

**MINUTES**  
**SPECIAL BOARD OF COMMISSIONERS MEETING**  
**JORDAN ROOM, MATTHEWS TOWN HALL**  
**MAY 9, 2016 – 5:30 PM**

**PRESENT:** Mayor James Taylor; Mayor Pro Tem John Higdon; Commissioners Chris Melton, Jeff Miller, John Urban and Larry Whitley; Town Manager Hazen Blodgett, Assistant Town Manager Becky Hawke; Communications Director Jen Thompson; Town Clerk Lori Canapinno

**ABSENT:** Commissioner John Ross

**ALSO PRESENT:** Finance Director Chris Tucker; Planning and Development Director Kathi Ingrish; Parks, Recreation and Cultural Resources Director Corey King; Fire & EMS Chief Dennis Green; Police Chief Rob Hunter; Public Works Director CJ O'Neill

The Board of Commissioners met with staff to receive the proposed budget for fiscal year 2016-17. (Exhibit #1 hereby referenced and made a part of these minutes)

**MINUTES**  
**SPECIAL BOARD OF COMMISSIONERS MEETING**  
**CLOSED SESSION**  
**JORDAN ROOM, MATTHEWS TOWN HALL**  
**MAY 9, 2016 – 6:30 PM**

**PRESENT:** Mayor James Taylor; Mayor Pro Tem John Higdon; Commissioners Chris Melton, Jeff Miller, John Ross, John Urban and Larry Whitley; Town Attorney Charles Buckley; Town Manager Hazen Blodgett, Town Clerk Lori Canapinno

**ABSENT:** Commissioner John Ross

Motion by Mr. Miller to enter into closed session to meet on matters relating to attorney-client privilege pursuant to North Carolina General Statute 143.318.11(a)(3), to include the Mayor, Board, Town Attorney, Town Manager and Town Clerk. The motion was seconded by Mr. Whitley and unanimously approved.

**MINUTES**  
**BOARD OF COMMISSIONERS MEETING**  
**HOOD ROOM, MATTHEWS TOWN HALL**  
**MAY 9, 2016 - 7:00 PM**

**PRESENT:** Mayor James Taylor; Mayor Pro Tem John Higdon; Commissioners Chris Melton, Jeff Miller, John Urban and Larry Whitley; Town Attorney Charles Buckley; Town Manager Hazen Blodgett; Town Clerk Lori Canapinno

**ABSENT:** Commissioner John Ross

**ALSO PRESENT:** Assistant Town Manager Becky Hawke; Communications Director Jen Thompson; Public Works Director CJ O'Neill; Parks, Recreation and Cultural Resources Director Corey King; Planning and Development Director Kathi Ingrish; Planning Board Chair Steve Lee, Vice Chair Barbara Dement, Members Mike Ham, Kerry Lamson, Gregory Lee, Kress Query and David Weiser.

#### **REGULAR MEETING CALLED TO ORDER**

Mayor Taylor called the meeting to order at 7:03 pm.

#### **INVOCATION**

Mayor Taylor rendered an invocation.

#### **PLEDGE OF ALLEGIANCE**

Mayor Taylor led the audience in the pledge.

#### **ITEMS TO BE ADDED TO THE AGENDA**

None

#### **RECOGNIZE PUBLIC WORKS WEEK**

Mayor Taylor described Public Works employees as the unsung heroes of the town. He presented a proclamation recognizing May 15-21 as Public Works Week in the Town of Matthews.

#### **PLANNING AND DEVELOPMENT BUSINESS**

Planning and Development Director Kathi Ingrish introduced members of the Planning Board in attendance: Chair Steve Lee, Vice Chair Barbara Dement, Members Mike Ham, Kerry Lamson, Gregory Lee, Kress Query and David Weiser.

#### **REPORT FROM PLANNING BOARD**

Chair Steve Lee reviewed the Planning Board report of the April 26, 2016 meeting. (Exhibit #2 hereby referenced and made a part of these minutes).

Mr. Melton noted that the Planning Board recommended denial of the Primrose School application (2016-643) and that after the Planning Board meeting the applicants suggested adding a police officer to direct traffic. He asked if it was likely that the Planning Board would have recommended approval with safety improvements. Mr. Lee said it was possible if traffic flow on Ames Street was minimized.

## PLANNING AND ZONING RELATED ACTIONS

### Motion 2015-3: Consider the Downtown Streetscape Improvement Plan

Motion by Mr. Miller to defer Motion 2015-3 to June 13, 2016 as the consultant needs a bit more time to prepare the final draft. The motion was seconded by Mr. Urban and unanimously approved.

Application 2016-643/Primrose School: to change the zoning from I-1 to O(CD) on that certain property designated as 720 Park Center Drive and further designated as Tax Parcel 193-243-07 for a proposed development of a child daycare facility.

Mayor Taylor noted that the Planning Board had to make a decision based in the information available to them at the time of their meeting. They recommended denial but new information arose after that date.

Mr. Whitley said he believes the width of Ames Street at the proposed daycare entrance is sufficient but narrows beyond that. He suggested moving the entrance off Ames Street. He is in favor of the application. Mr. Miller said the use and location are good but Ames Street is a challenge. He asked for the cost to widen Ames Street a few feet. Town Manager Hazen Blodgett explained that the most recent estimate, which is a few years old, lists improvements totaling \$246,000. That includes curb and gutter. It may not be practical or possible to simply add a few feet of paving. Staff can look at other options to see if other options are feasible.

Motion by Mr. Miller to approve application 2016-643 as it is reasonable and consistent with the Land Use Plan and because the proposed use is adaptable to that area of development and the area would benefit from a daycare there. The motion was seconded by Mr. Whitley.

Mr. Higdon noted that with the existing zoning the property could accommodate up to 30,000 square feet of office use and experience even more traffic than the proposed daycare would generate. Also, the daycare would be closed in evening hours and weekends. Since the by right zoning would allow something potentially more impactful he is in favor of this application.

Mr. Urban thanked the applicants for making certain requested changes. He said he was worried about a negative impact on North End and asked if the applicants would be amenable to directing traffic in a certain way to mitigate potential traffic issues. He proposed two options, each incorporating one way traffic. Option 1 would have the primary traffic entrance to Primrose through the OrthoCarolina entry and directed out through Ames Street. Controlling the one way traffic would mitigate confusion in the parking lot. Option 2 would close off the Ames Street entrance until Ames Street is widened. His preference would be for no entrance from Ames Street since it would be one way. Overall the applicants have worked very hard and he can support the application if they agree on the traffic pattern issues.

Applicant representative John Carmichael of Robinson Bradshaw, 101 N. Tryon Street, Charlotte, NC addressed the Board. He stated that the first option – one way circulation through the OrthoCarolina entrance and out Ames Street – is acceptable to the applicants. They would prefer to keep the head-in parking so as not to lose any spaces the way they would with angled parking. They had previously proposed a stipend of up to \$10,000 for traffic direction by a police or security officer if deemed necessary and the applicants are now willing to increase that figure up to \$25,000 to be put toward road improvements but not incur the cost of the officer to direct traffic. Mr. Carmichael could not state if the second option – close the Ames Street access point until Ames Street is widened – would be acceptable since there are cross-access easements already in place. He would have to consult with others on that and it may not be possible due to the existing agreement.

Mr. Melton asked about the timing of the potential \$10,000 payment for traffic control. Mr. Carmichael confirmed that the sum would be available only if the use was the daycare. It would be triggered when it is deemed

necessary for the efficiency and safety of Park Center Drive and North Ames Street. The note calls for determination by the Town after consultation with the Town Engineer. The daycare operator can consult with a traffic engineer to engage with the Town Engineer as well. It would essentially be up to the Town.

Mr. Higdon said he was not in favor of blocking off access to North Ames Street. It would be very inconvenient to drop kids off and possible increase accidents. He was also concerned about blocking off an entrance that could be used for emergency access. Mr. Carmichael noted that if that access point was cut off they'd have to provide some sort of turnaround location for fire trucks. Mayor Taylor suggested the use of a breakaway entrance to solve the problem.

Mr. Whitley said he thinks it would be better to enter from Ames Street and exit through the OrthoCarolina driveway. It would be a smoother flow with one way traffic in and out. Mr. Urban said BrookeChase – the North End landlord and owner – would prefer using the OrthoCarolina access point as the primary entry. It would also be better for the residents around there.

Mr. Melton said if the Ames Street access point couldn't be blocked off then he would like staff to review the costs for Ames Street improvements. Mr. Urban said he got information from staff that the previous Public Works Director had performed a quick study of this several years ago and estimated that full implementation of improvements - including the lumber yard up to Park Center Drive, with full curb and gutter, sidewalks, etc. – would cost approximately \$400,000.

Motion by Mr. Melton to defer the decision on application 2016-643 to June 13, 2016. The motion was seconded by Mr. Urban. Discussion ensued regarding the motion to defer. The motion passed 4-2 with Taylor, Higdon, Melton and Urban in favor and Miller and Whitley in opposition.

## **PUBLIC COMMENT**

Emory Simmons of the Matthews Chamber of Commerce, 210 Matthews Station Street, Matthews thanked the Board for being active in the Chamber and supporting the business community. He invited the Board and business public to the Chamber's upcoming business seminar on May 10 and golf tournament on May 17. Mayor Taylor complimented new Executive Director Kelly Barnhardt as being off to a great start and said everyone in the Chamber is engaged. The relationship between the Town and Chamber is very valuable.

## **CONSENT AGENDA**

- A. Approve Minutes April 25, 2016 Regular Meeting**
- B. Approve Preliminary Plat for Lake Harmon Estates**
- C. Approve Disposal of Surplus Property**
- D. Approve Changes to the Storm Water Interlocal Agreement**
- E. Consider Temporary Closure of Covenant Church Lane**
- F. Approve Tax Refunds**
- G. Call for June 13, 2016 Public Hearing on FY 16-17 Budget**
- H. Call for June 13, 2016 Public Hearing on Storm Water Fees**
- I. Approve Budget Ordinance Amendments to Recognize:**
  - 1) HIDTA Shared Proceeds in the Amount of \$4,037.23**
  - 2) Controlled Substance Tax in the Amount of \$738.00**
- J. Accept Zoning Application 2016-644; M. Todd; 9601 East Independence Boulevard; from Conditional to B-1(CD) and Set Public Hearing for July 11, 2016; Accept Zoning Application 2016-645; Mecklenburg County – Sportsplex; 2425 Sports Parkway and 1585 Tank Town Road; from R-20 to ENT and Set Public Hearing for June 13, 2016**

Motion by Mr. Whitley to approve consent agenda items A through J. The motion was seconded by Mr. Melton and unanimously approved.

## **NEW BUSINESS**

### **AUTHORIZE STAFF TO PROCEED WITH CONSTRUCTION OF UPSTAIRS AREA OF POLICE DEPARTMENT**

Police Chief Rob Hunter explained this had been proposed for inclusion in the CIP for the next fiscal year but realized that unspent funds in the current fiscal year could be used instead. The last estimate for the work was approximately \$150,000 and \$200,000 was budgeted for the complete project which would include furnishings and equipment.

Motion by Mr. Higdon to authorize staff to proceed with obtaining and presenting for Board approval construction bids for this project utilizing current-year budgeted revenues, with the cost not to exceed \$200,000. The motion was seconded by Mr. Melton and unanimously approved.

### **RECEIVE INFORMATION ON TRANSPARENCY BEST PRACTICES**

Town Clerk Lori Canapinno discussed issues relating to government transparency, including recording the Board of Commissioners meetings that take place in the Hood Room and the publishing of financial data on the town's website. It was clarified that the written minutes would continue to be the official record of each meeting.

Motion by Mr. Whitley to move forward with the recommendations included in Ms. Canapinno's memo dated May 4, 2016. The motion was seconded by Mr. Urban and unanimously approved.

### **CONSIDER CONCEPTUAL PLAN FOR RICE ROAD PARK PHASE ONE**

Parks, Recreation and Cultural Resources Director Corey King explained that good feedback on the proposed plans had been received. There weren't many significant changes to the design. Staff believes that phasing will be the best method to construct the park and is seeking the Board's approval to move forward with phase 1. The total park cost is estimated at \$1.4 million with \$400,000 for phase 1. \$50,000 is indicated in the proposed FY 16-17 budget for construction drawings. This project will go through the public bid process so the final costs could be lower than estimated.

Motion by Mr. Whitley to approve the phase 1 elements and budget as presented, not to exceed \$399,999. The motion was seconded by Mr. Higdon and unanimously approved.

## **MAYOR'S REPORT**

Mayor Taylor noted the start of BeachFest this weekend as well as the start of the summer concert and movie series at Stumptown Park. He also stated that he and Mr. Blodgett will attend the Indian Trail council meeting to discuss their participation in The Quad.

## **ATTORNEY'S REPORT**

None

**TOWN MANAGER'S REPORT**

None

**ADJOURNMENT**

Motion by Mr. Miller to adjourn. The motion was seconded by Mr. Urban and unanimously approved. The meeting adjourned at 8:14 pm.

Respectfully submitted,

Lori Canapinno  
Town Clerk

DRAFT