

**TOWN OF HUNTERSVILLE  
TOWN BOARD MEETING  
MINUTES**

**May 20, 2019  
6:30 p.m. – Huntersville Town Hall**

**PRE-MEETING**

The Huntersville Board of Commissioners held a pre-meeting at the Huntersville Town Hall at 5:30 p.m. on May 20, 2019.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Brian Hines, Danny Phillips and Nick Walsh.

Commissioner Bales made a motion to go into closed session for personnel. Commissioner Gibbons seconded motion. Motion carried unanimously.

Upon return from closed session, there being no further business, the pre-meeting was adjourned.

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**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 6:00 p.m. on May 20, 2019.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Brian Hines, Danny Phillips and Nick Walsh.

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

- Expressed appreciation to everyone that attended the procession for Mooresville Police Officer Jordan Sheldon and to the Huntersville Police Department for assisting the Mooresville Police Department.
- Had first ride along with a Huntersville Police Officer on Saturday.
- Pottstown clean-up day was a success.
- Huntersville Family Fitness & Aquatics and Huntersville Parks & Recreation both received Normy Awards.
- Mayor's luncheon is tomorrow.

Commissioner Bales

- Expressed appreciation to all Town of Huntersville staff for everything they do.

Commissioner Boone

- Noted that today is 244<sup>th</sup> anniversary of the signing of the Mecklenburg Declaration of Independence.
- Provided update on Lake Norman Chamber of Commerce events.
- Expressed appreciation to everyone that attended procession for Officer Sheldon.

Commissioner Gibbons

- Attended Artisan Fair at Veterans Park yesterday.
- Attended Charlotte Regional Transportation Planning Organization meeting last week.
- Last weekend two races were held – Heroes 5K and TreonStrong.
- Memorial Day Celebration is Monday.
- Attended procession for Officer Sheldon.

Commissioner Hines

- The next Huntersville Ordinances Advisory Board meeting is June 6. There will be no meeting in July.
- Attended procession for Officer Sheldon.
- Expressed appreciation to the Huntersville Police Department and Huntersville Fire Department for everything they do.

Commissioner Phillips

- The Olde Huntersville Historic Society will have the old jail open for tours on Memorial Day. Their next meeting is June 5.

Commissioner Gibbons

- The next Greenway, Trail and Bikeway Commission meeting is tomorrow night.
- Parks & Recreation won the Reader’s Choice Award from Lake Norman Publications for the best summer camp in Lake Norman.
- Provided update on Huntersville Chamber of Commerce events.
- Expressed appreciation to first responders for everything they do.

**PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS**

Mayor Aneralla proclaimed May 24, 2019 as Poppy Day in the Town of Huntersville.

*Town of Huntersville  
Proclamation*

**WHEREAS**, at the end of World War I, the American Legion adopted the poppy as a symbol of freedom and the blood sacrificed by soldiers during wartime; and

**WHEREAS**, poppies are worn and displayed as a symbolic tribute to our fallen and the future living veterans and service members; and

**WHEREAS**, the Town of Huntersville in conjunction with American Legion Auxiliary 321 wishes to recognize those men and women who have fought and died in service to our country; and

**WHEREAS**, wearing a poppy will unite citizens from across the country who decide to show their patriotism.

**NOW, THEREFORE**, I, John Aneralla, Mayor of the Town of Huntersville, North Carolina, do hereby proclaim May 24, 2019 as “**Poppy Day**” and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the memorial Poppy on this day.

**IN WITNESS WHEREOF**, I do hereby set my hand and cause the Seal of the Town of Huntersville to be affixed, this the 20<sup>th</sup> day of May, 2019.

**Huntersville Educational Options Study Commission Report.** Karen Bentley, Chair of the Huntersville Educational Options Study Commission, presented their final report and recommendations. *PowerPoint presentation attached hereto as Exhibit No. 1.*

Board members expressed appreciation to the commission for their work.

Jim Puckett, member of HEOSC, noted his comments are his and not the commission’s. Mr. Puckett encouraged the Town Board to act quickly on steps that would lead to a smaller LEA before the opportunity is closed.

Carrie Warren, member of HEOSC, noted she supports Charlotte-Mecklenburg Schools and also thinks it would be great to have smaller versions so we could have local control. Supports smaller LEA as the long-term goal. Cautioned that the municipal charter route or partnering with a charter school will not solve overcrowding if you don’t prioritize the children coming from overcrowded schools. Encouraged the Board to get feedback from the constituents before making any decisions on which path to go down.

Mayor Aneralla noted that Charlotte-Mecklenburg Schools just approved an equity policy. Mayor Aneralla shared statistics of Sugar Creek Charter who is having their first graduating class and every single graduate is going to get an advanced degree. They have 94 percent free and reduced lunch, 100 percent ethnic/minority.

Shelby Wallace, 14842 Eastfield Road, addressed the Board in support of Petition #R18-14, EPCON. The EPCON project would bring less people, less cars and negligible school impact.

Johnny Wallace, 14842 Eastfield Road, addressed the Board in support of Petition #R18-14, EPCON. There are amenities in close proximity to the property and there would be minimal, if any, effect on the school system.

Darlene Graubard, 14508 Black Farms Road, addressed the Board in support of Petition #R18-14, EPCON. Sells real estate for builders and is familiar with EPCON Builders. Their product has great curb appeal and amenities are modern.

BeeJay Caldwell, 14521 New Haven Drive, expressed appreciation to everyone that participated in the Pottstown clean-up day.

### **AGENDA CHANGES**

Commissioner Bales amended Item 10.J, call for a public hearing, to read *Call a public hearing for Monday, June 17, 2019 at 6:00 p.m. at Huntersville Town Hall on Petition #R18-13, a request by Cambridge-Huntersville, LLC to revise the Huntersville Market Conditional District Rezoning Plan (currently zoned HC-CD) to rezone a 2.474 acre parcel within the District from Highway Commercial – Conditional District to Special Purpose – Conditional District and to remove 42,750 sq. ft. of retail use and replace with 15,000 sq. ft. of retail and 90,000 sq. ft. of mini-warehouse use. Huntersville Market is located at the northeast quadrant of Eastfield Road and Prosperity Church Road (PIN #02119171) and*

moved Item 10.G under the Consent Agenda (Adopt resolution designating Aquesta Bank as the official depository bank for the Town of Huntersville) to Item 9.E under Other Business.

Commissioner Gibbons made a motion to adopt the agenda as amended. Commissioner Walsh seconded motion. Motion carried unanimously.

### **PUBLIC HEARINGS**

Mayor Aneralla recognized the Planning Board members present: Joe Sailers and Catherine Graffy.

**Proposed Budget for FY 2019-2020.** Mayor Aneralla called to order public hearing to receive comments on the proposed budget for Fiscal Year 2019-2020.

Anthony Roberts, Town Manager, reviewed the proposed budget for Fiscal Year 2019-2020. *PowerPoint Presentation attached hereto as Exhibit No. 2.*

Joe Sailers, 9332 Westminster Drive, suggested the Board consider a tax increase for schools if that's the route the Town Board decides to go, and other projects such as roads, greenways, park funding.

Mike McDorman, 16500 Monocacy Boulevard, addressed the Board in support of a tax increase. Town needs to look at what are essentials and what are enhancements. Would rather find additional money on year by year basis rather than to have a significant increase in a future year.

Mary Ansleigh Boner, 13006 Windy Lea Lane, expressed appreciation to the Board for setting aside money in the budget for turf fields at Richard Barry Park and to extend the greenway downtown.

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

**Petition #R18-13 – Cancel Public Hearing.** Petition #R18-13 is a request by Cambridge-Huntersville, LLC to revise a Highway Commercial – Conditional District Rezoning Plan for 2.474-acres located at northeast quadrant of Eastfield Road and Prosperity Church Road (Parcel # 021-191-71) to remove 42,750 sq. ft. of retail use and replace with 15,000 sq. ft. of retail and 90,000 of mini-warehouse use.

The petitioner has requested this public hearing be canceled and a new public hearing be scheduled for a later date.

Commissioner Gibbons made a motion to cancel the public hearing on Petition #R18-13.

Commissioner Bales seconded motion.

Motion carried unanimously.

**Petition #TA19-04.** Mayor Aneralla called to order public hearing on Petition #TA19-04, a request by the Huntersville Planning Department for Zoning and Subdivision text amendments reflecting a transfer of duties from LUESA to the Town of Huntersville.

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

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

**Fee Schedule Amendments.** Mayor Aneralla called to order public hearing on amendments to the fee schedule to reflect Huntersville taking over LUESA duties.

Jack Simoneau, Planning Director, reviewed proposed amendments to the fee schedule. *Refer to Exhibit No. 4.*

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

#### **OTHER BUSINESS**

**Fee Schedule Amendments.** Commissioner Boone made a motion to approve amendments to the fee schedule to reflect Huntersville taking over LUESA duties.

Commissioner Hines seconded motion.

Motion carried unanimously.

*Fee Schedule attached hereto as Exhibit No. 5.*

**Petition #SUP19-01.** Petition #SUP19-01 is a request submitted by the property owners of 16715 and 16401 Davidson-Concord Road for a special use permit in order to operate a commercial driving range in the Rural zoning district. The property is located just east of Bradford Park on NC 73.

Angela Beeker, Town Attorney, said we have Mr. John Floyd here who is representing surrounding property owners, an attorney, and he graciously came even though we felt like it was going to be continued and I thought maybe he could address any questions you might have about how long that they expect it to last and maybe some potential dates for continuation. It's been kind of hard to coordinate all of their schedules with all of your schedules and we haven't been successful to date so I don't know that we are going to arrive at a date certain tonight, but you can just vote to continue it with dates to come back for consideration by the Board or you could just cancel it for tonight and then reschedule it as a special called meeting might be the cleanest thing to do.

Mayor Aneralla said is it appropriate if only one entity gets to speak tonight whether it's just about information.

Ms. Beeker said it's just about the scheduling and he and Mr. Hollnagel who is representing the applicant have been in discussions. Mr. Hollnagel was not able to make it tonight but he knew that Mr. Floyd was going to be here, that's pursuant to the discussion. And it's not about the substance, it's just about scheduling, so I think it's fine.

Mayor Aneralla said one quick question. Is it appropriate just to cancel the meeting and then let them get back to us instead of us trying.....

Ms. Beeker said it's not a public hearing like you would normally have so you could vote to not hold it tonight and direct staff and the applicant and property owners to come back with a date certain for it to be rescheduled.

Commissioner Phillips said I'd like to make that motion.

Commissioner Walsh said so you are talking about canceling it, right?

Ms. Beeker said just not holding it tonight.

Commissioner Hines seconded motion.

Commissioner Phillips said we are canceling it tonight to let the applicants get together and the staff and set a date to bring it back before us.

Motion carried unanimously.

**Petition #R18-14.** Petition #R18-14 is a request by EPCON Communities Carolinas to rezone 34.77 acres located at 14211 Eastfield Road (Parcel #s 02112213, 02112214 and 02112215) from Rural to Neighborhood Residential – Conditional District.

Commissioner Hines requested to be recused due to a conflict.

Commissioner Gibbons made a motion to recuse Commissioner Hines due to a financial conflict with the builder.

Commissioner Phillips seconded motion.

Motion carried unanimously.

David Peete, Principal Planner, reviewed the Staff Report which includes changes to the plan since the Planning Board reviewed it. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 6.*

A question was raised as to why the plan would not go back to the Planning Board since significant changes have been made.

Angela Beeker, Town Attorney, explained the Town Board could send it back to the Planning Board, however the modifications proposed lessen the intensity and is not required to go back to the Planning Board.

Bob Kardos, Regional President for EPCON Communities, noted that their proposed changes to the plan reduces the density. The original plan called for 100 units. Through revisions, they are down to 70 units. The original submission had five exemptions and they are down to one exemption, which is related to the 16' wide driveways. Mr. Kardos presented PowerPoint presentation. *PowerPoint attached hereto as Exhibit No. 7.*

Commissioner Boone stated he would like for the Planning Board to review the changes and make a recommendation.

Commissioner Boone made a motion to have the Planning Board review the proposed changes at their May meeting and that it come back to the Town Board for a decision on June 3, 2019.

Commissioner Walsh seconded motion.

Motion carried unanimously.

Commissioner Phillips made a motion to bring Commissioner Hines back.

Commissioner Bales seconded motion.

Motion carried with four (5) yes votes.

**Resolution – Acceptance of Negotiated Offer.** The Town of Huntersville has received a Negotiated Offer Received Pursuant to N.C.G.S. § 160A-269 for the purchase of the +/- 2.081 acres the Town owns on Gilead Road, next to Town Center. The Offer was received from North State Development, LLC. North State Development has offered to pay the lump sum of Six Hundred Thousand Dollars (\$600,000.00) for this tract. Pursuant to N.C.G.S. § 160A-269, if the Board wishes to consider the sale of the +/- 2.081 acre tract to North State, the Board must adopt a resolution, issuing a proposed acceptance and authorizing the advertisement of the Offer for upset bids. The Offer would then be advertised, and if no upset bids are received, it would come back to the Board for final consideration. If an upset bid is received, the property would be readvertised for another upset bid period of 10 days. The upset bid process would continue until no further upset bids are received, and the last and highest bid received will be presented back to the Board for final consideration.

At the last meeting the Board deferred action on this item until language could be added regarding the eventual widening of Gilead Road. A new paragraph has been added to Page 3 of the Offer providing that as part of the conceptual site plan review process the amount of easement to be dedicated would be agreed upon by the successful bidder and the Town. No other changes were made.

Commissioner Phillips made a motion to adopt Resolution to issue a proposed acceptance of the Negotiated Offer Received Pursuant to N.C.G.S. § 160A-269, +/- 2.081 acres, Gilead Road, received from North State Development, LLC.

Commissioner Bales seconded motion.

Motion carried unanimously.

*Resolution attached hereto as Exhibit No. 8.*

**Resolution – Designate Depository Bank.** Commissioner Hines made a motion to adopt resolution designating Aquesta Bank as the official depository bank for the Town of Huntersville.

Commissioner Bales seconded motion.

Motion carried unanimously.

*Resolution attached hereto as Exhibit No. 9.*

### **CONSENT AGENDA**

**Approval of Minutes.** Commissioner Hines made a motion to approve the minutes of the May 6, 2019 Regular Town Board Meeting. Commissioner Bales seconded motion. Motion carried unanimously.

**Renewable Energy Portfolio Standards Rate.** REPS (Renewable Energy Portfolio Standards Rate) changes are a result of state mandated requirements for renewal energy. North Carolina Municipal Power Agency No. 1 is charged with REPS compliance and has changed the fees for all classes of customers. The Residential fee is increasing from \$0.68 to \$0.72; the Commercial fee is increasing from \$3.71 to \$3.93 and the Industrial fee is increasing from \$38.22 to \$40.51. The annual overall revenue increase is \$4,200.

Commissioner Hines made a motion to approve REPS (Renewable Energy Portfolio Standards Rate) changes. Commissioner Bales seconded motion. Motion carried unanimously.

**Budget Amendment – Powell Bill.** Commissioner Hines made a motion to approve budget amendment appropriating Powell Bill fund balance in the amount of \$400,000 to the Street Paving account for \$300,000 and to the Street Maintenance account for \$100,000. Commissioner Bales seconded motion. Motion carried unanimously.

**Budget Amendment – Storm Water.** Commissioner Hines made a motion to approve budget amendment appropriating Storm Water Fund Balance in the amount of \$150,000 to the Storm Water Repairs Account because of increased maintenance and repair of the system due to excessive wet weather. Commissioner Bales seconded motion. Motion carried unanimously.

**Budget Amendment – Police.** Commissioner Hines made a motion to approve budget amendment recognizing Police Restricted donation revenue from the fundraising efforts by a Lake Norman Charter student in the amount of \$642 for a survival armor K-9 vest for Cirro and appropriate to K-9 services. Commissioner Bales seconded motion. Motion carried unanimously.

**Budget Amendment - LUESA.** Commissioner Hines made a motion to approve budget amendment recognizing contribution from Mecklenburg County Revenue in the amount of \$463,205 for the receipts from Mecklenburg County for the Town's percentage of the Land Use Environmental Service Unit (LUESA) fund balance and appropriate to various expense accounts within the Town's Land Development department. Commissioner Bales seconded motion. Motion carried unanimously.

**Bradford Park Softball Parking Lot Expansion.** The Town received three responses to its RFQ announcement for the design, surveying and engineering for the new Bradford Park Parking Lot expansion. Town staff selected McAdams as the most qualified firm to provide these services. McAdams has worked on projects in Huntersville and is familiar with local Stormwater Requirements and Management. This project was approved in the FY19 Budget as a Hotel/Motel expenditure. The two other firms that responded to the RFQ were CHA Consulting, Inc. and TGS Engineers.

Commissioner Hines made a motion to approve Design, Engineering and Surveying Services Contract with McAdams for Bradford Park Softball Parking Lot expansion. Commissioner Bales seconded motion. Motion carried unanimously.

*Contract attached hereto as Exhibit No. 10.*

**Call for Public Hearing – Petition #R19-04.** Commissioner Hines made a motion to call a public hearing for Monday, June 17, 2019 at 6:00 p.m. at Huntersville Town Hall on Petition #R19-04, a request by the property owners of 11031 Mt. Holly-Huntersville Road (tax ID #01703211) and 11431 Mt. Holly-Huntersville Road (tax ID #01703206) to rezone their properties from Rural to Special Purpose

Conditional District and Rural Conditional District to construct a 30,000 sq. ft. indoor recreational facility and associated outdoor ball fields. Commissioner Bales seconded motion. Motion carried unanimously.

**Call for Public Hearing – Petition #R18-13.** Commissioner Hines made a motion to call a public hearing for Monday, June 17, 2019 at 6:00 p.m. at Huntersville Town Hall on Petition #R18-13, a request by Cambridge-Huntersville, LLC to revise the Huntersville Market Conditional District Rezoning Plan (currently zoned HC-CD) to rezone a 2.474 acre parcel from Highway Commercial – Conditional District to Special Purpose – Conditional District and to remove 42,750 sq. ft. of retail use and replace with 15,000 sq. ft. of retail and 90,000 sq. ft. of mini-warehouse use. Huntersville Market is located at the northeast quadrant of Eastfield Road and Prosperity Church Road (PIN #02119171). Commissioner Bales seconded motion. Motion carried unanimously.

**Call for Public Hearing – Soil Erosion and Sedimentation Control Ordinance.** Commissioner Hines made a motion to call a public hearing for Monday, June 17, 2019 at 6:00 p.m. at Huntersville Town Hall for a request by the Town of Huntersville to ratify and consider an amendment to the approved Town of Huntersville Soil Erosion and Sedimentation Control Ordinance. The purpose of the amendment is to ratify the ordinance and delay the effective date of the Ordinance until September 1, 2019. Commissioner Bales seconded motion. Motion carried unanimously.

#### **CLOSING COMMENTS**

None.

There being no further business, the meeting was adjourned.

Approved this the 17<sup>th</sup> day of June, 2019.