

MINUTES
SPECIAL BOARD OF COMMISSIONERS MEETING
JORDAN ROOM, MATTHEWS TOWN HALL
AUGUST 8, 2016 – 5:30 PM

PRESENT: Mayor Pro Tem John Higdon; Commissioners Chris Melton, Jeff Miller, John Ross, John Urban and Larry Whitley; Town Manager Hazen Blodgett, Assistant Town Manager Becky Hawke; Town Clerk Lori Canapinno

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

ABSENT: Mayor James Taylor

The Board of Commissioners met with staff to review departmental quarterly reports.

MINUTES
BOARD OF COMMISSIONERS MEETING
HOOD ROOM, MATTHEWS TOWN HALL
JULY 11, 2016 – 7:00 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

ALSO PRESENT: Assistant Town Manager Becky Hawke; Communications Director Jen Thompson; Police Chief Rob Hunter; Interim Fire & EMS Chief Robert Swiger; Public Works Director CJ O'Neill; Planning and Development Director Kathi Ingrish; Senior Planner Jay Camp; Zoning Administrator Mary Jo Gollnitz; Planning Board Chair Steve Lee, Vice Chair Barbara Dement, Members Mike Ham, Kerry Lamson, Greg Lee, Kress Query and David Weiser

REGULAR MEETING CALLED TO ORDER

Mayor Taylor called the meeting to order at 7:05 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 POLICE OFFICER MICHELLE ARCHER'S ELECTION AS 2016-17 PRESIDENT OF THE NORTH CAROLINA ASSOCIATION OF SCHOOL RESOURCE OFFICERS

Mayor Taylor introduced Police Officer Michelle Archer, who is the School Resource Officer (SRO) at Butler High School. She does everything she can to ensure the school and its inhabitants' protection but she also works hard to offer a fun learning environment. The students there love and trust her – so much so that many of them call her Mom. Michelle has been voted in by her peers as the 2016-17 President of the North Carolina Association of School Resource Officers. She is wonderful – a great example to her peers and a great role model for everyone at the school.

Mayor Taylor spoke of the town's other SROs, who all build strong relationships with the students and allow kids to interact with police officers on a friendly, supportive and regular basis. He and the Board of Commissioners appreciate all that they do.

Police Chief Rob Hunter noted there are over a thousand SROs across the state and they all know that Michelle is someone of great aptitude. She has a great heart and she extends that to every member of the school. He described her as the epitome of a police officer, one who he trusts with his back and his life.

Chief Hunter discussed an upcoming special *Matthews Gives Back* event being organized by Michelle and other officers. They are holding a school supply drive and will host a community picnic at the Sportsplex on August 18. The event offers food, games, school supplies and festive interaction between police officers and the community.

INTRODUCTION OF INTERIM FIRE & EMS CHIEF ROBERT SWIGER

Mayor Taylor introduced Interim Fire Chief Robert Swiger. Chief Swiger discussed his history with the fire service and the Board welcomed him to the community.

RECESS REGULAR MEETING FOR PUBLIC HEARINGS TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF MATTHEWS

Motion by Mr. Higdon to recess the regular meeting for public hearings. The motion was seconded by Mr. Ross and unanimously approved.

ENTER INTO AN INSTALLMENT CONTRACT FOR THE PURCHASE OF REAL PROPERTY KNOWN AS THE OUTEN POTTERY SITE

Town Manager Hazen Blodgett noted the total purchase price is \$300,542.00. A public hearing is required before the Town can enter into an installment purchase agreement with the Charlotte Mecklenburg Historic Landmarks Commission to purchase the site.

AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF MATTHEWS

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

Zoning Application 2016-646: Cross and Crown Lutheran Church; to amend the existing R/I(CD) zoning district to allow construction of a bell tower, which would include co-location antennae for cellular communication on that certain property designated as 300 Pineville-Matthews Road and commonly referred to as Cross and Crown Lutheran Church and being more particularly designated as Tax Parcel 213-239-104

Senior Planner Jay Camp explained this application is for a change of conditions to add cell tower as an allowed use. The Cross and Crown site was rezoned from residential a number of years ago and cell towers were not one of the allowed uses listed at that time. They are seeking to install a 120 foot tall cell tower in a stealth application, which would conceal the equipment within a bell tower structure.

The church was built in 1990 and the site was rezoned in 2002 to R/I(CD) to allow for program expansion and future building expansion. At that time the list of allowed uses included in the conditional zoning was short and did not include cell towers.

The applicant is still working on the conditional notes at this time. They plan to bring forward the original notes and add new ones pertaining to the tower.

Mr. Camp noted that the Land Use Plan calls for residential and institutional uses along this part of Highway 51. The area is predominantly residential and institutional and there is no call for future commercial districts there so it is exceedingly difficult to get locations for cell tower placement. This is the best solution for a new tower in the area.

Attorney Susan Irvin represented the applicant and addressed the Board. With her were Project Manager Carolyn Gould from the tower construction company Vertical Bridge Development; Site Development Manager Bob Hill and RF Engineer Mo Shah from mobile carrier T-Mobile; Bob Roth from Cross and Crown Lutheran Church and appraiser Mike Berkowitz from MPB Real Estate.

Ms. Irvin presented information regarding the need for wireless communications in the community. Studies indicate that by 2020 total mobile data use will have increased 50-60% over today's usage. People look for wireless capable homes, cities are turning into "smart cities" and those needs are driving the need for increased infrastructure.

The current ordinance already permits the installation of 120' stealth towers with certain conditions, but the church's original zoning plan didn't include cell towers as a use at that time. It was years ago and cell service wasn't a need that they were aware of then. Now there is a great need for improved coverage in the neighborhood. The public input section of this case on the town website shows comments from 33 people in favor of it. One talks about makeshift cell tower lots forming outside of some neighborhoods where residents park to catch a signal and use their cell phones. Some also mentioned the need for emergency services and the need for cell service. Of the 33 people who wrote in, only one was recognized as a church member. The ordinance seeks to place towers alongside major roads, to protect land values, minimize adverse visual impacts and protect public safety related to the structure. At the recent community meeting one of the adjoining owners requested additional landscaping, so they added two layers of trees - holly and Leyland cypress – to add density to the landscaping.

Ms. Irvin displayed coverage maps highlighting the gaps in coverage that would be filled if the tower were approved. There are no existing cell towers within 2,500 feet of this location. The proposed tower would support four antennas/4 carriers to co-locate. The estimated cost of construction for this type of stealth structure is

\$200,000. The balloon test showed limited visibility above the tree line. The ordinance already contemplates that bell towers are allowed by right in R/I zoning district without antennas in it. That points out the innocuous part of this facility – they're hiding it in a structure that is allowed by right. She noted that the technical requirements of the ordinance are met and the need to meet the growing demand for communications infrastructure would be improved with the addition of this stealth tower.

Michael Berkowitz, appraiser with MPB Real Estate spoke to the issue of adjacent land valuation. This was a concern mentioned at the community meeting. Mr. Berkowitz was asked to review the potential impact to surrounding property values based on the proposed structure. He reviewed his findings, concluding with his professional opinion that the structure would not negatively impact the value of surrounding properties.

Bob Roth, church council member at Cross and Crown explained that he has been a member of the church for many years and he was the attorney who represented the church in its last rezoning. That 2002 rezoning sought R/I(CD) designation to address larger capacity and preapproval for building expansion. During the rezoning process they agreed to many conditions, including the elimination of almost all the R/I uses, as well as conditions regarding increased setbacks and limited tree removal as concessions to adjoining property owners. Communication antennas and towers were one of the uses deleted, but times have changed in the past 14 years and the need for such services has increased dramatically. The church has been approached several times by parties interested in installing cell towers on the site but until now the church has refused due to the aesthetically unappealing nature of those towers. This latest stealth proposal is much different and much more attractive.

Mr. Ham asked if the weak coverage shown in Ms. Irvin's presentation represented all the major carriers or just T-Mobile. Carolyn Gould of Vertical Bridge explained those were T-Mobile-specific maps. They have had communications from other carrier very interested in the tower but she can't provide coverage maps for other carriers.

Mr. Lamson asked if T-Mobile had looked for co-location opportunities instead of building a tower. Mr. Hill of T-Mobile explained that they did – in fact, their preference is for co-locations because they're quicker and much less expensive, but in this case it wouldn't work out. The closest cell tower is at the MARA site and it won't serve their purposes. Mr. Lamson asked if they truly needed the tower to be 120 feet tall and Mr. Hill explained that shortening the tower would negate the opportunity for other carriers to co-locate on it. They would love it if it could be even taller than 120 feet.

Mr. Query asked about tower maintenance and liability and Mr. Hill explained that Vertical Bridge would own the tower, meet building standards and be responsible for maintaining the structure. Each carrier would then be responsible for its own antenna array and for keeping the area maintained. Ms. Gould noted that Vertical Bridge would be liable for the structure as a whole.

Mr. Ross asked if the structure would be a working bell tower and Ms. Irvin said no, explaining that they decided it would be better for adjoining property owners if it didn't ring. Mr. Ross stated that this proposed bell tower is a great example of a stealth tower – much better than what people normally see or think of when they hear that description. He appreciates the effort the applicants went into regarding the stealth aspect. Mr. Urban noted that the tower is outside a fall zone, there are no distance impacts and it would be located on private property. He asked if it would be illuminated and Ms. Irvin explained it was not so as to be less visible to adjoining owners. Mr. Urban said he wouldn't have a problem with illumination or working bells.

Mr. Melton agreed with Mr. Ross and Urban regarding the good example of a stealth tower. He asked if this community's cell service problem would be rectified if the MARA tower was increased and additional antenna were added. Mr. Hill discussed the different technical aspects of the carriers and explained that T-Mobile, Sprint and AT&T would not benefit from that, while Verizon's service might see some improvement. Mr. Higdon asked if one massively tall tower would work and Mr. Hill explained that it would not – sectors get full and calls are dropped.

Mayor Taylor questioned the height of the structure and Ms. Irvin confirmed it would be 120 feet tall, measured from the ground up. She also confirmed that the only carrier commitment at this time is from T-Mobile and that the antennas would be completely enclosed with wiring running through the structure's hollow legs. The only way someone would see the equipment is by looking up from the bottom of the structure. Mayor Taylor requested, and Ms. Irvin agreed, to add a conditional note with reasonable verbiage stating that the equipment would generally not be visible.

Mayor Taylor opened the floor to public comment.

Jerry Green of Courtney Lane stated his concerns about electromagnetic radiation and its effects on people, particularly children in the nursery on site. Town Attorney Charles Buckley noted that the Board is prohibited by federal law from considering environmental concerns of that nature when voting on this application.

Dan Jacobowitz lives in the Coachman Ridge neighborhood and stated his desire for this application to be approved. There are many neighbors with abysmal service from all carriers and they are hopeful this will be approved.

Anna Marie Mantey of the Sardis Plantation neighborhood stated she is not an expert on electromagnetic fields but she is a medical provider and is concerned about the effects on children. She discussed several national and international studies and expressed concerns about electromagnetic field (EMF) effects.

Russell Meers of the Sardis Pointe neighborhood discussed the trouble he has experienced over the years with cell service in the neighborhood and expressed his desire for this application to be approved.

Bill Agle of the Settlers Landing neighborhood stated that he respects those with concerns about EMF but stressed the need for better cellular service in the area, describing the actions his family has needed to take to get a signal.

Dana Hitchinson of Coachman Ridge described her reliance on a machine that transmits medical data to her physicians and stressed the need for better service. She said she didn't want to minimize the issue of EMF radiation but that it is only one of many concerns to be reviewed.

John Fulton of Coachman Ridge spoke of the concerns regarding radiation, describing international reports that say there is no issue. He encouraged the Board to approve this application.

Brian Duck of Settler's Landing spoke of his health issues that require access to emergency services. He said he understands the concerns about radiation but noted that he is at the mercy of technology and his and others' concerns important too.

Gordon Miller spoke in opposition to the application and presented information regarding the effects of the Church's actions on his home, the possible effects of a cell tower on nearby property values, the description of the proposed structure as a bell tower, the commercial influence on the residential area and the issue of a nearby communications tower at the water tank. Mr. Miller also discussed various impacts on surrounding properties, EMF radiation and alternatives to the proposed tower.

Cat Collins of Sardis Pointe spoke of the need for cellular service when landlines are not available. Twice recently landline service was down due to accidents and there was no urgency to get that service restored, leaving her with no cell, internet or landline connection for hours. She said landline infrastructure will eventually become obsolete and urged the Board to think about the future and make the tough decisions for the common good.

Lynn Gilbert of Settler's Landing noted that her family has never had cell phone problems in the twelve years they've lived there and has heard only one neighbor say they've had trouble. She noted that while 33 citizens

submitted public comments in response to the application, there are over one hundred properties in Settler's Landing alone. She noted that a neighbor has a family member with a health condition that would be negatively impacted by electromagnetic waves. She also questioned if trees would be removed from the site.

Jared Blackburn of Deveraux Drive, president of the Cross and Crown church council, said they've had overwhelming support for this. He's experienced cell service trouble for years and recently a new neighbor said that if he knew cell coverage was so bad he'd have thought twice about buying the house. He said he and his wife both work from the home and have to sometimes fight over access to the landline phone. He said he is interested in his child's health as anyone else but that doesn't stop him from using a baby monitor, microwave or other devices that produce EMFs.

Ms. Gould responded to Ms. Gilbert's question about tree removal, explaining that the site was designed so as not to remove any mature trees. There is some kudzu, brush and seedling growth that will come up but all of the major trees will stay and two additional rows of landscaping will be added for screening.

Mayor Taylor noted this application will be heard by the Planning Board on August 23 and come back to the Board of Commissioners on September 12.

Zoning Application 2016-648: Budd Law Group; to change the zoning from R-12 to O(CD) on that certain property belonging to the Pressleys located at 352 East Charles Street and further being designated as Tax Parcel 215-014-08

The applicant requested a delay. Staff recommended opening the hearing and continuing it to September 12.

Motion by Mr. Ross to continue the public hearing to September 12, 2016. The motion was seconded by Mr. Urban and unanimously approved.

Motion 2016-2: UDO Text Amendment; to amend the text of the UDO to revise the standards for street names

Zoning Administrator Mary Jo Gollnitz explained this motion would more closely align the Town's naming requirements with those of Mecklenburg County.

Mr. Higdon noted that there are thousands of business names in the county and it would be difficult to restrict the use of a word that also happens to be part of a business name for use in a street name. Ms. Gollnitz explained that requirement is due to the wish to avoid naming a street after a business and then having that business leave, having a new, competing business come in and having the new business request a street name change. Mr. Higdon then said the clause regarding "possibly offensive" names will be difficult to regulate. Ms. Gollnitz explained that mirrors Mecklenburg County's language and is similar to how license plates are regulated – it's designed to eliminate foul language. Mr. Higdon suggested changing that to plain language so the intent is obvious.

Mayor Taylor opened the floor to public comments. No one spoke in favor of or opposition to this application.

This application will be heard by the Planning Board on August 23 and come back to the Board of Commissioners on September 12.

RECONVENE REGULAR MEETING

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

PLANNING AND DEVELOPMENT BUSINESS

REPORT FROM PLANNING BOARD

Planning Board Chair Steve Lee presented the report from July 26, 2016 (Exhibit #1 hereby referenced and made a part of these minutes).

PLANNING AND ZONING RELATED ACTIONS

Zoning Application 2016-644: to change the zoning from Conditional District to B-1(CD) on that certain property belonging to Michael and Julia Todd and designated as 9601 East Independence Boulevard and more particularly described as Tax Parcel 193-303-12.

Motion by Mr. Higdon to approve application 2016-644 as it is reasonable and consistent with the Land Use Plan and it is consistent with the zoning of adjoining properties. The motion was seconded by Mr. Ross.

Mr. Urban asked if some of the proposed uses could be stricken. Mr. Camp noted that the applicant was not present, but that the list of proposed uses was the same as the rest of the Windsor Square shopping plaza. Mr. Urban said some of those uses are not suitable for the applicants' prime location at that intersection.

Mr. Ross made a substitute motion to defer this to September 12, 2016 to allow time for a review of the proposed use list. The motion was seconded by Mr. Miller and unanimously approved.

Zoning Application 2016-649: to change the conditions on that certain R/I(CD) zoning district located at 121 Elizabeth Lane and being property belonging to the Charlotte-Mecklenburg Board of Education, more commonly known as Elizabeth Lane Elementary School, to allow the addition of mobile classrooms to the site and further being property designated as Tax Parcel 227-034-91.

Chief Operating Officer Carol Stamper addressed the Board. Mayor Taylor noted that the Planning Board recommended denial based on the information available at the time, but there have since been some meetings to address the issues and it seems like there is resolution on things that are acceptable to both the Town and CMS.

Mayor Taylor reviewed the items in question:

1. Charlotte-Mecklenburg Schools (CMS) agrees to a sunset clause expiring on August 1, 2017 regarding the enlarged envelope for the placement of mobile classrooms.
 - a. The 2016-2017 mobile classroom envelope allows for fifteen (15) mobile classrooms and two (2) mobile restrooms. Eight (8) mobile classrooms are located within the 1995 envelope and seven (7) are located within the 2016-2017 envelope.
 - b. At the expiration of the sunset clause on August 1, 2017, the zoning will allow only for the original building envelope for mobile classrooms from the original zoning of the school.

2. CMS agrees to explore options and provide plans for a permanent solution to capacity issues at Elizabeth Lane Elementary School, which may include, but are not limited to, the following:
 - a. Permanent brick and mortar expansion plans for the school;
 - b. Possible relief school in the area to reduce the demand on Elizabeth Lane Elementary School;
 - c. Having discussions with County and Town staff about possible use of land, including but not limited to the property at Highway 51 and Phillips Road known as Hulsey-Purser Park, as one possible location for a future school;
 - d. Revisiting the timing and needs of Elizabeth Lane Elementary School as it relates to the \$805 million identified by CMS as priority needs for CMS and updating the Board of Education and the Matthews Board of Commissioners on plans to include and/or exclude Elizabeth Lane Elementary School in the timeline of needed projects.
3. CMS agrees to provide to the Matthews Board of Commissioners and Planning staff with an update on the process and progress of items identified in #2 above, on or about January 2017.
4. CMS agrees to have conversations with County Parks and Recreation staff, Matthews staff and adjacent neighborhoods about opportunities for joint use of the vacant area of the campus.

Ms. Stamper agreed to all of the above-listed conditions on behalf of CMS.

Motion by Mr. Melton to approve the request to expand the building envelope to include the conditions listed and agreed upon by Ms. Stamper, as this request is reasonable and consistent with the Land Use Plan and will provide needed capacity to meet the educational needs of children of the Town of Matthews. The motion was seconded by Mr. Ross and unanimously approved.

Zoning Application 2016-645/Sportsplex: To change the zoning from R-20 to ENT District on that certain property commonly referred to as the Sportsplex and being designated as 2425 Sports Parkway, 1601 and 1585 Tank Town Road, and further identified as tax parcels 215-081- 15, 215-231-01 and -02

Motion by Mr. Ross to approve application 2016-645 as it is reasonable and consistent with the Matthews Land Use Plan and Unified Development Ordinance, and because it will provide a better quality of life and sports-related experiences for the citizens. The motion was seconded by Mr. Urban and unanimously approved.

Administrative Amendment: Eden Hall

Ms. Gollnitz noted that revisions were made since the last meeting. The wall on the left side of Fullwood Lane is now proposed in the same location as in the first Administrative Amendment from April 2015. This also places the sidewalk back in its original position and the wall six feet closer to the property lines. The sidewalk will have a less meandering aspect than the previous request.

Mr. Higdon urged staff to encourage larger species of trees for the landscaping, not just crepe myrtles and monkey grass. Ms. Gollnitz affirmed that larger species were required along with smaller ornamentals.

Mayor Taylor questioned which entity will be responsible for the maintenance of the landscaping outside the wall. Ms. Gollnitz noted that some of it is on public right of way so the Town and the developer have to come to an official agreement about that. The developer has already said they'd maintain it. Mr. Buckley said that condition should be included as part of the Administrative Amendment. Ms. Gollnitz noted the verbiage that should be included in the agreement:

The developer has stated that they will maintain the landscaping along Fullwood Lane. Since landscaping maintenance is normally completed by one provider, an agreement with the Town will need to be completed in order to clarify maintenance responsibility. The agreement should include but not limited to:

1. maintaining a seven and one half-foot (7.5 ft) clearance over the sidewalk;
2. proper watering, weeding, fertilizing, mulching and pruning;
3. removal and replacement of dead or diseased trees and shrubs;
4. mowing of grass on a regular basis;
5. keeping the area litter-free

Mayor Taylor asked if the applicant was agreeable to the above-listed conditions. Applicant representative Andrew McKoy agreed to those conditions.

Motion by Mr. Melton to approve the Administrative Amendment as outlined in Ms. Gollnitz's memo dated August 2, 2016, to include all the items listed in the memo and as listed above and agreed upon by Mr. McKoy, as it is reasonable and consistent with the Land Use Plan and its required beautification of the community, and because the wall relocation reduces the bifurcation of property owners' lots. The motion was seconded by Mr. Urban and unanimously approved.

REPORTS FROM BOARDS/COMMITTEES

Minutes from the Economic Development Advisory Committee were submitted. There were no comments or questions.

PUBLIC COMMENT

No comments

CONSENT AGENDA

- A. Approve Minutes of the July 11, 2016 Board of Commissioners Meeting**
- B. Accept Zoning Application 2016-650; Matthews Festival Limited Partnership; 10410 East Independence Boulevard; Tax Parcel IDs 19329209,19329226 and 19329227; from Conditional to B-1SCD and B-H(CD) and Set a Public Hearing for October 10, 2016**
- C. Approve Mecklenburg County Tax Collector's Settlement for Fiscal Year 2016**
- D. Approve Resolution Adding Oscar Drive to Town Street System**
- E. Appoint Members to Veteran Affairs Committee**
- F. Accept Resignation of Parks, Recreation and Cultural Resources Advisory Committee Member**
- G. Approve Request by the Matthews Fire & EMS Department to Solicit Donations at the Intersection of John Street and Trade Street**

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

Mayor Taylor thanked Raymond Gaskin and Freddie Baylor for their commitment to the Veteran Affairs Committee. He appreciates the work they've done and will do for the veterans of the town.

UNFINISHED BUSINESS

RECEIVE UPDATE ON 2016 PLANNING CONFERENCE TO-DO LIST

Town Manager Hazen Blodgett reviewed the to-do list. He explained that he would prefer waiting until the new Fire & EMS Chief hired and had the opportunity to review the fire vehicle items. Mr. Melton agreed but said he wanted to be sure the town was satisfied and comfortable with the condition of the fire vehicles. Mr. Blodgett went on to discuss the South Trade Street project, explaining that the Town spent \$1.2 million on the project before any dirt was turned. The bottom line is that the project cost \$6.7 million and there was only \$5.5 million in bond proceeds. He then discussed an issue between the Town and the Mecklenburg County Library, wherein there is a question about responsibility for certain improvements. Staff will be discussing this further with the County.

Mr. Higdon asked about liquidated damages for the South Trade Street project. Mr. Blodgett explained that it is normal to not know if there are liquidated damages on a project until it is complete and signed over. Things outside of the contractor's control - like weather delays or delays in Duke Power moving their poles - relieve them of damages.

Mr. Blodgett noted that staff has done a good job seeking and obtaining grants and his recommendation is that a grant writer position is unnecessary. Staff is requesting a due date extension on item 14 – major capital needs – to September. Staff has spoken with the downtown property owners referenced in item 16 and has decided to wait on any further action. The State of the Town report has been published online and diversity training for staff is scheduled for the fall of this year.

Regarding the cost estimates for a downtown streetscape plan, staff will be reviewing possible projects. Mr. Miller asked about the railroad lot and Mr. Blodgett said that now that a Town Engineer is in place she can work on that project. Public Works Director CJ O'Neill estimated that staff can do approximately 50% of the work on the railroad lot project.

Mr. Blodgett suggested discussing item 23 – identification of potential park properties – at a future meeting. Mayor Taylor suggested discussing it at the October 1 mini planning conference. Mr. Urban questioned item 32 – discussion of an economic development liaison – stating that the memo described discussion with some staff and the Chamber of Commerce but didn't include others like the Board of Commissioners, Economic Development Advisory Committee or the Quad. Mr. Blodgett explained that those staff members are the liaisons to many of those groups. Mr. Urban urged more communication with those groups as well as the Red Brick Partnership and some of the property owners that own many and/or large areas of the town. Discussion ensued regarding staff's proposal to engage a vendor to provide real estate listings for commercial and industrial spaces and land for sale or lease on the Town's website. Mr. Urban said that should be something offered by the Quad, not the Town. By consensus the discussion was deferred to another meeting – possibly the mini planning conference.

APPROVE PURCHASE OF OUTEN POTTERY PROPERTY FROM CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION

Motion by Mr. Higdon to approve the purchase of the Outen Pottery property from the Charlotte-Mecklenburg Historic Landmarks Commission, for the sum of \$300,542.00, on the installment plan as specified in the agenda documents, and authorize the Manager to sign the appropriate documents. The motion was seconded by Mr. Whitley and unanimously approved.

NEW BUSINESS

CONSIDER APPROVAL OF PROPOSED GATEWAY SIGNS – BUZZ BIZZELL

Buzz Bizzell of Bizzell Design, Inc. displayed the gateway signs options. Design includes lighting behind structured metal letters. There are two phases: phase one includes the five existing locations with two small signs and three large and phase two adds seven new signs – one small and six large.

There is the option to build them with high density urethane (HDU) or traditional brick. The benefits of HDU structures are that they're cheaper than traditional brick and moveable. Traditional brick structures last much longer and are built on site so the material is cheaper to transport. The cost for phase one would be \$108,000 for HDU or \$136,000 for real brick.

Phase one includes existing locations. Phase two includes more signs with locations that have not been improved and that need right of way encroachment agreements from the property owners. Mr. Bizzell believes the five existing locations in phase one are located outside of the right of way but no survey has been done yet to confirm that. Existing signs would be replaced on four of those locations.

Motion by Mr. Higdon to authorize staff to proceed with phase one using real brick and to readdress phase two within a year - perhaps at the 2017 planning conference.

Mr. Urban said the Board needs to closely review aspects of the design such as the type of brick used, the exact colors and lighting. Discussion ensued regarding brick masonry, suppliers and lighting options. Mr. Bizzell stated the lighting has an adjustable spread pattern with LED lights and the brick that was quoted is the type of brick used for the town hall. He contacted five local brick masons and didn't get a bid from any of them. He noted that engineering and permitting is included in the numbers he submitted.

Mr. Higdon amended his motion to authorize town staff to negotiate details on phase one using real brick at the five locations listed in phase one, with three large and two small signs, not to exceed the total listed in the agenda document. Site surveys, encroachment agreements, electrical service, site work and landscaping are not included in that total.

There was some discussion of the sizes and locations of signs. Mr. Bizzell suggests placing the Sam Newell Road sign halfway between the first wayfinding sign and the corner. They have not yet picked that exact location yet. He believes there used to be an entry sign there many years ago.

Mr. Blodgett advised that most of the old wooden picket-style downtown signs will be removed. One sign on South Trade Street near the greenway by Country Place will remain – it's marked at #7 on the map. He asked if the Board was concerned with one sign being different from the rest and the Board was comfortable with that. It can be reviewed in the future if necessary.

The motion to move forward with phase one was unanimously approved.

CONSIDER ORDINANCE ALLOWING BEER AND WINE CONSUMPTION ON PUBLIC PROPERTY

Mayor Taylor noted there was good conversation when this was discussed at an earlier special meeting. This process would be managed by staff with the Town Manager ultimately responsible. The Board would be informed of the activity.

Motion by Mr. Miller to adopt the ordinance as presented. The motion was seconded by Mr. Melton.

Mr. Whitley said he thinks Matthews is becoming too focused on beer and wine and he is opposed to public consumption. He has seen what alcohol can do to families. The town has a lot of restaurants, wineries and beer pubs.

Mr. Urban said he understood Mr. Whitley's concerns but this type of activity helps promote events for citizens, businesses and families. Matthews is on a precipice of a rebirth in downtown and there are a lot of people who are seeking a well-rounded quality of life in downtown. This ordinance addresses consumption in a specific controlled area and comes at the request of citizenry. He has no problem calling for a repeal of the ordinance if it turns out that things don't go well. Mayor Taylor agreed, noting that requests would be reviewed individually. *Pawsitively Matthews* has implemented a beer garden and has been a success. This would be an enclosed and controlled environment, and the ordinance can be readdressed if things go awry. Mr. Higdon said he also sees Mr. Whitley's point but is comfortable that the staff will use discretion and plan appropriately.

The motion to approve the agenda was approved 6-1 with Mr. Whitley in opposition.

CONSIDER APPROVAL OF PAVEMENT PRESERVATION PLAN

Motion by Mr. Miller to approve the pavement preservation plan. The motion was seconded by Mr. Melton.

Mr. O'Neill made the Board aware that one of the methods – the high density mineral bond – will result in the test neighborhood being inconvenienced for a full day. The Sardis Mills subdivision will have the streets blocked off between 8 am and 5 pm. Residents will park close by and be shuttled back and forth via golf carts. Mayor Taylor noted the value in testing new methods but directed staff to over-communicate and make personal contact whenever possible to explain the situation to the residents in preparation. The Town needs to do its best to make this process as least impactful to the residents as possible.

Discussion ensued regarding the different types of repairs and funding needs.

The motion to approve the pavement preservation plan as presented was approved 6-1 with Mr. Higdon in opposition.

MAYOR'S REPORT

Mayor Taylor discussed the news regarding layoffs at the Family Dollar location in Matthews and an upcoming meeting at Butler High School regarding student assignment and transportation zones. He also noted the recent opening of the new Women's Center at Novant Health Matthews Medical Center. The hospital is growing and bringing ancillary professional services to Matthews, all while being a great community partner.

ATTORNEY'S REPORT

None

TOWN MANAGER'S REPORT

Mr. Blodgett reported that the search for a new Fire & EMS Chief is going very well.

CLOSED SESSION TO DISCUSS TOWN MANAGER'S ANNUAL REVIEW

This session was not held and will be rescheduled to August 22.

ADJOURNMENT

Motion by Mr. Miller to adjourn. The motion was seconded by Mr. Ross and unanimously approved. The meeting adjourned at 11:25 pm.

Respectfully submitted,

Lori Canapinno
Town Clerk