

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**March 7, 2016
6:30 p.m. – Town Hall**

PRE-MEETING

The Huntersville Board of Commissioners held a pre-meeting at the Huntersville Town Hall at 5:15 p.m. on March 7, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

Sale of Property – Harvest Point. Gerry Vincent, Assistant Town Manager, updated the Board on two lots owned by the Town in Harvest Point. The Town previously received an offer for both lots that the previous Board chose not to accept. The Town has now received an offer of \$30,000 for one lot. The lots appraised at \$45,000 each. The Board requested Mr. Vincent to go back and see if potential purchaser would be interested in both lots.

Gilead Road Directional Crossover update. Max Buchanan, Public Works Director/Town Engineer, briefly reviewed the plans for a directional crossover on Gilead Road at the shopping centers that was discussed at retreat. NCDOT has approved Spot Safety Funds for the project. The project has been discussed with owners of both shopping centers. Mr. Buchanan requested feedback from the Board on what they would envision a public awareness campaign to look like. Suggestions from the Board included a joint meeting with the owners and tenants of the shopping centers, signage alerting people that a new traffic pattern will be installed, reach out to surrounding HOA's, create flyer that could be distributed to Huntersville Elementary families.

Closed Session – Personnel. Commissioner Kidwell made a motion to go into closed session for personnel. Commissioner Bales seconded motion.

Upon return from closed session, 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 7, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

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

- Attended the MTC meeting on February 24. The budget was discussed and hopefully allocating additional resources to the North Mecklenburg area.
- Attended the Commerce Station Management Team meeting. There may be some new announcements coming soon.
- The Town sent a letter to Transportation Secretary Nick Tennyson requesting clarification on several items related to the I-77 toll contract.

Commissioner Bales

- The next Lake Norman Transportation Commission meeting is this Wednesday.
- Last week the four towns that are a part of the LNTC met to begin discussions on how to move forward and build regionalism around transportation.
- The Lake Norman Education Collaborative has been asked to partner with the North Learning Community in hosting a Partners for Education Summit on April 26.

Commissioner Boone

- The Land Development Ordinances Advisory Board met on March 3. The next meeting will be on April 7.
- The Battle of the Badges Blood Drive will be held March 19 at Birkdale Village.

Commissioner Gibbons

- Was unable to attend the Mecklenburg County Veterans Council meeting on March 1. They have upcoming open houses for the new VA clinic in Charlotte.
- Attended the NC 73 Council of Planning meeting. Among items discussed included the timeline of the widening of NC 73.

Commissioner Guignard

- No report from Centralina Council of Governments.
- Angels of 97 Spaghetti Dinner will be held on March 19.
- In the past 48 hours the country lost former First Lady Nancy Reagan and this community lost Didi Wayland who served Bethel Church for over four decades and Hopewell Presbyterian Church for 15 years.
- Expressed appreciation to Finance Director Janet Stoner who will retire March 31.

Commissioner Kidwell

- The next Olde Huntersville Historic Society meeting is April 6.
- The Charlotte Regional Transportation Planning Organization met last month and authorized the Technical Coordinating Committee to open up public comment period on the draft allocation of local points for P4.0 projects.

Commissioner Phillips

- From Visit Lake Norman, Elevation Church hosted a conference that had over 1,247 attendees from 39 states and 6 countries.
- Commissioner Boone and I have been visiting Huntersville businesses with Lake Norman Chamber President Bill Russell.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Mayor Aneralla presented proclamation to Joe Dougherty proclaiming March 2016 as Irish-American Heritage Month.

Town of Huntersville Proclamation

Whereas, the Town of Huntersville is proud to be the home of citizens of Irish-American descent; and

Whereas, more than 40 million Americans are of Irish-American descent and since our nation's inception and throughout our history, brave men, women and children, longing for a better life and yearning for freedom and opportunity, made the journey to the United States in search of a better life; and

Whereas, Irish-American citizens have made significant economic and cultural contributions to our nation and their influences can be found in every walk of life.

Now, Therefore, I, John Aneralla, Mayor of the Town of Huntersville, North Carolina, do hereby proclaim March 2016 as ***Irish-American Heritage Month*** in the Town of Huntersville and commend its observance to all citizens.

In Witness Whereof, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 7th day of March, 2016.

Todd Steiss, 8932 Deerland Court, Chair of the Huntersville Greenway Commission and the Town of Huntersville's representative for the Citizens Transit Advisory Group, announced an upcoming fundraiser for greenways on March 17. Also updated Board on proposed changes to CATS fares.

Pat McHale, 15235 Timberview Lane, recognized Huntersville Fire Chief Larry Irvin and his department for their response to a chimney fire at his home.

AGENDA CHANGES

Commissioner Phillips made a motion to move Item G under the Consent Agenda (Approve Deed of Easement at 10246 Vanguard Parkway) to Item K under Other Business. Commissioner Kidwell seconded motion. Motion carried unanimously.

Commissioner Kidwell made a motion to remove Item M from the Consent Agenda (Call a public hearing on Petition #R16-02). Commissioner Bales seconded motion. Motion carried unanimously.

Commissioner Guignard made a motion to adopt the agenda, as amended. Commissioner Phillips seconded motion. Motion carried unanimously.

PUBLIC HEARINGS

None

OTHER BUSINESS

Petition #R15-03. Petition #R15-03 is a request by Ethan Wakeman to rezone property located at 16516 and 16508 Old Statesville Road from Corporate Business to Highway Commercial – Conditional District for a pet daycare.

Brian Richards, GIS Administrator, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 1.*

Commissioner Guignard made a motion in considering the proposed rezoning application R15-03 (Dreaming Tree), the Town Board recommends approval based on the amendment being consistent with the Huntersville 2030 Community Plan to focus this type of development along the NC 115/Old Statesville Road corridor. It is reasonable and in the public interest to approve the rezoning because it does benefit and match (almost to the letter) the 2030 Plan.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Petition #TA15-06. Petition #TA15-06 is a request by the Town of Huntersville to amend Article 3, Article 4 and Article 8 removing residential building design standards to conform to North Carolina Statute Amendment Senate Bill 25.

Jack Simoneau, Planning Director, reviewed Staff Report and outline of three different text amendment options. *Staff Report attached hereto as Exhibit No. 2.*

The Planning Board unanimously recommended approval of the text amendment referred to as Attachment 2 at their February 23 meeting. It is essentially the same as the Staff recommendation at your December 21 public hearing. The Planning Board did add an additional option that you could have a 60' wide or less lot with no alley if an applicant went through a conditional rezoning process.

The staff has been working with REBIC to come to a resolution of something that was mutually acceptable by staff and REBIC. That is referred to as Attachment No. 6. Staff recommends under this proposal that all lots be required to be over 50' wide for detached and two-unit attached homes, excluding the TR and R districts. There's an option for 50' wide or less if alley is provided to detached and two-unit attached homes. There's an additional option for conditional rezoning for lots 50' wide or less without alley subject to conditions. An alley is recommended when you have three plus units attached. Driveway width recommendation is maximum 12' driveway width at the right-of-way for detached and two-unit attached houses on lots 60' wide or less and up to a maximum 20' driveway width at the right-of-way for detached and two-unit attached houses on lots over 60' wide. Maximum driveway is 50 percent width at the right-of-way when you have three plus unit attached house. Per the statutes, the last part is to delete the 10' garage recess from house front, but in order to do that you do need to have a driveway at least 20' deep.

Staff could support either Attachment 2 or Attachment 6. Attachment 6 is what was agreed to with REBIC. Staff does recommend that the driveway width at the right-of-way be 12' and that they can taper up as you go to the house to a 16' wide garage. To do that you would need to have the house sitting further back than 20'.

Commissioner Kidwell stated he is in support of Attachment 6, but believes the 12' driveway width is too narrow and vehicles could cause damage to the curb and gutter, which the Town would be responsible for the maintenance when they are turned over to the Town.

Mr. Simoneau stated this was a long and drawn out discussion with staff to even reduce the lot width before an alley is required and staff is unanimous in that we would not recommend a driveway width over 12' for lots 60' wide or less. Mr. Simoneau explained that the driveway is measured at the right-of-way, which the back of the sidewalk is the back of the right-of-way. You could have a 12' driveway that flares out equally on each side by 2' to a 16' garage door. The driveway can also have a 2' flare out on each side at the curb cut for 16', then narrow to 12', then flare out to 16' to the garage.

Commissioner Phillips questioned what that accomplished. Mr. Simoneau explained that it makes it easier to pull into and out of the driveway safely.

Commissioner Kidwell made a motion in considering Petition TA15-06, amending Articles 3, 4 and 8 of the Zoning Ordinance, the Town Board recommends approval of Attachment 6 with changes in the text from a 12' drive entrance to a 14' drive entrance based on the amendment being consistent with Policy H-1 and H-7 of the Huntersville Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the development community will be provided several options for subdivision layout to meet a varied housing market.

Commissioner Phillips seconded motion.

Commissioner Boone stated he is supportive of Attachment 2 which is the Huntersville Planning Board and staff recommendation and does not support Attachment 6 which would change the character of Huntersville.

Mayor Aneralla called for the vote.

Motion carried 5 to 1, with Commissioner Boone opposed.

Petition #TA15-07. Petition #TA15-07 is a request by the Town of Huntersville to amend Article 9.37.2 of the Zoning Ordinance to remove the maximum four day per week per location operating restriction on temporary mobile food sales.

Meredith Miller, Planner I, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 3.*

Commissioner Gibbons made a motion in considering the proposed amendment TA15-07 to amend Article 9.37.2 (Temporary Uses and Structures) of the Zoning Ordinance, the Town Board recommends approval based on the amendment being consistent with Policy CD-2 of the Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment provides flexibility to the temporary mobile food sales industry while providing economic benefit to the Town Center, Highway Commercial, Special Purpose and Corporate Business zoning districts. In addition, add language to 9.37.2.f and 9.37.2.h that would require applicants to meet all the requirements of Mecklenburg County's Environmental Health Department's Mobile Food Unit and Push Cart Flow Chart prior to the issuance of Town zoning approval.

Commissioner Guignard seconded motion.

The Board requested staff to provide report in 12 months on how it is working.

Mayor Aneralla called for the vote.

Motion carried unanimously.

Cashion Road Subdivision Sketch Plan. Mayor Aneralla pointed out this item is quasi-judicial.

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

Mayor Aneralla swore in Alison Adams, Jack Simoneau, Max Buchanan, Matt Gallagher, Hal Bankirer, Janice Lewis and Susan Thomas.

Alison Adams, Senior Planner, said I'm before you to present the Cashion Subdivision. *Staff Report attached hereto as Exhibit No. 4.* This is a subdivision out off Cashion Road near Beatties Ford. It is a 40 lot subdivision on 46 acres and as you can see on the map in front of you, the site is Rural zoning, as well as the surrounding properties are Rural zoning. Just to get you acclimated to where you are, to the north Duke Energy owns this property. To the east and west are large lot subdivisions and to the south is a farmhouse cluster.

When looking at subdivisions we look at larger context and so the next slide I'd like to point out the environmental features. We look at storm water buffers, flood plain, there's actually a gas line easement that runs east/west here, a power easement just to the north as well as a greenway trail and then the two road systems. I would like to point out one is a collector running north/south, which is called out in the Beatties Ford Area Plan and then a proposed alignment for 73 to the north. The next slide is the site plan and this gives you a closer view of what's being proposed. It is a 40 lot by right subdivision. The Traffic Impact Analysis was determined unneeded and the Adequate Public Facilities Ordinance was issued with no concern. A neighborhood meeting was held in December with about 25 residents showing up at the meeting. There were three specific concerns. One was additional traffic on Cashion Road which was covered by the TIA. It was determined that it wasn't needed based on rooftops. The second was pedestrian safety. The residents were concerned about folks walking on Cashion and not having a sidewalk system. The developer is putting in a meandering sidewalk through the front part of the parcel along Cashion Road. The third concern was the buffers. Any time in R and TR zoning you have the requirement of having an 80' buffer along a DOT street and so this subdivision is proposing an 80' buffer along Cashion Road that will be planted, as well as 25' residential buffers around the exterior of the property.

Along with a subdivision we also look at connectivity. The developer is proposing connectivity to the north. The right-of-way will be extended off the cul-de-sac here and to the west this is a private easement at Linderman Road so the right-of-way will be extended to this point here. And then, of course, the subdivision has two entry points along Cashion Road.

The open space and the tree save are all being met per the ordinance. And along with the meandering sidewalk there is an internal connectivity of a walking trail that the developer has put in through the gas line here and it goes down through the open space area and will connect back around.

The next slide I would like to point out and the reason why I threw this in here is because this subdivision is very close to not having to produce BMP's which are water quality features. They are at 15 percent impervious and did not have to do BMP's, you have to be at 12 or lower. And so the developers at this point are looking at an option of buying down and so BMP areas if they chose that option would be converted to open space. The funds that would be collected based off the buy down option would be used to mitigate other water quality issues within the same watershed.

Lastly I'll bring up the land use plans. We look at cohesiveness of subdivisions and we look at land use plans. Our 2030 Plan calls for density at our core and as we get out further in the Rural area we like to see less density. So this subdivision is in keeping with that plan and it is being proposed at 0.88 units an acre with 45.9 percent open space. Also if you remember on a few slides prior the blue dotted line that went north/south, the collector street, the developer is actually reserving area on the southeast corner of the site to protect that area for future connection. The staff does find the application complete and it complies with the Subdivision and Zoning ordinances and future land use plans.

Staff recommends approval with the option of allowing the developer to utilize BMP's or the buy down option and the Planning Board recommended the same and recommended approval unanimously.

Commissioner Kidwell said concerning sidewalks, it says the sidewalks will be on one side of the internal streets. Now exactly where would the sidewalks be internal to the subdivision. Is it just going to be surrounding this center part.

Ms. Adams said it is the dark line through here, so yes.

Commissioner Boone said on the north side of the development it looks like there is a cul-de-sac. Can you explain exactly what that is. Is that for a future road to go through there.

Ms. Adams said the cul-de-sac was put there with the intent that it would help for turn-around based on the lots here but what we have asked of the developer is to actually extend the right-of-way to the property line so that if ever this property up here gets sold then that connection point could be made for internal street networks.

Commissioner Boone asked will it be stubbed.

Ms. Adams said the right-of-way is to the property line but the actual road itself is to the edge of the buffer to keep the 25' buffer intact.

Commissioner Boone said on the south side of the development, who cut down all the Leyland Cypress trees.

Ms. Adams said that was the power company from what I understand because there's a line that runs along the side of the street.

Commissioner Boone said will this development have an HOA.

Ms. Adams said yes.

Commissioner Boone said will there be something in the covenants of the HOA rules about where this gas line is.

Ms. Adams said that was one of the topics that came up at Planning Board. There was some concern about the gas line easement and notifying those property owners as to where the location was. In our meeting with the Planning Board, the developer was more than willing to make it known that there was a gas line there as well as put it in the HOA covenants.

Commissioner Boone said not only for the first time buyer, but the third and fourth time that property is turned over that will be in the deed some place, is that what you are saying.

Ms. Adams said I would like for them to answer that question if you don't mind. They spoke directly about that piece of information.

Matt Gallagher, Blue Heel Development, said we went around and around a little bit on this topic and I think Mr. Worsely, the owner, mentioned that for the first time homebuyers we would put an addendum in the contract to address it. Subsequently the best way to identify it is to put a recorded plat in the HOA documents and highlight that so the second and third, fourth, subsequent people know at the transaction that there is a gas line there where the easement stands so they recognize it so they don't encroach, but also aren't surprised if the gas line needs to do work on it in the future. I think both things we'll cover first time when we sell a home and then subsequent adding it to the HOA recorded documents.

Commissioner Guignard said bottom left side where the sidewalk comes through the natural gas easement and it meanders back to the left.....why does the sidewalk split and goes to adjoining property.

Mr. Gallagher said aesthetics mostly. There's nothing strategic about it other than two access points in the future for walking for the residents if they want to use it on Linderman to cut across. We've had several discussions with those property owners. They want to see their buffer maintained but we want to give some walking access as well.

Commissioner Guignard said I can't help but ask, between those two sidewalks, is that one tree that is just sitting there by itself.

Mr. Gallagher said we were asked to survey any larger trees and there happens to be an existing larger tree. Most of them are Leylands.

Commissioner Kidwell made a motion in consideration of the Cashion Road Subdivision sketch plan we find the application complete and it complies with all of the requirements, therefore we approve the sketch plan as presented.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Solid Waste Contract. The existing contract for solid waste services was extended an additional year by Commissioners until June 30, 2016. Currently, Advanced Disposal provides weekly garbage and yard waste collection and bi-weekly recycling collection.

Current Operating Budget (FY16) is \$3,091,239 (17,500 households). In addition, the current contract with Advanced Disposal is \$14.34 per household (\$8.26/MSW, \$3.95/YW, \$2.13/REC). This includes the tipping fees of \$29/ton for municipal solid waste (MSW) and \$19/ton for yard waste (YW).

A pre-bid meeting was held on Tuesday, December 15 at Town Hall where eight attendees responded. On January 14, 2016, the Town received six bid proposals. In addition to weekly services of municipal solid waste (MSW) and yard waste (YW), the town also requested quotes for weekly and bi-weekly recycling. All services would be provided via 95-gallon carts as they are currently.

The RFP references a 5-year contract, with two successive one-year terms (extensions). Bids came in for 5-year proposals and one included an option for a 7-year contract. The two lowest bids were (1) a 5-year proposal using existing equipment from Advanced Disposal and (2) a 7-year proposal with all new equipment from Republic.

These two options were discussed at the Town Board Planning Retreat on February 4 where Commissioners directed staff to go to each firm for their best 5 and 7 year proposals using new trucks and new carts branded with the town logo for final consideration by Commissioners. Those proposals were due at 2 p.m. Monday, February 15. They were shared with the Board via e-mail prior to that night's board meeting. Commissioners deferred action that night to allow more time for research into the firms and their proposals to the March 7 meeting.

Bids for 5 and 7 year contracts for collection of municipal solid waste (MSW), yard waste (YW) and bi-weekly collection of recyclables (REC) with all new trucks, carts and equipment came in as follows:

- Advanced Disposal, 5-year: \$14.40/household (\$8.06/MSW, \$4.04/YW, \$2.30/REC) for a minimum annual cost of \$3,024,000 and minimum 5-year cost of \$15,120,000 to provide these services to our estimate of 17,500 households.
- Advanced Disposal, 7-year: \$14.25/household (\$7.98/MSW, \$3.99/YW, \$2.28/REC) for a minimum annual cost of \$2,992,500 and minimum 7-year cost of \$20,947,500 to provide these services to our estimate of 17,500 households.
- Republic, 5-year: \$15.25/household (\$8.25/MSW, \$3.80/YW, \$3.20/REC) for a minimum annual cost of \$3,202,500 and minimum 5-year cost of \$16,012,500 to provide these services to our estimate of 17,500 households.
- Republic, 7-year: \$14.35/household (\$8.26/MSW, \$3.95/YW, \$2.13/REC) for a minimum annual cost of \$3,011,400 and a minimum 7-year cost of \$21,079,800 to provide these services to our estimate of 17,500 households.

Based on these proposed figures, Advanced Disposal is an estimated \$178,500 cheaper annually than Republic if the Board chooses to go with a 5-year contract. If the Board prefers a 7-year contract, the difference is a lot closer as Advanced Disposal is an estimated \$18,900 per year cheaper than Republic. As part of their 7-year proposal, Republic has also pledged \$70,000 (\$10,000/year) to be invested in the community through sponsoring town events, programs and other activities to demonstrate their desire to be an active member of our community.

Commissioner Kidwell made a motion to award the contract for solid waste services to Advanced Disposal for a 7-year term and direct staff to work with Advanced to determine if any additional savings can be effective in the final contract and report back to the Town Board with the results.

Commissioner Guignard seconded motion.

Commissioner Boone stated he would not support the motion because he's heard too many complaints about Advanced.

Commissioner Gibbons stated he supports the motion as presented. Advanced will be getting new trucks and leaks from the trucks have been a big part of the complaints received. The new trucks will also include features that will help eliminate garbage blowing out of the top of the trucks. Commissioner Gibbons pointed out that if you get rid of a company that's already out there, drivers will go to work for the new company and so if it is a staffing problem, then the problem will still exist.

Commissioner Bales pointed out that she has concerns about the trucks and the litter, but also of the solid waste not being picked up. I personally can attest to not just an occasional miss, but a habitual miss for a number of years now and I have kind of lost faith really in Advanced. When we extended their contract a year ago I felt they were given the opportunity to correct their mistakes, but unfortunately I haven't seen corrections. A comment was made that the staff would just change over and that is a concern for me and I would like to hear from Republic regarding that piece and whether or not that is an accurate statement of how business is done. My neighbors told me they have stopped calling to file a complaint because it wasn't making a difference. If it's a relatively small amount in regards to savings, I would be willing to foot that bill to get a better quality service.

Malinda Barkley, 17756 Kings Point Drive, Cornelius, addressed the Board on behalf of Republic. We have a wonderful staffing policy that we go through. Some of the benefits of hiring an individual that is familiar with a route is the familiarity. However, we go through a very stringent process and we've heard some of the concerns that are here in the Town of Huntersville so we do feel that a change is necessary to provide you with the right staff to give you the quality of service. We would be using our current staff to start the services while we are training new staff to be able to handle the needs properly for the Town of Huntersville.

Commissioner Kidwell said over the past year I've watched Advanced Disposal not only address any concerns immediately and without haste but follow up with anyone who has reported them from the Town Board, at least from my perspective, with a phone call or an e-mail saying we went out and took care of it. I appreciate Republic's comments but it's beneficial to hire someone that knows the route. The staffing issue is still going to be there. From a budget standpoint, I am going to stand by my motion.

Commissioner Boone said Republic handles the waste in Cornelius. I realize that Cornelius is a smaller town than ours, but when their contract came up they didn't even put it out for bid they were so satisfied with them. Republic is the second largest solid waste company in the United States and they own the landfill that Advanced uses in Concord. Commissioner Boone reviewed report showing the number of missed pick-ups for 2015. *Refer to Exhibit 5.* The complaints aren't getting fewer, they are getting worse.

Commissioner Guignard pointed out that the figures are misleading because June was the month that the recycling day changed for some residents so it was on the same day as their garbage and yard waste collection, so that would have caused the numbers to go up. There will always be trouble with truck drivers. I support the motion as it is presented. I think the savings we will find will be much more than \$19,000+ a year when all is said and done and the service will continue to improve.

Mayor Aneralla called for the vote.

Motion carried 4 to 2, with Commissioners Bales and Boone opposed.

Resolution – Neighborhood Schools. Commissioner Bales made a motion to adopt the following resolution in support of neighborhood schools.

**TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS
RESOLUTION IN SUPPORT OF NEIGHBORHOOD SCHOOLS**

Whereas, the Town of Huntersville believes that every student should be guaranteed an opportunity to attend a home school within proximity to where he/she lives; and

Whereas, the Town of Huntersville believes that Charlotte Mecklenburg Schools should offer high quality academic options and magnet programs that are accessible to students in all parts of the county; and

Whereas, the Town of Huntersville pledges to work with the other municipalities, county, and community based organizations to combat the burdens that poverty places on many in our community by utilizing all the resources granted to the Town of Huntersville by North Carolina State Statute;

NOW, THEREFORE, BE IT RESOLVED that this resolution is adopted by the Huntersville Board of Commissioners to strongly urge the Charlotte Mecklenburg School Board to support neighborhood schools as the first criteria in their Student Placement Guiding Principles.

Commissioner Kidwell seconded motion.

Commissioner Kidwell expressed appreciation to Commissioner Bales for bring the resolution forward.

Commissioner Guignard expressed support for the resolution and added that he wished it could be bolder and broader saying we want neighborhood schools that are a school system unto itself in North Mecklenburg or maybe even join the Mooresville School District.

Mayor Aneralla expressed appreciation to Commissioner Bales for working with the other communities in the area to coordinate the efforts on this resolution. I just want to remind everybody that this battle was fought 15-16 years ago and what parents are really looking for is predictability and stability in where their children are going to be going to school and choice. I think when you take that guarantee away you open up a lot of uncertainty for parents.

Mayor Aneralla called for the vote.

Motion carried unanimously.

Commerce Station Substation. Commissioner Phillips made a motion to award bid for Commerce Station Substation Erection to Coastal Power and Electric, LLC and authorize the Town Manager to execute the bid contracts.

Commissioner Kidwell seconded motion.

Bid Tabulation attached hereto as Exhibit No. 6.

Kathy Moyer, Electric Systems Manager, confirmed that that the substation would be able to handle additional companies coming into Commerce Station.

Motion carried unanimously.

Alcoholic Beverage Policy/Ordinance. Michael Jaycocks, Parks & Recreation Director, reviewed changes since the last meeting. The proposed policy is similar to the policies of the Town of Cornelius and the Town of Kannapolis which would allow alcohol at certain events that the Town approves and has to be in a certain area that is controlled. The Police Department reviewed the policy and did not have any concerns.

Commissioner Phillips made a motion to approve the amended Alcohol Policy and Ordinance

Commissioner Kidwell seconded motion.

Motion carried unanimously.

Amended Alcohol Policy/Ordinance attached hereto as Exhibit No. 7.

Appointment – Parks & Recreation Commission. There is one vacancy on the Parks & Recreation Commission due to a member resigning. The term will expire on December 31, 2016. Varona Wynn and Richard Skalski have withdrawn their names for consideration.

Commissioner Boone nominated Henry Stiene.
Commissioner Bales nominated Michele Lee.

Vote for Henry Stiene – Commissioners Boone, Gibbons, Guignard, Kidwell, Phillips in favor.
Vote for Michele Lee – Commissioner Bales in favor.

Henry Stiene was appointed to the Parks & Recreation Commission to fill term that will expire on December 31, 2016.

Appointments – ASC North/West Advisory Council. The Arts & Science Council has requested the Town to appoint two members to the North/West Advisory Council.

Commissioner Boone nominated Renee Calder and Leif Rauer.
Commissioner Bales nominated John Foster.

Vote for Renee Calder: Commissioners Boone, Kidwell, Gibbons, Phillips and Bales in favor.
Vote for Leif Rauer: Commissioners Boone, Kidwell, Gibbons, Phillips and Guignard in favor.
Vote for John Foster: Commissioners Bales and Guignard in favor.

Renee Calder and Leif Rauer were appointed to the ASC North/West Advisory Council.

Deed of Easement. With recent construction of wooden stairs serving as the primary entrance into the home at 10246 Vanguard Parkway partially encroaching into the street right of way, it is necessary to convey a permanent easement for the limited purposes set forth in the attached agreement and exhibit.

Commissioner Kidwell asked if granting this easement would create a violation of the Zoning Ordinance that would need to go to the Board of Adjustment for a variance.

Bob Blythe, Town Attorney, stated Planning staff determined on this particular case, this property is part of a conditional district rezoning plan that specifically provides that porches, stoops, etc. may encroach into a setback and/or right-of-way, so there would not be a zoning violation.

Commissioner Gibbons made a motion to approve deed of easement for 10246 Vanguard Parkway.

Commissioner Guignard seconded motion.

Motion carried unanimously.

Deed of Easement attached hereto as Exhibit No. 8.

CONSENT AGENDA

Approval of Minutes – February 15 Meeting. Commissioner Guignard made a motion to approve the minutes of the February 15, 2016 Regular Town Board Meeting. Commissioner Kidwell seconded motion. Motion carried unanimously.

Approval of Minutes – Retreat. Commissioner Guignard made a motion to approve the minutes of the February 4 and 5, 2016 Town Board Retreat. Commissioner Kidwell seconded motion. Motion carried unanimously.

Ordinance – Street Closure for Hello Huntersville. Commissioner Guignard made a motion to adopt ordinance to temporarily close certain State maintained roads for the Hello Huntersville Event organized by the Town of Huntersville. Commissioner Kidwell seconded motion. Motion carried unanimously.

AN ORDINANCE TO TEMPORARILY CLOSE CERTAIN STATE-MAINTAINED ROADS FOR A SPECIAL EVENT ORGANIZED BY THE TOWN OF HUNTERSVILLE, NC

WHEREAS, North Carolina General Statute 20-169 authorizes local authorities to regulate by ordinance the use of a highway within their jurisdiction by processions, assemblages or anything that may be construed as a procession or assemblage, and

WHEREAS, the Town of Huntersville will consult with the local NCDOT Division office to verify that a proposed event will not 1) interfere with other planned special events and
2) impact or be impacted by planned maintenance or other activities., and

WHEREAS, the Town of Huntersville will sponsor and hold its annual Hello Huntersville Event on May 14, 2016; and

WHEREAS, this event will require the temporary closing of 1) Old Statesville Road (NC115) between Mt. Holly-Huntersville Road and Gilead Road, and 2) Huntersville-Concord Road between Church Street and Old Statesville Road (see Map Exhibit A).

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that (1) Old Statesville Road (NC115) between its intersection with Mt. Holly-Huntersville Road and Gilead Road, and (2) Huntersville-Concord Road between its intersection with Church Street and Old Statesville Road be closed to vehicular traffic on May 14, 2016, between the hours of 7:30 A.M. and 3:00 P.M.

Town will place signage as appropriate advising the Public of the closing.

A copy of this Ordinance shall be forwarded to the local NCDOT Division office.

Adopted this 7th day of March, 2016.

Ordinance – Street Closure for Huntersville Christmas. Commissioner Guignard made a motion to adopt ordinance to temporarily close certain State maintained roads for the Huntersville Christmas Event organized by the Town of Huntersville. Commissioner Kidwell seconded motion. Motion carried unanimously.

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WHEREAS, the Town of Huntersville will consult with the local NCDOT Division office to verify that a proposed event will not 1) interfere with other planned special events and
2) impact or be impacted by planned maintenance or other activities., and

WHEREAS, the Town of Huntersville will sponsor and hold its annual Huntersville Christmas celebration on December 10, 2016; and

WHEREAS, this event will require the temporary closing of 1) Old Statesville Road (NC115) between Mt. Holly-Huntersville Road and Gilead Road, and 2) Huntersville-Concord Road between Church Street and Old Statesville Road (see Map Exhibit A).

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that (1) Old Statesville Road (NC115) between its intersection with Mt. Holly-Huntersville Road and Gilead Road, and (2) Huntersville-Concord Road between its intersection with Church Street and Old Statesville Road be closed to vehicular traffic on December 10, 2016, between the hours of 12:00 P.M. and 9:30 P.M.

Town will place signage as appropriate advising the Public of the closing.

A copy of this Ordinance shall be forwarded to the local NCDOT Division office.

Adopted this 7th day of March, 2016.

Concession Contract – HAP and North Meck Park. Commissioner Guignard made a motion to award Concession Contract for Huntersville Athletic Park and North Mecklenburg Park to Yamo Concessions & Sports, Inc. Commissioner Kidwell seconded motion. Motion carried unanimously.

Contract attached hereto as Exhibit No. 9.

Concession Contract – Bradford Park. Commissioner Guignard made a motion to award Concession Contract for Bradford Park to Homerun Concessions. Commissioner Kidwell seconded motion. Motion carried unanimously.

Contract attached hereto as Exhibit No. 10.

Budget Amendment – HFFA. Commissioner Guignard made a motion to approve budget amendment recognizing insurance revenue in the amount of \$9,513.28 and appropriate to the HFFA maintenance/building account. Commissioner Kidwell seconded motion. Motion carried unanimously.

Budget Amendment – Police. Commissioner Guignard made a motion to approve budget amendment recognizing insurance revenue in the amount of \$1,026.50 and appropriate to the Police Department's insurance account. Commissioner Kidwell seconded motion. Motion carried unanimously.

Budget Amendment – Police. Commissioner Guignard made a motion to approve budget amendment recognizing insurance revenue in the amount of \$500.00 and appropriate to the Police Department's insurance account. Commissioner Kidwell seconded motion. Motion carried unanimously.

Budget Amendment – Police. Commissioner Guignard made a motion to approve budget amendment recognizing insurance revenue in the amount of \$500.00 and appropriate to the Police Department's insurance account. Commissioner Kidwell seconded motion. Motion carried unanimously.

Call for Public Hearing – Petition #R16-01. Commissioner Guignard made a motion to call a public hearing for Monday, April 4, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #R16-01, a request by Lake Norman Charter School on behalf of the property owners to conditionally rezone 34.9 acres (parcels 01723306 and 01723302) from Corporate Business to Neighborhood Residential Conditional District, located near the corner of Hambright Road and Patterson Road. Commissioner Kidwell seconded motion. Motion carried unanimously.

CLOSING COMMENTS

Mayor Aneralla announced he will begin hosting a monthly lunch. The first one is scheduled for March 15 at Sparetime.

Approved this the _____ day of _____, 2016.