by Council Member Moore. (**Approved 4-0**)

## PUBLIC COMMENT

**Laura Stout, Pineville resident.** Ms. Stout reminded Council that the playgrounds should be inclusive for everyone. She encourages them to continue to listen to the residents' concerns.

**Les Gladden, Pineville resident.** Mr. Gladden continued his previous discussion about his concerns about the police department.

## PUBLIC HEARING

Mayor Phillips mentioned earlier that if anyone wants to speak regarding the public hearing for a substation, they will need to sign up. There were two forms for sign-up. No one spoke up in reply to his announcement.

**Substation relocation.** Council Member Stinson-Wesley moved to enter Public Hearing with a second made by Mayor Pro Tem Samaha. All ayes.

Town Manager Spitzer stated that this was posted as a public hearing but this not what the state statute has as a public hearing. This is slotted as a time for Council to allow comment on the location of the substation from residents and to be able to ask questions. We are just to receive comments from the citizens.

David Lucore, with Electricities, reviewed the timeline of a new electric substation. There are two potential locations for the new substation, Sites #1 and #2. Site #1 is the flea market location. The estimated cost, which is subject to revisions, comes to \$5.1 million (as a baseline) to \$5.6 million dollars. If you add a chain link fence, greenery, or a brick wall, you will add to that cost.

Site #2 is the 9 acres on Nations Ford Road. The estimated cost is \$5.83 million to \$7.25 million. Mr. Lucore continued to sharing the costs side-by-side. He went over the kilowatts plus revenue per FY23 rate class.

Greg Wagner, a McCullough resident, gave a presentation to Council of the possibilities that go with putting the substation at the flea market location. His data comes from the National Institute of Health and the EPA to name a few. His research shows that residents being within 50 meters of a high voltage power line are at risk for these medical issues: childhood leukemia, miscarriages, and Alzheimer's disease. In addition, he said that property values decreased due to the public fears of EMF exposure. Currently, there are 740 homes in McCullough and the average price of a home is \$600,000. He feels that Site #10 is not worth the risk of potential litigation. He requests that the Town drop site #10 from consideration. Council Member McDonough stated that they have fiduciary responsibility, as well, in determining where to place the substation.

Jarred Muraco, a McCullough resident, stated his dissatisfaction with having the substation located near anyone's back yard and questioned whether the town is prepared to tack on an additional lawsuit on top of the costs of a new substation.

Gerry Aiken has lived in Charlotte for 49 years, in and around the county, and expressed concern about having a substation near a neighborhood. He asked Council to look at the long-term value of it. He suggests putting it away from housing and putting it underground, where it's not highly visible.

Chris Rogers had questions about more cost-saving measures and other locations.

Richard Bisabini, a McCullough resident, stated that his 3-year-old cousin died from cancer due to being close to a substation in Ohio and asked Council to consider more than just a fiduciary matter but a personal matter, too.

Les Gladden spoke about the location and added that 300-unit housing development that will be located and already approved.

Laura Stout expressed concern about the cost being passed on to the residents as several are living in poverty and cannot afford an increase.

Council Member Moore moved to leave Public Hearing #1 followed by a second made by Mayor Pro Tem Samaha. All ayes.

## OLD BUSINESS

There was no old business.

## NEW BUSINESS

**Resolution 2024-06 in support of NCDOT Project for Intersection Improvements, Travis Morgan.** Mr. Morgan stated that this is a request from NCDOT for a signal at the intersection at Park Road and Carolina Place Parkway. They ask that Council support this resolution for improvements at that site with a traffic control device. There will be improvements including a pedestrian crosswalk. It does meet NDDOT qualifications and design. Staff recommended approval. Council Member

Stinson-Wesley requested that we ensure that there is coordination of the light-timing. Mr. Morgan will forward the Resolution to the State once approved.

Council Member Chris McDonough moved to approve Resolution 2024-06 for the NCDOT project with a second made by Council Member Stinson-Wesley. All ayes. (**Approved 4-0**)

**Pour and Play, Matt Jakubowski**. Matt received quotes for two playgrounds at Lake Park to make them more accessible and asked Council to approve Gametime's quote, in the amount of \$182,177.38, for the two playgrounds.

Mayor Pro Tem Samaha moved to approve Gametime's quote with a second made by Council Member Stinson-Wesley. All ayes. (**Approved 4-0**)

**Employee Handbook changes, Linda Gaddy**. Ms. Gaddy submitted the proposed changes to the Employee Handbook at last month's Work Session and requested Council's approval for those changes.

Mayor Pro Tem Samaha moved to approve the Employee Handbook updates with a second made by Council Member Moore. All ayes. (**Approved 4-0**)

**Budget Amendments 2024-05, 2024-06, and 2024-07, Chris Tucker**. **BA 2024-05** allows the General fund to receive a transfer from the CPF and use those resources toward the Pour & Play project. He requests \$200,000 be reallocated.

Council Member Stinson-Wesley moved to approve followed by a second made by Council Member McDonough. All ayes. (**Approved 4-0**)

**BA 2024-06** allows the General Fund to receive the grant funds received to construct an outdoor fitness amenity at Lake Park and use Fund Balance towards the amenity project. He requests \$31,000 of fund balance to be appropriated toward the project.

Council Member Moore moved to approve followed by a second made by Council Member Stinson-Wesley. All ayes. (**Approved 4-0**)

**BA2024-07** is a budget amendment that increases the loan proceeds revenue and increases project expenditures appropriations in the amount of \$16,000,000. He requests approval as presented.

Mayor Pro Tem Samaha moved to approve followed by a second made by Council Member Moore. All ayes. (**Approved 4-0**)

**Manager's Report**. Town Manager Spitzer gave an update on the Johnston Road project. They will be starting on the water line within the next week and anticipate Phase 1 completion by the end of July. Once this is complete we are hoping to have the same company to bid on Phase 2 and keep it going. The fountain work will begin the first part of April and be completed by the end of June. The Social District was recently approved from the ABC, and he will meet with Sara Longstreet and Public Works to get a firm start date. Council Member Stinson-Wesley and he met with the NCDOT regarding putting a crosswalk on Cranford Drive to Town Hall. We are working on funding from the state legislature and maybe from CRTPO. He is cautiously optimistic about this progress moving forward.

Mr. Spitzer touched on the agenda item for the substation. In order to stay on the current timeline for the construction of the new substation, he recommends that Council hold a special meeting on March 25<sup>th</sup> to vote on a location of the substation, and the possible resolution for condemnation. Since the Millers have not answered the Town's repeated requests to negotiate on the right-of-way needed for Site 2, the condemnation resolution would be needed for either Site 1 or Site 2, whichever one they choose. This is what they can vote on March 25<sup>th</sup>. He proposes the meeting be called for 7:00 pm, after the Work

Session, on March 25<sup>th</sup>, as this will give us enough time for proper notification. This will be announced on the website, social media and possibly put in the paper. We are doing this because Council stated they want all members to be present, and there will be at least one member that will not be present at the April 9<sup>th</sup> council meeting for the vote, and because we had a meeting today to receive public comment. If Council would like to have a meeting prior to March 25<sup>th</sup> to discuss anything with the attorney, we can do that, but we would need to satisfy the notification requirements. Special Meeting requirements are 48 hours. Subsequently Town Council could use the Work Session prior to the Special Meeting for any further discussions because that was previously scheduled.

Council Member Moore moved to go into Closed Session pursuant to NCGS 143.318.11 (3) regarding an attorney-insurance matter followed by a second made by Council Member Stinson-Wesley. All ayes.

Council Member Stinson-Wesley moved 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 Mayor Pro Tem Samaha. (**Approved 4-0**) The meeting was adjourned at 9:10 pm.

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David Phillips, Mayor

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

Lisa Snyder, Town Clerk