



## **MINUTES**

### **CALL TO ORDER**

Mayor David Phillips called the meeting to order @ 6:30 pm. He announced that there will be a brief closed session at the end of this meeting and Council will return to the meeting to discuss the issue regarding the substation.

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 Pro Tem Ed Samaha led everyone in the Pledge of Allegiance.

### **MOMENT OF SILENCE**

Mayor David Phillips asked for a moment of silence and asked everyone to keep our PD in their prayers. There was an incident today that involved an officer-involved shooting. Please keep them and their families in your prayers.

### **ADOPTION OF AGENDA**

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

### **APPROVAL OF MINUTES**

The Minutes of the Town Council Meeting on March 19, 2024, Work Session on March 25, 2024, Special Called Meeting of March 25, 2024, Work Session of April 22, 2024, Budget Meetings of March 5, 7, 21, 26 and April 25, and April 30, 2024, were submitted for approval. Council Member Moore moved to approve the minutes as presented with a second made by Council Member McDonough. All Ayes. (**Approved 4-0**)

### **BOARD REPORTS**

**CJ Norman, PCAA President.** Mr. Norman gave an update on our Spring 2024 baseball and softball season. It has been a great year so far and we had 356 registrations of which 70 were Pineville residents. Mayor Phillips gave the opening pitch at this year's opening ceremonies and he recently discovered that he played in Pineville as a kid. Mr. Norman thanked Council for the space at Jack Hughes field. The recent rain has caused rescheduling for about half of our games. We take pride in being one of the lowest registration costs in the area. We are pretty much dollar in and dollar out. They have a fundraiser every Spring. The last Spring event they raised over \$17,000 and they turn back around and invest back in our fields. They brought in truckloads of dirt, put a topcoat on that, and did some bleacher and fence repair. We take pride in having some of the nicest fields in the area.

**Charlotte Water, Angela Charles.** Ms. Charles gave a presentation on the State of the Utility, FY23-24 accomplishments, and other issues they are working on the next few years. They continue to be 13<sup>th</sup> or 14<sup>th</sup> largest utility in the United States with 116 million gallons of water pumped each day throughout Mecklenburg County and we treat 85 million gallons of wastewater every day. They are very proud of their state-of-the-art facility, the second largest in North Carolina, which is located in Pineville. They are an AAA-rated utility. This past year they did \$483 million in capital investment projects in our community and the proposed budget for this coming year is \$2.25 billion, 5-year capital program to support our community and growth to serve over 1 million people in Charlotte. Since she last attended one of our council meetings, they have implemented text and email alerts for service outages. For information on their PFAS (Forever Chemicals) please go to their website link. They will also be publishing an online lead service line inventory map. They have a major upgrade to their payment portal online and their customer service portal. They held their first meeting of Helping Hands Outreach which is a non-profit board, to help people with their water bill and keep their service on. Council Member Stinson-Wesley thanked Angela for addressing the Town's concerns. Mayor Pro Tem Samaha thanked her for their quick responses to their questions. Council Member McDonough asked if they anticipate any rate increases this year. Ms. Turner replied that they are expecting an increase of 5.75% for the average customer. This was recommended by the county manager.

**Parks and Rec, Christine Turner, Chair.** Ms. Turner has been a resident since 2017 and has served on this board for the past 3 years and Chair for the past 2 years. This past year, youth basketball had 248 participants and youth soccer with 323 participants. It was a good year, despite the rain. Pour and Play at Lake Park is underway at two of the playgrounds. The new fitness courts work will begin on May 20<sup>th</sup>. This will be a nice addition to the Greenway. The Splash Pad opened this week. A pollinator garden was created by Ms. Turner's daughter and placed next to the Belle Johnston Community Center for the garden to mature and to plant flowers there in the coming months. Ms. Turner announced upcoming concerts and movie series at Lake Park.

**James Polk Site, Scott Warren, Site Manager, and Jim Ryder, Friends of James Polk President.** Mr. Warren provided an update on happenings at the James Polk site. He stated that the greenway has increased the number of visitors coming to the site about 20,000 from about 13,000. They recently unveiled a new panel of the Catawbas about their rich history and who they are today. Council Member Stinson-Wesley was kind enough to attend. They will be advertising for a 4<sup>th</sup> person at their location which is a maintenance position and they are adding a charging station for electric vehicles. Jim Ryder will be leading a bike tour along the Greenway, with registration being open at this time. This is the 100<sup>th</sup> anniversary of the American Indian Citizenship Act. It really advanced citizenship and voting rights for them. Mr. Warren and Mr. Ryder thanked Council for their continued support and providing the grant to them.

**Pineville Chamber, John Holobinko, President.** Mr. Holobinko shared that the Chamber has two new members: 4Ever Young and Ground Level Legacy Center. He announced that this Saturday there will be a ribbon-cutting for Phoebe's grand opening, which is a women's boutique clothing store. The ribbon-cutting is at 10:00 am. He added that they are restarting the Lunch and Learn in June. Details will be available on the Chamber's website.

## CONSENT AGENDA

The Consent Agenda consisted of three items for approval: Proclamations for Municipal Clerks Week, National Police Week and Public Works Week, Tax Refunds, and the Finance Report. Mayor Phillips said that the week of May 5<sup>th</sup> through the 11<sup>th</sup>, was Municipal Clerks Week, and he thanked the Clerk for everything that she does for the Town, the Board, and also for he and Ryan, and he appreciates the fine work that she does. The second Proclamation is National Police Week, May 9<sup>th</sup> through the 18<sup>th</sup> and is close to his heart, being retired from the Charlotte Police Department. He respects them and appreciates everything they do for the Town. He and the entire Council are thankful for their willingness to risk their lives every day and he can tell them that the residents feel safe with them here. May 19<sup>th</sup> through the 25<sup>th</sup> is National public Works Week. He also thanked Public Works employees for all they do and for picking up items for Junk Week in the pouring down rain. It's because of them that make our Town look the way it does. Thanks to all for their hard work.

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

## PUBLIC COMMENT

**Taj Orr, 804 Johnston Drive, Pineville resident.** Ms. Orr advised that she is not a resident but is speaking on behalf of her aunt, Emogene Darnell, that lives on Johnston Drive and owns property on Lakeview Drive. She has been a resident for 80 years. In that time, they have never received a citation for anything. Recently, the City or Planning decided to widen the road and add a curb and a bike lane to only in front of our property, now we are getting citations. The grass is growing at a faster pace than they can cut it. She asked why she continues to receive notices from Code Enforcement paying fines for high grass. She stated that she continues to receive the same response from the Planning Department saying, "it's your property, not our problem." Mayor Phillips replied that council will take an interest in this. There are other people who have reached out in similar situations to this. Council will follow up on this with our Planning Director and Code Enforcement person and get to her.

**Al Baskins, Pineville resident.** Mr. Baskins asked Council to consider approving a Bike Night and a Car Show Night in downtown, perhaps monthly. He said that he asked every merchant on Main Street and they didn't have any problem with it. He said that Two Buck Saloon is willing to have the event and he discussed it with John at the Chamber and he is fine with it. It was suggested to him to get Council's blessing.

## PUBLIC HEARING

Town Manager Spitzer gave a presentation to the residents on the Town's annual budget. He reviewed what was covered at the last budget meeting for the residents in case they have any questions. He indicated that pursuant to NC General Statute, Chapter 159, that mandates municipalities having to adopt a budget by July 1<sup>st</sup> each year. In addition, the budget must be balanced. He added that the Town is a non-profit so the Town does not use the tax rate to make any money. We are looking at having no tax increase for FY25. Our departments have cut expenses so we can still maintain a high level of output and services for our residents and take care of our employees.

We are looking at an average of 3% electric rate increase. Mr. Spitzer went over budget pressures, which include salaries, Fire Department station, substation, Electric/PCS building, police radios and Parks and Recreation. The tax rate will remain at \$0.285.

Mr. Spitzer reviewed the General Fund Revenues and Expenses. He noted that Police and Fire make up about half of our expenses. The following sponsorships have been approved by Council: Pineville Neighbors Place - \$50,000, PCAA - \$10,000, James Polk Site - \$10,000, Arts & Science Council - \$10,000, Pineville Players - \$7,000, Downtown Merchants - \$10,000, and Hope Soccer Ministries - \$2,000 for Pineville residents who need assistance paying to play soccer.

The Enterprise Fund was reviewed and Mr. Spitzer noted that growth is demanding capital expenditures to keep up with new developments. The fund balance is lessening. Revenue is carrying operations. We continue to compete for services with the surrounding companies. There is \$500,000 left from ARPA funds. The Town Council is looking at the following ways to use this money for the Town: Pour and Play, a new playground, Cranford Intersection signal, or the Cone Memorial.

Mr. Spitzer summarized the budget presentation by noting that there is a 1.3% increase from last year. The total proposed budget for all funds is \$36,885,000. The budget is presented balanced. The tax rate will remain at \$0.285. We are hitting 6 of the 6 strategic goals. The Davenport presentation on March 5<sup>th</sup> gave us a roadmap for the future. There were no questions from the audience.

The Public Hearing was closed.

## OLD BUSINESS

There was no old business.

## NEW BUSINESS

**ASC Board Opening & Recommendation.** The Arts & Science Council recently had a board opening for a Pineville resident to fill. There were four applications submitted for consideration. After consideration by the Arts & Science Council, they are recommending Zach Bowyer to fill the opening. Mayor Pro Tem Samaha made a motion to approve the ASC recommendation with a second made by Council Member Moore. All ayes. (**Approved 4-0**)

**Approval of the Cooperative Agreement for CDBG Funds.** Town Manager Spitzer explained to Council that Mecklenburg County periodically requires us to review our agreement for CDBG funds. He said this has worked out well for us in the past and he recommends approval of this agreement. Council Member Stinson-Wesley moved to approve the Cooperative Agreement with a second made by Council Member McDonough. All ayes. **(Approved 4-0)**

**Thrower Condemnation Agreement.** Town Manager Spitzer advised that during our last stormwater project on Lynnwood and Lakeview. All of the residents, except Mr. Thrower, donated their easements to us. We had his property appraised and it came back at \$16,100. The Town tried to negotiate the price and he refused. We entered the condemnation process for that property so we could start the project. We put \$16,100 in escrow. We came to a final agreement of \$22,000. Mr. Spitzer asked Council for approval of the additional \$5,900 to settle this agreement. Council Member Moore moved to approve the Condemnation Agreement with Mr. Thrower, with a second made by Mayor Pro Tem Samaha. All ayes. **(Approved 4-0)**

**PD Pay Agreement.** Town Manager Spitzer said that Council is proposing to give the PD sworn officers, as well as telecommunicators, a one-time bonus payment for doing extra duties from being understaffed in the past year. We have about \$1 million dollars in lapse salaries from that. He provided a breakdown of the amounts. The employee must have been a full-time employee as of 7/1/23 to be entitled to this bonus. Officers also have to be certified as of 7/1/23. Mayor Pro Tem Samaha moved to approve the PD Pay Agreement with Council Member McDonough providing a second. All ayes. **(Approved 4-0)**

**South Polk Sidewalk Bid.** Planning Director Travis Morgan said that the Community Development Block Grant (CDBG) for the Lancaster Highway Sidewalk Project, adjacent to Sabal Point apartments, received 8 bids. The lowest bid was \$219,936.64 from Carolina Wetland Services. The highest bid was \$543,000.00 from Carolina Cajun Concrete. We are working with CCOG and RKK and neither have opposed the low bid company. We are working with procuring third party inspections of the project as required, as well. Council Member Moore moved to approve the lowest bid from Carolina Wetland Services with Council Member Stinson-Wesley providing a second. All ayes. **(Approved 4-0)**

**BA 2024-08.** The purpose of this amendment is to decrease Ad Valorem Taxes – Property revenue and increase Investment Earnings revenue in the amount of \$400,000 to better reflect expected expenses. There is no overall change to the total budget. Council Member McDonough moved to approve Budget Amendment 2024-08 followed by a second made by Mayor Pro Tem Samaha. All ayes. **(Approved 4-0)**

**BA2024-09.** The purpose of this budget amendment is to increase Miscellaneous Grants and transfer from other funds revenue and increase General Government appropriations in the amount of \$250,000 for expenditures associated with the S. Polk Sidewalk project. Mayor Pro Tem Samaha moved to approve followed by a second made by Council Member Stinson-Wesley. All ayes. **(Approved 4-0)**

**BA2024-10.** The purpose of this budget amendment is to increase Transfer of other Funds revenue and increase the General Government and PW – Transportation appropriations in the amount of \$140,000 for expenditures associated with ARPA IT Infrastructure and Sidewalks. Council Member Moore moved to approve Budget Amendment 2024-10 with a second provided by Mayor Pro Tem Samaha. All ayes. **(Approved 4-0)**

*(There was no Manager's Report)*

Council Member Stinson-Wesley moved to go into Closed Session pursuant to NCGS 143.318.11 (5) regarding an attorney-client privilege matter, followed by a second made by Council Member Moore. All ayes.

Mayor Pro Tem Samaha moved to leave Closed Session with a second made by Council Member Moore. All ayes.

Mayor Phillips announced that the substation will be moved to the Nations Ford area. It is based on the Settlement Agreement between the Town and the Miller family. The 1.44 acres and easements on the Nations Ford Site were purchased for the price of all easements for \$305,000.

## ADJOURNMENT

Mayor Pro Tem Samaha made a motion to adjourn followed by a second made by Council Member Moore. The meeting was adjourned at 8:40 pm.

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**David Phillips, Mayor**

**ATTEST:** \_\_\_\_\_  
**Lisa Snyder, Town Clerk**