



TOWN COUNCIL REGULAR MEETING
PINEVILLE HUT MEETING FACILITY
TUESDAY, JUNE 22, 2021 AT 6:30 PM

MINUTES

CALL TO ORDER

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

Mayor Edwards
Mayor Pro Tem Melissa Davis
Council Members: Joe Maxim, Les Gladden, Amelia Stinson-Wesley
Town Manager: Ryan Spitzer
Finance Director: Richard Dixon
Zoning Manager: Travis Morgan
Town Clerk: Barbara Monticello, Lisa Snyder
Planning Board: Jim Knowles, Thomas White, Eric Fransen, Kevin Kendrick

Pledge Allegiance to the Flag (BM)

Town Clerk Barbara Monticello led everyone in the Pledge of Allegiance.

Moment of Silence

Mayor Jack Edwards reminded all of the passing of Daryl Hefner. He also requested we remember our first responders, police, fire, military and other front-line workers.

Oath of Office for New Town Clerk, Lisa Snyder

Mayor Edwards swore the new Town Clerk, Lisa Snyder, in to office

Commercial Block Proclamation. Council Member Amelia Stinson-Wesley wanted to highlight the Proclamation of the Commercial Block and expressed her appreciation to the owners for preserving the architectural aspects of the building and how the flavor and tenor of the building has been maintained. Mayor Edwards consented, as well.

Kira Stinson-Wesley made a presentation on behalf of Pineville Neighbors Place.

John Holibinko of the Pineville Chamber cited his own proclamation protesting Barbara Monticello's retirement with the Town. Barbara spoke briefly in response to his proclamation.

PUBLIC HEARING

Public Hearing for NCGS 160D Text Amendment

Planning Board Member Eric Fransen moved to open the Public Joint Hearing and Planning Board Member Thomas White seconded.

Planning Director Travis Morgan discussed the elements of the North Carolina General Statutes 160D text requirements and general ordinance updates.

Council Member Les Gladden discussed types of trees being planted and their roots potentially damaging the sidewalks as they grow.

Mr. Morgan stated he had seen problems with Red Maples as street trees and that the approved street tree list had been revised and Red Maples removed. It was noted new sidewalk construction specifications are in place and wider planting strips are encouraged.

Council Member Les Gladden requested that we increase the minimum size of parking lot screening shrubs from 2 ft to 3 ft.

Council Member Joe Maxim asked about default standards regarding Town versus County related to the zoning permitted uses chart. Mr. Morgan stated we have our own Table of Uses which prevails. County and/or state standards mentioned are for building standards, storm water, fire, and similar engineering items not included in the zoning ordinance.

Council Member Amelia Stinson-Wesley inquired about odor nuisance ordinance and applicability within or outside of Town limits. Mr. Morgan stated that our ordinance is used with odors typically originating within Pineville. Mrs. Stinson-Wesley inquired about if our ordinance could be used to help others such as with the out of state odor issue. Mr. Morgan noted the best option for applicability and enforcement for out of state odor issue would be through the local governing body there but could further look into any odor issues as they impact property within Town limits.

Council Member Les Gladden inquired about permitted accessory structures. Discussion was made around permitted secondary dwellings units (mother-in-law suites) versus accessory structures and maximum permitted sized for each. Conversation ended on agreement to remove existing added language for accessory structures for properties less than two acres to revisit maximum sizes on smaller lots in the future.

Concern was noted for illegally constructed structures. Bottom line is that a resident will need a permit and zoning approval for storage structures.

Mr. Morgan summarized the discussion from Council and Planning Board:

- Change in the minimum parking lot screening shrub height from 2 ft. to 3 ft. tall.
- Permitted uses in the zoning ordinance does not default to Charlotte or Mecklenburg standards.
- Maximum number of vehicles parked in the front yard based on bedrooms is related to the primary dwelling and excludes secondary (mother-in-law suite) dwellings.
- Accessory structure amendment provisions for residential lots of 2 acres or less was to be removed in favor for additional future discussion.

Mr. Morgan asked the Planning Board if they were ready to make a recommendation on the Zoning Ordinance updates, Table of Uses Chart, and Current Zoning Map.

Planning Board member Thomas White moved to recommend to the Pineville Town Council the Zoning Ordinance text amendments with the above four summary amendments noted, along with the updated zoning table of uses chart and 2021 Zoning Map.

Planning Board member Thomas White moved to close the public meeting. Second by Eric Fransen. 5 – 0 to close.

Mayor Edwards called for a Motion on 160D Zoning Ordinance. Council Member Les Gladden made the Motion to Approve the revised Zoning Ordinance with the four noted items previously stated by Mr. Morgan and recommended by the Planning Board.

Council Member Les Gladden moved and Council Member Amelia Stinson-Wesley seconded. Motion passed 4 – 0.

PUBLIC HEARING

Subaru dealership located at 10400 Cadillac Street

Planning Director Travis Morgan Council introduced the proposal for a new 60,000 square foot dealership and noted the particular site at the end of Cadillac Street and near Little Sugar Creek floodplain. Mr. Morgan discussed the dealership signage noted by Council Member Les Gladden to not be above the dealership actual roof, landscape plan, lighting plan and display cars as shown. Proposal was to meet all applicable Town and County requirements. Mayor Pro Tem Melissa Davis noted and questioned the desire for businesses like the car dealerships to locate within Pineville but not to include the Pineville name but the name “South Charlotte” instead. Council Member Les Gladden inquired if the dealership would be willing to meet the newly approved 3 ft. tall parking lot shrubs above what was shown along the front of the dealership. Steve Porter, of Subaru, was on Zoom meeting and agreed to plant larger bushes.

Council member Joe Maxim moved to close the Public Hearing and seconded by Mayor Pro Tem Melissa Davis. Motion passed 4 -0.

PUBLIC HEARING TO AMEND PSA WITH US DEVELOPMENTS

Town Manager Ryan Spitzer discussed the phase one study. A study was done and will now require a phase two to determine if the level of contaminants are at a high level. Phase two has to be done to re-evaluate and re-develop. US Development is requesting that the Town pay for Phase two. The proposed cost is between \$27,000 and \$42,000. Council discussed and agreed that it has to be done. Motion made by Council Member Joe Maxim and seconded by Council Member Les Gladden to close the public hearing. Motion passed 4 – 0.

OLD BUSINESS

Proposed Budget. Town Manager Ryan Spitzer presented three changes to the proposed budget since the May meeting. He explained the different type of funds available to the Town. A balanced budget is needed by July 1st. He outlined Restricted Funds and how they can be used. Project Budget was reviewed. The tax rate will remain the same at .33 cents per \$100. Employees will receive a 2% COLA increase and the Police will receive a higher increase of 10%.and stepdown as the grade goes up. Telecommunicators will also see a 10% increase.

Adoption of Electric Rates. Electric rates did not increase for residents. This is the fifth year in a row that rates were not increased. Town Manager Ryan Spitzer also discussed the budget impacts for FY 21-22. He anticipates \$2.6 million over the next two years for Covid Relief. We have until the year 2026 to spend those funds.

New Town Hall. Mr. Spitzer updated the progress of the new Town Hall. It is expected to open the Summer of 2022 with the library following two to three months after.

Since the Public Hearing on May 3rd three changes were made to the budget:(1) reduced Fire Dept. salaries; (2) removed fencing of project at Jack Hughes Park and (3) remove the split A/C units at Lake Park.

Council member Les Gladden moved to adopt the budget and Council Member Joe Maxim seconded. Motion passed 4-0.

Electric rates. Mr. Spitzer noted that the rates increased due to the NC State Statutes for the Renewable Energy and Energy Efficiency Portfolios Standard (REPS):

Residential: 77 cents to 81 cents

Businesses: \$4.19 to \$4.41 per month

Industrial: \$43.15 to \$45.45 per month

A motion was passed to adopt the Electric Repts and Riders rates with 4 – 0 vote.

Vote on Subaru. There was a vote to change the height of the bushes from 2 ft to 3 ft. Council member Les Gladden moved and Joe Maxim seconded. Motion to change the height of the bushes passed 4 – 0.

Vote on the amended PSA with US Development. Council Member Joe Maxim moved to vote on the amended PSA/US Development and Mayor Pro Tem Melissa Davis seconded to approve. Motion passed 4 – 0.

Year-End Budget Finance Director Richard Dixon discussed the year-end budget. There were no questions. Motion made by Council Member Joe Maxim and seconded by Mayor Pro Tem Melissa Davis to approve. Motion passed to approve all year-end budget amendments.

Approve Project Budget for Lynnwood/Lakewood Project. Council member Les Gladden would like to make it easier for residents to understand the next step to determine if council wants to pay those who do not want to donate their land. Mayor Pro Tem Melissa Davis moved to approve and Council Member Joe Maxim seconded to approve the project budget. Motion passed 4 – 0.

Project Budget Fire Department. Finance Director Richard Dixon discussed and requested approval for the creation of a Capital Project budget. The total budget is \$1 million. At this point in time, funds can be added in the account as the project gets implemented. Council Member Les Gladden moved and Council Member Joe Maxim seconded. Motion passed 4 – 0.

Resolution 2021-13 for Town Manager to accept ARPA funds. \$2.64 million is the anticipated fund amount. We expect to receive half by July 1st with the remainder being distributed within two years. The money has to be spent by 2026. We have to have a plan on how to spend the money by 2024. Council member Joe Maxim moved and Council Member Les Gladden seconded. Motion passed 4 – 0.

ARPA Grant Ordinance. Richard Dixon shared his discussion with the auditors. He would like the approval of this ordinance so he won't have to return to Council. Town Manager Ryan Spitzer will report back to Council when he receives the monies. Council member Amelia Stinson-Wesley asked if we have the personnel to handle the details with what this grant would entail. Mayor Pro Tem Melissa Davis moved and Joe Maxim seconded. Motion passed 4 – 0.

Interlocal Agreement. Town Manager Ryan Spitzer explained it will be a mutual aid agreement across State lines to assist law enforcement. Council member Amelia Stinson-Wesley asked Chief Hudgins if he feels comfortable with dealing across the lines and he answered yes. Motion made by Council member Les Gladden to approve and seconded by Council Member Amelia Stinson-Wesley. Motion passed 4 -0.

Manager's Report. Town Manager Ryan Spitzer reported on the new town hall progress. He noted that the Symphony will be in Town this weekend.

Approval or Minutes. A motion was made to approve the May 11 and May 24 Minutes. Council member Amelia Stinson-Wesley moved and Mayor Pro Tem Melissa Davis seconded to approve the Minutes. Motion carried.

ADOPTION OF AGENDA

Motion made by Council Member Joe Maxim, Seconded by Council member Amelia Stinson-Wesley to adopt the agenda.

ADJOURN

Motion made by Council Member Stinson-Wesley, Seconded by Mayor Pro Tem Davis to adjourn the meeting at 8:55 p.m. Meeting adjourned.

Mayor Jack Edwards

ATTEST: _____
Lisa Snyder, Town Clerk