

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**May 2, 2016
6:30 p.m. – Huntersville Town Hall**

PRE-MEETING

The Huntersville Board of Commissioners held a pre-meeting at the Huntersville Town Hall at 5:00 p.m. on May 2, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Charles Guignard, Rob Kidwell and Danny Phillips. Commissioner Mark Gibbons was not present.

Greg Ferguson, Town Manager, presented the Manager's Recommended Budget for Fiscal Year 2016-2017. *PowerPoint Presentation attached hereto as Exhibit No. 1.*

Staff answered general questions from the Board concerning the Budget.

The next Budget Work Session was scheduled for Tuesday, May 10, 2016 at 5:00 p.m.

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 May 2, 2016.

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

- The Metropolitan Transit Commission met about the budget. Concerning the proposal for transit fare increases, the MTC unanimously decided to limit discounts that are available. John Lewis, CEO, stated they would like to initiate bus rapid transit in 2018.

Commissioner Bales

- The next Lake Norman Transportation Commission meeting is May 11 in Mooresville.
- The Education Summit last week was a success.

Commissioner Boone

- The next meeting of the Land Development Ordinances Advisory Board is May 5.
- May 4 is National Bike/Walk to School Day.
- Larry Irvin, Fire Chief, updated the Board on their efforts in assisting the Pineville Fire Department who recently lost one of their firefighters.

Commissioner Guignard

- Congratulated Lake Norman Charter School who was ranked No 13 in the state in the list of Best High Schools by U.S. News & World Report.

Commissioner Kidwell

- The next Olde Huntersville Historic Society Meeting is May 7.
- The next Charlotte Regional Transportation Planning Organization meeting is May 18.

Commissioner Phillips

- Announced upcoming Lake Norman Chamber events for Small Business Week.
- Encouraged everyone to shop local.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

None

AGENDA CHANGES

Commissioner Boone made a motion to move B under Public Hearings (Conduct public hearing on Petition #R16-03) to Item A under Public Hearings. Commissioner Phillips seconded motion. Motion carried 5-0.

Commissioner Kidwell made a motion to add Item B under Other Business – Consider appointing Louis Cosentine to the Transit Services Advisory Committee for term expiring January 31, 2017 and for an additional 3-year term and add Item C under Other Business – Consider adopting resolution in support of House Bill 954 directing the Department of Transportation to terminate the Comprehensive Agreement for the I-77 HOT lanes project in Mecklenburg and Iredell Counties. Commissioner Phillips seconded motion. Motion carried 5-0.

PUBLIC HEARINGS

Mayor Aneralla recognized Planning Board members present: Hal Bankirer, Janice Lewis, Jennifer Davis, Joe Sailers and JoAnne Miller.

Petition #R16-03. Mayor Aneralla called to order public hearing on Petition #R16-03, a request by JV Bailey Road, LLC, to amend the Highway Commercial conditional rezoning plan for the McDonald's Restaurant (Parcel 01715807).

Brad Priest, Senior Planner, reviewed request. *Refer to Staff Report attached hereto as Exhibit No. 2.* Staff recommends approval.

Gary Knox, pointed out that Novant Hospital, one of the largest employers in Huntersville, discontinues its café service at 6 p.m. At any given time, staff alone at the hospital is more than 275 people, not counting patients and families.

Brad Champion of Knox, Knox and Knox, council for the applicant, pointed out that they think the impact will be minimal. With the added hours, the applicant expects to add possibly 10 employees and a significant amount of work hours which he expects will increase in the sales tax and the prepared food/beverage tax.

Bud Kuthan, Applicant, requested the Board support his request.

In response to a question raised, Mr. Kuthan confirmed that there will be no deliveries during the hours of 12 a.m. to 5 a.m.

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

Petition #R16-04. Mayor Aneralla called to order public hearing on Petition #R16-04, a request by Lake Norman Charter School on behalf of the property owners to conditionally rezone 39 acres (Parcels 01723306 and 01723312) from Corporate Business to Campus Institutional Conditional District.

Brad Priest, Senior Planner, reviewed request. *Refer to Staff Report attached hereto as Exhibit No. 3.*

In response to various questions, Staff provided the following information.

- Confirmed that the Traffic Impact Analysis indicated there would be no mitigation needed at the Hambright Road/McCoy Road intersection.
- The five intersections that would require mitigation include: Hambright Road/Statesville Road, Mt. Holly-Huntersville Road/Statesville Road at southbound ramps, Highway 115/Mt. Holly-Huntersville Road, Mt. Holly-Huntersville Road/Hambright Road, Hambright Road/school entrance.

Shannon Stein, Superintendent of Lake Norman Charter School and Robert Tripp, Merrick and Company, presented PowerPoint presentation. *PowerPoint attached hereto as Exhibit No. 4.*

In response to a question concerning fencing, Ms. Stein noted they will have fencing to the back of the play field areas, but would not be fencing the entire 39 acres.

Steve Jones, 21548 Lake Point Lane, Cornelius, Lake Norman Charter School parent and member of the LNCS Board of Directors, addressed the Board in support of the rezoning and requested variance.

Geoff Bartosch, 12307 Beatties Ford Road, addressed the Board in opposition of the rezoning. *Written comments attached hereto as Exhibit No. 5.*

Bryan Blitstein, 10030 Gilead Road, addressed the Board in support of the rezoning.

Cynthia Bush, 20311 Chartwell Center Drive, Cornelius, addressed the Board in support of the rezoning.

Todd Marlin, 10220 Independence Hill Road, addressed the Board in support of the rezoning.

Wendy Rondina, 10128 Hambright Road, addressed the Board in opposition of the rezoning. Location is not consistent with 2030 Community Plan.

Matt Conrad, 10101 Hambright Road, addressed the Board addressed the Board in opposition of the rezoning. Location is not consistent with 2030 Community Plan.

Calley Conrad, 10101 Hambright Road, addressed the Board in opposition of the rezoning. The proposed school would have no guaranteed spots for Huntersville kids. As commercial landowners, if the school goes in, our property value is affected and LNCS would have possibly 500 families that would have a voice if they don't like the type of company that wants to buy our land.

Eric Ferguson, 10020 Hambright Road, expressed concern for how much of his property would be taken. Someone was supposed to mark how much property they were going to take, but that hasn't been done. Does not think LNCS did their due diligence in selecting a site.

Bill Farber, Chair of the Lake Norman Charter Elementary School Search Committee, 14830 Middlethorpe Lane, addressed the Board in support of the rezoning.

Hal Bankirer, Planning Board, requested that the entire TIA be provided for the Planning Board meeting.

In response to a question from Joe Sailors of the Planning Board, Ms. Stein reviewed the carpool process works.

Commissioner Bales requested Ms. Stein provide the Board with a percentage breakdown of where students are from.

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

OTHER BUSINESS

Acceptance of Streets – Bryton/Walmart Development. Commissioner Phillips made a motion to accept the streets in the Bryton/Walmart Development for Town maintenance. Commissioner Bales seconded motion.

Motion carried 4 to 1, with Commissioner Guignard opposed.

Street Name	From	To	Approx. Length
Preysing Street	Old Statesville Rd.	Bryton Town Center Drive	950 Ft
Cane Creek Drive	Alexanderana Rd.	130 ft. N of Preysing Dr	1,190 Ft
Bryton Town Center Drive	40 ft. N of Preysing St.	Bryton Corporate Center Parkway	1,510 Ft

Appointment to Transit Services Advisory Committee. Commissioner Kidwell made a motion to appoint Louis Cosentine to the Transit Services Advisory Committee for term expiring January 31, 2017 and for an additional 3-year term. Commissioner Guignard seconded motion. Motion carried 5-0.

Resolution – Support HB954. Commissioner Phillips made a motion to adopt resolution in support of House Bill 954 directing the Department of Transportation to terminate the Comprehensive Agreement for the I-77 HOT lanes project in Mecklenburg and Iredell Counties. Commissioner Guignard seconded motion. Motion carried 5-0.

TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS
RESOLUTION IN SUPPORT OF HOUSE BILL 954
DIRECTING THE DEPARTMENT OF TRANSPORTATION
TO TERMINATE THE COMPREHENSIVE AGREEMENT
FOR THE I-77 HOT LANES PROJECT IN
MECKLENBURG AND IREDELL COUNTIES

Whereas, State House Representatives Charlie Jeter and John Bradford from the North Mecklenburg area, along with others across the state, have sponsored House Bill 954 which would terminate the agreement for tolling I-77; and

Whereas, House Bill 954 is an act directing the North Carolina Department of Transportation to terminate the Comprehensive Agreement for the I-77 HOT Lanes Project in Mecklenburg and Iredell Counties; and

Whereas, House Bill 954 appropriates \$25,000 in non-reoccurring funds to be used for any legal fees incurred in determining the amount of damages that may be owed and other effects resulting from the cancellation of the Comprehensive Agreement; and

Whereas, House Bill 954 is consistent with the terms of the Comprehensive Agreement as dated June 26, 2014, including any amendments made to the Comprehensive Agreement.

NOW, THEREFORE, BE IT RESOLVED, on behalf of the citizens of Huntersville, we support the efforts of Representatives Charlie Jeter and John Bradford, as two of the primary sponsors of House Bill 954, to terminate the Comprehensive Agreement for the I-77 HOT Lanes Project in Mecklenburg and Iredell Counties.

CONSENT AGENDA

Approval of Minutes. Commissioner Guignard made a motion to approve the minutes of the April 18, 2016 Regular Town Board Meeting. Commissioner Kidwell seconded motion. Motion carried 5-0.

Budget Amendment – Parks & Recreation. Commissioner Guignard made a motion to approve budget amendment appropriating Signage revenue in the amount of \$723.95 to Department Supplies. Commissioner Kidwell seconded motion. Motion carried 5-0.

Property Tax Refunds. Commissioner Guignard made a motion to approve SL362 Property Tax Refund Report No. 56. Commissioner Kidwell seconded motion. Motion carried 5-0.

Call for Public Hearing – Petition #R16-02. Commissioner Guignard made a motion to call a public hearing for Monday, June 6, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #R16-02, a request by Calatlantic Homes to rezone 73.274 acres located along Huntersville-Concord Road (west of Mirabella Subdivision) from Transitional Residential to Neighborhood Residential – Conditional District to create a 98-lot single-family home subdivision. Commissioner Kidwell seconded motion. Motion carried 5-0.

Call for Public Hearing – Petition #TA16-01. Commissioner Guignard made a motion to call a public hearing for Monday, June 6, 6:30 p.m. at Huntersville Town Hall on Petition #TA16-01, a request by the Town of Huntersville Planning Department to amend Article 11.4.5 and 11.4.7(a) of the Huntersville Zoning Ordinance to reflect the changes made by NCSL 2015-160 by removing protest petitions. Commissioner Kidwell seconded motion. Motion carried unanimously.

Call for Public Hearing – Petition #TA16-02. Commissioner Guignard made a motion to call a public hearing for Monday, June 6, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #TA16-02, a request by the Town of Huntersville Planning Department to amend Article 3.2.7 Highway Commercial District, Article 3.2.8 Campus Institutional District, Article 3.2.9 Corporate Business, and Article 3.2.14 Transit Oriented Development – Employment District to allow for home occupations as a permitted accessory use. Commissioner Kidwell seconded motion. Motion carried 5-0.

Call for Public Hearing – Petition #TA16-03. Commissioner Guignard made a motion to call a public hearing for Monday, June 6, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #TA16-03, a request by the Town of Huntersville Planning Department to amend Article 8.25.11, S.W.I.M. (Surface Water Improvement and Management) Stream Buffer Appeals and Variances of the Huntersville Zoning Ordinance to reflect the changes made by House Bill 276. Commissioner Kidwell seconded motion. Motion carried 5-0.

Call for Public Hearing – FY16-17 Proposed Budget. Commissioner Guignard made a motion to call a public hearing for Monday, May 16, 2016 at 6:30 p.m. at Huntersville Town Hall to receive comments on the proposed budget for Fiscal Year 2016-2017. Commissioner Kidwell seconded motion. Motion carried 5-0.

CLOSING COMMENTS

Commissioner Kidwell reported his neighbor was complimentary of the work the Public Works Department did fixing the curb and gutter near his home.

Commissioner Boone reminded everyone of the Red Run/Walk on May 14.

There being no further business, the meeting was adjourned.

Approved this the _____ day of _____, 2016.