

MINUTES
SPECIAL BOARD OF COMMISSIONERS MEETING
JORDAN ROOM, MATTHEWS TOWN HALL
JUNE 22, 2015 – 5:30 PM

PRESENT: Mayor James Taylor; Mayor Pro-Tem Joe Pata; Commissioners John Higdon, Jeff Miller, Kress Query and John Ross; Town Manager Hazen Blodgett; Assistant Town Manager Jamie Justice; Town Clerk Lori Canapinno; Human Resources consultant Susan Manning

ABSENT: Commissioner Chris Melton

The Board met for a discussion on employee pay and classification.

MINUTES
BOARD OF COMMISSIONERS MEETING
HOOD ROOM, MATTHEWS TOWN HALL
JUNE 22, 2015 - 7:00 PM

PRESENT: Mayor James Taylor; Mayor Pro-Tem Joe Pata; Commissioners John Higdon, Jeff Miller, Kress Query and John Ross; Town Attorney Charles Buckley; Town Manager Hazen Blodgett; Town Clerk Lori Canapinno

ABSENT: Commissioner Chris Melton

ALSO PRESENT: Assistant Town Manager Jamie Justice; Communications Director Jen Thompson; Public Works Director Ralph Messera; Planning Director Kathi Ingrish

REGULAR MEETING CALLED TO ORDER

Mayor Taylor called the meeting to order at 7:00 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

SPECIAL RECOGNITION OF FRANCIS BODRY

Mayor Taylor and former Commissioner George Fossett recognized Francis Bodry, a French citizen who worked in France with US troops stationed there, including Mr. Fossett.

RECOGNIZE RETIRING PUBLIC WORKS DIRECTOR RALPH MESSERA

The Board recognized retiring Public Works Director Ralph Messera. Mayor Taylor offered the town's appreciation for everything he's done over the years and noted he will always be part of the Matthews family.

PRESENTATION ON MATTHEWS FIRE & EMS CITIZENS' ACADEMY

Lieutenant Chris Mollema discussed the department's new Citizen's Academy. The program, which starts on July 7, will educate participants about fire protection and other services. Anyone who is interested can contact the Fire & EMS department for more information.

RECESS REGULAR MEETING FOR PUBLIC HEARING ON A PRELIMINARY ASSESSMENT RESOLUTION ON OSCAR DRIVE

Motion by Mr. Miller to recess the regular meeting for a public hearing on a preliminary assessment resolution on Oscar Drive. The motion was seconded by Mr. Ross and unanimously approved.

Town Engineer CJ O'Neill summarized the structural issues with Oscar Drive due to the developer's inaction and explained the streets needs to be brought to town standards before being accepted into the town's street system. The residents have elected to proceed with the assessment process and the Board has accepted the petition. The cost has been calculated to be \$82,710. There is a cashed surety bond in the amount of \$49,710, leaving a balance of \$33,000 to be assessed to the residents.

The petition requested this amount to be shared equally between the twenty lots in the subdivision at 100% of the costs plus administrative and legal costs. The petition also asks the town to cover the cost of the lighting in the assessment, but the town does not have the legal authority to do so. Staff is seeking permission to work with the homeowner's association to come up with an agreement for repayment of the lighting costs over a multi-year time period. The lighting cost would be approximately \$9,000.

Mayor Taylor opened the floor for public comment. Kerry Lamson, 3440 Oscar Drive is a member of the HOA board and thanked Mr. O'Neill and Mr. Messera for their work on this as well as the Board for listening to the citizens and investigating the issue. The costs are lower than expected and the residents are committed to completing the work. He reiterated the request as written in the petition for an eight-year repayment plan with an interest rate not to exceed 5%. The residents have no problem working with the town on the upfront lighting fixtures cost. He did request that the Town do whatever it could to keep a building permit from being issued for lot 10 until the road is complete.

Chris Hailey, 3323 Oscar Drive explained that the residents are not happy they have to pay but they appreciate what the town has done. Mr. Hailey asked the Board to increase the bond for developers so this situation wouldn't happen to any other residents.

RECONVENE REGULAR MEETING

Motion by Mr. Query to reconvene the regular meeting. The motion was seconded by Mr. Miller and unanimously approved.

Town Manager Hazen Blodgett explained there is legislation pending in the General Assembly which would prevent municipalities from raising bonds over 125% of costs. He suggested citizens contact their legislators and argue against that using Oscar Drive as an example and ask them not to remove cities' power to protect their citizens.

PUBLIC COMMENT

None

REPORTS FROM BOARDS/COMMITTEES

Transportation Advisory Committee (TAC) Chair Matt Jones addressed the Board and discussed some of TAC's successes and recent business. TAC is in full support of the speed hump process for residents, as was recently used for Sadie Drive and Tank Town Road. McKee Road section B is currently in a contractual state and there is some language in the contract that still needs to be worked out. Section A has budgetary issues but there is much interest in it. He and TAC appreciate the Board's view on road connections. Buckley Way is moving forward and John Street is an item the Board will continue to see in the future. The environmental and design studies need to be closely reviewed. The Highway 74 plan will impact the town and will be watched closely. He noted that a CATS representative will speak later about the Silver Line and said it would be good to extend it as best it can to Matthews.

Mayor Taylor thanked Mr. Jones and the members of the committee for their dedicated work, particularly since it can sometimes feel like a thankless job. He noted that McKee Section A came up at the last MPO meeting and the town needs to keep on about that so it doesn't drop off the list.

CONSENT AGENDA

- A. Approve Minutes of the June 8, 2015 Meeting**
- B. Approve Tax Refunds**
- C. Approve Budget Ordinance Amendments to:**
 - 1) Recognize Shared Proceeds Received through the DEA Task Force in the Amount of \$24,862.98**
 - 2) Recognize Overtime Reimbursements Received from DEA Task Force in the Amount of \$715.24**
 - 3) Recognize Controlled Substance Tax Assessment Revenues Received in the Amount of \$760.61**

Motion by Mr. Miller to approve consent agenda item A through C3. Seconded by Mr. Pata and unanimously approved.

UNFINISHED BUSINESS

RECEIVE MONTHLY PLANNING CONFERENCE TO-DO LIST REPORT

The Board reviewed the report. There was some discussion on dog parks and liability, with Attorney Charles Buckley explain that liability is imposed upon a town to the extent there is liability insurance; governmental immunity exists and there would have to be negligence on the part of the town before the town would be held liable.

APPROVE RESOLUTION TO PROCEED WITH OSCAR DRIVE PROJECT

Motion by Mr. Higdon to adopt a resolution directing that the improvements to Oscar Drive within the Forest Brook Subdivision be undertaken as prepared by the Town Attorney. The motion was seconded by Mr. Query and unanimously approved.

Motion by Mr. Higdon to have the Public Works Director and Finance Director meet with the homeowner's association and develop a plan to front the cost of the street light fees and develop a plan for reimbursement, and to present this information back to the Board at a future meeting. The motion was seconded by Mr. Miller and unanimously approved.

Mr. Buckley noted that the next step will come after the completion of the project when all costs will be known. The town will go through another assessment hearing and go from there.

NEW BUSINESS

UPDATE ON SILVER LINE TRANSIT: JASON LAWRENCE – CHARLOTTE AREA TRANSIT

Charlotte Area Transit representative Jason Lawrence spoke about the Lynx Silver Line and the history of the corridor planning studies. He noted that Bus Rapid Transit (BRT) was the recommended mode with Light Rail Transit (LRT) recommended to be reevaluated. The recommendation from the Urban Land Institute (ULI) was the Independence Boulevard should be for auto-oriented uses and recommended a streetcar alignment along Monroe Road to Matthews.

There is now a need to redefine a corridor that is not located within the median of Independence Boulevard and that coordinates land development strategies. This study is a long term vision but is not intended to be a shovel-ready project, nor will it be a fully detailed and designed rail project. It will be a bus operations plan but not as a replacement for a rail project. It is not intended to be a built project at this time but rather a plan for the future. The goal date for a recommendation is June 2016. Outreach is starting now and there will be a workshop in the Matthews Town Hall on August 4th at 6:00 pm.

Mr. Miller said he was disappointed in the 2011 MTC decision that replaced the rail with managed bus lanes. That took a drastic turn. He said people have seen the economic boom along the rail line but that there won't be a similar boom along a bus line.

There was discussion on the placement of the corridor. Mr. Lawrence noted it a very challenging corridor but that is their charge. It could be near Independence Boulevard, possibly by zigzagging between it and Monroe Road. They will be as creative and take as many suggestions as they possibly can.

Mr. Query said years ago the Board stated the town would rather wait for a train route than have a bus route come out here. Mr. Lawrence noted that bus service exists today and rail service won't change that, nor will the bus component change any aspect of the future rail corridor.

APPROVE REAPPROPRIATION OF FUNDS FROM GENERAL FUND TO CAPITAL IMPROVEMENTS FUND

Mr. Blodgett explained that in September, money was taken from the Capital Improvements Fund and transferred to the General Fund as reimbursement for work associated with the South Trade Street project. In reality, those overruns had been paid from the Capital Improvements Fund, not the General Fund, and so should be reallocated back to the Capital Improvements Fund. He noted that will negatively impact the fund balance by 1 or 2 percent.

Motion by Mr. Miller to re-appropriate \$410,000 from the General Fund to the Capital Improvement Fund. The motion was seconded by Mr. Ross and unanimously approved.

RECEIVE MONTHLY BUDGET REPORT

Finance Director Chris Tucker reviewed the report. The town has collected 84% of revenue through April and sales tax is trending approximately 8% above budget.

There was some discussion of sales tax redistribution. Mr. Tucker explained that legislation will likely negatively impact Matthews. Mayor Taylor explained that the growth rate built into the language is 3% but the town's is higher than that, so there's actually a double negative impact to the town.

UPDATE ON PEDESTRIAN SIGNAL ON SOUTH TRADE STREET AT PLANTATION ESTATES

Mr. Blodgett explained that DOT changed the style of the signal – it will be a pedestrian-activated flashing signal. In addition, its placement was moved about thirty feet south. It won't be directly across from the greenway but pedestrians will be able to walk down the sidewalk a bit. A pedestrian respite island was added as well. This is tied into the Plantation Estates construction.

There was some discussion of a pocket park in the area, with Mr. Blodgett explaining that the opportunity for the larger pocket park is part of the lingering issues - Plantation Estates is responsible for the relocation of Country Place but they contend the right of way acquisition is the town's responsibility rather than theirs. There will be a remnant piece of property and it is unknown how big the pocket park will be in the end.

APPROVE ACQUISITION OF PERMANENT SIDEWALK EASEMENT

Motion by Mr. Miller to ratify the purchase of sidewalk easement from W.E. Love Enterprises in the amount of \$4,101. The motion was seconded by Mr. Pata and unanimously approved.

CANCEL AGREEMENT TO PURCHASE OUTEN POTTERY SITE

Mayor Taylor noted that the deed restriction is still in place but the Historic Landmarks Commission (HLC) chose to move forward with the purchase anyway. The agreement was for the town to purchase it from the HLC within a certain time period, but not with the deed restriction still in place. The Board can cancel the existing agreement so the town doesn't have to buy the property with the deed restriction in place.

Mayor Taylor said he thinks the restriction will eventually be removed, which would allow things to move forward, until then the HLC will keep the property secure and stable.

Motion by Mr. Higdon to authorize the Town Manager to sign the termination agreement and pay \$4,700 for the environmental assessment costs. The motion was seconded by Mr. Query and unanimously approved.

MAYOR'S REPORT

Mayor Taylor reported on recent events, including the groundbreaking for Phase II of the Sportsplex and the Playhouse's 20th anniversary and Wizard of Oz production. He also noted that the Town Attorney's contract will be discussed at a future agenda.

ATTORNEY'S REPORT

None

TOWN MANAGER'S REPORT

None

CLOSED SESSION – ATTORNEY-CLIENT MATTERS

Motion by Mr. Miller to go into closed session to consult with the Town Attorney, to include the Board, the Town Attorney, Town Manager and Town Clerk. The motion was seconded by Mr. Pata and unanimously approved.

CLOSED SESSION – PERSONNEL

The Board did not hold this closed session – it will be discussed at a future date.

ADJOURNMENT

Motion by Mr. Higdon to adjourn. The motion was seconded by Mr. Ross and unanimously approved. The meeting adjourned at 9:14 pm.

Respectfully submitted,

Lori Canapinno
Town Clerk