

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**April 3, 2017
6:30 p.m. – Huntersville Town Hall**

PRE-MEETING

The Huntersville Board of Commissioners held a pre-meeting at the Huntersville Town Hall at 5:15 p.m. on April 3, 2017.

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

Budget Work Session – External Agencies. The Board heard requests for FY 2017-2018 external non-profit and government agency appropriations.

Nicole Plavnick, Ada Jenkins Center, requested \$25,000. *Detailed request attached hereto as Exhibit No. 1.*

Robert Bush, Arts & Science Council, requested \$41,000. *Detailed request attached hereto as Exhibit No. 2.*

David Clay, Historic Latta Plantation, requested \$15,000. *Detailed request attached hereto as Exhibit No. 3.*

Bill Russell, Hugh Torance House and Store, requested \$8,000. *Detailed request attached hereto as Exhibit No. 4.*

Police Updates – ETJ/Dispatch. Chief Spruill presented update on policing the ETJ. *PowerPoint attached hereto as Exhibit No. 5.*

Chief Spruill updated the Board on the communications contract. *Refer to Exhibit No. 6.*

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 April 3, 2017.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, and Danny Phillips. Commissioner Rob Kidwell 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 North Meck Alliance will not meet in April. At the last meeting we talked about the Red Line study which we talked about at the Metropolitan Transit Commission last month. Basically what we are talking about is CATS system looking to spend additional money to create a new rail track some place in North Mecklenburg, which has already been studied multiple times and we as a Board do not feel it should be used for that. We feel it should be used to enhance the bus service in our community.
- Documents were signed last week to close on the sale of 9.5 acres in Commerce Station to a business that will have flex space there.
- Southwire is looking to expand.
- On Saturday some staff, Commissioner Boone and myself walked through the Pottstown neighborhood. We met a lot of neighbors and listened to their concerns and hopefully we will continue to work with them to address some of those concerns and needs.

Commissioner Bales

- Huntersville currently has 18 economic development projects. The total with the EDC is 31. The EDC has 2 project visits this week.
- On Wednesday the EDC is partnering with the Lake Norman Education Collaborative, the Chamber of Commerce and Hopewell High School in hosting a speed networking event.
- Burkert had their grand opening today.

Commissioner Boone

- The next meeting of the Huntersville Ordinances Advisory Board is April 6.
- The Battle of the Badges blood drive was held on March 25. This year's winner of the Battle of the Badges was the Huntersville Fire Department.
- From the Huntersville Police Department, between March 19 and 22 the Huntersville Police Department completed its accreditation process through the Commission of the Accreditation for Law Enforcement Agencies.

Commissioner Gibbons

- There is no NC 73 Council of Planning meeting planned at this time.
- The Mecklenburg Veterans Council will be meeting tomorrow. The VSO officer with the county will begin working out of an office at Town Center a couple of days a week starting probably the end of April.
- Congratulated the Huntersville Fire Department for winning the Battle of the Badges.

Commissioner Guignard

- The Centralina Council of Governments meets in the next couple of weeks.
- The Planning Coordinating Committee has not scheduled its spring meeting yet.

Commissioner Gibbons (reported on CRTPO in the absence of Commissioner Kidwell)

- There's a few things that are going on with CRTPO. Commissioner Kidwell and I both missed the last meeting due to work. Commissioner Boone went down to it and he gave that report last meeting. But

the next meeting is coming up and Mr. Coxe has sent out the pre-agenda and we will be talking about that and working forward.

Commissioner Phillips

- Provided update on Lake Norman Chamber and Visit Lake Norman events.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

The Town Board presented retired Fire Chief Larry Irvin with rocking chair in appreciation for his years of service to the Town.

Bill Russell, 9449 Mt. Holly-Huntersville Road, said last Thursday we had a very successful Women's Conference. We had over 150 female executives there. I think this was like our sixth year and I must have had about 12 different people come up and say that this year's event was better than any other prior event we ever had. There are two women in Huntersville that I wanted to recognize. One of them is not necessarily related to the Town Board or the Town staff, it's Major Pat Brown of Central Piedmont Community College that just has really taken on the role of helping Chris put on the events of the Diversity Council. But the other one is our Detective Susan Cabarcas. She has just done a tremendous job. She emceed the event the other day. But not just that, she brings a Latino perspective to our Diversity Council and she has been really engaged over the last year in a lot of our programs, coming out to the events we have, the Diversity Luncheon that we had last year recognizing the small business, the larger corporate business and the Diversity Champion of the Year. But emceeding this particular event.....I can't say enough about the detective and the role she plays on that Diversity Council.

Mike Hege, 13005 Heath Grove Drive, announced that Realtors Care Day is April 28. Volunteers will assist homeowners with critical home repairs in Iredell and Mecklenburg Counties, including a house on Central Avenue and the Hope House in Huntersville.

Scot Slusarick, 8423 Forest Shadow Circle, said I wanted to thank the Commissioners and the Mayor for considering the investigations into the uveal melanoma cancer cluster. Our daughter, Summer, is the only survivor of the three girls that have gone to Hopewell High School that have been affected by the immediate presentation of uveal melanoma. We feel very strongly and ask that you would consider taking the funds more towards the investigation of the elements of the school, of the soil, the air, all the combined factors that we don't know very much about rather than the individual testing of people's DNA. We feel that the money personally could be better spent and have more of any impact if it is placed in trying to find out what the environmental factors are. We all know that it's almost like finding a needle in a haystack to figure out exactly what causes it. We read a lot about it. We know a lot about it. We've been around it for a few years now and know the girls that have passed on and every six months Summer gets tested again. We just feel the community here has been affected and we just don't feel from what we know from all the studies and conferences that we've been to, all the doctors we've talked to, all of the seminars and places that we have been to find out more about this, that money should be placed into finding out more about the school and the environment there. There's only three major cases in the United States and one of those was affected primarily by fluoridation of water. Up until that time that wasn't even on the list of what caused this type of cancer. It's just a very dear subject for us. We would ask you to consider placing more of the finances that are currently available into the testing of the environment. There's so little known about what could cause it there are more factors than just diffusing the amount of money that is currently available to us by putting it into something that is a tangent of what the problem is and locally for the people in the area who have worked on dairy farms for instance, that land used to belong to a dairy farm.....all of the soil that came into it, all of the copper mining, and the gas and the electrical, and there's so many different aspects of it that could be tested. We don't know necessarily what

to test so we are just kind of pushing the money towards something is what we feel in terms of hoping for progress.

AGENDA CHANGES

Commissioner Guignard made a motion to remove Item B under Other Business (Consider adopting resolution requesting Mecklenburg County correct the distribution of ABC monies) from the agenda.

Commissioner Bales seconded motion.

Motion carried with five (5) yes votes.

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

Commissioner Bales seconded motion.

Motion carried with five (5) yes votes.

PUBLIC HEARINGS

Petition #R16-07. Petition #R16-07 is a request by Skybrook, LLC to revise the existing Conditional District rezoning plan for approximately 171.88 acres to remain Transitional Residential Conditional District with an increase in density and other site plan changes.

David Peete, Principal Planner, said their submittal came in before the recently approved text amendment in the TR district. The applicant would like a little bit of time to see if that has any bearing on what they might want to do. They are asking for a continuation to May 1 and based on what they decide to do we will back up the process as much as we have to make sure that the process is respected and the public is aware.

Commissioner Guignard made a motion to continue public hearing on Petition #R16-07 to May 1, 2017.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Petition #R16-12. Petition #R16-12, Anchor Mill Conditional Rezoning, is a request by Nate Bowman to rezone Parcel 01902201 from Neighborhood Residential to Town Center Conditional District.

Alison Adams, Senior Planner, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 7.* The site is approximately 30 acres. The applicant is asking for a rezoning from Neighborhood Residential to Town Center Conditional District. It is surrounded by Neighborhood Residential property. And then to the west is Town Center.

This is the site plan. This was Cycle 1 or Cycle 2. It does have several issues with it. We are still working through those. The major components of this plan are the street network, the greenery open space which is to the south. The red buildings that you see here are the retail within the site. It's approximately 165,000 sq. ft. of retail and then the blue structures are a mix or apartment building. What you will notice is there is a street network. There's also greenery which would be to your southwest along the creek.....there's a greenway being

proposed and also there are ties into Huntersville-Concord Road as well as Fourth Street, Glendale and Church are all connection points within the site plan.

Like I mentioned there are components of this plan that do not currently meet the ordinance. The applicant is working through those and just to point out a few, the primary retail building or anchor building has to front a public street and so that's a correction that needs to be made. We also are waiting to find out more information about the traffic impact analysis and there's also an issue with block length. There's requirements in our ordinance that you have to meet certain block lengths and so with the introduction of the public street, we will address some of those issues. With that being said another thing that we looked at is the future land use plan. I'm not going to go into detail with each one of these land use plans. If you will just notice the picture, notice the similarities. Here's the master plan charrette.....notice the street network, greenery and building. Once again street network, greenery, mixed use. So there's commonality through our planning process from Day One when we were planning up to this point. What I will mention here, this is our overall 2030 Community Plan. This location is in our downtown core area, it is in our higher intensity area so therefore it would be appropriate.

Just an update as to where we are with this project. Staff met with the developer and NCDOT March 17 and we discussed the results of the Traffic Impact Analysis. The development was required to submit some additional information to staff so that we could review that and a solution that was compliant with the ordinance. The impact analysis was received March 30 and we are currently in the review process of it. A revised site plan should be submitted very soon based on the information that we have learned from the TIA. With that being said the applicant has requested a continuance of the public hearing to May 1.

Commissioner Guignard made a motion to continue public hearing to May 1, 2017.

Commissioner Bales seconded motion.

Motion carried with five (5) yes votes.

OTHER BUSINESS

Uveal Melanoma Investigative Work/Testing Proposals. Gerry Vincent, Interim Town Manager, said just to give you some background December 2016 we signed a professional services agreement with Hart & Hickman and they were going to do internal research and they were also going to do the soil sampling. The internal research indicated that there was not a chemical that they came up with through their research that was not associated with the cancer. I've been in touch with the Department of Health and Human Resources in Raleigh and also with Dr. Brennan. Dr. Brennan has been in close contact with Commissioner Kidwell. Through their research and through their discussions with leading doctors they came up with these two proposals that are before you. One is a geospatial study that will study the area that we are talking about. And also the second part of the puzzle which is the \$58,000 proposal is to genetic and tissue testing. This is what they recommend. Hearing the comments from tonight and to let the gentleman know I've been very particular about this grant that came from the General Assembly. We have not spent any money to date because this is a very important issue to the families and to the Town. If you guys feel comfortable in approving this, the proposals are before you. If you would like to have one of the doctors come and make a presentation to you on the 17th, we could do that.

Mayor Aneralla said I'm sorry Commissioner Kidwell is not here because he's much more involved in this. The thing that the Town or any government has to do is to make sure they have a safe environment for their citizens, whether it's the police, fire, or if there's some issue with the environment. And it was my understanding back at the end of December that we were going to look at not only the Hopewell area but also maybe three or four

other areas around the town for water, soil, air and so forth and then in talking with Dr. Brennan any of that real technical stuff beyond that is really not Mr. Vincent's wheelhouse so to speak or mine or Mr. Kidwell, so in talking with either Duke or UNC or both they could come up some type of recommendation where they could really take on the next level of investigation, so are we looking at any soil around the town.

Mr. Vincent said we are not testing any soil at this time.

Mayor Aneralla said what the analogy we made was if we were going to buy a piece of property anywhere in the town we would do some soil testing just for whatever the generic issues might come up and you wouldn't or you would build on that property and that's really where my understanding where we want to go to the next level. I know Hart & Hickman has kind of backed out of that because they don't know what to test for. But if you think about it, if we were literally going to move a development or a building some place in Huntersville they would do 5 to 10 to 15 different tests of that soil, air and water. That's what I thought we initially had agreed to and I know Mr. Vincent wasn't here at the time. I know this has taken a lot of your time and efforts but when you get into genetics and tissue testing and then families involved that's definitely not in our wheelhouse.

Mr. Vincent said if there is an opportunity to actually do some testing we still have an agreement with Hart & Hickman and they are ready to do that.

Mayor Aneralla said from my standpoint of what I would really like to see is a comparison between the soil, water, air at Hopewell and maybe three other random places in the town before we even move forward on genetics and so forth. That was what we had talked about back in December/January. I know Mr. Vincent has a lot on his plate and there's been a lot of stuff going on back and forth but I think that's really our responsibility as a town to make sure the environment is safe and then we thought there would be money left over, which there should be, that UNC and Duke which they have to bid for so to speak, we can re-grant the money to them and they can take that testing to the next level.

Commissioner Phillips said my wife's daddy died of this disease and was probably one of the first in this area and he was one of the ones that wasn't accounted for because he lived just right inside of Lincoln County and I think Charlotte-Mecklenburg School System has already tested as far as the soil and that type of thing and this is moving this to the next level. Dr. Brennan is in contact with my wife about doing the tissue samples and that type of stuff. They talk about once every 45 to 60 days. I just don't want to see this thing kicked under the rug and see this money just spent on wild goose chases. If the Board would like to hold off and let Dr. Brennan come to present in front of us and give us as much information, but I just don't want to drag our feet on this thing. You can't replace these people.

Commissioner Gibbons said is the first part of this the geospatial study. Do we feel from what you have been told that that's necessary, that we could go and get started on. I have to kind of agree with what the Mayor is saying is if we start looking at just the people and not the environment then that might get outside of the scope of what our responsibility as a Town and as a municipal Board to again, as you said, protect our people and protect the environment so it might be worth getting another conversation with Dr. Brennan if you feel that's worth it.

Mr. Vincent said the geospatial would have to be done anyway. If you are going to hold off on one, I'd say hold off on both of them.

Commissioner Gibbons said I don't want to hold up something that might give us information that is useful.

Commissioner Phillips said one other thing and this is not a comment it's just for information. There's a meeting at the Wynfield Clubhouse tomorrow night and I think Dr. Brennan is supposed to be there. I plan on being there.

Mayor Aneralla said I think just to clarify, we engaged Hart & Hickman to do the soil and all that around town but they basically came back and said there wasn't really anything that they could look for so that's where we are right now. I believe it was our intent always to make sure that it's safe the best you can within the environment of Huntersville.

Commissioner Phillips made a motion to defer decision on proposals for investigative work/testing related to the uveal melanoma cancer cluster to April 17, 2017.

Commissioner Gibbons seconded motion.

Mayor Aneralla said then we really need to know what, if anything, Hart & Hickman or somebody else can do about the environment. What that might cost.

Janie Blackstock said my daughter is Summer. She's the youngest, she's 23. They say all the environment has been tested, the soil has been tested. I have yet to see any study. Nothing has been presented to us that shows us what type of chemicals or minerals are in the soil around Hopewell and around the area. At least every few months someone else comes forward that has been diagnosed with this disease that has moved out of the area, that worked at a dairy farm down the road that moved to Florida and they contacted us. We have the Hopewell Cancer Cluster Facebook site and I just was contacted by someone last week. But what I'm saying is please don't assume these reports are out there. We have yet to see anything. Hopewell High School didn't really do anything. All they did was set up a radon test for two days in the high school. That's nothing. They didn't test any of the soil, none of the water, any of the building materials. They didn't look back to see when the girls were in that high school, if they were in any of the trailers that came in, was there any asbestos brought in on those trailers and some of the sheetrock or the ceilings or anything. Where did those trailers come from. I don't feel like there has been any type of deep study about anything and as a community that's what I'm concerned about. As a community we have a responsibility to the citizens of Huntersville to investigate what type of minerals and chemicals are in that area and around us. It's not just Hopewell. That's the connection. That's where we discovered this cluster. It was just a fluke. We all just happened to go to Huntersville Hospital to have our tests done and the radiologist there said you have ocular melanoma, I just saw two young girls last week with it. And we got on social media. That's how we discovered it and from that we connected with all these other people. We discovered the cluster. It sure wasn't the Mecklenburg County Health Department. They didn't know anything about this was going on. We told them the people that's involved. But as a responsibility to the citizens of Huntersville and Cornelius and the community I feel like we should do some tests and if there's tests done, then show us, show us the documents. I've spoken to Dr. Brennan. We speak all the time. We're going to the meeting tomorrow night. I've voiced my opinion about the money. Let's get more money set aside to do genetic testing but let's use this money to test the water and at least put some peace of mind to the citizens of Huntersville.

Commissioner Guignard said I have two dear friends in town that are both in the engineering world and one does soil testing. I would like to get you their names after the meeting. I'm not going to say they could tell us anymore but they do live in town. I think we can't gather enough information to protect these families, to protect our citizens.

Commissioner Gibbons said yesterday I was talking with Commissioner Kidwell because obviously he is way more well versed on that than I am and he indicated I thought to me that this geospatial study would help if and when we do soil digs/samples/cores and Gerry can you confirm.....I guess was my point on should we push forward with that portion of it. If that's something that's going to be necessary if we do move into soil test area would it be good to have that in the motion. That was what was relayed to me by Commissioner Kidwell was that geospatial testing could indicate better where we would test when and if we test.

Mr. Vincent said just for clarification Hart & Hickman will do the soil testing. We have a contract with them. We don't have to, but they will do it, but they indicated to me they did not want to waste money testing for something they don't know what to look for. When they indicated that report to me, we stopped it at that point and went to Option 2.

Commissioner Bales said so will the geospatial report study give them an idea of where to then go and do these testings.

Mr. Vincent said that's what I was indicating, if you are going to continue, we'll just continue both of them and do them all at the same time so we have the information.

Mayor Aneralla called for vote to defer to April 17, 2017.

Motion carried with five (5) yes votes.

CONSENT AGENDA

Approval of Minutes. Commissioner Guignard made a motion to approve the minutes of the March 6, 2017 Regular Town Board Meeting. Commissioner Bales seconded motion. Motion carried with five (5) yes votes.

Wynfield Resurfacing Contract. Commissioner Guignard made a motion to award the Town of Huntersville 2017 Wynfield Resurfacing contract to Ferebee Corporation. Commissioner Bales seconded motion. Motion carried with five (5) yes votes.

Call for Public Hearing – Petition #TA17-01. Commissioner Guignard made a motion to call a public hearing for Monday, May 1, 2017 at 6:30 p.m. at Huntersville Town Hall on Petition #TA17-01, a request by Mecklenburg County Park and Recreation to modify the parking standards in Article 6 of the Huntersville Zoning Ordinance. Commissioner Bales seconded motion. Motion carried with five (5) yes votes.

Call for Public Hearing – Petition #TA17-02. Commissioner Guignard made a motion to call a public hearing for Monday, May 1, 2017 at 6:30 p.m. at Huntersville Town Hall on Petition #TA17-02, a request by University City Church to amend Article 10.7 of the Huntersville Zoning Ordinance to modify the amount of times a changeable copy sign message can change per 24 hour period. Commissioner Bales seconded motion. Motion carried with five (5) yes votes.

Norfolk Southern Agreement. Commissioner Guignard made a motion to approve agreement with Norfolk Southern to allow the Town to install a new storm water pipe underneath the railroad between Main Street and Church Street. Commissioner Bales seconded motion. Motion carried with five (5) yes votes.

Agreement attached hereto as Exhibit No. 8.

CLOSING COMMENTS

Commissioner Boone expressed appreciation to Dee Jetton for visiting one of her employees during his hospital stay.

There being no further business, the meeting was adjourned.

Approved this the ____ day of _____, 2017.

DRAFT