

Mayor
Jill Swain

Mayor Pro-Tem
Sarah McAulay

Commissioners
Melinda Bales
Charles Guignard
Charles Jeter
Ron Julian
Danny Phillips

Town Manager
Gregory H. Ferguson



Department Heads
Max Buchanan, Public Works
Bill Coxe, Transportation
Michael Jaycocks, Parks & Rec
Craig Norfolk, Electric
Philip Potter, Police Chief
Jack Simoneau, Planning
Janet Stoner, Finance

Assistant Town Manager
Gerry Vincent

Town Clerk
Janet Pierson

Town Attorney
Bob Blythe

AGENDA

Regular Town Board Meeting
December 19, 2011 – 6:30 p.m.

TOWN HALL (101 Huntersville-Concord Road)

I. Call to Order

II. Invocation/Moment of Silence

III. Pledge of Allegiance

IV. Mayor and Commissioner Reports/Staff Questions

- A. Mayor Swain (MTC, NMIP Management Team)
- B. Commissioner Melinda Bales (Police Dispatch)
- C. Commissioner Charles Guignard (LNTC)
- D. Commissioner Charles Jeter (ASC)
- E. Commissioner Ron Julian (LNREDC Board, School Advisory Committee)
- F. Commissioner Sarah McAulay (MPO, COG, NC 73 COP, Planning Coordinating Committee, VLN)
- G. Commissioner Danny Phillips (Lake Norman Chamber)

V. Public Comments, Requests, or Presentations

- A. Bill Leonard, CMC.

VI. Agenda Changes

- A. Agenda changes, if any.
- B. Adoption of Agenda.

VII. Public Hearings

None

VIII. Other Business

- A. Consider decision on proposed Street Name Change ordinance and fees. **Attachment No. 1.** (Catherine Stutts)
- B. Reconsider decision on installation of speed calming devices in The Glens retirement community to eliminate device on Bayberry Glen. **Attachment No. 2.** (Commissioner Julian)
- C. Consider adopting resolution opposing any consolidation of the governmental and political bodies of the City of Charlotte and Mecklenburg County. **Attachment No. 3.** (Commissioner Jeter)
- D. Consider appointing two representatives to the Visit Lake Norman Board. **Back-up information to be e-mailed on Friday.** (Greg Ferguson)

IX. Consent Agenda

- A. Approve minutes of the December 5, 2011 Regular Town Board Meeting. **Enclosure.**

X. Closing Comments

XI. Adjourn

To speak concerning an item on the Agenda, please print your name and address on the sign-up sheet on the table outside the Board Room prior to the meeting. If you wish to speak concerning an item that is added to the Agenda during the meeting, please raise your hand during that item. Each speaker will be limited to 3 minutes.

**AS A COURTESY, PLEASE TURN CELL PHONES
OFF WHILE MEETING IS IN PROGRESS**

ATTACHMENT NO. 1

**Town of Huntersville
REQUEST FOR BOARD ACTION
December 19, 2011**

REVIEWED:	
Town Manager	<u> <i>JS</i> </u>
Finance Officer	<u> </u>
Town Attorney	<u> <i>JS</i> </u>

To: The Honorable Mayor and Board of Commissioners
From: Catherine Stutts, Planning Technician
Subject: **Code of Ordinances, Title IX: General Regulations, Chapter 97: Street Name Changes & Fees**

Request consideration of and possible action on the proposed Street Name Change ordinance and fees on Monday, December 19, 2011 at 6:30 PM, Huntersville Town Hall. Town staff was approached by a resident to change an existing street name, but there was no procedure in place to accommodate such request. Therefore, staff prepared the attached ordinance for street name changes in order to establish a procedure and evaluation criteria for the review of said requests. The fees proposed for street name changes cover the expense of reviewing applications and installing new street signs. (Staff: Catherine Stutts)

ACTION RECOMMENDED: Consideration and possible action on December 19, 2011

Note: According to § 160A-75, if action is taken at the December 19, 2011 meeting a 2/3rds vote is required for approval. If action is taken at a subsequent meeting a simple majority is required for approval.

ATTACHMENTS: Staff Report
A - Summary of street renaming requirements and processes for 11 NC communities
B - Proposed ordinance for street name changes
C - Proposed fees for street name changes
D - Support material - Application for street name changes

ENCLOSURES: N/A

FINANCIAL IMPLICATIONS: N/A

Title IX: General Regulations, Chapter 97: Street Name Changes & Fees

EXPLANATION OF THE REQUEST

Title IX: General Regulations, Chapter 97: Street Name Changes is an amendment to the Code of Ordinances. The chapter establishes a procedure for interested parties to submit requests for street name changes and evaluation criteria with which to review said requests. The fees proposed for street name changes cover the expense of reviewing applications and installing new street signs.

BACKGROUND & STAFF ANALYSIS

The Town Manager was approached by a resident to change an existing street name, but there was no procedure in place to accommodate such request. Therefore, the Planning Department Staff was asked to prepare a street renaming procedure.

Staff assessed eleven communities¹ and found eight adopted a street renaming ordinance while three communities adopted a policy (Attachment A). Staff shared these findings with the Town Attorney, and it was recommended the town pursue a street renaming ordinance instead of a policy.

The street renaming ordinances reviewed by staff varied from very brief to very detailed. Several ordinances began with a purpose and included definitions. Every ordinance addressed the criteria and procedure for renaming streets.

The main criteria for renaming streets is to avoid duplicates or similar sounding names of existing streets in order to prevent the misdirection of emergency responders. Other criteria include the promotion of consistency along joined alignments; clarification of names at changes in traffic patterns; and to honor an individual, group, place or historic event.

Initiatives to change a street name can come from the municipality or property owners. Typically, requests require a fee and are routed through the Planning Department. If the initiative comes from property owners a majority of owners on the street in question must be in support of the change. The process typically requires a public hearing and the change is made official by resolution. If a change is approved, the majority of surveyed jurisdictions notify a number of agencies, such as the U.S. Postal Service.

¹ The eleven communities assessed by staff include Asheville, Cary, Chapel Hill, Charlotte, Concord, Greensboro, Greenville, Hickory, Raleigh, Rocky Mount, and Waynesville.

STAFF RECOMMENDATION

Planning Staff supports the adoption of Title IX: General Regulations, Chapter 97: Street Name Changes, as provided in Attachment B. Staff also recommends establishment of new fees to cover the review of applications and installation of new street signs (Attachment C). Attached for reference is an application proposed for use, in accordance with §97.05 (Attachment D).

NOTE: If the Board of Commissioners choose to vote on Title IX, Chapter 97 at the December 19, 2011 meeting a 2/3rds vote is required for approval, per §160A-75. However, if the Board of Commissioners vote on the ordinance at a subsequent meeting then a simple majority is required for approval.

ATTACHMENTS/ENCLOSURES

Attachments

- A – Summary of street renaming requirements and processes for 11 NC communities
- B – Proposed street name change ordinance
- C – Proposed fees for street name changes
- D – Application for street name changes

Street Name Changes: Comparison of Requirements and Processes from 11 NC Communities

Town/City	Policy or Ordinance	Approval Authority	Evaluation Criteria	Authorized Initiators	Application / Fee	Petition/ Percent of Required Property Owner Signatures	Public Hearing	Fee for New Street Signs	Notification After Approval	Notes
Asheville	Ordinance	City Council	No	City Officials, Property Owners	No - initiated by City Council or 1/2 + property owners	More than 1/2 of property owners along said street	Yes	No	No	
Cary	Policy	Town Council	Yes	Property Owners, Staff	Yes	Yes	100% property owner support - Council may adopt w/o public hearing	Yes	Town Staff notifies all parties on the address notification list	
Chapel Hill	Ordinance	Town Council	Yes	Address Administrator, Property Owners	No	75% of Property Owners	Yes	Yes	No	Town uses Orange County's Naming and Addressing Ordinance
Charlotte	Policy	Charlotte Dept. of Transportation (CDOT)	Yes	City Officials, Property Owners	No	60% of Property Owners	No	Business pays for new street signs when renamed after the company.	CMS, CMPD, City Eng., Tax, Utilities, NCDOT, USPS, CMFD, CMUD	CDOT decisions can be appealed to City Council
Concord	Ordinance	City Council	Yes	City Officials, Staff	No	No	Yes	No	Tax, Utilities, Billings, Instructions to contact USPS	
Greensboro	Policy	City Council	Yes	City Council, Planning Board, Property Owners, Staff	Yes	80% Property Owners	Yes	No	No	

Street Name Changes: Comparison of Requirements and Processes from 11 NC Communities

Town/City	Policy or Ordinance	Approval Authority	Evaluation Criteria	Authorized Initiators	Application / Fee	Petition/ Percent of Required Property Owner Signatures	Public Hearing	Fee for New Street Signs	Notification After Approval	Notes
Greenville	Ordinance	Plan/Zone Comm.; For honor of individual, event or location - City Council	Yes	City Council, Planning and Zoning Commission, Property Owners, Staff	No	60% Property Owners	Yes	No	No	
Hickory	Ordinance	City Council	Yes	City Officials, Property Owners	No	80% Property Owners	Yes	Yes	No	
Huntersville	Ordinance	Town Board	Yes	Town Officials, Property Owners	Yes	75% Property Owners	Yes	Yes	Yes	
Raleigh	Ordinance	City Council	Yes	City Officials, Property Owners, Staff	Yes	Majority of Property Owners	Yes	Yes	Utilities, City Depts., Wake County Gov., NCDOT, USPS	
Rocky Mount	Ordinance	City Council	Yes	Issue of safety-E911 coordinator; Conflict b/w existing names-Addressing; Property Owners	Yes	No	Yes	No	City & County emergency services, Tax, Elections and School Boards, NCDOT, Affected Property Owners	
Waynesville	Ordinance	Board of Aldermen	Yes	Board of Aldermen, Staff, Property Owners	Yes	65% Property Owner Signatures	Yes	Yes	Postmaster, State DOT, County Sheriff, Town Police and Fire, Land Records, School Board	

Code of Ordinances, Title IX: General Regulations, Chapter 97: Street Name Changes

Section

- 97.01 Purpose**
- 97.02 Approval Authority**
- 97.03 Evaluation Criteria**
- 97.04 Authorized Submission**
- 97.05 Application**
- 97.06 Fees**
- 97.07 Procedure**

§97.01 Purpose.

To establish a procedure to allow interested parties to submit requests for street name changes and evaluation criteria for the review of said requests as either: 1) recognizing a person, group, place, or historic event as being noteworthy to the community and meriting a street being named after that subject; or 2) addressing an existing street naming issue that a local government agency has identified as a concern.

§97.02 Approval Authority.

Proposed name changes for public and private streets shall be submitted to Planning Department Staff. After completion of application is verified, staff will request Town Board of Commissioners take action to set a public hearing.

§ 97.03 Evaluation Criteria.

(A) The Town Board of Commissioners shall consider the following criteria when evaluating any resolution for a street name change under their respective authority:

1. The delivery of personal, public and emergency services;
2. The similarity to existing street names;
3. Pronunciation and spelling;
4. Any condition which may confuse the traveling public;
5. Place, name association or history;
6. The expense to abutting property owners; and
7. The expense to affected governmental agencies, including but not limited to the Town of Huntersville, Mecklenburg County, N.C. Department of Transportation, and the U.S. Postal Service.

§ 97.04 Authorized Submission.

The Town Board of Commissioners, a department of the Town of Huntersville, or any property owner along the subject street may initiate a request to change the name of that street. The term "property owner" shall constitute the person(s), firm or corporation as listed in the Mecklenburg County tax records and referenced by the deed description on the applicable parcel card. Where a lot is held in joint, common or other form of multiple ownership, all the owners having title or interest in the lot must sign the petition.

§97.05 Application.

Any property owner, public body or agency authorized to request a street name change may complete an application form provided by the Planning Department (*Attachment D*) and submit it to staff. In order to be processed, applications must include all requested information.

§97.06 Fees.

The Town may establish an application fee (*Attachment C*) to help defray the expenses of processing the request as well as a fee for the purchase and installation of new street signs. All applicants, except the Town Board of Commissioners or staff, must submit both fees with the application. If the proposed street name is not approved, the fee for new signs will be returned to the applicant in full.

§97.07 Procedure.

(A) Prior to processing any street name change request, staff must confirm with the County the name is available for assignment.

(B) Applications to change a street name which are submitted by property owners must state the reason for the proposed change. Applications shall also include a list with the names, addresses and phone numbers of 100% of the persons owning property abutting the road and a petition signed by at least 75% of those persons owning property abutting the road.

(C) If staff confirms the name is available and the petition is sufficient, staff shall request a public hearing and publish notice of the proposed street name change. Notice of the public hearing shall be published once in a newspaper of general circulation. The notice shall be published not less than 10 days or no more than 25 days before the public hearing. Staff will also notify by first class mail all persons owning property abutting the road of the time and place of the public hearing.

(D) At the time of the Town Board hearing, interested parties may sign up to share a request, comment or presentation before the board. The Town Board of Commissioners may elect to make a decision on the item either at the current or subsequent meeting.

(E) After renaming a road, staff shall notify the postmaster with jurisdiction over the road and the following agencies: Mecklenburg County Tax Collector, town police department and fire department.

Fees**Title IX: General Regulations, Chapter 97: Street Name Changes**

Staff recommends establishment of new fees in accordance with §97.06.

1. Street Name Change Application Fee: \$150 (covers notice of public hearing and staff review)
2. One Double-Blade Street Sign: \$100 (number of signs contingent on number of intersections)



Street Name Change Application

Refer to the Fee Schedule for Current Processing Fee.			
1	This petition was submitted by		
Name _____			
Address _____			
City _____		State _____	Zip _____
Phone _____		Fax # _____	
Email _____		Today's Date _____	
2	Description of portions of street to be changed		
3	Reason for changing the name of this street		
4	Existing Name	Requested Name	
5	Map-- Attach a copy of a map which shows the subject street or alley and surrounding properties.		
<p>Please include all of the following (check off) – If any information is missing from the application package, you will be asked to complete the application and re-submit, so please check the list below carefully before you submit:</p>			
<input type="checkbox"/> Filing Fee. This fee is intended to cover the cost of advertising and public notification.			
<input type="checkbox"/> Sign Fee. This fee is intended to cover the purchase and installation of new street signs. If the proposed street name is not approved by the Town Board of Commissioners the fee will be returned to the applicant in full.			
<input type="checkbox"/> List of Abutting Property Owners. Provide a list of the names, addresses and phone numbers of all property owners abutting the street in question.			
<input type="checkbox"/> Signed Petition. The petition must be signed by 75% of property owners abutting the street in question. Please print out additional sheets if needed.			

Office Use Only			
File # _____	Fee _____	Amount Paid _____	
Check # _____	Received Date _____	Received By _____	

Street Name Change - Property Owner Petition

1	Please read the petition and all other information carefully. It is important that you understand what you are signing and how it will affect you.
2	Sign the petition as signed on the deed. If there are multiple owners, signatures must be listed in the same manner as on the deed.
3	If you are signing on behalf of a corporation, give your title and place your corporate seal over your signature.
<p>Note: Incorrect signatures are not binding on the petition and may cause delay in processing. If you have any questions, call the Planning Department at 704-875-7000.</p>	
<p>We, the undersigned property owners, owning land abutting the street or alleys shown on the attached map, hereby petition the Town of Huntersville Town Board of Commissioners to change the street name</p>	
From:	
To:	
Date of Map:	
The parcel identification numbers below refer to the parcels on the attached map	

Parcel Identification Number		Road Frontage (from Deed)
Property Owner		
Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		Road Frontage (from Deed)
Property Owner		
Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		Road Frontage (from Deed)
Property Owner		
Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		Road Frontage (from Deed)
Property Owner		
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Signature		

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Property Owner		
Mailing Address		
City	State	Zip
Signature		
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Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		Road Frontage (from Deed)
Property Owner		
Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		Road Frontage (from Deed)
Property Owner		
Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		Road Frontage (from Deed)
Property Owner		
Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		Road Frontage (from Deed)
Property Owner		
Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		Road Frontage (from Deed)
Property Owner		
Mailing Address		
City	State	Zip
Signature		
Parcel Identification Number		Road Frontage (from Deed)
Property Owner		
Mailing Address		
City	State	Zip
Signature		

ATTACHMENT NO. 2

Janet Pierson

From: Greg Ferguson
Sent: Tuesday, December 13, 2011 8:18 AM
To: Janet Pierson
Cc: Max Buchanan
Subject: Fwd: The Glens at Birkdale Speed Humps

Janet,
Add this under Rons name. He is going to modify the action prior.
Greg

Begin forwarded message:

From: Amy Goins <ybuilder@bellsouth.net>
Date: December 12, 2011 11:39:03 AM EST
To: <gferguson@huntersville.org>
Subject: **The Glens at Birkdale Speed Humps**

Date: December 12, 2011

To: Greg Ferguson

From: Jay Young, Young Builders

Subject: Speed Calming Devices approved by Town Board for 5 locations
in The Glens, *Active Adult Community*

After our on-site meeting with Justin Carroll, Engineering Department, it is our conclusion that it would be best to eliminate one location of speed cushion on Bayberry Glen and do only a total of 4. (2 on Ashby Glen and 2 on Sullivan Glen). We are also in agreement with Justin that it would be best to install asphalt road humps in these locations. Justin had suggested we contact you about the

changes to the original motion which stated 5 locations using speed cushions which Young Builders would pay the Town for the cost of materials. We are requesting to eliminate 1 location, install 4 asphalt humps in their original locations and Young Builders would pay the contractor directly in full. The Town would install the thermoplastic markings on the humps and install two signs designating a speed hump zone. Smith Brothers Paving has agreed to complete the asphalt humps to the specifications provided by Justin. Smith Brothers has completed several projects for Young Builders and does an excellent job on speed humps. Young Builders would provide verification of payment to the Town of Huntersville once work is completed.

Please let me know if these minor changes require any additional steps.

Thanks for your help!

Jay Young

Young Builders, Inc.

The Glens at Birkdale Commons

15669 Birkdale Commons Parkway

Huntersville, NC 28078

704-947-7630 Phone

704-947-7631 Fax

ATTACHMENT NO. 3



A Resolution Notifying the Mecklenburg County Board of Commissioners, the City of Charlotte Council, their respective managers and the Speaker of the North Carolina House of Representatives, that Huntersville is opposed to any consolidation of the governmental and political bodies of the City of Charlotte and Mecklenburg County

Whereas, the City of Charlotte, NC has authored a resolution to establish and charge a Charter Study Commission for the purposes of consideration of consolidation of the two political and governing bodies, and

Whereas, the City of Charlotte passed the authorization of this Charter Study Commission Resolution at their official meeting on December 12, 2011, and the Mecklenburg County Board of Commissioners is expected to consider passage of said resolution at their official meeting on December 20, 2011, and

Whereas, passage of any Study Commission that advocates and/or promotes suggested consolidation will undoubtedly negatively impact the six towns of Mecklenburg County which will be forced to supplement and subsidize the spending of their citizen's tax dollars on City of Charlotte projects with limited to no voice in how said money would be spent.

Therefore, be it RESOLVED by the Board of Commissioners of the Town of Huntersville that it is opposed to any consolidation of the governmental and political bodies of the City of Charlotte and Mecklenburg County, in whatever form, and hereby request that the Mecklenburg County Board of Commissioners vote against the creation of said Charter Study Commission.

Adopted this the 19th day of December, 2011.

Jill Swain
Mayor of Huntersville

Janet Pierson
Huntersville Town Clerk