

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

**December 7, 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 December 7, 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

- Enjoyed serving on the Metropolitan Transit Commission and the Commerce Station Management Team.

Commissioner Julian – No Report.

Commissioner Kidwell

- No report from the Olde Huntersville Historic Society.
- Rural Hill is behind on their budget due to the drought affecting their corn maze. They have set up a GoFundMe page and are trying to raise \$100,000.

Commissioner McAulay

- The next Charlotte Regional Transportation Planning Organization meeting is January 20.
- The next Centralina Council of Governments meeting is January 13.

Commissioner Neely announced upcoming Lake Norman Chamber events.

Commissioner Phillips encouraged people to shop Huntersville.

**PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS**

Bob Cook, Secretary to the Charlotte Regional Transportation Planning Organization, expressed appreciation to Commissioner McAulay for her service on the CRTPO.

Commissioner Dumont Clarke, Mecklenburg County Board of Commissioners, expressed appreciation to Commissioner McAulay for her service to the Centralina Council of Governments.

Representative John Fraley presented the Order of the Long Leaf Pine to Commissioner McAulay.

Mayor Swain presented the Mayor's Achievement Award to Healthy Huntersville volunteers.

Mayor Swain recognized Sid and Pearl Abramsky for their involvement with the town and presented them with the Key to the City.

Commissioner Julian expressed appreciation to his family and constituents. It has been an honor and privilege to serve.

Commissioner Neely expressed appreciation to the Town staff and he enjoyed the opportunity to serve the citizens of Huntersville.

Commissioner McAulay expressed appreciation to all the people that had a part in presenting the Order of the Long Leaf Pine award. She encouraged the people that will be representatives to the commissions she represented to attend those meetings and build a working relationship. Commissioner McAulay also expressed appreciation to the current Mayor and Commissioners and the Town staff.

Mayor Swain proclaimed the first Friday of the month of March every year as Town Employee Appreciation Day in the Town of Huntersville.

***Town of Huntersville  
Proclamation***

**WHEREAS**, the Town of Huntersville employees are the foundation for the day-to-day operations of the community; and

**WHEREAS**, the Town staff is comprised of employees in several different departments with a wide range of talents, skills and professional and educational backgrounds; and

**WHEREAS**, the ratio of employees per capita is one of the leanest in the largest 30 municipalities in the state; and

**WHEREAS**, the staff is available whenever called upon to help with anything ranging from budget issues, to downed trees to park lighting and road closures and more, for answers to citizens and elected officials; and

**WHEREAS**, there are few formal opportunities to give Town staff thanks and accolades for their sincere efforts and labor on behalf of the Town of Huntersville; and

**WHEREAS**, Employee Appreciation Day is being recognized as a charge for employers and citizens to thank employees for their hard work and efforts throughout the year; and

**WHEREAS**, Employee Appreciation Day is celebrated on the first Friday of March in the United States; and

**WHEREAS**, recognition and appreciation of employees is a simple but necessary way to contribute to employee happiness and engagement; and

**WHEREAS**, the employees of the Town of Huntersville are deserving of thanks and appreciation for their dedication to the Town of Huntersville and contributing to the Town's quality of life.

**NOW, THEREFORE**, I, Jill Swain, Mayor of the Town of Huntersville, North Carolina do hereby declare, as my last official proclamation, the first Friday of the month of March every year, as Town Employee Appreciation Day in Huntersville and encourage subsequent Town Boards and Huntersville citizens to show their appreciation to our Town employees with thanks and acts of kindness.

**IN WITNESS WHEREOF**, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 16<sup>th</sup> day of November, 2015.

Mayor Swain presented Town Manager with Mayor's Achievement Award for every employee.

### **AGENDA CHANGES**

Commissioner Kidwell made a motion to add Item A under Other Business – Consider authorizing the acquisition of 15 properties and appropriate fund balance in the amount of \$1,020,000 to cover purchase of land and associated closing costs.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Commissioner McAulay made a motion to adopt the agenda, as amended.

Commissioner Kidwell seconded motion.

Motion carried unanimously.

### **OTHER BUSINESS**

**Acquisition of Property.** Commissioner Phillips made a motion to authorize the acquisition of 15 properties and appropriate fund balance in the amount of \$1,020,000 to cover purchase of land and associated closing costs.

Commissioner Kidwell seconded motion.

Commissioner McAulay pointed out that there was discussion with the incoming board and the consensus was that we move forward with the purchase of the property.

Mayor Swain called for the vote.

Motion carried unanimously.

*Memorandum Agreement for Sale and Purchase of Property attached hereto as Attachment No. 1.*

### **CONSENT AGENDA**

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

**Property Tax Refunds.** Commissioner McAulay made a motion to approve SL362 Property Tax Refund Report No. 48. Commissioner Neely seconded motion. Motion carried unanimously.

*Property Tax Refund Report No. 48 attached hereto as Attachment No. 2.*

### **OATH OF OFFICE FOR MAYOR AND COMMISSIONERS**

Judge Eric Levinson administered oath to Mayor John Aneralla.

Judge Eric Levinson administered oath to Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

### **AGENDA CHANGES**

Commissioner Kidwell made a motion to add Public Comments following Public Hearings.

Commissioner Gibbons seconded motion.

Motion carried unanimously.

### **NEW BUSINESS**

**Election of Mayor Pro-tem.** Commissioner Guignard made a motion to nominate Daniel E. Phillips as Mayor Pro-tem.

Commissioner Kidwell seconded motion.

Motion carried unanimously.

**Resolution – Jeff Neely.** Commissioner Bales made a motion to adopt resolution recognizing Jeff Neely.

Commissioner Kidwell seconded motion.

Motion carried unanimously.

#### **Town of Huntersville Resolution**

Whereas, Jeff Neely served as a member of the Huntersville Board of Commissioners for 3 years; and

Whereas, the Town of Huntersville has been fortunate to have had the services of Jeff Neely who has provided leadership and rendered good judgment for the betterment of all of the citizens of the Town; and

Whereas, Jeff Neely has always been willing to place his concern for the public good ahead of his personal interests and thus, has earned the admiration and high regard of other civic leaders and the affection of a host of area residents; and

Whereas, it is the desire of the Mayor and Board of Commissioners of the Town of Huntersville to recognize and honor Jeff Neely for his dedicated contributions to our community.

Now, therefore, be it hereby resolved by the Board of Commissioners of the Town of Huntersville, that we do hereby express our appreciation and thanks, as well as that of our citizens, to Jeff Neely for his dedicated service to the community.

Presented this the 7<sup>th</sup> day of December, 2015.

**Resolution – Ron Julian.** Commissioner Bales made a motion to adopt resolution recognizing Ron Julian.

Commissioner Gibbons seconded motion.

Motion carried unanimously.

Town of Huntersville  
Resolution

Whereas, Ron Julian served as a member of the Huntersville Board of Commissioners for 8 years; and

Whereas, these years of service have been marked by exemplary dedication to the best interests of the community, and Ron Julian has worked constantly for the betterment of its economic and aesthetic development; and

Whereas, through the performance of his duties and responsibilities as a member of the Town Board, Ron Julian has made excellent and constructive contributions to municipal government in our Town; and

Whereas, it is the desire of the Mayor and Board of Commissioners of the Town of Huntersville to recognize and honor Ron Julian for his dedicated contributions to our community.

Now, therefore, be it hereby resolved by the Board of Commissioners of the Town of Huntersville, that we do hereby express our appreciation and thanks, as well as that of our citizens, to Ron Julian for his dedicated service to the community.

Presented this the 7<sup>th</sup> day of December, 2015.

**Resolution – Sarah McAulay.** Commissioner Bales made a motion to adopt resolution recognizing Sarah McAulay.

Commissioner Guignard seconded motion.

Motion carried unanimously.

Town of Huntersville  
Resolution

Whereas, Sarah McAulay served the Town of Huntersville for many years in numerous capacities, including 10 years as Mayor and 14 years as Commissioner; and

Whereas, her historical knowledge of the Town and vision for responsible growth has been invaluable; and

Whereas, Sarah McAulay has been active in regional issues, including serving as Chair of the Charlotte Regional Transportation Planning Organization and Vice Chair of the Centralina Council of Governments; and

Whereas, it is the desire of the Mayor and Board of Commissioners of the Town of Huntersville to recognize and honor Sarah McAulay for her distinguished service to the community and highly commend her for the manner in which she has carried out her duties and responsibilities.

Now, therefore, be it hereby resolved by the Board of Commissioners of the Town of Huntersville, that we do hereby express our appreciation and thanks, as well as that of our citizens, to Sarah McAulay for her dedicated service to the community.

Presented this the 7<sup>th</sup> day of December, 2015.

**Resolution – Jill Swain.** Commissioner Bales made a motion to adopt resolution recognizing Jill Swain.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Town of Huntersville  
Resolution

Whereas, Jill Swain served the Town of Huntersville for many years in numerous capacities, including 8 years as Commissioner and 8 years as Mayor; and

Whereas, Jill Swain untiringly devoted over 16 years to our community during a period of time that numerous projects were initiated through her leadership which will continue to have a revitalizing and growing impact on our community far beyond her term of office; and

Whereas, during her time on the Huntersville Town Board Jill Swain served on the Lake Norman Chamber of Commerce Board of Directors, the Police Dispatch Advisory Committee, the Visit Lake Norman Board of Directors, Arts & Science Council, Metropolitan Transit Commission, Commerce Station Management Team and Metro Mayors; and

Whereas, it is the desire of the Mayor and Board of Commissioners of the Town of Huntersville to recognize and honor Jill Swain for her dedicated contributions to our community.

Now, therefore, be it hereby resolved by the Board of Commissioners of the Town of Huntersville, that we do hereby express our appreciation and thanks, as well as that of our citizens, to Jill Swain for her distinguished service to the community.

Presented this the 7<sup>th</sup> day of December, 2015.

**Lake Norman Little League Co-sponsorship.** The Huntersville Parks & Recreation Commission recommended approving the Lake Norman Little League for co-sponsorship by a vote of 8-1 at their November 4 meeting. Lake Norman Little League has over 200 kids from Huntersville in their program. Lake Norman Little League is a non-profit organization that has no paid staff. HYAA's spring baseball numbers have dropped over the last 3-4 years by more than 200 residents.

Commissioner Phillips made a motion to approve Lake Norman Little League's co-sponsorship application.

Commissioner Guignard seconded motion.

Glenn Jones, 14807 Rosemary Way Drive, expressed appreciation to the Board for their consideration of the co-sponsorship application.

Jeff Sheets, 305 Southland Road, explained that the Lake Norman Little League cannot grow anymore without the Huntersville fields.

Mayor Aneralla called for the vote to approve Lake Norman Little League's co-sponsorship application.

Motion carried unanimously.

**Appointments to Boards/Committees.** Commissioner Phillips made a motion to approve the following appointments:

Charlotte Regional Transportation Planning Organization (CRTPO) – Commissioner Kidwell, Representative; Commissioner Gibbons, Alternate  
Metropolitan Transit Commission (MTC) – Mayor Aneralla, Representative; Greg Ferguson, Alternate  
Lake Norman Economic Development Corporation – Commissioner Bales, Representative; Commissioner Gibbons, Alternate  
Centralina Council of Governments (COG) – Commissioner Guignard, Representative; Commissioner Bales, Alternate  
Lake Norman Chamber of Commerce – Commissioner Phillips, Representative; Commissioner Boone, Alternate  
Visit Lake Norman – Commissioner Phillips, Representative; Commissioner Boone, Alternate  
Lake Norman Transportation Commission (LNTC) – Commissioner Bales, Representative; Commissioner Guignard, Alternate  
NC 73 Council of Planning – Commissioner Gibbons, Representative; Commissioner Kidwell, Alternate

NC Municipal Power Agency 1 – Greg Ferguson, Representative; Mayor Aneralla, Alternate  
Planning Coordinating Committee – Commissioner Guignard, Representative; Commissioner Kidwell, Alternate  
Lake Norman Education Collaborative – Commissioner Bales, Representative; Commissioner Guignard, Alternate  
Olde Huntersville Historic Society – Commissioner Kidwell, Representative; Mayor Aneralla, Alternate  
Public Safety Liaison – Commissioner Boone, Representative; Commissioner Phillips, Alternate  
Veterans Liaison – Commissioner Gibbons, Representative

Commissioner Guignard seconded motion.

Motion carried unanimously.

**Video Streaming Town Board Meetings.** Mayor Aneralla stated that the Board thought it would be a good idea to video stream the Town Board meetings to increase participation in the Town's communications as well as create more transparency. The Board would like to initiate video streaming of the Town Board meetings.

Greg Ferguson, Town Manager, explained that Staff has been looking at various proposals. Staff will bring back options to your next meeting.

Commissioner Guignard made a motion that we ask Town Staff to bring us proposals for the best way to video stream these meetings and other appropriate meetings so that the entire citizenship of this town and this region can know what we are doing.

Commissioner Bales seconded motion.

Commissioner Phillips requested a timeline for the information to be brought back to the Board.

Commissioner Guignard amended his motion to include that the information be brought to the Board at the next meeting.

Commissioner Bales seconded amended motion.

Motion carried unanimously.

**Resolution – Termination of Toll Lane Contract.** Commissioner Kidwell made a motion to adopt Resolution requesting the termination of the contract providing toll lanes on I-77.

Commissioner Phillips seconded motion.

Motion carried unanimously.

**TOWN OF HUNTERSVILLE BOARD OF COMMISSIONERS  
RESOLUTION REQUESTING THE TERMINATION OF THE CONTRACT WITH  
“I-77 MOBILITY PARTNERS” TO TOLL I-77 FOR 50 YEARS**

**WHEREAS**, the Final Draft of the Comprehensive Agreement (the Agreement) between the North Carolina Department of Transportation (NCDOT) and I-77 Mobility Partners (the Developer) requires the NCDOT to compensate the Developer if any future interstate improvement result in a decrease in toll revenues along the planned I-77 HOT lane corridor; and

**WHEREAS**, the Agreement requires the North Carolina taxpayer to compensate Developer up to 80 percent of the senior outstanding debt of the project in the case of Developer default, and further requires the North Carolina taxpayer to assume the state and federal tax liability of the Developer in certain cases; and

**WHEREAS**, the lanes for the I-77 managed lanes project will be designed to carry cars and transit vehicles only, and therefore will be built to approximately half the thickness of normal general purpose lanes; and

**WHEREAS**, these lanes will not be able to handle the weight of Tractor Trailers, thereby limiting their future use or necessitating a complete reconstruction if they are to accommodate heavy commercial vehicles; and

**WHEREAS**, the toll lane project is forecast to cost approximately \$11 billion (based on the 2011 Stantec forecast) over 50 years for the drivers in the HOT lanes; and

**WHEREAS**, I-77 is a primary evacuation route for two nuclear power stations in the event of an accident or terrorist attack, and the fastest, least-intrusive manner to add capacity to I-77 is with general purpose lanes from exit 23 to 36; and

**WHEREAS**, the motorsports community, the service and retail industries, as well as other business owners have actively spoken out against the toll lane plan making a compelling case that tolls in I-77 will impair economic development; and

**WHEREAS**, the Project design limits access or makes it much more cumbersome at selected exits and therefore will cause economic harm to gas stations, hotels, restaurants and other local businesses; and

**WHEREAS**, I-77 could potentially be de-bottlenecked for approximately \$100 million dollars using public funds that citizens have paid for through the gasoline tax, and the toll lane project will cost state taxpayers approximately \$240 million dollars; and

**WHEREAS**, North Carolina had a budget surplus of \$400 million this year, and Governor McCrory's budget director has said publicly the state can borrow money to finance road construction, and this improvement in state finances should compel reconsideration of public funding to add general public, free lanes instead of private toll lanes; and

**WHEREAS**, the Town has concerns about the failed toll road projects around the world; and

**WHEREAS**, in recent local media-led polls it appears that more than 82 percent of our constituents oppose the 50-year toll contract for I-77; and

**WHEREAS**, the citizens of Huntersville overwhelmingly supported and elected a board and mayor who have stood against and continue to stand against the I-77 project.

**NOW, THEREFORE, BE IT RESOLVED**, on behalf of the citizens that we represent here in Huntersville, we respectfully ask that the planned 50 year toll contract for Interstate 77 between NCDOT and I-77 Mobility Partners be immediately terminated by NCDOT and the widening of I-77 with general purpose lanes between mile markers 20-36 be scored under the STL.

Adopted this 7th day of December, 2015.

**Call for Public Hearing – Street Name Change Petition.** Commissioner Bales made a motion to call a public hearing for Monday, January 4, 2016 at 6:30 p.m. at Huntersville Town Hall for Street Name Change Petition, a request by the Town of Huntersville to rename all of Seigle Drive to Seagle Street, a length of 0.28 miles, beginning at Ramah Church Road and ending south of Hord Drive.

Commissioner Guignard seconded motion.

Motion carried unanimously.

**Reschedule Meeting.** Commissioner Kidwell made a motion to reschedule the January 18, 2016 Regular Town Board Meeting to Tuesday, January 19, 2016 at 6:30 p.m. at Huntersville Town Hall due to the Martin Luther King Jr. holiday.

Commissioner Gibbons seconded motion.



Motion carried unanimously.

### **PUBLIC HEARINGS**

**Petition #TA15-05.** Mayor Aneralla called to order public hearing on Petition #TA15-05, a request by Primal Brewery and the Town of Huntersville to amend Article 3.2.9(a) and 3.2.10(a) of the Zoning Ordinance to allow temporary mobile food sales as a use permitted with conditions in the Corporate Business and Special Purpose zoning districts.

Jack Simoneau, Planning Director, reviewed Staff Report. *Staff Report attached hereto as Attachment No. 3.*

Commissioner Guignard suggested the Board allow staff to come back with what would be necessary to drop the four day limitation.

Mr. Simoneau explained that another public hearing would be required in order to drop that limitation. The limitation was included in the proposed ordinance because there was some concern that mobile food carts might hurt the business of restaurants if allowed permanently.

Mayor Aneralla recognized Planning Board members present: Hal Bankirer, Janice Lewis, Susan Thomas and Joanne Miller.

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

### **PUBLIC COMMENTS**

Reta Berman, 10230 Vixen Lane, addressed the Board concerning the contract with Health Works. *Written comments attached hereto as Attachment No. 4.*

### **CLOSING COMMENTS**

Mayor Aneralla encouraged everyone to stay involved. The Board will be forming a couple of new committees and there are several committees right now that have vacancies. On December 14 there will be a meeting at Angels & Sparrows to update area residents on planned road improvements at Highway 115/Main Street and Statesville Road/Gilead Road.

There being no further business, the meeting was adjourned.

Approved this the \_\_\_\_ day of \_\_\_\_\_, 2015.