

**TOWN OF HUNTERSVILLE
REGULAR TOWN BOARD MEETING
MINUTES**

**April 6, 2015
6:30 p.m. – Town Hall**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall at 6:30 p.m. on April 6, 2015.

GOVERNING BODY MEMBERS PRESENT: Mayor Jill Swain; Commissioners Melinda Bales, Ron Julian, Rob Kidwell, Sarah McAulay, Jeff Neely and Danny Phillips.

Mayor Swain called for a moment of silence.

Mayor Swain led the Pledge of Allegiance.

MAYOR AND COMMISSIONER REPORTS/STAFF QUESTIONS

Mayor Swain – No Report.

Commissioner Bales

- The next Lake Norman Regional Transportation Commission meeting is April 8. Commissioner Kidwell will be attending in my place.

Commissioner Julian – No Report.

Commissioner Kidwell

- The next Olde Huntersville Historic Society meeting is May 6. OHHS is still searching for more photos of old Huntersville.
- Rural Hill's annual Easter Egg Hunt was a success. The Loch Norman Games will be held April 18-19.
- H.O.H.T. (Helping Others Help Themselves) will have their semi-annual job networking event on April 7.
- Parks & Recreation's Bunny Bash event was a success.

Commissioner McAulay

- The Charlotte Regional Transportation Planning Organization will have a special meeting on April 7 on the subject of the wide paved shoulder on I-485 south.
- The next Centralina Council of Governments Board meeting is April 8.

Commissioner Neely

- From Visit Lake Norman, April is North Carolina Beer Month. Help Visit Lake Norman celebrate Lake Norman's growing craft beer scene by visiting one of the four breweries in the Lake Norman area. The Rural Hill Scottish Festival and Loch Norman Highland Games will be held April 18-19.
- The Lake Norman Chamber Business Expo will be held on June 4 at Davidson College.

- Hello Huntersville is May 9 in downtown Huntersville.

Commissioner Phillips

- No Report from Arts & Science Council.
- Commended Commissioner Kidwell and Mark Gibbons for starting Explore Huntersville on Facebook to promote positive, nice comments about local businesses.

Commissioner Julian said I heard Commissioner McAulay mention 485 on the south side. Is there a target date for 485 on the north side to be paved and finished.

Max Buchanan, Public Works Director/Town Engineer, said the last I heard the official date was the end of April, but that's not going to happen. It will probably be the end of June.

Commissioner Julian said I think that's a very important connection for Huntersville for the whole area.

Mayor Swain said I neglected to mention that the Kilah Palooza Festival will be held at the CPCC Merancas Campus on April 26. Kilah Davenport was the child who was beaten severely by her stepfather and she eventually passed away. The Kilah Davenport Foundation is trying to raise awareness for child abuse and child abusers.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Dan Boone, 317 Southland Road, said I'm here tonight to update the Old Huntersville Historic Society's first quarter of 2015 accomplishments and a few plans for the rest of the year. January 31 we had several members of the OHHS attend the 234th Anniversary of the Battle of Cowan's Ford that was presented by Hopewell Presbyterian Church. In February we made a presentation to the Town Manager on Old Huntersville Historic Society's vision for the old jail. OHHS has attended two Mecklenburg County Commission meetings and spoke in favor of changing the spelling of Alexandriana Road. I would like to publicly thank the Daughters of the American Revolution, Miriam Smith and Joanne Miller for their tireless efforts on this project. OHHS was a participating sponsor in the Celtic Festival held at Latta Plantation last month. We estimated the crowd on Sunday to be over 1,500 people. OHHS has helped with the spring clean-up of the Hugh Torance Store which helped us achieve over 100 volunteer hours for the quarter. For the rest of 2015 we have several things planned. We are in the process of generating a colorful handout that will tell a brief history of the Town of Huntersville and offer anyone who might want to join our organization an application. We have reached out to the Huntersville Family Fitness and Aquatics for their help and expertise in generating this handout. We also plan on participating in this year's Hello Huntersville. We are in the process of organizing a media event for May 20 to celebrate the 240th anniversary of the signing of the Mecklenburg Declaration of Independence maybe using the new signage for the Alexandriana Road spelling as a backdrop. We plan on updating our Facebook page and finally a little something different. The Celtic Festival that we participated in showed us that there's a lot of questions about the history of Huntersville. OHHS is planning on putting together a traveling road show. We are going to take the history of our community to the community. And finally in closing, in the spirit of March Madness, our donations continue to come in this year. Duke Energy has made a nice donation to the OHHS.

Charles Guignard, 201 Sherwood Drive, said we've had one commissioner talk about bashing. We've had one commissioner talk about beer. On March 21 there was a lot of sauce in town. It's the only day of the year that several of us get sauced and don't have to worry about any of those badges. Mr.

Manager, Madam Mayor, Commissioners, Fellow Citizens, I'm here to say thanks on behalf of the Angels of 97 for your participation small or big.....one spaghetti plate or running or donations or anything else in between. We are proud to say that this year there were over 1,900 participants at the Angels of 97 whether it was runners, vendors.....all sorts of activities all day long, young and old alike. We think, we don't have the exact number, there's still contributions coming in, we think that we made in excess of \$36,000 this year. Thank you.

Mike Hege, 13153 Heath Grove, said I'm a resident of Huntersville and a realtor with Pridemore Properties. I'm also a member of the Housing Opportunity Foundation Board of Directors. I'm here as the chair of a non-profit arm of the Charlotte Regional Realtors Association promoting Realtors Care Day. It's one day that we give back to our community and as you know April is National Fair Housing Month and as a result I would like to shed light about one of the projects we have a special earmark for – the Serenity House in Huntersville, which you may be familiar with off of Stumptown Road. This year marks the 7th anniversary of Realtors Care Day. Since 2009 we've helped over 146 homeowners with critical repair needs and this year it's on Friday, April 17 with 25 home sites throughout Iredell and Mecklenburg County, so we've extended that effort to three special projects which I mentioned, one of which is Serenity House. We'd like to extend an invitation to you all to come out in support. We start our efforts at around 7 a.m. and we stay until the job is done. This one day community-wide initiative assists homeowners with critical exterior home repairs as well as adaptive and safety modifications. Right now we are at 700 realtor volunteers and so we stretch all the way from south Charlotte all the way even into Harmony, NC. Tonight is meant to shed light to the Huntersville location. We are proud to say that we will be working onsite with the Serenity Comfort Home. For those who are not familiar with it, it's a terminally ill care facility for the folks that are on their end of stage of life. We'll be working to expand their parking area, address some rotten wood, exterior painting as well as to engage in a master garden plan as part of their landscaping to give back to the community. Through the work of the Housing Opportunity Foundation we work year round to support fair and affordable housing measurements and it's just one of the programs and services that we conduct on the Realtor Care Day. We'd like to also give a shout out to Our Towns Habitat who help identify the homeowners in need.

Mayor Swain said we had Huntersville 101 members here before our meeting and I said that Huntersville was special and I really couldn't put a finger on just why. That is an example, what Mr. Guignard said, what Dan Boone said, what you guys have been up here today talking about is why Huntersville is special – our involvement in the community and the good people that we have. I do want to let everybody know that the Honorable State Representative Charles Jeter has just walked in the door. I don't say this lightly and I don't say it often. There are very few legislators that I enjoy working with, he's one that I do enjoy working with. He's not sitting on my left anymore, but whenever I go to Raleigh which is more often than I had been going, Charlie's door is always open. At the risk of encouraging the entire population of Huntersville to send e-mails to him for anything you want, I will say that he is very open and he will respond. It is nice having you here.

AGENDA CHANGES

Commissioner McAulay made a motion to adopt the agenda. Commissioner Kidwell seconded motion. Motion carried unanimously.

PUBLIC HEARINGS

None

OTHER BUSINESS

Petition #SUP15-01. Mayor Swain pointed out this item is quasi-judicial.

Mayor Swain swore in Brad Priest, Jack Simoneau, Max Buchanan, Lori Schneider and Steve Knox.

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

A couple of years ago the Town approved a text amendment to the Zoning Ordinance that allowed schools as a temporary use in the Corporate Business zoning district. Essentially what we have tonight is the property owner of the property on Mt. Holly-Huntersville Road requesting a special use permit to operate the Phoenix Montessori Academy at that location on Mt. Holly-Huntersville Road. As you see, it's right outside the Huntersville Business Park on Mt. Holly-Huntersville near the bridge over I-77. The site is completely wooded. You can barely see it from the street. This is a photo from the street looking into the facility.

The ordinance that was approved allowing the use at that location was with conditions, one of which was that a special use permit be adhered to or received and there were other multiple conditions that need to be adhered to. Staff has outlined several findings of fact in regard to the application that support why the application meets those conditions and those requirements and those are in your Staff Report for consideration and therefore staff recommends approval of the application.

There were some concerns that you will notice on the Staff Report. There was the issue of stacking and the issue of parking that did come up and was discussed in detail. There was not a traffic impact analysis required for this site because Transportation staff looked at the numbers that were given and it was determined that one was not needed and one of the things that really played into that determination was one of the notes here.....it was a graph that maximized the enrollment of the facility, but also which was equally important was the staggering of the drop-off times and the pick-up times, so in other words rather than just having all the children come at the same time and dropped off and picked up at the same time there would be hour increments in where that was done. So the traffic for that use would be spread over a larger period of time and the impact would be reduced. That spreadsheet that you see up on the screen was added as a condition to the special use permit and then there were other conditions here on the plan that you received as well that outline conditions in regard to the parking and the stacking. With those key elements being on the special use permit plan and offered as conditions, staff was comfortable again recommending approval.

Planning staff is recommending approval based on one recommendation in regard to the design of the site and there's drop-off and stacking in front the facility. The main parking lot doesn't really have a good walking area to get to the front entrance, so it was just a simple recommendation they might want to think about doing something there to have a dedicated way around that traffic to get into the facility.

The Planning Board on March 24 reviewed the application, recommended approval based again upon staff's findings and then with a couple added conditions that any kind of play equipment have adequate fencing and then the building which is designed really as an office building and it has interesting architectural elements that might not be geared toward children playing in or around the building area, the Planning Board recommended that the safety railings that are on the walkways on the second story in the back be replaced with safer options for children there. So they recommended approval as well.

That's the presentation I have. The applicants and their representatives are here to answer any questions.

Commissioner Phillips made a motion to approve.

Commissioner Kidwell seconded motion.

Commissioner Julian said as far as the stacking and the turn lane entering into the building, I have a concern that the back-up just like at our other schools, Lake Norman Charter, they have a police officer on hand to handle that. Are we requiring the Montessori school to have the same thing, a police officer or whatever it takes to move that traffic.

Mr. Priest said at this point it was not deemed as necessary to have anybody doing traffic outside because of the limited enrollment and the times that are proposed, so it did not seem like that was necessary.

Commissioner Julian said as it grows, though, is the requirement in the plans.

Mr. Priest said if they did grow over the 97 maximum children that they are proposing now, they would have to come back and modify the Special Use Permit. They are capped right now.

Commissioner Kidwell said would they also have to come back in terms of parking. There's the overflow parking in the back as discussed in here. If they were to pave that or make that suitable for parking, would they also have to come back.

Mr. Priest said that's correct. Right now it's shown specifically just as a grassed area that they would have maybe for special events once in a while, once every three months some parents come and they don't have enough parking in the regular parking, it would be overflow just to park on the grass. If they wanted to make that a permanent facility for everyday parking, it's not right now geared for that.

Mr. Simoneau said you are asking if they pave that area and make it more formalized would they have to come back before the Town Board. My response would be it would probably be cumbersome to do that to fix parking and so my suggestion to you would be if you don't have a problem with it, it's behind the buffer, just be clear that they could do that. They would still have to meet the Town's standards and if there were more vehicles coming we would have to make sure it didn't violate the traffic that we have anticipated but if there's a potential for them to pave that without having to jump back through this process and you are comfortable with that, then you might want to be careful on how you word the motion.

Commissioner Neely said the Planning Board's recommendations or suggestions, a couple of things – the guardrails and the fencing, has the applicant responded favorably to all of that.

Mr. Priest said yes, they have. They have put notes on the plan that requires them to do just that. Again, we are kind of early in the process. They haven't gotten into the interior renovation plans exactly what's going to be done, but they did go ahead and put a general note saying that they would address those issues during that phase subsequently.

Lori Schneider, 165 Templeton Bay Drive, Mooresville said just a couple of comments about this school. We are actually a really small school. It's really about 30 students that are daycare through

kindergarten, about 35 1st through 6th graders, 7 middle schoolers and 8 high schoolers. When you think of a school, we are not actually nearly as large as hardly any of the other schools in this area. We've been in operation for 10 years. It's a relatively alternative type of education and our enrollment has been steady, really around 80 students for the past three – four years. So we did put potential 20 percent growth in for the upcoming three years. We feel pretty good with those numbers. I don't want you to think that we are coming as a school of 80 and plan to grow to be 500 before we were to leave this facility. Honestly this facility probably couldn't hold much more than what we have. And then maybe just the last thing would be that one of the centers of the Montessori philosophy is around community and we would certainly expect to set good examples for our children and be good community members with the Town of Huntersville.

Mr. Priest said for the motion, the findings of fact need to be put into the motion. If the Town Board would like to use the staff findings for that motion, that would be fine.

Mayor Swain said and also what Mr. Simoneau was talking about with regard to the parking.

Mr. Priest said correct, that modification.

Mayor Swain said Mr. Phillips, it was your motion. Are you adding that?

Commissioner Phillips said yes ma'am.

Mayor Swain said and you are okay, Mr. Kidwell.

Commissioner Kidwell said yes ma'am.

Mayor Swain called for the vote.

Motion carried unanimously

Old Jail Restoration. Greg Ferguson, Town Manager, said there's been some discussion for a number of months about the restoration of the old jail. The Charlotte-Mecklenburg Historic Landmarks Commission has met a couple of times both with OHHS and with Town Staff regarding various ways to accomplish that.

Our recommendation is that we transfer the property to the Charlotte-Mecklenburg Historic Landmarks Commission and let them use funds that they have on hand to perform the restoration that would include them drawing up a scope of work and then also defining what the ultimate cost would be. The transfer to the Landmarks Commission would basically facilitate them spending their money at this point in time. They would then transfer the property back to the Town at the completion of the work. Essentially what would happen is for \$1 the land would be transferred to the Historic Landmarks Commission and they would perform the work under an agreed upon scope that the Town would have to agree to and at the conclusion of the work the property would be transferred back to the Town for \$1 and the Town would then be in the position to pay the Historic Landmarks Commission the cost of that agreed upon scope. They would use their expertise in renovating the facility, defining what needed to be done to make it usable and then transfer that back to the town. The Town would of course have a contract with them to facilitate that and the attorneys would have to draw that up. Dr. Morrill has been up here. He has walked the site. He's looked at the building. He's looked at other structures in downtown. Stewart Gray has been here as well. They spent some time assessing where they think the

property is currently. The goal would be to transfer the property this summer so that work could be done this summer to stabilize it before next winter. That's my recommendation. There's been a lot of work done to get here with OHHS and some of the members have spent a lot of time trying to brainstorm about future uses and so that's to be noted. Town staff feels like at this time it's probably best for the Landmarks Commission to do what they do best which is preserve properties and then let that process play out to transfer the property back to the Town for future use. Certainly the Town staff could do that but we've got other projects in the downtown that are funded that we are working on right now and so really we feel like this is probably the quickest way to get the property stabilized.

Commissioner Neely said I'd like to make a motion that we proceed with the plan that's just been articulated by our Town Manager.

Commissioner Julian seconded motion.

Commissioner McAulay said I thank everybody who has worked on it – the Huntersville Historic Society and I believe it is with their recommendation that we proceed along this line and I assume the motion authorizes the Town Manager to negotiate a contract to be brought back to the Town Board for approval.

Commissioner Neely said correct.

Commissioner Kidwell said there has been a lot of work from the group, from the Town staff. This has been an ongoing process getting here to this point and I appreciate everybody's insight and help and dedication to it.

Mayor Swain said I think our Town Clerk will agree with me when I say that this is a long time coming. We have loved that old jail for years and years. So thank you to everybody else for caring about it as much as others have.

Commissioner McAulay said the OHHS is in a position to accept contributions to assist the Town in the cost of refurbishing this historic building. Anybody that wants to donate should donate to the historic group. They have a 501 tax exempt status and the money that is collected would be then turned over to the Town it's my understanding for that renovation. I'm not saying that they'll raise all of it

Commissioner Kidwell said once they agree upon it as a group at our next meeting or when we find out the total cost, they'll agree to a percentage and they will focus on fundraising to that point so the cost will be offset by that amount.

Commissioner Neely said I know this group well having been part of the original group. They are a small but mighty group and when they set their mind to fundraising – watch out, they will get it.

Mayor Swain called for the vote.

Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes – January Retreat. Commissioner McAulay made a motion to approve the minutes of the January 2015 Town Board Retreat. Commissioner Julian seconded motion. Motion carried unanimously.

Approval of Minutes – March 12. Commissioner McAulay made a motion to approve the minutes of the March 12, 2015 Special Town Board Meeting. Commissioner Julian seconded motion. Motion carried unanimously.

Approval of Minutes – March 16 Pre-meeting. Commissioner McAulay made a motion to approve the minutes of the March 16, 2015 Town Board Pre-meeting. Commissioner Julian seconded motion. Motion carried unanimously.

Approval of Minutes – March 16 Regular Meeting. Commissioner McAulay made a motion to approve the minutes of the March 16, 2015 Regular Town Board Meeting. Commissioner Julian seconded motion. Motion carried unanimously.

Property Tax Refund Report 33. Commissioner McAulay made a motion to approve SL362 Property Tax Refund 33. Commissioner Julian seconded motion. Motion carried unanimously.

Property Tax Refund Report 33 attached hereto as Attachment No. 2.

Property Tax Refund Report 34. Commissioner McAulay made a motion to approve SL362 Property Tax Refund 34. Commissioner Julian seconded motion. Motion carried unanimously.

Property Tax Refund Report 34 attached hereto as Attachment No. 3.

Audit Contract. Commissioner McAulay made a motion to approve audit contract with Martin Starnes & Associates, CPAs, P.A. Commissioner Julian seconded motion. Motion carried unanimously.

Contract attached hereto as Attachment No. 4.

Budget Amendment – Parks & Recreation. Commissioner McAulay made a motion to approve budget amendment appropriating funds from Bradford Park Capital Reserve account in the amount of \$25,000 to Equipment to provide for a new transformer for the park. Commissioner Julian seconded motion. Motion carried unanimously.

Budget Amendment – Parks & Recreation. Approve budget amendment appropriating \$724 of signage revenue to the Parks & Recreation Department Supplies to purchase five ball field signs.

Budget Amendment – Parks & Recreation. Approve budget amendment appropriating sponsorship revenue in the amount of \$7,050 to the Parks & Recreation Department's Festival account. Commissioner Julian seconded motion. Motion carried unanimously.

Budget Amendment – Equipment Replacement. Commissioner McAulay made a motion to approve budget amendment appropriating deferred revenue – PEG Access Grant funds in the amount of \$11,162 to provide for emergency replacement of equipment (digital projector, digital document camera and monitors) in the Board Chambers. Commissioner Julian seconded motion. Motion carried unanimously.

Budget Amendment – ABB. Commissioner McAulay made a motion to approve budget amendment appropriating fund balance in the amount of \$327,377.88 to provide for the ABB Business Investment Program Grant approved by the Board on December 20, 2010. Commissioner Julian seconded motion. Motion carried unanimously.

Budget Amendment – Police. Commissioner McAulay made a motion to recognize insurance revenue in the amount of \$592.13 and appropriate to the Police Department's insurance account. Commissioner Julian seconded motion. Motion carried unanimously.

CLOSING COMMENTS

None

There being no further business, the meeting was adjourned.

Approved this the _____ day of _____, 2015.