

**MINUTES
BOARD OF COMMISSIONERS SPECIAL MEETING
JORDAN ROOM, MATTHEWS TOWN HALL
FEBRUARY 22, 2016 – 6:15 PM**

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

ALSO PRESENT: Planning and Development Director Kathi Ingrish; Senior Planner Jay Camp

The Board met for pre-development consultations regarding property located at 1201 Four Lakes Drive and 101 & 115 West John Street.

**MINUTES
BOARD OF COMMISSIONERS MEETING
HOOD ROOM, MATTHEWS TOWN HALL
FEBRUARY 22, 2016 - 7:00 PM**

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

ALSO PRESENT: Assistant Town Manager Becky Hawke; Communications Director Jen Thompson; Finance Director Chris Tucker; Parks, Recreation and Cultural Resources Director Corey King

REGULAR MEETING CALLED TO ORDER

Mayor Taylor called the meeting to order at 7:02 pm.

INVOCATION

Mayor Taylor rendered an invocation.

PLEDGE OF ALLEGIANCE

Members of Boy Scout Pack 118 led the audience in the pledge.

ITEMS TO BE ADDED TO THE AGENDA

Motion by Mr. Whitley to add the following as new business item 8C: *Approve Amended Resolution Conforming Assessment Roll and Levying Assessments for Oscar Drive by the Town Board of Commissioner.* The motion was seconded by Mr. Miller and unanimously approved.

PUBLIC COMMENT

None

REPORTS FROM BOARDS AND COMMITTEES

Appearance and Tree Advisory Committee Chairman Brian Allio discussed the group's work. The committee is dedicated to the preservation, beautification and enhancement of the town's landscape and general aesthetic. The committee is responsible for several programs which serve to enhance the tree canopy and improve the appearance of the greenway. The *Living Legacy Tree Program* is designed to identify and encourage the protection of trees of historical significance, unique specimen or particular size. The *Celebration Tree Program* offers the public the opportunity to purchase a tree and commemorative stone at a reasonable cost with Town staff providing the labor to plant it. There is also a neighborhood treescape initiative, which is a cost-sharing program available to homeowner associations that wish to plant more trees in the utility easement area in their neighborhoods. The committee also runs an annual greenway cleanup. 2016 priorities involve the expansion of these existing programs with additional awareness and increased utilization. They would also like to provide one lecture or demonstration seminar before the end of the year.

Mayor Taylor commented that the neighborhood treescape initiative is wonderful and is definitely underutilized. The Town should do more to get the word out. Discussion ensued regarding the great work done by the committee and the Board thanked Mr. Allio and his group for their efforts.

Red Brick Partnership Co-Chair Rob Jacik discussed that committee's efforts, noting that it has just about completed its first year of activity. The group focuses on historic downtown Matthews and bringing vibrancy to the area in different ways. The *First Thursday Downtown Matthews Crawl* series of events, which takes place on the first Thursday of each month, has been a great success to get people moving through different downtown businesses, even in the colder months. This program has brought carolers, Santa Claus, the Panthers' Sir Purr and Percussion and other special guests to downtown. A different non-profit organization is featured each month and is the beneficiary of the monthly fundraiser. This program will continue indefinitely and has already become a catalyst for great camaraderie between business owners in town. The Red Brick Partnership has produced a short advertising video, which can be viewed online at <https://vimeo.com/145324113>. 2016 plans include the expansion of First Thursday events, expansion of the trolley at BeachFest and Matthews Alive and the installation of a downtown directory which will also be replicated online and with handouts. The Partnership is also working on farm to table and home brewers challenge events.

Mayor Taylor thanked Mr. Jacik and his group for their efforts, noting that people are commenting and offering great feedback.

CONSENT AGENDA

- A. Approve Minutes of the February 6, 2016 Board of Commissioners Special Meeting**
- B. Approve Minutes of the February 8, 2016 Board of Commissioners Regular Meeting**
- C. Approve Tax Refunds**

Motion by Mr. Miller to approve consent agenda items A through C. The motion was seconded by Mr. Ross and unanimously approved.

NEW BUSINESS

RECEIVE MONTHLY BUDGET REPORT

Finance Director Chris Tucker reviewed the budget report through January 2016. Mr. Tucker confirmed an issue that had been raised last month, explaining that the Powell Bill formula is based on population and mileage; changing gas taxes do not affect the revenues received by towns. He also noted that the prepared food and beverage taxes represent Matthews' allocation of 4% of the county-wide revenue. This is a lump sum that is not affected by Matthews-specific businesses in whole. Mayor Taylor noted the decrease in this item and said the county should be able to audit these numbers properly. He wishes there was a way to get more specific information other than relying on the county's reporting. There was some discussion of the reduction in gas prices and how it helps the town, particularly the Police Department, save fuel budget funds. It's possibly an opportunity to relive pressure on other areas of their budget.

APPROVE ADDITIONAL FUNDS FOR COMMUNITY GARDEN

Parks, Recreation and Cultural Resources Director Corey King explained that the community garden project along Phillips Road is underway. Several items have exceeded the initial \$20,000 budget, resulting in this request for \$10,000 in additional funds. The notable cost increases include the increased depth and width of the driveway apron as required by NCDOT, the cost per linear foot for fencing, the increased depth of compost and the plumbing cost to connect the bin to the water meter. Staff requests that the additional funds be taken from the pocket park line item since there are no plans to construct a pocket park this fiscal year.

Motion by Mr. Higdon to approve the appropriation of \$10,000 to account for remaining project cost to complete the community garden. The motion was seconded by Mr. Whitley.

Mayor Taylor asked about the water billing and Mr. King explained that the Town would pay it and be repaid by the community garden participants. The local garden manager would receive the funds from garden participants and the Town would send the manager the quarterly water bill.

Mr. Melton noted that this project is 50% over budget and asked about the protocol. Town Manager Hazen Blodgett acknowledged that on a larger project a 50% overrun would be more worrisome. In this case the funding is available from the pocket parks item. This estimate was done in-house and used numbers that turned out to be insufficient. Staff will correct that going forward.

Mr. Melton suggested that funds for the future Country Place pocket park be taken from the fund balance rather than another account and Mr. Blodgett agreed. Mr. Ross recommended building in contingencies for small projects like this. Mr. Urban asked about benefits to the greater community and Mr. King explained that like the existing community garden, this one will donate 15% of the produce grown.

The motion to approve the appropriation was unanimously approved.

APPROVE AMENDED RESOLUTION CONFORMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR OSCAR DRIVE BY THE TOWN BOARD OF COMMISSIONERS

Mr. Blodgett explained that the Board adopted the original resolution on December 14, 2015. The Mecklenburg County Tax Collector's Office is responsible for the billing and they needed more time to get the computer programming done, so the timeline needs to shift. This amended resolution needs to be approved so the correct timeline is in place.

There was some discussion of collection dates and communication. The existing resolution, which was prepared by the County, doesn't list exact dates. The Board directed the Manager and Attorney to confirm the accuracy of the prepared resolution with the County before the Board approves it.

Motion by Mr. Ross to add the approval of the amended resolution to the Planning Conference/special meeting agenda scheduled for Thursday, February 25th. The motion was seconded by Mr. Higdon and unanimously approved.

MAYOR'S REPORT

Mayor Taylor reported that the Town's recent purchase of the Levine Senior Center made a lot of people happy by relieving them of the mortgage burden. The facility will get some needed repairs done soon. Some people have asked if the Town planned to make any significant changes and were happy to know that no significant changes are planned.

ATTORNEY'S REPORT

Mr. Buckley requested permission to attend the Municipal Attorneys' annual winter conference offered by the School of Government. Motion by Mr. Melton to grant permission for Mr. Buckley to attend. The motion was seconded by Mr. Whitley and unanimously approved.

Mr. Buckley discussed a recent state law change regarding zoning actions. The statute dictates that from now on, when dealing with zoning matters, board members may abstain from voting and be marked as such. Previously an abstention was counted as an affirmative vote. The Town's ordinance needs to be changed to reflect this and is included in one of the upcoming text change applications. Once that text amendment is approved the Town will put that voting change into effect.

TOWN MANAGER'S REPORT

Mr. Blodgett reported on street lights located on Home Place. Ms. Wright, a property owner who won a court case against the Town regarding a portion of the Home Place roadway, requested that no work be done on the street lights located on her property. That request was passed along to Town staff and Duke Power, but at some point the streetlight went out and a Duke Power lineman - who was unaware of the restriction against action on Ms. Wright's property - replaced the bulb. The issue now is one of service to the other residents - should the light be moved off Ms. Wright's property to public property? Mr. Blodgett said it would be reasonable for the Town to move the light since it's still providing police, fire and solid waste service and relocating the light would benefit all Home Place residents. Staff has requested the cost of moving the pole from Duke but that information hasn't come back yet. Staff has asked Ms. Wright if she would allow the pole to be removed from her property to avoid any similar situations in the future.

Discussion ensued. Mr. Miller said he thinks it is a private road and public dollars shouldn't be spent on it. Mr. Buckley explained that the case itself did not rule that it was a private road - only that a portion of the property belonged to the Wrights. The order applies only to that portion of Home Place - the remainder is still public roadway. Mr. Melton suggested installing a new pole and getting the pole that currently exists on the Wright property removed from the Town's power bill. Mr. Whitley said it's an issue between the homeowner and Duke Power and the Town shouldn't take action to move the pole.

By consensus it was determined that staff will inform Duke Power that that light is no longer the financial responsibility of the Town. The Town will not ask for the light to be relocated, and if it is relocated on behalf of anyone else the Town will not pay for any moving fee.

CLOSED SESSION PURSUANT TO NC GENERAL STATE 143-318.11(6) TO DISCUSS PERSONNEL MATTERS

Motion by Mr. Melton to go into closed session to discuss personnel matters, to include the Mayor and Board of Commissioners. The motion was seconded by Mr. Whitley and unanimously approved.

ADJOURNMENT

Motion by Mr. Miller to adjourn. The motion was seconded by Mr. Melton and unanimously approved. The meeting adjourned at 9:30 pm.

Respectfully submitted,

Lori Canapinno
Town Clerk