



AGENDA

Regular Town Board Meeting

March 19, 2018 - 6:30 PM

TOWN HALL (101 Huntersville-Concord Road)

1. Pre-meeting

1.A. NC Highway 73 Discussion. (5:30 p.m.)

1.B. Closed Session - Consultation with Attorney (6:00 p.m.)

2. Call to Order

3. Invocation - Moment of Silence

4. Pledge of Allegiance

5. Mayor and Commissioner Reports-Staff Questions

6. Public Comments, Requests, or Presentations

7. Agenda Changes

8. Public Hearings

9. Other Business

9.A. Consider decision on Petition #TA18-02, a request by the Town of Huntersville Planning Department, to provide the Planning Department authority to approve subdivision sketch plans that are consistent with or show minor changes to a conditional rezoning plan approved by the Huntersville Board of Commissioners. (Jack Simoneau)

9.B. Consider adopting resolution accepting offer to purchase Parcels 01902134, 01902135, 01902136, 01902137 and 01902138 and authorize the Town Clerk to advertise the proposed sale.

9.C. Consider approving Bylaws for Public Art Committee. (Michael Jaycocks)

10. Consent

- 10.A. Approve the minutes of the March 5, 2018 Regular Town Board Meeting. (Janet Pierson)
- 10.B. Approve budget amendment appropriating funds received in the amount of \$17,170.31 from Lake Norman Charter School (per agreement for security services) for the months of August 2017-January 2018 to the Police Department's budget for overtime, benefits and vehicle cost. (Pattie Ellis/Chief Spruill)
- 10.C. Approve budget amendment recognizing signage revenue in the amount of \$2,000 and appropriate to Parks & Recreation printing account. (Pattie Ellis/Michael Jaycocks)
- 10.D. Approve budget amendment recognizing sponsorship revenue in the amount of \$13,723.33 and appropriate to the Parks & Recreation capital outlay account to purchase and install a scoreboard at North Mecklenburg Park. (Pattie Ellis/Michael Jaycocks)
- 10.E. Approve budget amendment appropriating Electric Fund Balance in the amount of \$1,282,400 to Electric Capital Projects. (Pattie Ellis/Tim Kopacz)
- 10.F. Accept donation from Lake Norman Little League for the purchase and installation of two new scoreboards for North Mecklenburg Park Softball Fields 3 and 4. (Michael Jaycocks)
- 10.G. Call a public hearing for Monday, April 2, 2018 at 6:30 p.m. at Huntersville Town Hall on Petition #TA18-04, a request by the Town of Huntersville to amend Article 14.2.2 of the Zoning Ordinance to not require Traffic Impact Analysis and improvements for uses exempted from such standards by State Statutes. (Jack Simoneau)

11. Closing Comments

12. Adjourn -

To speak concerning an item on the Agenda, please print your name and address on the sign-in sheet on the table outside the Board Room prior to the meeting. Each speaker will be limited to no more than 3 minutes. The Mayor reserves the right to shorten the time limit for speakers when an unusually large number of persons have signed up to speak.

AS A COURTESY, PLEASE TURN CELL PHONES OFF WHILE MEETING IS IN PROGRESS

**Town of Huntersville
Town Board
March 19, 2018**

To: Town Board

From: Jack Simoneau, Planning

Date: 3/19/18

Subject: TA 18-02 Sketch Plans and Conditional Rezoning

EXPLAIN REQUEST:

Text Amendment, TA #18-02, is a request by the Town of Huntersville Planning Department to provide the Planning Department authority to approve subdivision sketch plans that are consistent with or show minor changes to a conditional rezoning plan approved by the Huntersville Board of Commissioners.

ACTION RECOMMENDED:

Consider decision on Petition #TA18-02, a request by the Town of Huntersville Planning Department, to provide the Planning Department authority to approve subdivision sketch plans that are consistent with or show minor changes to a conditional rezoning plan approved by the Huntersville Board of Commissioners. (Jack Simoneau)

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

- [TA_18-02_Sketch_and_Rezoning_-_BOC Action_Staff_Report.docx](#)
- [Text Amendment Application.pdf](#)
- [Ordinance Language Revised TA18-02.docx](#)

TA #18-02 Amend Section 6.320 and 3.100, 3.200 and 3.300 of the Subdivision Ordinance

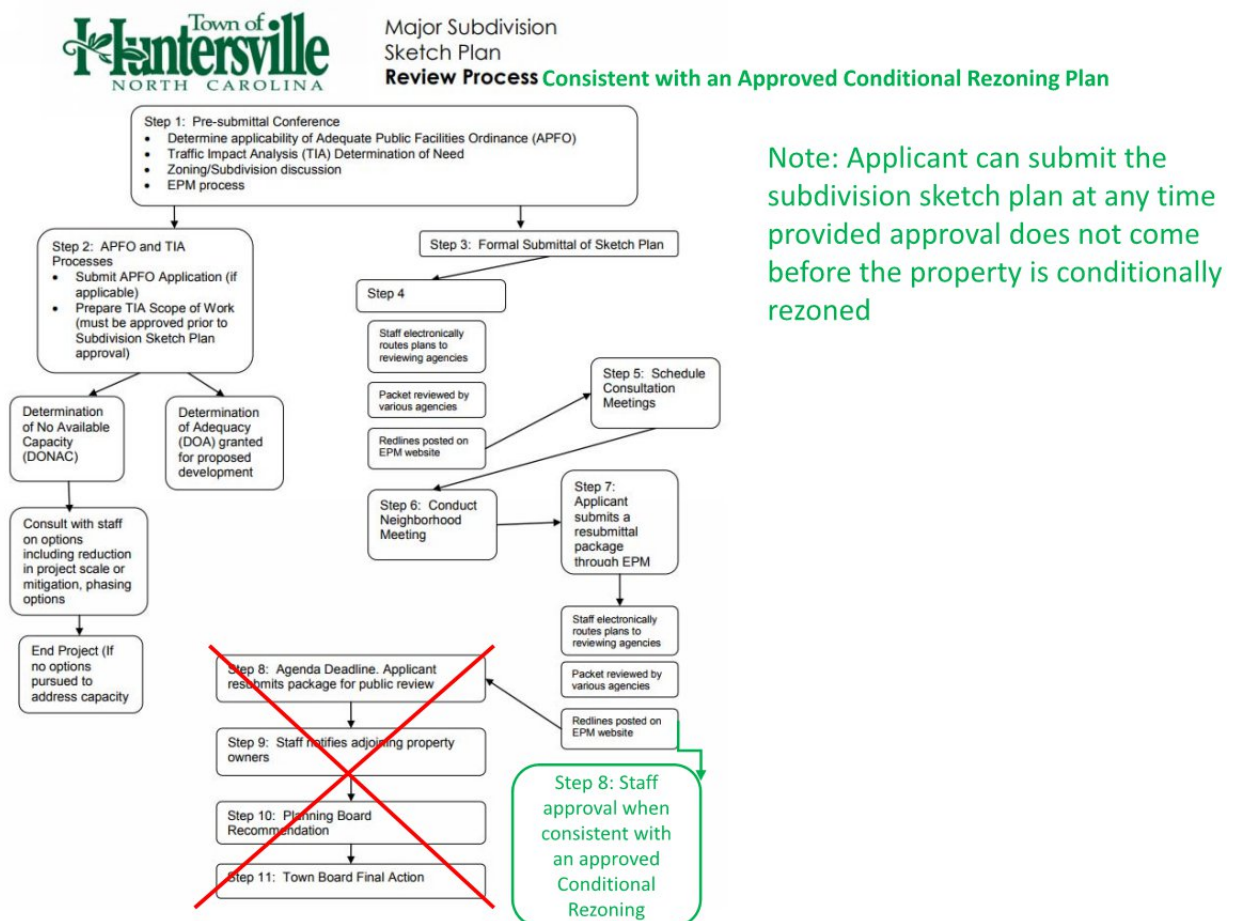
PART 1: DESCRIPTION

Text Amendment, TA #18-02, is a request by the Town of Huntersville Planning Department providing the Planning Department authority to approve subdivision sketch plans that are consistent with a conditional rezoning plan approved by the Huntersville Board of Commissioners.

PART 2: BACKGROUND

Currently, subdivision sketch plan requests must go the Planning Board for a recommendation and the Town Board for approval even if the sketch plan is the same as an approved conditional rezoning plan. Under the proposed amendment to Sections 3.100(12) and 6.320(1) of the Subdivision Ordinance, staff would be given the authorization to approve a subdivision sketch plan if the same or showed minor changes to a conditional rezoning plan approved by the Town Board. Minor changes include minor shifts in street and open space location (not less open space), fewer lots and other changes which do not alter the overall layout of the plan or which were significant at the time of the conditional rezoning plan approval. (NOTE: this is similar to the definition of minor change as found in the Subdivision Ordinance-Section 3.100(10)). Further, Section 3.200(2) and 3.300(2), decision making authority for Planning Board and Board of Commissioners respectively, will be adjusted to reflect the proposed amendment.

Below is a flow chart illustrating the proposed process change. Please note that subdivision sketch plans that do not require a conditional rezoning approval would still follow the quasi-judicial process and will go to the Planning Board for a recommendation and the Town Board for final action.



Subdivision sketch plans are quasi-judicial actions meaning the Town Board (and Planning Board) should not talk to anyone about the proposed development except under sworn testimony. When a subdivision sketch plan is combined with a conditional rezoning plan as applicants typically choose to do to save time, this creates a potential conflict since the Town Board (and Planning Board) can discuss rezoning with applicants/adjoining property owners, but should not discuss the subdivision sketch plan outside sworn testimony even though it mirrors the conditional rezoning plan.

Staff previously had the authority to approve subdivision sketch plans that were consistent with or showed only minor revisions to an approved conditional rezoning plan from 2000 until a major re-write of the zoning ordinance in 2003. Further, staff is provided the authority to approve subdivision sketch plans in Transit Oriented Districts (i.e. TOD-R CD zoning in the northern portion of Bryton).

The HOAB reviewed the proposed amendment at their September 7, 2017 meeting and recommended approval (7-0).

PART 3: RELEVANT HUNTERSVILLE 2030 COMMUNITY PLAN AND APPLICABLE LONG RANGE PLAN SECTIONS

ED-14.1 Development Review Process: Support efforts to improve efficiency and responsiveness of development review process for development proposals.

PART 4: STAFF RECOMMENDATION

Approval based on the following:

1. The amendment is consistent with ED14.1 of the Huntersville 2030 Community Plan;
2. The Town Board and Planning Board will go through full conditional rezoning plan review and public input is provided through that process; and
3. It will simplify the approval process by removing redundancy;
4. The revised process will eliminate potential quasi-judicial contacts outside of sworn testimony.

PART 5: PUBLIC HEARING

The Public Hearing was held on Tuesday, January 16, 2018.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board first heard this text amendment on January 23, 2018 and continued the case asking for further elaboration on decision making. On February 27, 2018 the Planning Board reviewed the updated ordinance and recommended approval 6-1 (Bankirer opposed).

PART 7: ATTACHMENTS

Attachment A: Text Amendment Application

Attachment B: Proposed Ordinance, Applicant Language

PART 8: STATEMENT OF CONSISTENCY – TA #17-02

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed amendment, TA 18-02, to amend Section 6.320, 3.100, 3.200 and 3.300 of the Subdivision Ordinance, the Planning staff recommends approval based on the amendment being consistent with ED 14.1 of the Town of Huntersville 2030 Community Plan.</p> <p>It is reasonable and in the public interest to amend the Subdivision Ordinance because conditional rezoning plans approved by the Town Board have gone through full plan review and public input is provided through that process, it will simplify the approval process and it will avoid potential quasi-judicial contacts.</p>	<p>APPROVAL: In considering the proposed amendment, TA 18-02, to amend Section 6.320, 3.100, 3.200 and 3.300 of the Subdivision Ordinance, the Planning Board recommends approval based on the amendment being consistent with ED 14.1 of the Town of Huntersville 2030 Community Plan.</p> <p>It is reasonable and in the public interest to amend the Subdivision Ordinance because conditional rezoning plans approved by the Town Board have gone through full plan review and public input is provided through that process, it will simplify the approval process and it will avoid potential quasi-judicial contacts. (6-1)</p>	<p>APPROVAL: In considering the proposed amendment, TA 18-02, to amend Section 6.320, 3.100, 3.200 and 3.300 of the Subdivision Ordinance, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> of the Town of Huntersville 2030 Community Plan.</p> <p>It is reasonable and in the public interest to amend the Subdivision Ordinance because...(Explain)</p>
		<p>DENIAL: In considering the proposed amendment, TA 18-02, to amend Section 6.320, 3.100, 3.200 and 3.300 of the Subdivision Ordinance, the Town Board recommends denial based on the amendment being <u>(consistent or inconsistent)</u> with <u>(insert applicable plan reference)</u> of the Town of Huntersville 2030 Community Plan.</p> <p>It is not reasonable and in the public interest to amend the Subdivision Ordinance because....(Explain)</p>



Text Amendment Application

Incomplete submissions will not be accepted.

Applicant Data

Date of Application September 1, 2017

Name Huntersville Planning Department

Address 105 Gilead Road, Huntersville NC 28078

Phone Number 704-766-2211

Email jsimoneau@huntersville.org

Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

☒ Revision/Modification to text of ~~Zoning Ordinance~~ / Subdivision Ordinance / Other

Description of Change (If possible, please provide a Word document of the proposed text change)

Proposed text amendment will affect the following:

Ordinance: Subdivision Section: 3.100, 3.200, 3.300 and 6.320

Change: See attached Ordinance

Signatures

I hereby certify that the information presented by me in this application is accurate to the best of my knowledge, information and belief.

Applicant Signature: 

Date: 9-1-17

Contact Information

**Town of Huntersville
Planning Department**
PO Box 664
Huntersville, NC 28070

Phone:

704-875-7000

Fax:

704-875-6546

Physical Address:

105 Gilead Road, Third Floor

Website:

<http://www.huntersville.org/Departments/Planning.aspx>

AN ORDINANCE TO AMEND Section 3.100, 3.200, 3.300 and 6.320 Subdivision Sketch Plans Approval Authority

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Section 3.100 of **Subdivision Ordinance** (Town Staff Decision Making) is hereby amended by adding subsection 12 as follows:

12. To approve subdivision sketch plans that are consistent with or show minor changes to an approved conditional rezoning plan. Minor changes to a conditional rezoning plan shall include, but not be limited to, minor shifts in street and open space location (not less open space), fewer lots and other changes which do not alter the overall layout of the plan or which were significant at the time of the conditional rezoning plan approval.

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Section 3.200(2) of **Subdivision Ordinance** (Planning Board Decision Making) is hereby amended as follows:

2. To review and make recommendation on sketch plans for major subdivisions **unless otherwise provided**, major changes to approved sketch or preliminary plans for major subdivisions of the zoning ordinance in accordance with the authority and jurisdiction of these regulations.

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that Section 3.300(2) of **Subdivision Ordinance** (Town Board Decision Making) is hereby amended as follows:

2. To review and decide all applications for approval of Major Subdivision Sketch Plans **unless otherwise provided**, major changes to approved sketch plans or preliminary plans for Major Subdivisions, and Farmhouse Clusters as provided in Article 3 of the zoning ordinance.

Section 4. Be it ordained by the Board of Commissioners of the Town of Huntersville that Section 6.320 of **Subdivision Ordinance** is hereby amended as follows:

If, however, a sketch plan shows only minor revisions (see 3.100.11) to a **sketch plan or is consistent with or shows minor changes to a conditional zoning district** plan(s) approved by the Huntersville Board of Commissioners and remaining in effect on all of the property subject to the sketch plan submittal, then the Planning Director or staff under his direction is authorized to approve the sketch plan, approve with conditions, or deny the plan. Administrative decisions to deny approval of a sketch plan may be appealed to the Huntersville Board of Commissioners.

Section 3. That this ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: September 7, 2017 Recommended Approval (7-0)

PUBLIC HEARING DATE: January 16, 2018

PLANNING BOARD MEETING: January 23, 2018 and February 27 2018; Approval 6-1 (Bankirer opposed)

TOWN BOARD DECISION: March 5, 2018.

**Town of Huntersville
Town Board
March 19, 2018**

To: Town Board

From: Janet Pierson, Administration

Date: 3/19/18

Subject: Offer to Purchase Property

EXPLAIN REQUEST:

Consider adopting resolution accepting offer to purchase Parcels 01902134, 01902135, 01902136, 01902137 and 01902138 and authorize the Town Clerk to advertise the proposed sale.

ACTION RECOMMENDED:

Consider adopting resolution accepting offer to purchase Parcels 01902134, 01902135, 01902136, 01902137 and 01902138 and authorize the Town Clerk to advertise the proposed sale.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

- [Offer to Purchase](#)
- [Resolution Authorizing Upset Bid Process](#)

Dear Mayor Aneralla and Town Commissioners,

Urban Concepts, LLC, a newly formed LLC, is requesting your approval to purchase the five lots currently owned by the Town of Huntersville located at the NE intersection of 2nd Street and N. Church Street. Myself (Jay Henson), Tim Foley and Shellie Faulconer are the managing members of Urban Concepts, LLC and as many of you know, employed with HensonFoley Design, Inc.

The lots are defined by parcel numbers:

01902134

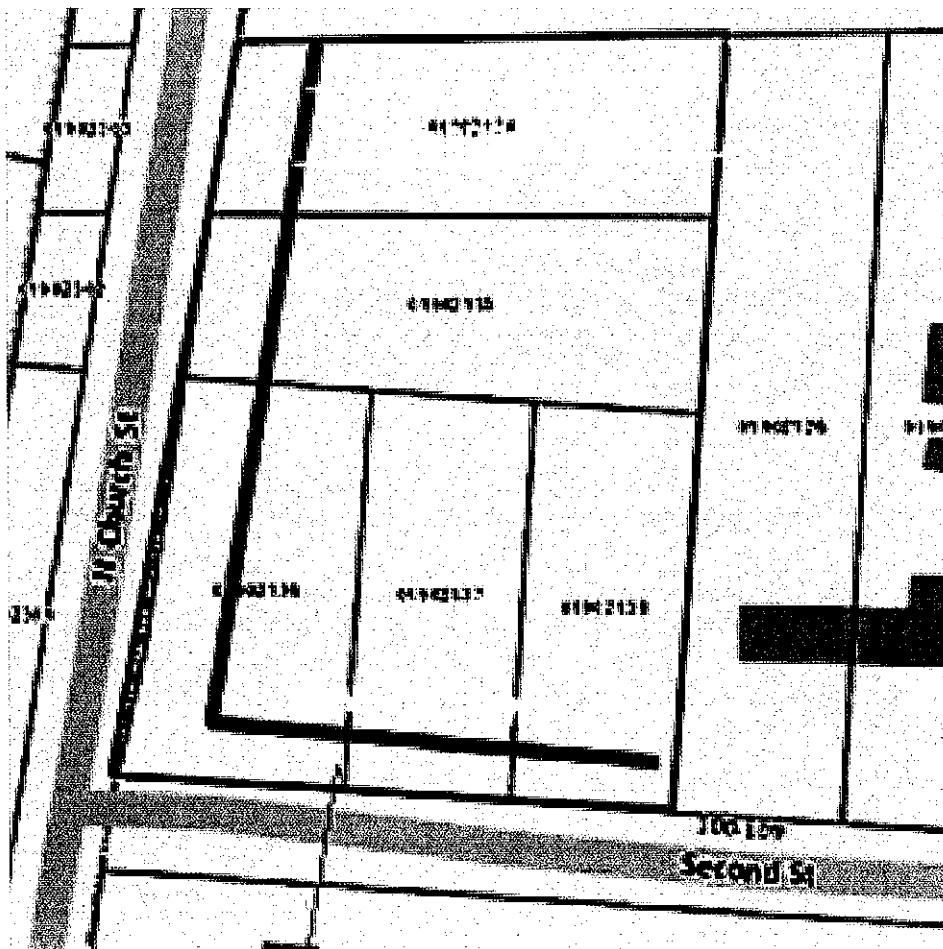
01902135

01902136

01902137

01902138

Below, outlined in red is the property boundaries from Polaris with approximate R/W and easement locations noted.



It is anticipated that the Town will retain property for future R/W. Based upon conversations with Town Staff, the anticipated R/W along N. Church Street will be 40' from the western edge of pavement and the R/W along Second Street will be 26' from the centerline. Preliminary calculations estimate the parcel will contain **.62 acres** net after the Town retains R/W and any other necessary easements.

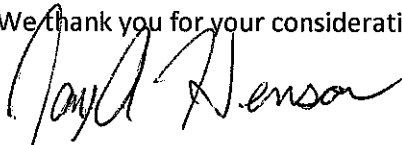
Our offer shall be:

-\$100,000 per net acre the Town will not retain for R/W or easements.

(Approx .62 acres net x \$100,000=**\$62,000**)

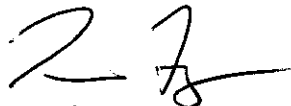
- Urban Concepts, LLC will provide a survey and recorded plat for the subject property showing parcel lines and future R/W upon acceptance.
- Include previous deposit of \$3240 (refundable if offer from Urban Concepts, LLC is not accepted)
- 30 day due diligence period to research site
- Cashiers check delivered within 30 business days for the balance remaining (\$58,760) if purchaser is satisfied with due diligence.

We thank you for your consideration.

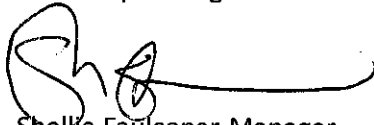


Urban Concepts, LLC

Jay Henson-Manager



Tim Foley-Manager



Shellie Faulconer-Manager

RESOLUTION AUTHORIZING UPSET BID PROCESS

WHEREAS, the Town of Huntersville owns certain tracts or parcels of real property known as Lots B, C, D, E and F of the Irvin R. Hager and Lonnie Hager Property shown on Map Book 16, Page 336 of the Mecklenburg County Registry, and having Tax Parcel Numbers 019-021-38, -37, -36 and 019-023-01, 019-021-35 and 019-023-02, and 019-021-34 and 019-023-03, respectively; and

WHEREAS, North Carolina General Statute §160A-269 permits the Town to sell property by negotiated offer, advertisement, and upset bids, after receipt of an offer for the property is made; and

WHEREAS, Urban Concepts, LLC has made an offer to purchase a portion of the above identified real property, being described as all of the aforesaid Lots B, C, D, E, and F, EXCEPT, and there is hereby excluded, all of those portions of the aforesaid lots lying westerly of a line which is parallel to and forty feet (40') easterly of the existing westerly pavement of Church Street and those portion of said Lots lying twenty-six feet (26') northerly of the center line of the present Second Street (formerly known as 6th Avenue), containing by estimation 0.62 acres or 27,007 square feet (hereafter, the "Property"); and

WHEREAS, Urban Concepts, LLC, has paid the required five percent (5%) deposit on the offer.

THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF HUNTERSVILLE RESOLVES THAT:

1. The Board of Commissioners authorizes the sale of the Property described above through the upset bid procedure of the North Carolina General Statute §160A-269.
2. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a qualifying increased bid to the office of the Town Clerk within ten (10) days after the notice of sale is published.
4. If a qualifying increased bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until the 10 day period has

- passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Board of Commissioners.
5. A qualifying increased bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
 6. A qualifying increased bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, certified check, or other immediate available funds. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.
 7. The terms of the final sale are that;
 - a. The offer that the Board of Commissioners intends to accept, subject to the upset bid procedures provided by statute, is \$62,000.00 based upon a rate of \$100,000 per acre, or \$2.29 per square foot. Any upset bids shall be based upon the total amount proposed to be accepted by the Board. The final high bidder shall, before closing and at its expense, cause to be made a mutually acceptable survey of the Property calculating the total square footage of the offered Property. To the extent that the total square footage differs from the estimated square footage, the final purchase price shall be adjusted to reflect that difference, based upon the final per square foot price determined by the accepted bid.
 - b. Upon acceptance of the final high bid by the Board of Commissioner, the high bidder shall have thirty (30) days from said approval to conduct title examinations and such environmental studies and examinations as Buyer deems necessary.
 - c. The Town must approve the final high offer before the sale is closed, which it will consider, unless the Property is withdrawn from sale, within 30 days after the final upset bid period has passed.
 - d. The buyer must pay with cash, or other good funds, at the time of closing.
 8. The Town reserves the right to withdraw the property from sale at any time before the final high bid is accepted, and the right to reject at any time all bids.

9. If there are no further qualifying upset bids, the Board may accept the offer and sale the property to the highest bidder. The appropriate town officials are authorized to execute the instruments necessary to convey the property to the highest bidder.

Adopted this 19th day of March 2018.

John Aneralla, Mayor

ATTEST:

Janet Pierson, Town Clerk

Approve as to Form:

Robert B. Blythe, Town Attorney

**Town of Huntersville
Town Board
March 19, 2018**

To: Town Board

From: Michael Jaycocks, Parks & Recreation

Date: 3/19/18

Subject: Consider approving Public Art Committee Bylaws

EXPLAIN REQUEST:

The purpose of this request is to form a Public Art Committee as was discussed at the recent Town Board retreat. This committee will consist of seven members. Members will serve three year terms. The initial appointments will be split between one year, two year and three year terms, so that all terms don't end at the same time. Members may be reappointed to no more than 2 consecutive terms.

ACTION RECOMMENDED:

Consider approving Bylaws for Public Art Committee. (Michael Jaycocks)

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

- [Huntersville Public Art Commission Bylaws.docx](#)

TOWN OF HUNTERSVILLE PUBLIC ART COMMISSION BYLAWS

ARTICLE I Huntersville Public Art Commission

- 1.1 The official name of this Commission shall be the Huntersville Public Art Commission which shall herein be referred to as the Commission.

ARTICLE II Responsibility

- 2.1 The function of the Commission is to implement and facilitate the installation of public art projects in the Town of Huntersville.
- 2.2 The Commission will identify and select public art projects to be implemented and recommend specific locations for art to be retained in the town. All recommended Art pieces must receive final approval from the Huntersville Town Board.
- 2.3 The Commission will make recommendations on artists through a selection process, and work with Huntersville Parks and Recreation to maintain public art once fabricated and installed. Public art maintenance and conservation decisions will be made by the Commission in consultation with the Huntersville Parks and Recreation staff liaison(s).
- 2.4 Provide educational opportunities and community forums to citizens on the public art process and its importance.
- 2.5 Solicit grants and outside support for the program.
- 2.6 Undertake programs of research, information, education, or analysis relating to any matters under its purview.

ARTICLE III

Membership

- 3.1 The Commission shall be composed of up to seven (7) citizens of the Town of Huntersville. Total membership shall reside in the Town of Huntersville or its extraterritorial jurisdiction. The number of members shall be determined by the Huntersville Board of Commissioners.
- 3.2 Each Commission member shall be appointed for a term of not more than three (3) years by the Town Board of Commissioners. Members of the Board shall be limited to two (2) consecutive terms, unless waived, however, may be reappointed after remaining off the Board for at least one (1) year. The expiration date of each term shall be the later of the 31st day of December of the year in which said term is to expire or when a successor is appointed and qualifies, and the term of the office of the succeeding member shall begin on the later of the 1st day of January of the succeeding year or the date that the succeeding member is appointed and qualifies.
- 3.3 Initial appointments shall be arranged so that at least two (2), but no more than three (3), of the terms will expire each year. Vacancies occurring on the Commission by death, resignation, or otherwise, shall be filled by the Board of Commissioners for the unexpired terms.
- 3.4 An appointed member who misses more than three (3) consecutive regular meetings shall lose his/her status as a member of the Commission until reappointed or replaced by the Town Board of Commissioners. Additionally, an appointed member must attend at least 66% of all regular meetings in any twelve (12) month period. Failure to do so will result in that member losing his/her status as a member of the Commission until re-appointed or replaced by the Town Board of Commissioners.

ARTICLE IV

Officers and Duties

- 4.1 There shall be a Chairman and Vice-Chairman of the Commission. An annual election of the Chairman and Vice-Chairman shall be held by the Commission members and shall occur at the regular monthly meeting in January. Officers shall serve for one year from election, with eligibility for re-election. New officers shall take office immediately after election. In the event an officer's appointment to the Commission is terminated, the replacement to this office shall be elected by the Commission, from its membership, at the meeting following the termination.
- 4.2 The Commission Chairman shall preside at all meetings, sign all documents relative to action taken by the Commission, and attend to correspondence of the Commission, in conjunction with the town staff liaison(s). The Chairman shall appoint all sub-committees.

- 4.3 When the Chairman is absent, the Vice-Chairman shall perform the duties of the Chairman. When both the Chairman and Vice-Chairman are absent, a temporary Chairman shall be selected by those members who are present.
- 4.4 The Huntersville Parks and Recreation staff liaison shall mail to all members copies of official reports and the official minutes of all regular and special meetings, prior to the next scheduled meeting. The Town Board, Mayor and Town Manager will be copied on all reports sent to the committee.

ARTICLE V

Meetings

- 5.1 The Commission shall meet monthly. The Chairman, or in his/her absence, the Vice-Chairman, may call a special meeting at any time.
- 5.2 Regular meetings of the Commission shall be held on the second (2nd) Wednesday of each month at 6:30pm.

ARTICLE VI

Order of Business

- 6.1 The general order of business shall be as follows:
- (a) Determination of quorum and attendance
 - (b) Approval of minutes of previous meeting
 - (c) Old business
 - (d) New business
 - (e) Adjournment
- 6.2 The agenda shall be set by the staff liaison of Huntersville Parks and Recreation Department and the Committee Chair; any change to the agenda may be requested by a member and/or voted upon by the Commission.
- 6.3 Items of business at the regular meeting shall appear on the agenda.

ARTICLE VII

Conflicts of Interest

- 7.1 When a member believes that he or she has a conflict of interest related to a specific matter, he or she shall declare it prior to any consideration of the matter. When a member believes another member has a conflict of interest related to a specific matter, he or she shall declare it prior to any consideration of the matter. Conflicts of interest shall include, but are not limited to, (a) a close familial, business or other associational relationship with a person affected by the matter before the Commission, or (b) a financial interest in the outcome of the matter.

- 7.2 The member shall state the nature of the conflict to the Commission, and the Commission shall take action by a majority vote in determining whether or not to excuse the member from participation during consideration of and voting on that matter.
- 7.3 The recusal of a member due to a conflict of interest shall not constitute an absence and shall not affect the determination that a quorum is present.
- 7.4 A recused member may remain in the meeting room, but shall not participate in the discussion of, and shall not vote on, the matter. A recused member may participate as a non-Commission member in the presentation of matters for review by the Commission.

ARTICLE VIII

Action by Commission

- 8.1 All actions of the Commission shall be in the form of a motion, duly seconded, and voted upon by all members present. If no quorum is present, the only motion permitted is a motion to adjourn, including a motion to adjourn to a specified date and time which may be other than the regular meeting date and time.
- 8.2 Affirmative votes from a majority of the members present and voting shall be required to adopt any motion. Except where a conflict of interest is confirmed in accordance with Article VII above, no Member shall abstain from voting. Failure to vote shall be counted as a “no” vote.

ARTICLE IX

Adoption and Amendment

- 9.1 These bylaws shall be reviewed annually by the Commission with recommendations provided to the Board of Commissioners, if required.

**Town of Huntersville
Town Board
March 19, 2018**

To: Town Board

From: Janet Pierson, Administration

Date: 3/19/18

Subject: Approval of Minutes

EXPLAIN REQUEST:

Consider approving the minutes of the March 19, 2018 Regular Town Board Meeting.

ACTION RECOMMENDED:

Approve the minutes of the March 5, 2018 Regular Town Board Meeting. (Janet Pierson)

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

- [Draft Minutes](#)

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**March 5, 2018
6:30 p.m. – Huntersville Town Hall**

PRE-MEETING

The Huntersville Board of Commissioners held a pre-meeting at the Huntersville Town Hall at 6:00 p.m. on March 5, 2018.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Brian Hines, Danny Phillips and Nick Walsh. Commissioner Mark Gibbons was not present

Representatives from Hospice & Palliative Care Charlotte Region updated the Board on the Levine & Dickson Hospice House in Huntersville.

Mayor Aneralla presented proclamation proclaiming February 28, 2018 as Levine & Dickson Hospice House – Huntersville Recognition Day.

***Town of Huntersville
Proclamation***

WHEREAS, Hospice & Palliative Care Charlotte Region opened Mecklenburg County's first free-standing hospice house in Huntersville in February 2008; and

WHEREAS, Levine & Dickson Hospice House – Huntersville served its first patient on February 28, 2008; and

WHEREAS, since opening, the Levine & Dickson Hospice House – Huntersville has provided care to more than 5,200 patients, providing them a place to live their last moments as fully as possible, surrounded by their family and loved ones; and

WHEREAS, the Levine & Dickson Hospice House – Huntersville serves the community with a resource of a full team of interdisciplinary caregivers, including nurses, counselors and social workers to care for those at the end of their lives, making the wishes of the patient a priority at one of the finest hospice inpatient units in this nation; and

WHEREAS, Hospice & Palliative Care Charlotte Region is proud to be a part of the Huntersville community and through the services at this wonderful hospice house has enhanced the community;

NOW, THEREFORE, I, John Aneralla, Mayor of Huntersville, North Carolina, do hereby proclaim February 28, 2018 as LEVINE & DICKSON HOSPICE HOUSE – HUNTERSVILLE RECOGNITION DAY and encourage the citizens of Huntersville to gain awareness and appreciation for the valuable, necessary hospice service that is located in Huntersville.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 28th day of February, 2018.

There being no further business, the pre-meeting was adjourned.

**REGULAR MEETING
TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall at 6:30 p.m. on March 5, 2018.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Brian Hines, Danny Phillips and Nick Walsh. Commissioner Mark Gibbons was not present.

Mayor Aneralla called the meeting to order.

Mayor Aneralla called for a moment of silence.

Mayor Aneralla led the Pledge of Allegiance.

MAYOR AND COMMISSIONER REPORTS/STAFF QUESTIONS

Mayor Aneralla

- There will be a public open house on March 10 at Bailey Middle School to receive input on the new Northern Mecklenburg County Regional Recreation Center.
- The next meeting of the North Meck Alliance is Thursday.
- The MTC met last Wednesday. The Blue Line Extension will open March 16. New bus service is also going to be added. Discussion on canceling the Red Line Study will be on the March MTC agenda.

Commissioner Bales

- Announced upcoming Visit Lake Norman events.
- The Lake Norman Education Collaborative has several career days and speed networking events planned at area schools.
- Lake Norman EDC has about 17 projects in Huntersville.

Commissioner Boone

- Announced upcoming Lake Norman Chamber events.
- Battle of the Badges blood drive is March 24.
- Huntersville Police Department in partnership with Novant Health will hold Stop the Bleed and Active Shooter Awareness Training.
- Played video of Fire Station #4 construction.

Commissioner Hines

- The Huntersville Ordinances Advisory Board met last Thursday. Topics of discussion included proposal allowing hotels subject to certain conditions to be up to six stories, continue requiring TIA for schools even though improvements exempted per state statute, and mobile units at schools. Expressed appreciation to Bruce Andersen for his service to the Huntersville Ordinances Advisory Board and community.
- The next Charlotte Regional Transportation Planning Organization meeting is March 21.

Commissioner Phillips

- Expressed appreciation to the Board for approving funds to repair old jail.

Commissioner Walsh

- The next meeting of the Centralina Council of Governments Executive Committee is March 14.
- Announced upcoming Parks & Recreation events.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Bill Russell, 9449 Mt. Holly-Huntersville Road, announced that Hugh Torance House and Store, with fundraising help from the Young Professionals, reached their goal of \$5,000 to go towards replacement of the HVAC. The Town of Huntersville last year agreed to match \$5,000.

Kim Burton, 15555 Huntersville-Concord Road, addressed the Board concerning the proposed Clarke Creek Small Area Plan. The developer has agreed to things that aren't in the plan that will be in the zoning documents which will further preserve the integrity of the conservancy and lessens the impact of traffic. As long as there are no changes to that and if they do what they say they are going to do, she is in support of plan.

Debbie and Randy Dalton, 17105 Graysac Court, Cornelius, requested the Board help get the word out about a foundation they established after their son passed away, the Hunter Dalton #HDLife Foundation, which is a foundation committed to providing education and resources to help prevent the use of potentially lethal recreational drugs in a sustained effort to stem the tide of the epidemic tragic loss of life.

AGENDA CHANGES

Commissioner Bales made a motion to add Item F to Other Business – Adopt resolution accepting offer and sale of Parcel ID #01910116 to Greenway Waste Solutions, LLC and add following Closing Comments a closed session for property acquisition with respect to Parcel ID#01723311.

Commissioner Phillips seconded motion.

Motion carried with five (5) yes votes.

PUBLIC HEARINGS

Mayor Aneralla recognized Planning Board members present: Hal Bankirer, Joe Sailers, Catherine Graffy and Ron Smith.

Petition #TA17-08. Mayor Aneralla called to order public hearing on Petition #TA17-08, a request by the Huntersville Planning Department to amend Article 12 of the Huntersville Zoning Ordinance to add a definition for main and secondary pedestrian access for buildings.

Brad Priest, Senior Planner, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 1.*

On November 14, 2017 the Board of Adjustment granted an appeal to staff's determination that required front pedestrian accesses be functional. In their review of the application the Board concluded that since there was no definition of pedestrian access in the ordinance the entrances did not need to

be fully functional. In response to the Board's discussion staff is proposing to clarify the existing pedestrian access requirement.

Since its adoption in 1996, the Town of Huntersville Zoning Ordinance has required that all buildings provide access into buildings from the public street. All buildings constructed in Huntersville must meet one of the "Building Types" in Article 4 (Urban Workplace, Highway Commercial, Apartment Building, etc.). All building types require either a "primary" or "secondary" entrance from the street elevation.

On November 14, 2017 Caliber Collision automotive repair appealed staff's decision that their proposed street access door which led to their car repair bays did not meet the intent of the ordinance. Staff's conclusion was that there would be little reason to expect any customer access to be granted into the automotive repair bays. Additionally the applicant informed staff that the door on the street side would be locked as the business could not allow pedestrians to enter the repair bay area due to liability concerns. In the Board of Adjustment application and at the public hearing, the applicants agreed to allow pedestrians to enter a small vestibule near the repair bays from the street facing door. Then pedestrians would be able to call the staff by way of a telephone in the vestibule to have them escorted outside around the facility by an employee to the office in a separate building. The Board of Adjustment accepted the applicant's proposal as "pedestrian access" as required by the code because there is no definition of pedestrian access and nowhere in the ordinance does it stipulate that the required access be "functional." The appeal therefore was approved by a 6-1 vote.

Therefore due to the determination by the Board of Adjustment, staff has proposed this text amendment to add a definition for both "Main Pedestrian Access" and "Secondary Pedestrian Access." The proposed definitions clarify the intent of Article 4 by defining the pedestrian access as functional.

The Huntersville Ordinances Advisory Board considered the proposed text on February 1, 2018. The committee unanimously recommended approval of the proposed text.

Mr. Priest confirmed that businesses can use an entrance that's caddy corner to the main road.

Commissioner Phillips pointed out this would not work at the Citizen Media building on Gilead Road where you park in the back then had to walk between two buildings to get to front entrance.

Mr. Priest explained the language contains flexibility. Staff wants to work with the applicant to find out where they want the people to come in and then it can be designed around that. The Citizen Media building was an existing situation.

There being no further comments, Mayor Aneralla closed the public hearing.

Petition #TA18-01. Mayor Aneralla called to order public hearing on Petition #TA18-01, a proposal by Town Staff to update various sections related to streets in Articles 3, 5 (primarily), 7, 8, 9 and 12 of the Zoning Ordinance and various sections of Articles 2.000, 6.000, 7.000 and 8.000 of the Subdivision Ordinance for improved integration of the Zoning Ordinance and the Subdivision Ordinance with the Engineering Standards and Procedure Manual.

David Peete, Principal Planner, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 2.*

After the Engineering Standards and Procedures Manual (ESAPM) was adopted, it became apparent during implementation of the new Manual, along with the Zoning Ordinance and Subdivision Ordinance, that there were discrepancies and conflicting elements that needed to be corrected or clarified in order to direct users to appropriate sections and to eliminate regulations that did not align with one another. Zoning Ordinance amendments include:

- Changing street classification names to align with the Charlotte Regional Transportation Planning Organization's (CRTPO) latest Comprehensive Transportation Plan.
- Change street classification names to align with the Engineering Standards and Procedures Manual (ESAPM).
- Create a clearer integration of the Zoning Ordinance and Engineering Standards and Procedures Manual as it relates to street design for any given development.
- Present requirements of the Zoning Ordinance in a clearer fashion, to include, new graphics, charts and illustrations.
- Codify, into the Zoning Ordinance, the method for determining street cross-sections which is currently in the Huntersville Design Guidelines and is similar to the NCDOT Complete Streets Policy. NOTE that current street cross-sections are not altered via these proposed amendments, merely the process for choosing the appropriate cross-section.
- Introduction of "pedestrian zone" requirements for certain street cross-sections.
- Green zones for "ditch-type streets" are proposed to be reduced from 7 feet to 6 feet, due to the accommodation of the drainage ditch.
- On-street parking is proposed to be required on streets serving apartments, attached houses and detached houses with lots 50' or less in width. This type of on-street parking is only recommended in the current Zoning Ordinance.
- On-street parking will also be required to have curb and gutter.
- Design speeds for streets has been removed from Zoning Ordinance and located entirely within the ESAPM.
- Provisions for "medians" on streets has been added to the Zoning Ordinance, as they are frequently referenced within the ESAPM.
- Street geometry specifications are proposed to be moved to the ESAPM.
- Increase minimum right-of-way reference from 20' to 30' for farmhouse clusters. This was a conflict with the Ordinance revisions made in 2009.
- "Clear sight distance at street intersections" is proposed to be updated to be compliant with American Association of State Highway and Transportation Officials (AASHTO) standards.

Subdivision Ordinance amendments include

- Street classification names are updated for consistency with Comprehensive Transportation Plan and ESAPM.
- Increase minimum right-of-way reference from 20' to 30' for farmhouse clusters. This was a conflict with the Ordinance revisions made in 2009.
- An amendment to allow ditch-sections in lieu of curb & gutter, where appropriate on certain cross-sections.

The Huntersville Ordinances Advisory Board heard the request on January 4, 2018 and voted to recommend approval by unanimous vote.

Commissioner Phillips questioned if sight distance issues caused by street trees is addressed in the updated manual.

Max Buchanan, Public Works Director/Town Engineer, stated that the sight distance issue is addressed quite extensively in the manual and it is an emphasis point in doing plan reviews.

There being no further comments, Mayor Aneralla closed the public hearing.

OTHER BUSINESS

Clarke Creek Small Area Plan. Sushil Nepal, Principal Planner, briefly reviewed the Clarke Creek Small Area Plan. *Clarke Creek Small Area Plan attached hereto as Exhibit No. 3.* The Planning Board reviewed and recommended adoption of the Small Area Plan by a vote of 6-1 at their February 27 meeting.

Commissioner Walsh made a motion to adopt the Clarke Creek Small Area Plan.

Commissioner Bales seconded motion.

Motion carried unanimously.

Motion carried 4 to 1, with Commissioner Phillips opposed.

Commons at Monteith Park Sketch Plan. Mayor Aneralla pointed out this item will be heard as quasi-judicial.

Mayor Aneralla swore in Jack Simoneau.

Jack Simoneau, Planning Director, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 4.*

Mr. Simoneau said the site is on Stumptown Road. It is surrounded by Monteith subdivision. It's 1.99 acres. On the left-hand side existing, this is what has been approved and what has been approved is there's an existing street inside the Monteith subdivision. It has a green space out front and the houses are fronting the green space and then there's an alley and then there's homes that are actually facing Stumptown Road and what they have here is this represents thirteen dwellings and nine of these are on single-family lots and then there's two duplexes. So that's what was approved and all they want to do is stick lot lines on two of those and just have.....they are still going to duplexes but they are going to be individual lots – they are going to be attached houses. So instead of thirteen dwellings on nine lots, there's going to be thirteen dwellings on thirteen lots. That's the only change that is being done. You've got the neighborhood report. Nobody showed up. Staff recommends approval. The application was complete. All requirements of the ordinance have been met.

Commissioner Hines made a motion to approve to approve the Commons at Monteith Park Sketch Plan. The application is complete, complies with all applicable requirements and the future land use plans.

Commissioner Walsh seconded motion.

Motion carried with five (5) yes votes.

Public Art Committee Bylaws. The purpose of this request is to form a Public Art Committee as was discussed at the recent Town Board retreat. This committee will consist of seven members. Members will serve three year terms. The initial appointments will be split between one year, two year and three year terms, so that all terms don't end at the same time. Members may be reappointed to no more than three consecutive terms.

Michael Jaycocks, Parks & Recreation Director, pointed out that one of the changes in the bylaws is that any art recommended from the committee would have to come to the Town Board for final approval.

Commissioner Walsh made a motion to approve the Public Art Committee Bylaws.

Commissioner Bales seconded motion.

Commissioner Phillips made a substitute motion to defer this until March 19 in order to have more discussion.

Commissioner Boone seconded motion.

Commissioner Phillips withdrew his substitute motion.

Commissioner Boone made a substitute motion that the Public Art Committee be formed the same way as the Olde Huntersville Historic Society was formed back in 2013.

Commissioner Phillips seconded motion.

Commissioner Boone reviewed how the Olde Huntersville Historic Committee was formed as independent group.

Commissioner Phillips agreed that the art committee should be independent of the town so more people can be involved.

Commissioner Walsh indicated he would like to see the Public Art Committee as a committee of the town since they would be looking at art for properties owned by the Town.

Commissioner Bales agreed that Public Art Committee should be committee of the town.

Commissioner Hines suggested deferring decision for two weeks.

Mayor Aneralla called for the vote on the substitute motion that the Public Art Committee be formed the same way as the Olde Huntersville Historic Society.

Motion failed 2 to 3 – Commissioners Boone and Phillips in favor; Commissioners Bales, Hines and Walsh opposed.

Mayor Aneralla called for the vote to approve the Public Art Committee bylaws.

Motion failed – Commissioners Bales and Walsh in favor; Commissioners Boone, Hines and Phillips opposed.

Commissioner Walsh withdrew his previous motion.

Commissioner Hines made a motion to defer decision to the March 19 meeting.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Law Enforcement Services Interlocal. Authorization is needed to allow the Town Manager to sign the Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Huntersville. This agreement is a five (5) year contract that will shift the responsibility for providing law enforcement services in the Huntersville Modified ETJ from Charlotte-Mecklenburg Police Department to the Huntersville Police Department.

Commissioner Phillips made a motion to authorize the Town Manager to execute the Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Huntersville.

Commissioner Boone seconded motion.

Motion carried with five (5) yes votes.

Agreement attached hereto as Exhibit No. 5.

Amend Meeting Schedule. Commissioner Walsh made a motion to amend the meeting schedule for the Huntersville Board of Commissioners to add a workshop meeting to be held the second Monday of each month at 4:00 p.m. at Huntersville Town Hall.

Commissioner Bales seconded motion.

Motion carried with five (5) yes votes.

Resolution Accepting Offer to Purchase. Commissioner Hines made a motion to adopt resolution accepting offer and sale of Parcel #01910116 to Greenway Waste Solutions, LLC.

Commissioner Bales seconded motion.

Motion carried 4 to 1, with Commissioner Phillips opposed.

RESOLUTION ACCEPTING OFFER TO PURCHASE

WHEREAS, the Town of Huntersville Board of Commissioners authorized by Resolution No. R-2018-05, dated February 19, 2018, the sale of property by negotiated offer, advertisement and upset bids; and

WHEREAS, the Town Clerk caused a notice of the proposed sale to be published in the Charlotte Observer on February 22, 2018; and

WHEREAS, no upset bids were made within the ten (10) days after the notice of sale was published.

THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF HUNTERSVILLE RESOLVES THAT:

1. The Board of Commissioners accepts the offer and sale of the property to the highest bidder; Greenway Waste Solutions, LLC, or its assigns.

The appropriate Town officials are authorized to execute a Special Warranty Deed, and any other instrument, necessary to convey the property.

Mayor Aneralla requested Mr. Griffin to review his plan for the property for the record.

Mike Griffin, Greenway Waste Solutions, said we are the former owner of this property. We gifted it to the town 15 years ago and obviously looking to purchase it back. Our goal is consistent with the recent ULI study that was done to make this a commercial business property. There's 41 acres in this property and we have another approximately 10 acres that was agreed in the study to make about a 50 acre addition of commercial business property. Our goal is to be consistent with Commerce Station. Maybe not very creative but we have kind of coined it Commerce Station North and as Commerce Station gets developed out and Verhoeff gets far enough there's a plan that Dewberry created showing a north/south commercial business connector and that would be a road that we would develop through this property to create several paths that would be able to expand Commerce Station. The challenge to our vision and hope is the availability of Verhoeff, how long it will take to get that road extended. So we are willing to be patient, committed to wait to develop that when that becomes available. I know Mr. Blythe has been very helpful in that I guess it's now currently Neighborhood Residential. It's consistent with our vision because our facility is adjacent to this. We would not want that to be Neighborhood Residential, we would want it to be park or commercial business, so we are motivated to hold it until that time is beneficial to develop that way.

CONSENT AGENDA

Approval of Minutes. Commissioner Bales made a motion to approve the minutes of the February 19, 2018 Regular Town Board Meeting. Commissioner Walsh seconded motion. Motion carried unanimously.

Budget Amendment – Police. Commissioner Bales made a motion to approve budget amendment recognizing insurance revenue in the amount of \$42,380.94 and appropriate to the Police Department's auto insurance account. Commissioner Walsh seconded motion. Motion carried unanimously.

Budget Amendment – Parks & Recreation. Commissioner Bales made a motion to approve budget amendment appropriating Capital Reserve funds in the amount of \$4,000 to the Maintenance to Equipment account for scoreboard controllers at Huntersville Athletic Park. Commissioner Walsh seconded motion. Motion carried unanimously.

Budget Amendment – Hugh Torance House & Store. Commissioner Bales made a motion to approve budget amendment appropriating Tourism Fund Balance in the amount of \$5,000 to the Hugh Torance House and Store account for a matching fund grant to assist in repairing the HVAC system at the House. Commissioner Walsh seconded motion. Motion carried unanimously.

Capital Project Ordinance – Gilead Road West. Commissioner Bales made a motion to adopt Gilead Road West Capital Project Ordinance. Commissioner Walsh seconded motion. Motion carried unanimously.

**TOWN OF HUNTERSVILLE
GILEAD ROAD WEST PROJECT
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is to deliver the roadway improvements on section of Gilead Road between McCoy Road and Wynfield Creek Parkway. This will include planning, permitting, engineering design, right of way acquisition and construction.

SECTION 2. The officers of the unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

SECTION 3. The following amounts are appropriated for the project:

Planning, design, construction and other cost	\$6,300,000
TOTAL PROJECT COSTS	<u>\$6,300,000</u>

SECTION 4. The following revenues are anticipated to be available to complete this project:

Direct Attributable grant funds	\$3,100,000
2019 Bonds	2,900,000
2016 Bonds	<u>300,000</u>
TOTAL PROJECT REVENUE	<u>\$6,300,000</u>

SECTION 5. The Finance Director is authorized from time to time to transfer as a loan from the General Fund in an amount necessary to meet obligations until such time as funding is received. When funds are received, repayments to the General Fund will be made.

Reimbursement Resolution – Gilead Road West. Commissioner Bales made a motion to adopt resolution declaring the intent of the Town of Huntersville to reimburse itself for capital expenditures incurred in connection with the design, engineering and construction of the Gilead Road West project from the proceeds of certain tax-exempt obligations. Commissioner Walsh seconded motion. Motion carried unanimously.

**RESOLUTION DECLARING THE INTENT OF THE TOWN OF HUNTERSVILLE,
NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES
INCURRED IN CONNECTION WITH THE DESIGN, ENGINEERING AND
CONSTRUCTION OF THE GILEAD ROAD WEST PROJECT THEREFORE FROM
THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS.**

WHEREAS, the Board hereby finds and determines that it is in the best interests of the Town to provide for the design, engineering and construction of the Gilead Road West (the “Project”);

WHEREAS, the Town presently intends, at one time or from time to time, to finance all or a portion of the costs of the Project with proceeds of tax-exempt obligations and reasonably expects to issue its tax-exempt obligations (the “Obligations”) to finance, or to reimburse itself for, all or a portion of the costs of the Project; and

WHEREAS, the Town desires to proceed with the Project and will incur and pay certain expenditures in connection with the Project prior to the date of execution and delivery of the Obligations (the “Original Expenditures”), such Original Expenditures to be paid for originally from a source other than the proceeds of the Obligations, and the Town intends, and reasonably expects, to reimburse its capital improvement fund for such Original Expenditures from a portion of the proceeds of the Obligations to be issued at a date occurring after the dates of such Original Expenditures; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Huntersville, North Carolina as follows:

Section 1. ***Official Declaration of Intent.*** The Town presently intends, and reasonably expects, to reimburse its capital improvement fund for the Original Expenditures incurred and paid on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The Town reasonably expects to issue the Obligations in the fiscal year ending June 30, 2019 or after to finance all or a portion of the costs of the Project and the maximum principal

amount of Obligations expected to be issued by the Town to pay for all or a portion of the costs of the Project, which amount is subject to change, is expected to be approximately \$6,300,000.

Section 2. ***Compliance with Regulations.*** The Town adopts this Resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the Town's intent to reimburse its capital improvement fund for the Original Expenditures from proceeds of the Obligations.

Section 3. ***Itemization of Capital Expenditures.*** The Finance Director, with advice from bond counsel, is hereby authorized, directed and designated to act on behalf of the Town in determining and itemizing all of the Original Expenditures incurred and paid by the Town in connection with the Project during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of issuance of the Obligations.

Section 4. ***Effective Date.*** This Resolution is effective immediately on the date of its adoption.

Resolution – Welcome Signs. Commissioner Bales made a motion to adopt resolution requesting the North Carolina Department of Transportation to install “Welcome To” signs on Interstate 77. Commissioner Walsh seconded motion. Motion carried with five (5) yes votes.

**TOWN OF HUNTERSVILLE
RESOLUTION REQUESTING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
TO INSTALL “WELCOME TO” SIGNS ON INTERSTATE 77**

WHEREAS, the North Carolina Department of Transportation (NCDOT) has set aside \$2 million reserve funds for Corridor Landscaping and Aesthetic Plans on and adjacent to the I-77 Managed Lanes project; and

WHEREAS, NCDOT has authorized the Town of Huntersville to use its share of \$435,955 towards aesthetic improvements on I-77; and

WHEREAS, these funds will be used to landscape sections of the median on Managed Lanes, upgrade signs identifying crossing streets above I-77 and install two “Welcome To” Signs, North and South of I-77 at corporate boundary; and

WHEREAS, NCDOT has requested the Town of Huntersville pass a resolution and make a formal request to install the “Welcome Signs” in accordance with NCDOT’s Policy W-17 *Standard Practice for Optional “Welcome To” sign*.

NOW, THEREFORE, BE IT RESOLVED that the Huntersville Board of Commissioners formally requests the NCDOT to install two “Welcome To” signs on I-77, North and South of I-77 at Huntersville’s corporate boundary.

Agreement and Release. Commissioner Bales made a motion to authorize the Town Manager to execute Agreement and Release and issue reimbursement to Mr. and Mrs. Michael T. Drury for storm water repairs delivered by the property owner. Commissioner Walsh seconded motion. Motion carried with five (5) yes votes.

CLOSING COMMENTS

Mayor Aneralla reminded everyone of the Kiwanis Pancake Breakfast on Saturday.

CLOSED SESSION

Commissioner Bales made a motion to go into closed session for property acquisition with respect to Parcel #01723311.

Upon return from closed session, there being no further business, the meeting was adjourned.

Approved this the _____ day of _____, 2018.

**Town of Huntersville
Town Board
March 19, 2018**

To: Town Board

From: Pattie Ellis, Finance

Date: 3/19/18

Subject: Budget Amendment

EXPLAIN REQUEST:

Appropriate funds received in the amount of \$17,170.31 from Lake Norman Charter School (per agreement for security services) for the months of August 2017-January 2018. Funds will be appropriated to the Police Department's budget for overtime, benefits and vehicle cost.

ACTION RECOMMENDED:

Approve budget amendment appropriating funds received in the amount of \$17,170.31 from Lake Norman Charter School (per agreement for security services) for the months of August 2017-January 2018 to the Police Department's budget for overtime, benefits and vehicle cost. (Pattie Ellis/Chief Spruill)

FINANCIAL IMPLICATIONS:

No net impact to fund balance; offsetting revenue and expense.

ATTACHMENTS:

-

**Town of Huntersville
Town Board
March 19, 2018**

To: Town Board

From: Pattie Ellis, Finance

Date: 3/19/18

Subject: Budget Amendment

EXPLAIN REQUEST:

Recognize signage revenue (103515.9999) in the amount of \$2,000.00 and appropriate to Parks and Recreation printing account (106200.0341), (Pattie Ellis/Michael Jaycocks)

ACTION RECOMMENDED:

Approve budget amendment recognizing signage revenue in the amount of \$2,000 and appropriate to Parks & Recreation printing account. (Pattie Ellis/Michael Jaycocks)

FINANCIAL IMPLICATIONS:

No net impact to fund balance; offsetting revenue and expense.

ATTACHMENTS:

-

**Town of Huntersville
Town Board
March 19, 2018**

To: Town Board

From: Pattie Ellis, Finance

Date: 3/19/18

Subject: Budget Amendment

EXPLAIN REQUEST:

Recognize sponsorship revenue (103505.9999) in the amount of \$13,723.33 and appropriate to the Parks and Recreation capital outlay account (106200.0500) to purchase and install a scoreboard at North Mecklenburg Park.

ACTION RECOMMENDED:

Approve budget amendment recognizing sponsorship revenue in the amount of \$13,723.33 and appropriate to the Parks & Recreation capital outlay account to purchase and install a scoreboard at North Mecklenburg Park. (Pattie Ellis/Michael Jaycocks)

FINANCIAL IMPLICATIONS:

No net impact to fund balance; offsetting revenue and expense.

ATTACHMENTS:

-

**Town of Huntersville
Town Board
March 19, 2018**

To: Town Board

From: Pattie Ellis, Finance

Date: 3/19/18

Subject: Amend Electric Fund budget to appropriate Electric fund balance of \$1,282,400 to Electric capital projects.

EXPLAIN REQUEST:

Appropriate Electric fund balance of \$1,282,400 to the following Electric Fund capital projects,

Substation 3 for \$550,648, Highway 21/Gilead Road project for \$429,815, Walden/Vermillion/Bryton projects for \$139,034,

Pactiv expansion project for \$116,643 and the Huntersville Recreation Center of \$46,260.

ACTION RECOMMENDED:

Approve budget amendment appropriating Electric Fund Balance in the amount of \$1,282,400 to Electric Capital Projects. (Pattie Ellis/Tim Kopacz)

FINANCIAL IMPLICATIONS:

Reduction of Electric Fund Balance of \$1,282,400.

ATTACHMENTS:

-

**Town of Huntersville
Town Board
March 19, 2018**

To: Town Board

From: Michael Jaycocks, Parks & Recreation

Date: 3/19/18

Subject: Accept Donation from Lake Norman Little League

EXPLAIN REQUEST:

Lake Norman Little League has offered to donate \$13,723.33 to the town to purchase and install two new scoreboards for North Mecklenburg Park Softball Fields 3 & 4. For their donation the town will allow Lake Norman Little League to put their logo on the scoreboards as well as split the additional spots on the scoreboard with the town for selling sponsorships. The Parks and Recreation Committee approved accepting this donation at their February 21st meeting.

ACTION RECOMMENDED:

Accept donation from Lake Norman Little League for the purchase and installation of two new scoreboards for North Mecklenburg Park Softball Fields 3 and 4. (Michael Jaycocks)

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

- [LKLL Scoreboards at North Meck Park.pdf](#)



Lake Norman Little League
PO Box 771
Cornelius, NC 28031
United States of America
www.LKNLL.com

March 6, 2018

Huntersville Park & Recreation
Attn: Mr. Steve Roberson
PO Box 2879
Huntersville, NC 28070

Dear Steve,

Lake Norman Little League plans to purchase two (2) scoreboards and installation services for North Mecklenburg Park, Fields #3 and #4, with a total value of \$13,723.33. This donation was approved by the Board of Directors of Lake Norman Little League on 2/20/2018.

Lake Norman Little League request that our league logo be displayed on both scoreboards. Additionally, it is requested that additional space be made available for sponsorships that Lake Norman Little League and the Town of Huntersville can partner on to support our player sponsorships in seasons to come.

Thank you for working with us on this project. We look forward to improving the experience for all of our participants at the park and for the community at large.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn Jones", written in a cursive style.

Glenn Jones
President
GlennJones@lknll.com
704-771-9590

**Town of Huntersville
Town Board
March 19, 2018**

To: Town Board

From: Jack Simoneau, Planning

Date: 3/19/18

Subject: Petition TA8-04

EXPLAIN REQUEST:

Call Public Hearing 6:30 PM, Monday, April 2, 2018, 6:30 PM, Huntersville Town Hall on TA-18-04, request by the Town of Huntersville to amend 14.2.2 of the zoning ordinance to not require Traffic Impact Analysis and improvements for uses exempted from such standards by State Statutes.

ACTION RECOMMENDED:

Call a public hearing for Monday, April 2, 2018 at 6:30 p.m. at Huntersville Town Hall on Petition #TA18-04, a request by the Town of Huntersville to amend Article 14.2.2 of the Zoning Ordinance to not require Traffic Impact Analysis and improvements for uses exempted from such standards by State Statutes. (Jack Simoneau)

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

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