

**AGENDA**

**BOARD OF COMMISSIONERS MEETING  
HOOD ROOM, MATTHEWS TOWN HALL  
APRIL 27, 2015 – 5:30 PM**

The Board of Commissioners will meet to review the development process – MARA rezoning.

**AGENDA**

**BOARD OF COMMISSIONERS MEETING  
HOOD ROOM, MATTHEWS TOWN HALL  
APRIL 27, 2015 - 7:00 PM**

1. Regular Meeting Called to Order
2. Invocation
3. Pledge of Allegiance
4. Items to be Added to the Agenda
5. Felisha Fletcher; Relay for Life-Matthews/Mint Hill
6. Recognize Finance Department's Receipt of Certificate of Achievement for Excellence in Financial Reporting
7. Recognize Silence the Violence Award Winners
8. Planning and Development Business
  - A. Planning and Zoning-Related Actions:
    - 1) Site Plan Review for Increase in Stealth Tower Height at MARA; Arthur Goodman Park, 1200 South Trade Street

9. Public Comment (Please sign in to speak at this time. Limited to 4 minutes)

10. Consent Agenda

- A. Approve Minutes of the April 13, 2015 Meeting
- B. Approve Tax Refunds
- C. Approve Mileage Reimbursement for Planning Conference to Commissioner Miller in the Amount of \$221.95
- D. Adopt Resolution Adding Reid Hall Lane & Pleasant Pine Court to the Town's Street System
- E. Adopt Ordinance Establishing the Maximum Speed Limit and Posting of Stop Signs in Reid Hall Subdivision
- F. Award Service Weapon and Badge to Retiring Police Sergeant Bill Abernethy
- G. Approve Resolution in Support of Full-Access Interchange for Weddington Road onto I-485
- H. Approve Budget Ordinance Amendments to:
  - 1) Refund Vehicle Maintenance for Payout of Insurance Repairs in the Amount of \$10,307.50
  - 2) Recognize a Donation to the DARE Program in Excess of Budgeted Revenues in the Amount of \$350.00
  - 3) Recognize Excess Revenues Received from Alarm Ordinance Penalties in the Amount of \$2,000.00
  - 4) Recognize Loan Proceeds from BB&T in the Amount of \$200,000.00 to Purchase a Street Sweeper

11. Unfinished Business

- A. Consider Oscar Drive Special Assessment
- B. Reconsider Parking Options on Charles Street

12. New Business

- A. Receive Monthly Budget Report
- B. Consider the Repeal of Chapter 110: Privilege License Tax
- C. Award Contract for Construction of Buckley Way
- D. Receive Briefing on Super Street Project
- E. Consider and Approve 2015 Planning Conference To-Do List

13. Mayor's Report

14. Attorney's Report

15. Town Manager's Report

16. Adjournment

## **Agenda Item: Stealth Tower Height Increase - MARA**

**DATE:** April 22, 2015  
**FROM:** Jay Camp

### **Background/Issue:**

- The only updates provided to staff since the 3/9/15 Council meeting concern a commitment from the tower owner that an access control plan will be provided. The plan will include locked gates and visitor registration as a part of the plan.
- A lightpole at Arthur Goodman Park was built as an 80' stealth wireless communications tower in 2009 able to carry antennas for one cell service provider along with ball field lights; never activated
- Information received by Town Board on Feb 23, 2015 included descriptions of poor cell service within Arthur Goodman Park and in nearby neighborhoods
- Photo simulations were provided from surrounding streets showing how the requested additional 40' in height would, or would not, be visible
- Two graphics were provide on Feb 23 showing existing service without an active tower/antennas, and expected cell coverage levels if the pole was extended to 120' in height (without detail on number of service providers to have antennas on tower)

### **Proposal/Solution:**

Town Board has the right to:

- request additional information, if any new/unanswered questions remain
- determine the request meets the Town's definition of a stealth tower
- offer additional conditions, if any, to approval of additional tower height

### **Financial Impact:**

None to the Town

### **Related Town Goal(s) and/or Strategies:**

Quality of Life

Economic Development/Land Use Planning

### **Recommended Motion/Action:**

- Vote on tower height addition

<sup>1</sup> From UDO, 155.103.C Definitions

**Stealth or Concealed Structure:** shall mean the support structure for a communications antenna which is primarily for another principal use or accessory to the principal use on the lot where it is located, and partially or wholly conceals the antenna or minimizes its appearance in relation to the principal use of the stealth structure. A stealth or concealed structure may also be a freestanding structure with no other use connection to the principal use on the site when it is designed to match features on the site, such as a “tree” structure within natural trees. A stealth structure shall visually blend in and fit with the overall activities and structures on the site. All appurtenances to the antenna are wholly concealed by the same structure or other structure in the immediate vicinity, except where a stealth application is not part of a building, then the equipment and wiring shall not be required to be wholly concealed.



NC-1009

Photograph Map Key



Balloon #1  
Mara Entrance/Trade Street  
Partially Visible  
Apprx. 822-ft away



Simulation #1  
Mara Entrance/Trade Street  
Partially Visible  
Apprx. 822-ft away



Balloon #2  
Woodycreek Rd. and Chesney Glen Dr.  
Not Visible  
Approx. 1143-ft away



Balloon #3  
Trade Street  
Partially Visible  
Approx. 788-ft away



Simulation #3  
Trade Street  
Partially Visible  
Approx. 788-ft away



Balloon #4  
Whitefriars Ln and Talbot Ct.  
Not Visible  
Approx. 792-ft away



Balloon #5  
Whitefriars Ln and Evian Ln.  
Not Visible  
Approx. 872-ft away



Simulation #5  
Whitefriars Ln and Evian Ln.  
Not Visible  
Approx. 872-ft away



Balloon #6  
Whitefriars Ln. and Bydeford Ct.  
Not Visible  
Approx. 884-ft away



Balloon #7  
End of Brydeford Cr.  
Not Visible  
Approx. 787-ft away



Balloon #8  
End of Shrewsbury Lane  
Not Visible  
1006-ft away



Balloon #9  
End of Gateshead Lane  
Not Visible  
Approx 1046-ft away



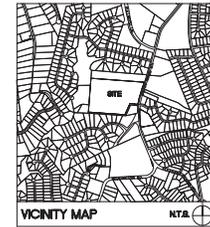
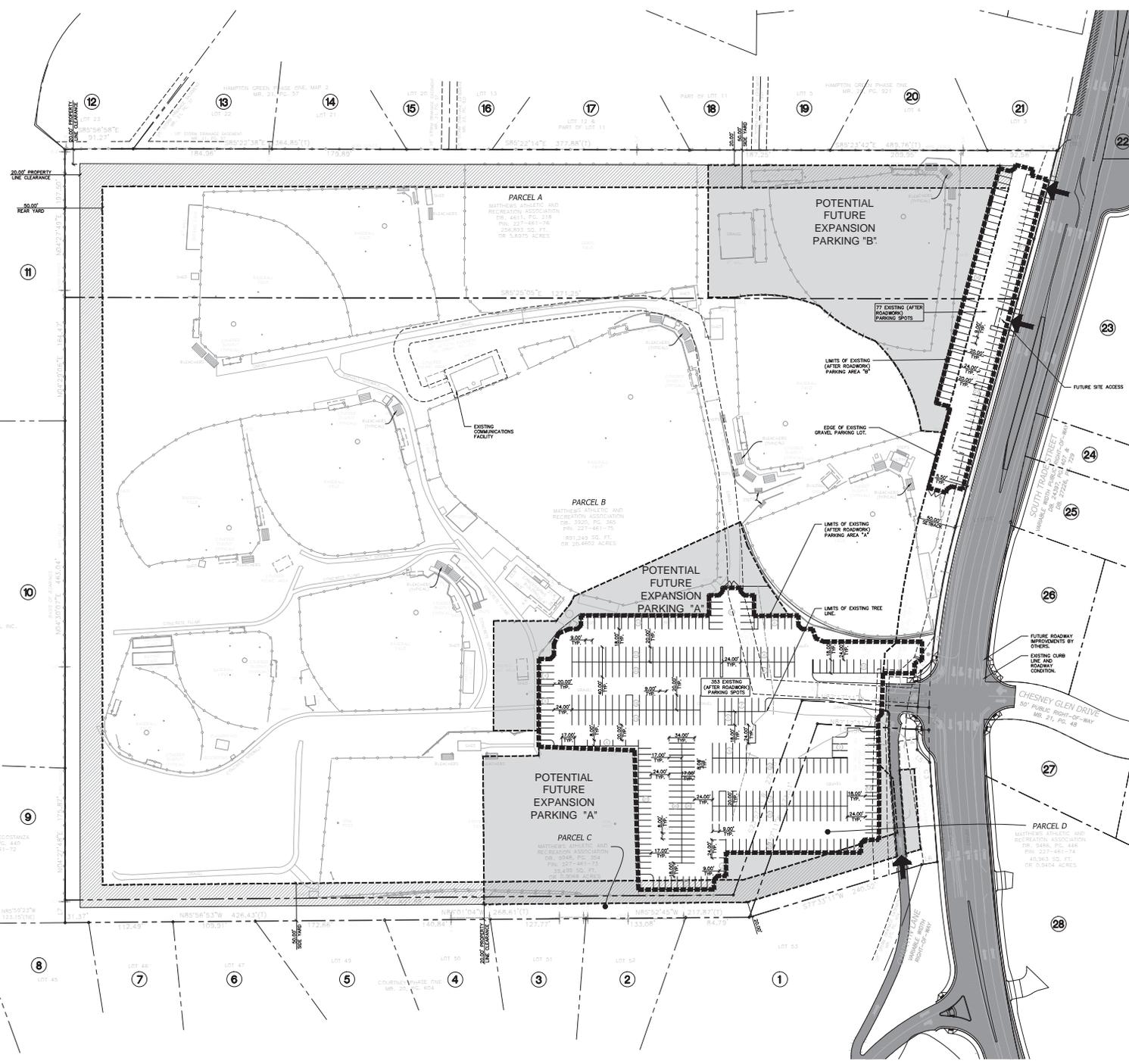
Balloon #10  
Brittle Creek Dr. and Chaphyn Ln.  
Not Visible  
Approx. 1122-ft away



Balloon #11  
Chaphyn Ln  
Not Visible  
Approx. 941-ft away



Balloon #12  
Trade Street (Korean Baptist Church)  
Not Visible  
Approx. 1055-ft away



**SURVEY DISCLAIMER**  
 "ALTA/ASPM LAND TITLE SURVEY" SURVEY ISSUE DATE AUGUST 21, 2024. PROVIDED BY BR PHAM AND ASSOCIATES, P.A. 425 HAWTHORNE LANE, CHARLOTTE NC 28204. 704-376-2786

**LEGEND**

[Symbol]	LIMITS OF EXISTING (LATER ROADWORK) PARKING	[Symbol]	LIMITS OF POTENTIAL FUTURE EXPANSION PARKING
[Symbol]	FUTURE ROADWAY IMPROVEMENTS BY OTHERS	[Symbol]	POTENTIAL/FUTURE SITE ACCESS
[Symbol]	LIMITS OF FUTURE SITE IMPROVEMENTS		

**REZONING SUMMARY**

**CITY/TOWNSHIP:** MATTHEWS ATHLETIC & RECREATION ASSOCIATION  
 3300 SOUTH TRADE STREET  
 MATTHEWS, NC 28105

**PROPERTY OWNER:** MATTHEWS ATHLETIC & RECREATION ASSOCIATION  
 3300 SOUTH TRADE STREET  
 MATTHEWS, NC 28105

**REZONING SITE AREA:** TOTAL: 28.23 AC

**TAX PARCELS:**  
 227-461-75  
 227-461-74  
 227-461-76  
 227-461-78

**EXISTING ZONING:** R1  
 R-1S

**PROPOSED ZONING:** R-0 (C)  
 R-0 (C)

**EXISTING USE:** CIVIC RECREATION FACILITY  
 VACANT

**PROPOSED USE:** CIVIC RECREATION FACILITY

**MINIMUM SETBACK:** 50'  
**MINIMUM SIDE YARD:** 50'  
**MINIMUM REAR YARD:** 50'

**PARKING NOTES:** 20 SPACES FOR EACH OFFERED SPORTS FIELD, DIAMOND OR COURT, PLUS ONE SPACE FOR EACH FOUR SPECTATOR SEATS WHEN THEY ARE PROVIDED

**REQUIRED PARKING:** 23 REELS + 200 PARKING SPACES  
 480 SEATS + 300 PARKING SPACES  
 TOTAL = 680 PARKING SPACES

**EXISTING (AFTER ROADWORK) PARKING:** 400 PARKING SPACES, A MAX. OF 20% (88 SPACES) OF TOTAL PARKING REQUIRED MAY BE DESIGNED TO COMPACT SPACE DIMENSIONAL STANDARDS.

- SEE SHEET RZ-200 FOR REZONING NOTES.
- SEE SHEET RZ-200 FOR ZONING EXHIBIT.
- SEE SHEET VP-100 FOR VARIANCE PLAN.

**ADJACENT PROPERTY OWNER INDEX**

PROPERTY OWNER	PARCEL ID	ADDRESS	CURRENT ZONING
1 CHARLOTTE C. KLUEDAMER	22729253	100 CHAFFIN LN	R-1S
2 DIERIE H. SILVA & JOHN J. SILVA	22729252	112 CHAFFIN LN	R-1S
3 PHOENIX BOCHER	22729255	120 CHAFFIN LN	R-1S
4 DAVID L. BLAVEN & P. DENISE	22729256	MATTHEWS, NC 28105	R-1S
5 GORAN K. KITCHEN & J. KITCHEN	22729249	116 CHAFFIN LN	R-1S
6 JOHN W. ANTICWAL & WILDA M. MITCHEL	22729247	1415 BRITTEL CREEK DR	R-1S
7 STEVEN SCOTT VAN DUSEN & JANE E. VAN DUSEN	22729246	MATTHEWS, NC 28105	R-1S
8 LINDA L. HENNING	22729245	1407 BRITTEL CREEK DR	R-1S
9 KATHLEEN G. BROCKSTADEN	22746172	MATTHEWS, NC 28105	R-1S
10 BIRDECK RETAINING WALLS, INC.	22746166	P.O. BOX 24275 CHARLOTTE, NC 28224	R-1S
11 CIG VENTURE	22746171	4500 HAWTHORNE DR CHARLOTTE, NC 28210	R-1S
12 HAMPTON GREEN SWIM CLUB	22754123	P.O. BOX 1546 MATTHEWS, NC 28106	R-1S
13 HAMPTON GREEN SWIM CLUB	22754122	MATTHEWS, NC 28106	R-1S
14 JAYSON TONKIN & JAYSON TONKIN	22754121	2023 TOWN LN MATTHEWS, NC 28105	R-1S
15 JENISE ANN	22754120	MATTHEWS, NC 28105	R-1S
16 ROBERT P. FORD & GABRIEL L. FORD	22754113	1015 TADPOLE CT MATTHEWS, NC 28105	R-1S
17 JAMES A. JOHNSON & CENTRA JOHNSON	22754112	1017 TADPOLE CT MATTHEWS, NC 28105	R-1S
18 PHILIP E. BRUCE & RANDOLPH E. BRUCE	22754111	1013 TADPOLE CT MATTHEWS, NC 28105	R-1S
19 ROBERT D. ARCOCK, JR. & DORNEA D. ARCOCK	22754105	1010 TADPOLE CT MATTHEWS, NC 28105	R-1S
20 JAMES D. ROGERS & LAMAR C. ROGERS	22754104	1011 TADPOLE CT MATTHEWS, NC 28105	R-1S
21 DAVID MICHAEL BERMAN	22754103	1007 TADPOLE CT MATTHEWS, NC 28105	R-1S
22 R. W. MARTIN & BECCA MARTIN	22722228	1011 S. TRADE ST. MATTHEWS, NC 28105	R-1S
23 MILDRED F. SUTTON-HYESTON	22722229	176 WOODBERRY ST. BRISTLE CREEK, NC 28107	R-1S
24 MILDRED F. SUTTON, SCOTT A. WILSON, & S. WILSON	22722230	176 WOODBERRY ST. BRISTLE CREEK, NC 28107	R-1S
25 SCOTT A. WILSON & JOANNE L. WILSON	22722231	176 WOODBERRY ST. BRISTLE CREEK, NC 28107	R-1S
26 GARY L. JUDG & JUDG	22722232	101 CHESNEY GLEN DR MATTHEWS, NC 28105	R-1S
27 DANIEL D. JUDG	22722233	100 CHESNEY GLEN DR MATTHEWS, NC 28105	R-1S
28 DANIEL D. BROWNE & MARLA BROWNE	22722234	100 CHESNEY GLEN DR MATTHEWS, NC 28105	R-1S
29 CHARLOTTE KOBAN BARFIST	22722235	100 S. TRADE ST. MATTHEWS, NC 28105	R-1S

**ColeJenest & Stone**

Shaping the Environment  
 Realizing the Possibilities

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200 South Tryon Street, Suite 1400  
 Charlotte, North Carolina 28202  
 97-704-376-1500 / 704-376-1781  
 www.colejeneststone.com

**MARA**

1200 South Trade Street  
 Matthews  
 North Carolina, 28105

**ARTHUR GOODMAN  
 MEMORIAL PARK  
 REZONING**

1200 South Trade Street  
 Matthews  
 North Carolina, 28105

**TECHNICAL  
 DATA SHEET**

Project No.  
 4371

Issued  
 11/13/24

Revised

- 01/21/15 - TOWN OF MATTHEWS COMMENTS
- 02/18/15 - THIRD TOWN OF MATTHEWS SUBMITAL
- 03/23/15 - FINAL TOWN OF MATTHEWS SUBMITAL

CHESNEY & STONE  
 P.L.L.C.

SCALE: 1"=50'

0 25 50 100

**RZ-100**

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**MINUTES**  
**BOARD OF COMMISSIONERS SPECIAL MEETING**  
**JORDAN ROOM, MATTHEWS TOWN HALL**  
**APRIL 13, 2015 – 5:15 PM**

**PRESENT:** Mayor James Taylor; Mayor Pro-Tem Joe Pata; Commissioners John Higdon; Chris Melton, Jeff Miller, Kress Query, John Ross and John Higdon (participated via telephone conference); Town Manager Hazen Blodgett; Town Clerk Lori Canapinno

**ALSO PRESENT:** Planning and Development Director Kathi Ingrish; Senior Planner Jay Camp; McGill Associates representative Mike Norris

The Board of Commissioners met with Planning and Development staff to discuss a possible downtown streetscape project. Jay Camp spoke about the proposed streetscape master planning process and how a consultant could help with that. The Town has received a grant for this work and so time is of the essence. If the Board chooses not to approve this item this evening then the grant would be lost.

There was some discussion about the final product – renderings and a lengthy streetscape improvement document which could be used for as many as twenty years in the future. Mr. Norris explained that he works with communities on land planning, often with downtowns and Main Street communities. West Jefferson, Statesville and Lenoire are some of the communities he has worked with most recently. He works with the municipality, the public and other agencies such as the Department of Transportation to produce a document which will guide development for the next number of years. Both short and long-term goals would be included. This would be a guideline for developers as they look at work in downtown Matthews.

**MINUTES**  
**BOARD OF COMMISSIONERS MEETING**  
**HOOD ROOM, MATTHEWS TOWN HALL**  
**APRIL 13, 2015 - 7:00 PM**

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

**ALSO PRESENT:** Assistant Town Manager Jamie Justice; Communications Director Jen Thompson; Finance Director Christopher Tucker; Planning Director Kathi Ingrish; Senior Planner Jay Camp; Zoning Administrator Mary Jo Gollnitz; Planning Board Chair Steve Lee, Vice Chair Rob Markiewitz, Members Mike Ham, Eric Welsh and Barbara Dement and Youth Voices Ben Dodson and Sarah Ward

**REGULAR MEETING CALLED TO ORDER**

Mayor Taylor called the meeting to order at 7:00 pm.

## **PLEDGE OF ALLEGIANCE**

Boy Scouts led the audience in the pledge.

## **INVOCATION**

Pastor Larry Whitley rendered an invocation.

## **SIGN SISTER CITIES PARTNERSHIP DOCUMENTS WITH MAYOR VINCENT MORISSE OF SAINTE-MAXIME, FRANCE**

Mayor Taylor remarked upon the extraordinary work that started a few years ago to build a relationship between the Town of Matthews and Sainte-Maxime, France. A grassroots effort has led to a wonderful partnership between the two towns, one which will be fruitful for many years to come.

Mayor Taylor introduced Sainte-Maxime Mayor Vincent Morrisse, who then introduced his delegation: Deputy Mayor Jean-Louis Rouffilang, Deputy Mayor Michel Le Dard, Councillor Vernonique Kerhoas, Renaud and Nicole Guillemard, Liliane Navarro and Valerie Henin. Mayor Taylor expressed thanks to Steve and Carol Manz and their goddaughter Rachel, who lives in Sainte Maxime and was instrumental in the effort to partner these two towns. Mayor Taylor also thanked Ed and Barbara Dement and the members of the grassroots campaign who worked for over two years to make this partnership a reality.

Barbara Dement explained the history of Sister Cities International, which was created by President Eisenhower in 1956 as a way to champion for peace and prosperity by fostering bonds between people from different communities around the world. Ed Dement spoke of Sainte-Maxime's history with America: the city was liberated from Nazi occupation by American and other soldiers in 1942 and the people of Sainte-Maxime have never forgotten that.

Mayor Morrisse noted that some people believe French people do not like Americans, but that is not true. They love Americans and are grateful that so many young people gave their lives to help liberate the city more than seventy years ago. They appreciate the American way of life and the relationship between Sainte-Maxime and Matthews. He thanked the many people involved in their visit and commented on some of the special events and locations that were visited. He said it is an honor for him and his group to be in Matthews and encouraged Matthews citizens to visit Sainte-Maxime. He hopes that people - especially young people - from each town will visit the other and learn about their sister community.

Mayor Taylor and Mayor Morrisse signed Sister City documentation and exchanged gifts and again expressed their great appreciation for each other and all those involved in making this partnership a reality.

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

None

## **RECESS REGULAR MEETING FOR PUBLIC HEARING ON PETITIONS TO AMEND THE ZONING ORDINANCE OF THE TOWN OF MATTHEWS**

Motion by Mr. Melton to recess the regular meeting for public hearings on petitions to amend the zoning ordinance. The motion was seconded by Mr. Ross and unanimously approved.

Planning Director Kathi Ingrish introduced the members of the Planning Board in attendance: Chair Steve Lee, Vice Chair Rob Markiewitz, Members Mike Ham, Eric Welsh and Barbara Dement and Youth Voices Ben Dodson and Sarah Ward.

Application 2015-626: To change the zoning from RVS to CMF + R-12MF(CD) on that certain property located on the west side of Monroe Road between Galleria Boulevard and Gander Cove Lane and being further located across the street from Family Dollar Corporate and being further designated as Tax Parcel 213-231-01. (deferral requested by applicant)

Mayor Taylor noted the applicants requested a deferral. The public hearing will be opened and continued to May 11; he explained that anyone who wished to speak for or against it could do so now or at the continued meeting, but not at both. There were no public comments.

Motion by Mr. Query to continue the public hearing to May 11, 2015. The motion was seconded by Mr. Ross and unanimously approved.

Motion 2015-1: To consider the adoption of a Composite Bicycle and Pedestrian Plan

Ms. Ingrish explained the Composite Bicycle and Pedestrian Plan was drafted by former planner David Nelson with input from several advisory committees and staff from different departments. Mr. Nelson collected all of the bike and pedestrian plans listed in previous documents and added the new ones from zoning cases. He then added those that filled in gaps, deleted those that were duplicative or unnecessary and drafted a complete list of all bike and pedestrian plan improvements. He then compiled a list of all needed public improvements which would allow people to travel around town without a motor vehicle. The bike facilities are mostly on-road bike lanes with lines separating cars from bike traffic or widened shared areas. Pedestrian facilities include sidewalks, greenways and multiuse trails. Staff is seeking comments now and will incorporate those into the plan along with some notes from the Transportation Advisory Committee and staff. The document as written is a compilation of all lists but does not guarantee anything. The facilities could be built by private developers on a case-by-case basis, could be built as a part of the state's improvements as part of its Complete Streets process or could be built by the Town through its Capital Improvements Program.

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

Mayor Taylor noted that the Transportation Advisory Committee has endorsed the draft and said he looks forward to hearing the Planning Board's comments. The Planning Board will hear it on April 28<sup>th</sup> and it will come back to the Board of Commissioners on May 11<sup>th</sup>.

Motion 2015-2: To change the text of the UDO regarding miscellaneous and technical corrections including add a definition and standards for Residential Development Message Board Signs; correct/add a cross reference for design standards for manufactured homes; clarify when "Specialty Sales" are general merchandise retail; add "community garden" as a land use category in the table of allowed uses; and add clarification for Public Information Kiosks in Downtown and ENT.

Ms. Ingrish explained that it was understood that some amendments would be required after the Unified Development Ordinance (UDO) was adopted. Small items such as cross-references, typos and oversights are corrected through the amendment process. This amendment serves to, among other things; create some new requirements for residential message boards such as those usually located at the entrance or community area of a neighborhood. Staff inventoried and reviewed existing signage to ensure the new regulations would accommodate them. These signs could be on private property or on public rights of way with encroachment agreements. There would be a maximum of two per neighborhood, each with a maximum area of twelve square feet and a maximum height of five feet. Also included in this amendment are some cross-references, the addition

of community gardens to the table of allows uses; public information kiosks; minor typo corrections and line revisions.

Mr. Melton asked about the five foot maximum height limit for neighborhood signs, with Ms. Ingrish explaining that there are one or two in existence around that height and staff wanted to be sure the proposed sizes were adequate for the existing signs.

Mayor Taylor opened the floor to public comment. No one spoke in favor of or opposition to this application. The Planning Board will hear it on April 28th and it will come back to the Board of Commissioners on May 11th.

#### **RECONVENE REGULAR MEETING**

Motion by Mr. Miller 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 gave a detailed report on the Board's activities (Exhibit #1 hereby referenced and made a part of these minutes).

##### **CONSIDER APPROVAL OF ADMINISTRATIVE AMENDMENT: EDEN HALL**

Zoning Administrator Mary Jo Gollnitz explained that the Eden Hall subdivision was approved in July 2014. As part of that approval, the existing sidewalk and trees along Fullwood Drive were to remain. Upon receiving the site plan, staff has discovered that sidewalks and trees were not shown on the plan. The applicant has agreed to replace the existing sidewalks with meandering walkways and put in larger caliper trees than what is required by ordinance. It is up to the Board to decide to approve, deny or seek public input for additional information.

Motion by Mr. Query to approve the Eden Hall Administrative Amendment as is it reasonable and consistent with the Town's Land Use Plan and other policies, and because the requested amendments would result in a better development than what had previously been approved. The motion was seconded by Mr. Pata.

Mr. Miller asked about the sidewalk width and Ms. Gollnitz said it would be five feet, which is consistent with the existing sidewalk. Mr. Miller said he didn't think homeowners on Marion Drive were aware of the proposed changes and Mr. Query said it is up to the Board to move the project forward. Mayor Taylor agreed, saying the product now proposed is better than the original plan. The quality of trees on site now are lesser and would be replaced by larger-caliper hardwoods and the sidewalk would be improved. There were no concerns about trees mentioned in the minutes of the original public hearing.

Applicant representative Mel Graham explained that attempting to save the existing sidewalk is not the best option. The proposed sidewalk will look and function better and the trees will look much better in the long term.

Mr. Melton asked if the organization will maintain the frontage area by the road. Mr. Graham said the area will be landscaped down to a certain point, and anything else will have to be discussed with Public Works. There should be a way to relieve some of the burden on Public Works. Mr. Blodgett noted that the Town will mow four times per year anyway, and anything the association does in addition will help.

The motion to approve the Administrative Amendment was unanimously approved.

## **DISCUSS POSSIBLE LOCATIONS OF FUTURE SMALL AREA PLANS**

Mr. Blodgett noted this was a topic of discussion at the Planning Conference and staff would like to know what the Board feels is the top priority. This work will be performed by Planning staff. Ms. Ingrish discussed possible options and noted the recommendation of both staff and the Planning Board is for the next focus area to be the East John Street area between I-485 and the Union County line, up to the CSX railroad and incorporating both sides of East John Street.

Motion by Mr. Miller to prioritize as the next Small Area Plan the East John Street area between I-485 and the Union County line, up to the CSX railroad and incorporating both sides of East John Street, since that was recommended by the Planning Board. The motion was seconded by Mr. Ross and unanimously approved.

## **CONSIDER APPROVAL OF PATIO ENCLOSURE AT BEANTOWN IN ACCORDANCE WITH MATTHEWS STATION STREET DEVELOPMENT AGREEMENT**

Mr. Query said he is unhappy with what has gone on. There was no building approval or prior approval on design and no permits were pulled prior to construction. This project was all done inappropriately and he believes it needs to come down and be done correctly.

Mr. Camp summarized that this project, a patio enclosure at Beantown Tavern at 130 Matthews Station Street, was done without a building permit. Town staff requested Mecklenburg County building inspectors go out to the site on January 28, 2015. They informed the owner that a building permit would be required. Construction drawings were submitted to Town staff on March 19. These include Downtown Overlay-approved elevations as well as reverse-engineered plans which will be submitted to the County for building permits if the Matthews Board of Commissioners approves this item tonight. If the expansion is to remain it would need to be approved by the Town Board and the landlord and the lessee would need to obtain building permits. The Town Board is the first step in the process.

The 2000 Downtown Development Agreement gives the Town Board the authority to review architecture in Matthews Station. Attorney Buckley clarified that the document recorded with the Register of Deeds deals with this ongoing project after initial construction. Not only does new construction continue to be a public-private partnership decision but also any restoration or rehabilitation of existing structures. Changes need to be approved by the public-private development team.

Mr. Pata asked why the Matthews Town Board is the first approval agency instead of Mecklenburg County. Mr. Buckley explained that the recorded documents require any changes to be approved by the Town Board and the property owner, since this is a joint project between those two entities. This is true for all changes in perpetuity. Mecklenburg County can't perform any building permit review without staff approval and staff approval can't be given without Town Board approval. Mayor Taylor noted that even if the landlord and County approved a change it wouldn't be possible to proceed unless the Town Board approved it as well.

Mayor Taylor noted that when this agreement regarding Matthews Station was entered into by the Town and Lat Purser and Associates, there was a lot of discussion about what the look and feel of Matthews Station would be like. There was a lot of discussion about the two corner pieces that face the circle and how to keep those areas open and able to have lively interaction.

He asked if the members of the Board were open to any sort of enclosure at all. If so there may be a way to accommodate a type of enclosure that could be opened up at times to keep that appearance of no boundaries, such as an accordion-style or garage-style setup. Perhaps the owner and tenant could work to find something that is acceptable to all parties. Mr. Query said he would not like to accept anything that closed off the area. The intent of the project was an open environment to give users the ability to interact with the surrounding area. He said it is

up to the owner and tenant to decide if they'd like to work on alternative options but he wanted to make it clear that he wouldn't want to accept anything that was closed off.

Lat Purser of Lat Purser and Associates, 4530 Park Road, Suite 300, Charlotte, NC 28209 addressed the Board. He explained that this project took his company by surprise as well. They didn't receive any requests – the enclosure just appeared. He remembers speaking with former Mayor Lee Myers about the open air concept and the intent of that design. He agreed that the work was done the wrong way but he said that the tenant - Beantown proprietor Donnie Gaskin - has been in this market for many years and has been a good tenant. Mr. Purser would like to see Mr. Gaskin be given the opportunity to bring some options to the Board and see if there is some sort of middle ground that would be acceptable to all parties. Mr. Gaskin does work hard and Mr. Purser thinks it would be good to give Mr. Gaskin a chance to take another look at the possibilities.

Mr. Blodgett asked if there were any life safety issues with the addition. The Town needs to be comfortable knowing that the structure is safe and not a hazard to anyone. Mr. Purser said that he told Mr. Gaskin that he would have to get his entire building permitted, not just the patio enclosure, to ensure everything was correct. He does not believe that has happened yet. Mr. Blodgett asked if it was possible that in the interim there might be some safety issues. Mr. Purser did not know. Mayor Taylor asked Mr. Buckley if the Town had any liability due to its inaction to date. Mr. Buckley explained that the Board is taking action now. He also noted that this is on private property, and although it was built under the auspices of a public-private partnership it doesn't expose the public agent to any liability. The recorded agreement regulates changes. The Town can only do those things that it is reasonably expected to do, i.e. reviewing a plan with proposed changes. This situation involves a tenant who took action without involving the Town or the property owner in any way so he has assumed his own risk. That is not to say that someone couldn't sue the Town, but being able to show a breach of duty is a different situation. Mr. Buckley thinks the Town does need to move forward now. Mayor Taylor said it seems like Lat Purser and Associates would have some liability if there were any structural deficiencies and Mr. Buckley agreed.

Mr. Melton asked if the building was protected by a sprinkler system and Mr. Purser said he believed that building was. Mr. Melton asked if the sprinkler system was extended into the newly enclosed area. Mr. Purser said he did not know. Mr. Melton noted that it would be a big problem if the sprinklers were not extended, if there were no exit emergency lights and/or if the egress of the occupancy was changed. Mr. Purser agreed and said some action needed to be taken. He said he wished this had not occurred at all, but if there was something that could be done that was permit-able with approved permits and acceptable to the Town he would like to see Mr. Gaskin being given the opportunity to try. Mr. Melton asked Fire & EMS Chief Dennis Green if that area would be allowed to remain open if the life safety systems were not properly extended. Chief Green noted that it would be up to the discretion of the County Fire Marshal, but he did not believe it would be able to be used.

Mr. Ross noted that the staff memo indicates that Mecklenburg County Building Inspectors performed an inspection on January 28th and found the changes to be out of compliance. He asked if staff is aware of the specifics of that inspection. Mr. Camp explained that staff has requested a copy of that report but it has not yet been received.

Mr. Query said he feels for Mr. Gaskin, but it has happened and some action needs to be taken. It was probably just done to improve things, but that was not the intent of the Matthews Station design, which was to allow for interaction. In fact, the new structure now forces smokers to go out into the street to smoke. The whole thing doesn't fit with the intention of the design.

Motion by Mr. Query to disallow the patio enclosure at Beantown in accordance with the Matthews Station Street development agreement. In fact, he does not see how the Board could approve it.

There was some discussion about the mechanics of the vote. Mr. Buckley explained that the Board would need to notify the property owner that they are in violation of the Downtown Development Agreement and the documents that are supportive of that agreement which are recorded in the Register of Deeds office – that they are out of

compliance and it needs to be brought back into compliance as quickly as possible. Mayor Taylor asked if that started a clock and Mr. Buckley explained there is no specific time period other than a *reasonable time*.

The motion was seconded by Mr. Miller.

Mayor Taylor asked if the Board wished to express anything to suggest it was open to looking at drawings for potential enclosures. Mr. Buckley said the Board was putting the owner on notice and he needs to express that to his tenant. It is between the owner and tenant if they wish to respond to the Board's notification of noncompliance with any sort of new proposal. Mr. Purser said he would like to know if the Board was open to other possible designs or if that would simply not be acceptable at all. Mr. Miller said he would be open to some form of upscale roof system with bricked pillars or something with arches – something with more open air and which perhaps could be closed in colder weather. It would have to be something more tasteful than the existing design, which looks like an old sunporch with too many windows. It just doesn't fit in now.

Mayor Taylor asked if the existing structure would stay in place while the owner and tenant possible worked on new drawings or if the property owner would require the tenant to remove it immediately. Mr. Purser said the tenant would need to act quickly with any new ideas. Parts of the existing structure may be able to be reused. He doesn't think it should go on any longer than 90 days at the most. If the Board is not really willing to consider other options then that should be stated so that the entire process could be ended immediately. Mr. Pata said he'd be open to looking at option but suggested it should be done in no more than thirty days. Mayor Taylor noted that Mr. Purser had said he'd informed the tenant that the entire structure needed to be inspected and brought to code and questioned the timeline on that. Mr. Purser said it was probably not possible to make it all happen in thirty days. He said he thought the Fire Marshal probably would require sprinklers out there. He does believe the exit door is still there. He agrees with the concern about pushing the smokers out towards the main street rather than out by the railroad tracks. He's not certain that the tenant would be willing to spend more money on this, but it would be good to give him the opportunity to see what he could do.

Mr. Query reiterated that he doesn't believe the Board needed to take any action or put a timeline on it because potential safety issues are more problematic. He doesn't understand why the County building standard inspectors didn't shut it down immediately. He doesn't want the Board to have any responsibility for any length of time. It should be up to the property owner to offer a time limit to the tenant, not the Town.

Mr. Ross said he is open to seeing other designs but said the Board needs to see what the report shows to see what is out of compliance. If there are any safety issues those become of paramount importance. If it's a safety issue that's egregious then we can't wait.

Mr. Melton asked if the landlord could ask the tenant to encourage his patrons to smoke away from the front pedestrian thoroughfare. Mr. Purser said they could ask but was not certain they could enforce it. Mr. Melton also pointed out that the Certificate of Occupancy is not for that structure. If it burned down tomorrow all parties would be in a bad place.

Mr. Buckley said the Board's action tonight is to notify staff to notify the owner of the property that they are not in compliance with downtown development agreement. It needs to be put in writing.

Mr. Query revised his motion to direct staff to take action because there is a non-approved structural change and that needs to be rectified. The revised motion was seconded by Mr. Miller and unanimously approved. Staff will send the letter to the property owner as soon as possible.

**CONSIDER AWARDED CONTRACT FOR DOWNTOWN STREETSCAPES ELEMENT OF DOWNTOWN MASTER PLAN UTILIZING \$20,000 TRANSPORTATION PLANNING GRANT**

Mayor Taylor noted that absent Commissioner Higdon sent an email indicating he is now in favor of this project.

Motion by Mr. Query to award a contract for the development of streetscape improvement guidelines for downtown Matthews to McGill Associates. The motion was seconded by Mr. Melton and unanimously approved.

## **PUBLIC COMMENT**

Kerry Lamson, 3440 Oscar Drive, Matthews discussed the issue he and his neighbors are facing with road issues that are not being addressed by the neighborhood's developer. There are serious safety issues with the road but discussions with the developer have been at an impasse for over two years. The homeowners have petitioned the Town for a special assessment for the road work. They are willing to take some financial risk if necessary but are appealing to the Town for assistance as well. They would like more direct involvement by and with the Town whenever possible.

Mayor Taylor said the Board is aware of the issue and staff is working gathering more information now. This will be a discussion item on the next agenda.

There was some discussion of the history of the development and issues with the developer. Town Attorney Charles Buckley pointed out that the developer has no contract with the Town of Matthews and as such there is no reason for the Town to sue him.

Chris Hailey, 3323 Oscar Drive, Matthews spoke on the same topic and said he is very disappointed with the situation. There are a lot of children in the subdivision and the road is unsafe. He and his neighbors pay Matthews and Mecklenburg County taxes and it is unfair that they have to pay for a situation that they have no control over. They love Matthews and would like to stay and need the Board of Commissioners' help to make that possible.

## **REPORTS FROM BOARDS AND COMMITTEES**

Minutes from the Transportation Advisory Committee and Environmental Advisory Committee were submitted. There were no comments or questions.

## **CONSENT AGENDA**

- A. Approve Minutes of the March 23, 2015 Meetings**
- B. Approve Proclamation Recognizing Kids to Parks Day 2015**
- C. Approve Proclamation Recognizing the Matthews and Charlotte Chapters of the Red Hat Society**
- D. Approve Proclamation Recognizing Matthews Classics Week**
- E. Approve Proclamation Recognizing Arbor Day 2015**
- F. Accept Zoning Application 2015-628, Provident Land Services, Text Change Regarding Subdivision Names, and Zoning Application 2015-629, Everlane Development, Text Change Regarding R-12MF Maximum Building Height, and set public hearings for May 11, 2015**
- G. Approve Disposal of Surplus Property**
- H. Approve Budget Ordinance Amendments to:**
  - 1) Recognize HIDTA OT Revenues Received in Excess of Budgeted Revenues in the Amount of \$845.51**
  - 2) Recognize Non-Budgeted Revenues Received for Police Explorers Program in the Amount of \$1,740.79**
  - 3) Recognize Controlled Substance Tax Assessment Revenues Received in Excess of Budget in the Amount of \$735.94**
  - 4) Recognize Revenues Received for the School Resource Officer Contract Received in Excess of Budget in the Amount of \$3,764.80**

Motion by Mr. Melton to approve consent agenda item A through H4. Seconded by Mr. Ross and unanimously approved.

## **UNFINISHED BUSINESS**

### **CONSIDER APPROVAL OF CONCRETE REPAIRS TO FIRE STATIONS 1 AND 2**

Mr. Blodgett explained the original contract was for \$60,000 for work at Station 1 and \$30,000 for work at Station 2. Staff has become creative and divided the work at Station 1 into two phases with the first being the area closest to the back fence. Staff proposes to pay for that - \$17,000 - out of building maintenance funds. Town staff would perform the work with rented equipment and see how it goes. Phase 2 would cost \$26,000. If there are problems with the implementation for phase 1 staff would come back to the Board. If things go well they'd continue with phase 2 work and the Board would be notified via email. Mr. Blodgett noted that the intent is to use existing funds, but staff may need to come back to the Board for additional funding. Issues are still being worked out with Station 2 so that is not part of this plan at this time.

Motion by Mr. Ross to authorize the Public Works Director to perform the above work at Matthews Fire & EMS Station 1 using funds pulled from various line items in the current budget. The motion was seconded by Mr. Pata.

Mayor Taylor thanked staff for their creative solutions. He also asked about timing for the phase 2 work. Mr. Blodgett explained that the concrete is in bad shape and the desire is to complete the work in the current fiscal year. He also noted that work will need to be done at the Idlewild Volunteer Fire Department (IVFD) station since part of their apron and bay 2 are falling apart. The Town may need to partner with IVFD and the Town of Mint Hill on those repairs. Town Engineer CJ O'Neill suggested seeing how the work goes with the first phase of Station 1 before making any decisions.

The motion was unanimously approved.

## **NEW BUSINESS**

### **CONSIDER APPROVAL OF ENTRY INTO STATE EMPLOYEE HEALTH PLAN**

Assistant Town Manager Jamie Justice explained that the Town had been innovative for the past three years with the way it handled employee healthcare using a defined contribution plan, but recent changes by the federal government means those methods are no longer possible and the Town needs to go back to a more conventional plan. Entering the state health plan is a way to move away from the large increases being proposed by the current group policy entity and offer stability for employees. Staff is recommending joining the state health plan for group coverage starting July 1, 2015. Since the state plan runs on a calendar year cycle, the group would sign up for a six month term and then start over on January 1, 2016. Dependent coverage would be available and staff's recommendation is to do what was done in past years and provide dependent coverage at a reduced cost of 50%. Another recommendation is to provide \$1,000 per employee for an HRA – a Health Reimbursement Arrangement – to assist with out of pocket expenses. These changes would allow the Town to save money while providing health care to employees and dependents at a reasonable cost. There are still some unknowns at this time, such as not knowing how many people would sign up for dependent coverage. More information is coming and Mr. Justice suggested not making any decisions on changing the budget now but rather waiting until the budget discussions for the fiscal year 2015-16 budget. The request now is to approve the Town's entry into the state health plan.

Mr. Query asked how many other local governments provide dependent coverage and Mr. Justice explained that League of Municipality survey numbers show that about half of the local governments in Matthews' demographic offer it, with the bigger cities being more likely to do so as a competitive measure to attract and retain employees.

Mr. Ross said he has heard concerns from employees regarding the inconsistencies and challenges in the last few years as the plans have changed. He said he would like to move forward with this and bring some consistency to employees' health coverage and peace of mind to the employees.

Motion by Mr. Ross to approve the proposed Health Insurance with State Health Plan for FY15-16 and authorize the Town Manager or his designee to execute the state health plan Memorandum of Understanding and any other necessary plan documents. The motion was seconded by Mr. Melton.

Mr. Query said he will vote in favor but noted that employees really liked the program that has been in place for the last three years. Mr. Blodgett said Mr. Justice has worked very hard on this and credit goes to him for finding the most creative ways to offer the best possible options to employees. Mayor Taylor said the Town Board has always worked to find the best for employees while also keeping a low tax rate. He appreciates the creativity employed over the last few years.

The motion to move forward into the state health plan was unanimously approved.

#### **CONSIDER PRIVILEGE LICENSE REVENUE IN FY 14-15 BUDGET**

Mr. Blodgett noted that privilege license statutes were amended in May of 2014 to ban all city and county privilege license taxes for tax years that begin on or after July 1, 2015. There are communities like Matthews that send privilege licenses out before July 1. The Town is complaint if it chooses to send out privilege licenses as scheduled prior to July 1, 2015, however as the memo indicates, one of the School of Government attorneys indicated in a blog post that he wouldn't recommend doing it because to do so the municipality would then run the risk of incurring the wrath of the legislature.

Matthews is projecting a \$300,000 surplus in sales tax revenues this year, which would help absorb the impact if the Board chooses to not send out privilege licenses this year as planned. There is still an issue with the 2011 revaluation-associated property tax refunds, which are projected to reach \$975,000. The one other municipality staff has found that is moving forward with sending licenses out this year will be producing them to run for two months through June 30<sup>th</sup>. The options are to move forward or not move forward with sending out privilege licenses this year. Mr. Blodgett recommended not sending them out, which would result in a revenue loss of approximately \$185,000.

Mayor Taylor said he spoke to Senator Bob Rucho today and explained the Town's position. It is the mayor understanding that any municipality that chose to move ahead and send out a privilege license now would regret making that decision. The intent of the legislation was to essentially remove privilege licensing in 2015, and only one community in eastern North Carolina is moving forward. In theory the Town can absorb the loss of these revenues. He suggested getting more information from Senator Rucho's office and continuing this discussion at the next meeting.

#### **SUPPLEMENTAL MATERIAL**

#### **CONSIDER OSCAR DRIVE SPECIAL ASSESSMENT**

Mayor Taylor explained that staff is working on this issue and it will be discussed again soon in a future meeting.

**MAYOR'S REPORT**

Mayor Taylor reported that the Town's *Food Truck Friday* events are going very well. He also noted there will now be some great opportunities with Sainte-Maxime, the Town's new Sister City.

**ATTORNEY'S REPORT**

None

**TOWN MANAGER'S REPORT**

None

**ADJOURNMENT**

Motion by Mr. Miller to adjourn. The motion was seconded by Mr. Pata and unanimously approved. The meeting adjourned at 9:45 pm.

Respectfully submitted,

Lori Canapinno  
Town Clerk

DRAFT

## MEMORANDUM

To: Mayor and Board of Commissioners  
From: Shana Robertson, Finance Department  
CC: Hazen Blodgett, Town Manager  
Date: April 27, 2015  
Re: Tax Refunds

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The Interlocal Agreement between Mecklenburg County and the Town of Matthews states they bill and collect the Ad Valorem taxes for Matthews. Upon collection, the County remits those to the Town. Matthews is responsible for issuing the refund if an adjustment occurs on the tax bill after the payment has been received. Refunds are issued for various reasons.

Mecklenburg County Tax Office has submitted the attached list of taxpayers for refunds. The list reflects the tax year, taxpayer, location, adjustment made and reason for adjustment, along with the refund amount. G.S. 105 requires that tax refunds or releases shall be approved by the governing body.

These reports reflect tax appeals, settlements, and adjustments made, as received from the Mecklenburg County Tax Office.

Total returns: \$56,416.13

Recommendation: The Mayor and Board of Commissioners approve the tax refunds.

Tax Year	Bill Number	Parcel #	Source Type	Adjustment #	Adjustment Reason	Date of Adjustment	Refund Recipient Name	Address Line 1	Address Line 2	City	State	Zip Code	Payment Date for Interest Calculation	Total Refund (\$)	Total Interest to Pay if mailed on or before 5/5/2015 (\$)
2011	000193275-2011-2011-0000-00	21301235	REI	377303	SL 362 Adjustment	2/28/2015	ACMAWAM PROPERTIES, LLC.	10600 MONROE RD		MATTHEWS	NC	28105	1/6/2012	0.30	0.05
2011	000193359-2011-2011-0000-00	19329201	REI	373868	SL 362 Adjustment	2/28/2015	AD BEL LLC	PO BOX 1382		MATTHEWS	NC	28106	1/6/2012	20.27	3.37
2011	000193338-2011-2011-0000-00	19329121	REI	373872	SL 362 Adjustment	2/28/2015	ALPHA PROPERTY MANAGEMENT LLC	1316 GLENN VALLEY DR		MATTHEWS	NC	28105	1/6/2012	0.91	0.15
2011	000193370-2011-2011-0000-00	19329213	REI	373890	SL 362 Adjustment	2/28/2015	BB T	PO BOX 167		WINSTON-SALEM	NC	27102-0167	1/6/2012	137.94	22.98
2011	0002002061-2011-2011-0000-00	21501117	REI	377329	SL 362 Adjustment	2/28/2015	BRANFLU LLC	104 MULL ST		MORGANTON	NC	28655	1/6/2012	6.95	1.16
2011	0001933127-2011-2011-0000-00	19325115	REI	373871	SL 362 Adjustment	2/28/2015	BRECOLE INVESTMENTS LLC	11366 VILLA TRACE PL		CHARLOTTE	NC	28277	2/27/2012	3.42	0.55
2011	0002001973-2011-2011-0000-00	21508124	REI	377326	SL 362 Adjustment	2/28/2015	BRIGMAN, PAUL P IRRVOC TST THE	88 GRACELYN RD		ASHEVILLE	NC	28804-3532	1/6/2012	24.58	4.09
2011	000193372-2011-2011-0000-00	19329132	REI	373893	SL 362 Adjustment	2/28/2015	BROOKSTAR INVESTMENTS LLC	3065 SENNA DR		MATTHEWS	NC	28105	1/6/2012	46.58	7.75
2012	000193375-2012-2012-0000-00	19331162	REI	374988	SL 362 Adjustment	2/28/2015	BROOKSTAR INVESTMENTS LLC	3065 SENNA DR		MATTHEWS	NC	28105	1/6/2012	46.58	5.37
2013	000193375-2013-2013-0000-00	19331162	REI	375997	SL 362 Adjustment	2/28/2015	BROOKSTAR INVESTMENTS LLC	3065 SENNA DR		MATTHEWS	NC	28105	1/7/2014	48.58	3.21
2014	000193375-2014-2014-0000-00	19331162	REI	377046	SL 362 Adjustment	2/28/2015	BROOKSTAR INVESTMENTS LLC	3065 SENNA DR		MATTHEWS	NC	28105	1/6/2015	48.58	0.79
2011	000193278-2011-2011-0000-00	21501205	REI	377299	SL 362 Adjustment	2/28/2015	CAMPS LLC	3216 FARRIFORT DR		MATTHEWS	NC	28104	1/6/2012	3.63	0.60
2011	000193294-2011-2011-0000-00	19329117	REI	373884	SL 362 Adjustment	2/28/2015	CHARLENE OVERLOOK LLC	10540 MONROE RD		CHARLOTTE	NC	28213	1/6/2012	37.21	43.40
2011	000193278-2011-2011-0000-00	21501236	REI	377304	SL 362 Adjustment	2/28/2015	COTTY, JOHN DENISON	10540 MONROE RD		MATTHEWS	NC	28105	1/6/2012	12.10	2.07
2011	0001933037-2011-2011-0000-00	19324114	REI	373867	SL 362 Adjustment	2/28/2015	DICKSON C C CO	PO BOX 13501		ROCK HILL	SC	29731	1/6/2012	34.79	5.78
2011	0001933726-2011-2011-0000-00	19331163	REI	373904	SL 362 Adjustment	2/28/2015	DINICE PROPERTIES LLC	3075 SENNA DR		MATTHEWS	NC	28105	1/6/2012	50.52	8.41
2012	0001933726-2012-2012-0000-00	19331163	REI	374989	SL 362 Adjustment	2/28/2015	DINICE PROPERTIES LLC	3075 SENNA DR		MATTHEWS	NC	28105	1/8/2013	50.32	5.91
2013	0001933726-2013-2013-0000-00	19331163	REI	375998	SL 362 Adjustment	2/28/2015	DINICE PROPERTIES LLC	3075 SENNA DR		MATTHEWS	NC	28105	1/7/2014	52.99	3.47
2014	0001933726-2014-2014-0000-00	19331163	REI	377047	SL 362 Adjustment	2/28/2015	DINICE PROPERTIES LLC	3075 SENNA DR		MATTHEWS	NC	28105	1/6/2015	52.99	0.85
2011	0001933273-2011-2011-0000-00	19327113	REI	373879	SL 362 Adjustment	2/28/2015	EAVES, JOEL P	1227 JULES CT		CHARLOTTE	NC	28226	1/6/2012	6.35	1.05
2011	000193355-2011-2011-0000-00	19324401	REI	373869	SL 362 Adjustment	2/28/2015	ESTRIDGE, R GENE	215 N AMES ST		MATTHEWS	NC	28105	5/9/2012	19.06	2.86
2011	0002001139-2011-2011-0000-00	21501415	REI	377320	SL 362 Adjustment	2/28/2015	F N PROPERTIES LLC	PO BOX 3405		MATTHEWS	NC	28106-3405	1/6/2012	5.45	0.91
2011	0001940005-2011-2011-0000-00	19355102	REI	373913	SL 362 Adjustment	2/28/2015	FAMILY DOLLAR STORES INC	PO BOX 1017		CHARLOTTE	NC	28201	1/6/2012	4.23	0.70
2012	0001940005-2012-2012-0000-00	19355102	REI	374991	SL 362 Adjustment	2/28/2015	FAMILY DOLLAR STORES INC	PO BOX 1017		CHARLOTTE	NC	28201	1/8/2013	3.39	3.71
2013	0001940005-2013-2013-0000-00	19355102	REI	376030	SL 362 Adjustment	2/28/2015	FAMILY DOLLAR STORES INC	PO BOX 1017		CHARLOTTE	NC	28201	1/7/2014	3.48	3.72
2014	0001940005-2014-2014-0000-00	19355102	REI	377049	SL 362 Adjustment	2/28/2015	FAMILY DOLLAR STORES INC	PO BOX 1017		CHARLOTTE	NC	28201	1/6/2015	3.48	0.06
2011	0001933607-2011-2011-0000-00	19329302	REI	373892	SL 362 Adjustment	2/28/2015	FIFTH THIRD BANK	38 FOUNTAIN SQUARE PLAZA		CINCINNATI	OH	45263	1/6/2012	1.51	0.25
2011	0002046444-2011-2011-0000-00	22701329	REI	377640	SL 362 Adjustment	2/28/2015	FIRST BAPTIST CHURCH OF MATTHEWS	PO BOX 248		MATTHEWS	NC	28106	1/6/2012	6.35	1.06
2011	0001933746-2011-2011-0000-00	19331177	REI	373907	SL 362 Adjustment	2/28/2015	FOLKE, RICHARD S	7721 MILL POND DR		WAXHAW	NC	28173	1/6/2012	1.21	0.20
2011	0001933781-2011-2011-0000-00	19324377	REI	373912	SL 362 Adjustment	2/28/2015	FREEMAN, ROBERT P	PO BOX 2688		FLORENCE	OR	97039-0100	1/6/2012	1.73	1.41
2011	0001933575-2011-2011-0000-00	19321114	REI	373891	SL 362 Adjustment	2/28/2015	GENESIS VENTURES LLC	1635 MATTHEWS TOWNSHIP PY		MATTHEWS	NC	28105	1/6/2012	13.31	2.22
2011	0001933149-2011-2011-0000-00	19325130	REI	373873	SL 362 Adjustment	2/28/2015	GETTYS, REGINALD N	308 WEST CHARLES ST		MATTHEWS	NC	28105	1/6/2012	3.93	0.65
2011	0001932896-2011-2011-0000-00	19321114	REI	373860	SL 362 Adjustment	2/28/2015	GMM PROPERTIES LLC	1212 BURTONWOOD CIR		CHARLOTTE	NC	28212-7011	1/6/2012	2.42	0.40
2012	0001932896-2012-2012-0000-00	19321114	REI	374981	SL 362 Adjustment	2/28/2015	GMM PROPERTIES LLC	1212 BURTONWOOD CIR		CHARLOTTE	NC	28212-7011	1/8/2013	2.42	0.28
2013	0001932896-2013-2013-0000-00	19321114	REI	375989	SL 362 Adjustment	2/28/2015	GMM PROPERTIES LLC	1212 BURTONWOOD CIR		CHARLOTTE	NC	28212-7011	1/7/2014	2.59	0.17
2014	0001932896-2014-2014-0000-00	19321114	REI	377034	SL 362 Adjustment	2/28/2015	GMM PROPERTIES LLC	1212 BURTONWOOD CIR		CHARLOTTE	NC	28212-7011	1/6/2015	2.59	0.06
2011	0001932930-2011-2011-0000-00	19321138	REI	373893	SL 362 Adjustment	2/28/2015	GRAVES, NELSON	1529 INDUSTRIAL DR		MATTHEWS	NC	28105	7/20/2012	2.90	0.40
2011	0001933417-2011-2011-0000-00	19328222	REI	373882	SL 362 Adjustment	2/28/2015	HAHN PROPERTIES LLC	1419 MATTHEWS MINT HILL RD		MATTHEWS	NC	28105-2308	1/6/2012	25.41	4.23
2011	000202568-2011-2011-0000-00	22734123	REI	378016	SL 362 Adjustment	2/28/2015	HAMPTON GREEN SWIM CLUB	PO BOX 2546		MATTHEWS	NC	28106-2546	1/6/2012	2.42	0.40
2011	0001933642-2011-2011-0000-00	19330305	REI	373896	SL 362 Adjustment	2/28/2015	HANNA, JOHN J	9808 NORTH EAST PKWY		MATTHEWS	NC	28105-3742	1/6/2012	2.73	0.45
2011	0002019163-2011-2011-0000-00	21502209	REI	375223	SL 362 Adjustment	2/28/2015	HENRICKS AUTOMOTIVE GROUP	6000 MONROE RD		CHARLOTTE	NC	28212	1/6/2012	2.42	0.40
2011	0002001868-2011-2011-0000-00	21507204	REI	377322	SL 362 Adjustment	2/28/2015	HENRICKS AUTOMOTIVE GROUP	6000 MONROE RD STE 100		CHARLOTTE	NC	28212-8178	1/6/2012	3.38	1.56
2011	0001933717-2011-2011-0000-00	19331157	REI	373901	SL 362 Adjustment	2/28/2015	HICKORY PLANTATION LLC	15200 BEXLEY PL		CHARLOTTE	NC	28227	1/6/2012	44.77	5.22
2012	0001933717-2012-2012-0000-00	19331157	REI	374986	SL 362 Adjustment	2/28/2015	HICKORY PLANTATION LLC	15200 BEXLEY PL		CHARLOTTE	NC	28227	1/6/2013	44.77	5.16
2013	0001933717-2013-2013-0000-00	19331157	REI	375995	SL 362 Adjustment	2/28/2015	HICKORY PLANTATION LLC	15200 BEXLEY PL		CHARLOTTE	NC	28227	1/7/2014	46.67	3.09
2014	0001933717-2014-2014-0000-00	19331157	REI	377043	SL 362 Adjustment	2/28/2015	HICKORY PLANTATION LLC	15200 BEXLEY PL		CHARLOTTE	NC	28227	1/6/2015	46.67	0.72
2011	0001932919-2011-2011-0000-00	19321138	REI	373881	SL 362 Adjustment	2/28/2015	HILL CREST OF MATTHEWS INC	PO BOX 481		MATTHEWS	NC	28106	1/6/2012	9.30	1.58
2011	0002003861-2011-2011-0000-00	21524012	REI	377331	SL 362 Adjustment	2/28/2015	HINSON, PHILIP MARRONE	5814 LANDER BENTON RD		MONROE	NC	28010	4/9/2012	9.90	1.72
2014	0008089957-2014-2014-0000-00	21301249	REI	380373	SL 362 Adjustment	2/28/2015	HOANG, TUAN DUC	626 PLEASANT PINE CT		MATTHEWS	NC	28105	1/6/2015	93.66	1.53
2011	0001933047-2011-2011-0000-00	19324301	REI	373868	SL 362 Adjustment	2/28/2015	HULSEY MARY C FAMILY LP	PO BOX 607-28105		MATTHEWS	NC	28106	1/6/2012	0.61	0.10
2011	0001933056-2011-2011-0000-00	19324402	REI	373870	SL 362 Adjustment	2/28/2015	HULSEY MARY C FAMILY LP	PO BOX 607-28105		MATTHEWS	NC	28106	1/6/2012	55.05	1.16
2011	0001933153-2011-2011-0000-00	19325132	REI	373874	SL 362 Adjustment	2/28/2015	INDUSTRIAL DRIVE PARTNERS	PO BOX 708		MATTHEWS	NC	28106	1/6/2012	0.31	0.25
2011	0002001980-2011-2011-0000-00	21508129	REI	377327	SL 362 Adjustment	2/28/2015	ISTAR BROWKING CENTERS II LP	7313 BELL CREEK ROAD		MECHANICSVILLE	VA	21111	1/6/2012	14.52	2.42
2011	0001933274-2011-2011-0000-00	19327114	REI	373880	SL 362 Adjustment	2/28/2015	JAGGER BEATS LLC	3201 DAN HOOD RD		MATTHEWS	NC	28105	1/6/2012	2.72	0.45
2011	0002001061-2011-2011-0000-00	21501201	REI	377314	SL 362 Adjustment	2/28/2015	JOHNSON VENTURE PROPERTIES LLC	6927 SHINNECOCK HILL LN		CHARLOTTE	NC	28277	1/6/2012	3.37	5.59
2011	0001933494-2011-2011-0000-00	19329136	REI	375087	SL 362 Adjustment	2/28/2015	KANTZA LLC	10630 INDEPENDENCE POINTE PKWY		MATTHEWS	NC	28105	1/6/2012	55.96	9.31
2011	0001932744-2011-2011-0000-00	19319120	REI	373857	SL 362 Adjustment	2/28/2015	KHOSLA, PARBODH K	14609 BALLANTYNE COUNTRY CLUB DR		CHARLOTTE	NC	28277-2776	1/6/2012	338.20	56.29
2012	0001932744-2012-2012-0000-00	19319120	REI	374980	SL 362 Adjustment	2/28/2015	KHOSLA, PARBODH K	14609 BALLANTYNE COUNTRY CLUB DR		CHARLOTTE	NC	28277-2776	1/8/2013	326.40	37.87
2013	0001932744-2013-2013-0000-00	19319120	REI	375987	SL 362 Adjustment	2/28/2015	KHOSLA, PARBODH K	14609 BALLANTYNE COUNTRY CLUB DR		CHARLOTTE	NC	28277-2776	1/7/2014	342.58	22.67
2014	0001932744-2014-2014-0000-00	19319120	REI	377032	SL 362 Adjustment	2/28/2015	KHOSLA, PARBODH K	14609 BALLANTYNE COUNTRY CLUB DR		CHARLOTTE	NC	28277-2776	1/10/2015	349.43	5.90
2011	0001932925-2011-2011-0000-00	19321132	REI	373862	SL 362 Adjustment	2/28/2015	KROUSTALIS INVESTMENTS LLC	114 SARDIS PLANTATION DR		MATTHEWS	NC	28105	1/6/2012	9.68	1.12
2011	0001933218-2011-2011-0000-00	19326302	REI	375088	SL 362 Adjustment	2/28/2015	KTP PROPERTIES LLC	517 W POPLAR ST		PULASKI	TN	38478	1/6/2012	14.52	2.42
2014	0008089958-2014-2014-0000-00	21301261	REI	380374	SL 362 Adjustment	2/28/2015	LENNAR CAROLINAS LLC	11230 CARMEL COMMONS BLVD		CHARLOTTE	NC	28226	1/6/2015	15.24	0.25
2011	0001932861-2011-2011-0000-00	19321111	REI	373858	SL 362 Adjustment	2/28/2015	LOMBARDI, JOSEPH T	1501 INDUSTRIAL DR		MATTHEWS	NC	28105	1/6/2012	0.91	0.05
2011	0001933648-2011-2011-0000-00	19330308	REI	373897	SL 362 Adjustment										

2011	0001933499-2011-2011-0000-00	19329138	REI	373865	SL 362 Adjustment	2/28/2015	RIGGINS, JAMES EDWARD	PO BOX 2144		MATTHEWS	NC	28105	1/6/2012	1.51	0.25	1.76	
2011	0001992695-2011-2011-0000-00	21301109	REI	377296	SL 362 Adjustment	2/28/2015	RUSSELL, ALICE E	PO BOX 234		MATTHEWS	NC	28106	1/6/2012	0.60	0.10	0.70	
2011	0002001957-2011-2011-0000-00	21508110	REI	377324	SL 362 Adjustment	2/28/2015	RUTOWSKI, FRANK J III	903 WOODLAND FOREST RD		WAXHAW	NC	28173-8545	1/9/2012	0.64	0.11	0.75	
2011	0001933629-2011-2011-0000-00	19330201	REI	373895	SL 362 Adjustment	2/28/2015	RVLTR LLC	1334 WEDDINGTON HILLS DR		MATTHEWS	NC	28104	1/6/2012	7.56	1.26	8.82	
2013	0007989654-2013-2013-0000-00	19330202A	REI	380329	SL 362 Adjustment	2/28/2015	SC WINDSOR ASSOCIATES LP	340 ROYAL POINCIANA WAY #316		PALM BEACH	FL	33480	1/7/2014	31,178.50	2,062.91	33,241.41	
2014	0007934447-2014-2014-0000-00	19330315	REI	377040	SL 362 Adjustment	2/28/2015	SC WINDSOR ASSOCIATES LP	N56 W11000 RIDGEWOOD DR		MENOMONEE FALLS	WI	53051	1/6/2015	7,450.13	121.45	7,571.58	
2011	0001933310-2011-2011-0000-00	19329143	REI	373887	SL 362 Adjustment	2/28/2015	SCHEWZYK ASSOC LLC	7030 WILLOW TRACE LN		MATTHEWS	NC	28104	1/6/2012	2.72	0.45	3.17	
2011	0001933501-2011-2011-0000-00	19329139	REI	373886	SL 362 Adjustment	2/28/2015	SECOND CHANCE FINANCIAL LP	8422 PRINCE VALIANT DR		WAXHAW	NC	28173	1/6/2012	2.42	0.40	2.82	
2011	0001933001-2011-2011-0000-00	19323120	REI	373866	SL 362 Adjustment	2/28/2015	SHOWMARKS OF AMERICA INC	1317 ALFRED ST		CHARLOTTE	NC	28211	1/6/2012	51.73	8.61	60.34	
2011	0001933753-2011-2011-0000-00	19331191	REI	373908	SL 362 Adjustment	2/28/2015	SILVERSTONE VENTURES LLC	2408-B PLANTATION CENTER DR		MATTHEWS	NC	28105	5/10/2012	11.75	1.75	13.50	
2011	0001933427-2011-2011-0000-00	19328227	REI	373893	SL 362 Adjustment	2/28/2015	SMITH, ETHRIDGE Z	PO BOX 1071		MATTHEWS	NC	28105	1/6/2012	3.02	0.50	3.52	
2011	0001992712-2011-2011-0000-00	21301207	REI	377300	SL 362 Adjustment	2/28/2015	SOROKA, DAVID	1003 STANBURY DR		MATTHEWS	NC	28104	1/6/2012	9.38	1.56	10.94	
2011	0001932989-2011-2011-0000-00	19323108	REI	373865	SL 362 Adjustment	2/28/2015	SOLDER PROPERTIES INC	4614B WILGROVE MINT-HILL RD		CHARLOTTE	NC	28227-3480	1/6/2012	2.12	0.35	2.47	
2011	0001933429-2011-2011-0000-00	19328229	REI	374195	SL 362 Adjustment	2/28/2015	SPOUGH, HERBERT R JR	6000 FAIRVIEW RD #400		CHARLOTTE	NC	28210	1/6/2012	5.45	0.91	6.36	
2011	0001936040-2011-2011-0000-00	19338191	REI	373911	SL 362 Adjustment	2/28/2015	STARR FAMILY ENTERPRISES LTD	1326 MATTHEWS TOWNSHIP PKWY # 101		MATTHEWS	NC	28105-4600	1/6/2012	0.61	0.10	0.71	
2011	0001933743-2011-2011-0000-00	19331175	REI	373906	SL 362 Adjustment	2/28/2015	SULLIVAN PROPERTIES INC	2940 SENNA DR #A		MATTHEWS	NC	28105	1/6/2012	0.30	0.05	0.35	
2011	0001933616-2011-2011-0000-00	19329306	REI	373890	SL 362 Adjustment	2/28/2015	TARGET CORPORATION	PO BOX 9456		MINNEAPOLIS	MN	55440-9456	1/6/2012	724.79	120.63	845.42	
2012	0001933616-2012-2012-0000-00	19329306	REI	374882	SL 362 Adjustment	2/28/2015	TARGET CORPORATION	PO BOX 9456		MINNEAPOLIS	MN	55440-9456	1/8/2013	724.79	84.10	808.89	
2013	0001933616-2013-2013-0000-00	19329306	REI	375991	SL 362 Adjustment	2/28/2015	TARGET CORPORATION	PO BOX 9456		MINNEAPOLIS	MN	55440-9456	1/7/2014	760.73	50.33	811.06	
2014	0001933616-2014-2014-0000-00	19329306	REI	377038	SL 362 Adjustment	2/28/2015	TARGET CORPORATION	PO BOX 9456		MINNEAPOLIS	MN	55440-9456	1/6/2015	760.73	12.45	773.13	
2011	0001933618-2011-2011-0000-00	19329307	REI	373894	SL 362 Adjustment	2/28/2015	TARGET CORPORATION	PO BOX 9456		MINNEAPOLIS	MN	55440-9456	1/6/2012	569.30	94.75	664.05	
2012	0001933618-2012-2012-0000-00	19329307	REI	374983	SL 362 Adjustment	2/28/2015	TARGET CORPORATION	PO BOX 9456		MINNEAPOLIS	MN	55440-9456	1/6/2013	569.30	66.05	635.35	
2013	0001933618-2013-2013-0000-00	19329307	REI	375992	SL 362 Adjustment	2/28/2015	TARGET CORPORATION	PO BOX 9456		MINNEAPOLIS	MN	55440-9456	1/7/2014	569.53	39.54	637.07	
2014	0001933618-2014-2014-0000-00	19329307	REI	377039	SL 362 Adjustment	2/28/2015	TARGET CORPORATION	PO BOX 9456		MINNEAPOLIS	MN	55440-9456	1/6/2015	569.53	9.74	637.27	
2011	0001933558-2011-2011-0000-00	19329208	REI	373899	SL 362 Adjustment	2/28/2015	TEXAS ROADHOUSE HOLDINGS LLC	6040 DUTCHMANS LN SUITE 400		LOUISVILLE	KY	40205	1/14/2012	95.35	15.77	111.12	
2011	0002001104-2011-2011-0000-00	21501306	REI	377319	SL 362 Adjustment	2/28/2015	THREE AND ONE	PO BOX 276		MATTHEWS	NC	28106	1/6/2012	1.21	0.20	1.41	
2011	0002001179-2011-2011-0000-00	21502126	REI	377321	SL 362 Adjustment	2/28/2015	THREE AND ONE	PO BOX 276		MATTHEWS	NC	28106-0276	1/6/2012	59.29	9.87	69.16	
2011	0002046443-2011-2011-0000-00	22701327	REI	377639	SL 362 Adjustment	2/28/2015	THREE AND ONE PROPERTIES LLC	PO BOX 276		MATTHEWS	NC	28106	1/6/2012	5.44	0.91	6.35	
2011	0001933716-2011-2011-0000-00	19331156	REI	373830	SL 362 Adjustment	2/28/2015	VMS PROPERTIES OF MATTHEWS LLC	10536 PROVIDENCE ARBOURS DR		CHARLOTTE	NC	28270	11/27/2012	54.29	6.61	60.90	
2012	0001933716-2012-2012-0000-00	19331156	REI	374985	SL 362 Adjustment	2/28/2015	VMS PROPERTIES OF MATTHEWS LLC	10536 PROVIDENCE ARBOURS DR		CHARLOTTE	NC	28270	4/17/2013	49.88	5.11	54.99	
2013	0001933716-2013-2013-0000-00	19331156	REI	375994	SL 362 Adjustment	2/28/2015	VMS PROPERTIES OF MATTHEWS LLC	10536 PROVIDENCE ARBOURS DR		CHARLOTTE	NC	28270	10/14/2014	21.80	0.65	22.20	
2011	0002046437-2011-2011-0000-00	22701323	REI	377637	SL 362 Adjustment	2/28/2015	W E LOVE ENTERPRISES LLC	6026 GLENRIDGE RD		CHARLOTTE	NC	28211	1/6/2012	255.61	43.54	298.15	
2012	0002046437-2012-2012-0000-00	22701323	REI	378648	SL 362 Adjustment	2/28/2015	W E LOVE ENTERPRISES LLC	6026 GLENRIDGE RD		CHARLOTTE	NC	28211	1/6/2013	275.27	31.94	307.21	
2013	0002046437-2013-2013-0000-00	22701323	REI	379677	SL 362 Adjustment	2/28/2015	W E LOVE ENTERPRISES LLC	6026 GLENRIDGE RD		CHARLOTTE	NC	28211	1/7/2014	288.99	19.12	308.11	
2014	0002046437-2014-2014-0000-00	22701323	REI	380785	SL 362 Adjustment	2/28/2015	W E LOVE ENTERPRISES LLC	6026 GLENRIDGE RD		CHARLOTTE	NC	28211	1/6/2015	289.87	4.73	294.60	
2011	0001933721-2011-2011-0000-00	19331160	REI	373902	SL 362 Adjustment	2/28/2015	WALDEN MANAGEMENT GROUP LLC	3049 SENNA DR		MATTHEWS	NC	28105	1/6/2012	41.44	6.90	48.34	
2012	0001933721-2012-2012-0000-00	19331160	REI	374987	SL 362 Adjustment	2/28/2015	WALDEN MANAGEMENT GROUP LLC	3049 SENNA DR		MATTHEWS	NC	28105	4/8/2013	42.56	4.41	46.97	
2013	0001933721-2013-2013-0000-00	19331160	REI	375996	SL 362 Adjustment	2/28/2015	WALDEN MANAGEMENT GROUP LLC	3049 SENNA DR		MATTHEWS	NC	28105	1/7/2014	42.86	2.84	45.70	
2014	0001933721-2014-2014-0000-00	19331160	REI	377044	SL 362 Adjustment	2/28/2015	WALDEN MANAGEMENT GROUP LLC	3049 SENNA DR		MATTHEWS	NC	28105	1/6/2015	42.86	0.70	43.56	
2011	0001933285-2011-2011-0000-00	19329120	REI	373881	SL 362 Adjustment	2/28/2015	WALTRUST PROPERTIES INC	300 WILMOT RD		DEERFIELD	IL	60015	1/6/2012	106.30	16.03	126.33	
2011	0001933222-2011-2011-0000-00	19326306	REI	373876	SL 362 Adjustment	2/28/2015	WARREN, PATRICIA YANDLE	1200 OVERSTREAM LN		MATTHEWS	NC	28105	1/6/2012	19.66	3.27	22.93	
2011	0001933221-2011-2011-0000-00	19326304	REI	373877	SL 362 Adjustment	2/28/2015	WARREN, PATRICIA YANDLE	1200 OVERSTREAM LN		MATTHEWS	NC	28105-6755	1/6/2012	0.60	0.10	0.70	
2011	0002046438-2011-2011-0000-00	22701324	REI	377638	SL 362 Adjustment	2/28/2015	WILKINSON PROPERTIES	PROPERTY TAX DEPARTMENT	PO BOX 1290		WINSTON-SALEM	NC	27102-1290	1/6/2012	49.30	8.21	57.51
														52,899.54	3,516.59	56,416.13	



## **Accept Subdivision Streets for Maintenance**

DATE: April 21, 2015

FROM: Ralph Messera, Director of Public Works

### **Background/Issue:**

We have been petitioned to accept the streets in the Reid Hall subdivision for maintenance. Petition is attached. Streets have been inspected by both the Town and the County and are ready for acceptance.

### **Proposal/Solution:**

Mr. Buckley has prepared the resolution to accept the streets for maintenance. In addition he has prepared the usual ordinance to set a 25 MPH speed limit on the two streets and establish stop control signs.

### **Financial Impact:**

A small increase in Powell Bill revenue. (Approx. \$300 per year). Streets should not require more than minimal maintenance cost for next 10+ years.

### **Related Town Goal:**

To identify, plan, design, fund and build transportation facilities that efficiently and effectively serve the community in a cost effective and environmentally sensitive manner.

### **Recommended Motion:**

Motion to adopt the resolution accepting the streets in the Reid Hall Subdivision for maintenance, and adopt the ordinance establishing speed limits and stop control intersections.

**RECEIVED**  
 APR 20 2015  
 BY: \_\_\_\_\_

**Acceptance of Streets within a Residential Subdivision**

Name of Residential Subdivision: REID HALL

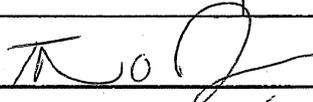
I, the petitioner, LENNAR CAROLINAS, LLC, do hereby request that the following street(s) be accepted as a public street for maintenance by the Town of Matthews.

I, the petitioner, LENNAR CAROLINAS, LLC, also acknowledge that all defects identified by the Public Works Department have been repaired and that a final inspection by the Public Works Department was performed on (date) 4/16/15.

I, the petitioner, have delivered to the Department of Public Works, the final stormwater as-built drawings, sidewalk easements, and all final recorded plats with digital copies (Autocad format). I, the petitioner, have also included CMUD sewer construction plans and the lighting plan which was approved (date) \_\_\_\_\_ by the Public Works Department. (Ralph Messera, 847-3082 or Nancy Williams 845-3066).

Please provide the names of the streets, the map book and page number, and their associated footage.

Street Name	Map Book and Page Number	Footage
REID HALL LANE	MAP 54 PG 904	567 FT
PLEASANT PINE COURT	MAP 54 PG 904	469 FT

Petitioner's Signature:  THOMAS JOHNSON

Mailing Address: 11230 CARMEL COMMONS BLVD.  
CHARLOTTE, NC 28226

Phone Number: (704) 621-8395

Fax Number: \_\_\_\_\_

An electronic copy of this subdivision is required.

RESOLUTION ADDING STREETS TO THE TOWN'S STREET SYSTEM

PURSUANT, to Article 15 of Chapter 160A of the General Statutes of North Carolina, the Board of Commissioners of the Town of Matthews hereby adopts this resolution to add to the Town's street system from the Reid Hall Subdivision:

Reid Hall Lane

Pleasant Pine Court

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that it hereby adds Reid Hall Lane and Pleasant Pine Court in the Reid Hall Subdivision to the Town's street system.

RESOLVED, this the 27th day of April 2015.

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Mayor

ATTEST:

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Town Clerk

ORDINANCE NO. \_\_\_\_\_

ESTABLISHING SPEED LIMIT  
AND POSTING OF STOP SIGNS

AN ORDINANCE ESTABLISHING A MAXIMUM SPEED LIMIT AND THE POSTING OF STOP SIGNS WITHIN THE REID HALL SUBDIVISION IN THE TOWN OF MATTHEWS, NORTH CAROLINA.

BE IT ORDAINED, by the Town Board of Commissioners of the Town of Matthews, North Carolina:

SECTION 1. That the maximum speed limit for the hereinafter-designated street within the Town limits of the Town of Matthews, and being located within that certain subdivision known as Reid Hall Subdivision is hereby set at 25 M.P.H.:

Reid Hall Lane

Pleasant Pine Court

SECTION 2. That stop signs be posted as follows on the streets within the Reid Hall Subdivision:

Pleasant Pine Court at Reid Hall Lane

Reid Hall Lane at Matthews Township Parkway

SECTION 3. That this Ordinance shall become effective upon the placement of 25 M.P.H. speed limit sign(s) and/or the placement of a stop sign on the above-designated street.

This the 27<sup>th</sup> day of April 2015.

APPROVED AS TO FORM:

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Charles R. Buckley, III  
Town Attorney

**Agenda Item:** Award of Service Weapons and Badges to Retiring Police Officer

**From:** Chief Rob Hunter

**Date:** February 28, 2014

**Background / Issue:**

The Town of Matthews has previously recognized the service to our community of retiring police officers with the presentation of the officer's service weapon and last badge worn in service. This gesture serves to demonstrate the town's appreciation for their service to our community.

**Proposal / Solution:**

Pursuant to N.C. G.S. 20-187.2, I request the disposition of the below service weapon and service badge to Sgt. Bill Abernethy who will be retiring from our department on June 1, 2015: Glock Model 22, Serial # USY827 , one Police Officer badge.

**Financial Impact:**

This will require the replacement of his service weapon in our inventory, at an approximate cost of \$475.

**Related Town Goals:** *Small Town Feeling & Identity*

**Recommended Motion:** Pursuant to General Statute 20-187.2, award the Glock Model 22, Serial Number USY827 service weapon and a police badge to retiring police Sergeant Bill Abernethy.

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.



**RESOLUTION IN SUPPORT OF FULL-ACCESS INTERCHANGE FOR WEDDINGTON ROAD AT INTERSTATE 485**

**WHEREAS**, the project consists of the construction of a half-cloverleaf interchange with ramps and loops in the northeast and southeast quadrants along Weddington Road as it crosses I-485; with Weddington Road being widened to a five-lane facility, which would include sidewalks and a protected bicycle crossing; with the project area covering from the interchange southward to the intersection of Weddington Road and McKee Road; and

**WHEREAS**, this project was first identified on the Metropolitan Planning Organization (MPO) Thoroughfare Plan in the 1980s; and

**WHEREAS**, the MPO approved the inclusion of the interchange in the Thoroughfare Plan in 1999 when the I-485 interchange analysis recommendations were adopted; and

**WHEREAS**, the North Carolina Transportation Improvement Plan (TIP) showed construction in 2005; and

**WHEREAS**, the project's environmental assessment was approved by the North Carolina Department of Transportation and the Federal Highway Administration in 2007; and

**WHEREAS**, in the last 25 years there have been two rezoning petitions in Matthews for property located in the northeast quadrant of this interchange in which the right of way was protected as part of the site plan. Both petitions were subsequently withdrawn or denied; and

**WHEREAS**, the North Carolina Department of Transportation used Moving Ahead funds supplemented by the Town of Matthews and the City of Charlotte for sidewalk and bicycle lane construction in 2007 in preparation of the interchange construction; and

**WHEREAS**, the right of way purchase was reprogrammed in the NCDOT TIP in 2008 with construction scheduled to begin at that time; the project cost was estimated at \$18,250,000; and

**WHEREAS**, this area represents the travel shed from Union County for Stallings, Indian Trail, Wesley Chapel and Weddington; and

**WHEREAS**, it is the desire of the Town of Matthews to move this traffic onto I-485 as opposed to traveling north on South Trade Street and into the center part of Town; and

**WHEREAS**, the distance between the Providence Road interchange and John Street interchange is five miles; this is one of the longest stretches on I-485 without an interchange in this 67-mile loop.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Town of Matthews supports this full-access interchange project.

This the 27th day of April, 2015

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Mayor James P. Taylor

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Town Clerk Lori Canapinno

ORDINANCE NO. \_\_\_\_\_

BUDGET ORDINANCE AMENDMENT

ORDINANCE AMENDING THE BUDGET FOR THE TOWN OF MATTHEWS, NORTH CAROLINA FOR FISCAL YEAR 2014-2015

BE IT ORDAINED by the Board of Commissioners of the Town of Matthews, North Carolina that the following amendments are made to the Budget Ordinance for the fiscal year ending June 30, 2015.

SECTION 1: To amend the General Fund, the Revenues are to be changed as follows:

	<u>INCREASE</u>	<u>DECREASE</u>
10000001-4812 Insurance Settlement Reimbursement	\$10,307.50	

SECTION 2: To amend the General Fund, the Expenditures are to be changed as follows:

	<u>INCREASE</u>	<u>DECREASE</u>
10434000-5353 Vehicle Maintenance & Repairs	\$10,307.50	

SECTION 3: The purpose of this amendment is to refund Vehicle Maintenance for payout of insurance repairs.

SECTION 4: Copies of the budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 27th day of April 2015.

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James P. Taylor, Mayor

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Lori Canapinno, Town Clerk

ORDINANCE NO. \_\_\_\_\_

BUDGET ORDINANCE AMENDMENT

ORDINANCE AMENDING THE BUDGET FOR THE TOWN OF MATTHEWS, NORTH CAROLINA FOR FISCAL YEAR 2014-2015

BE IT ORDAINED by the Board of Commissioners of the Town of Matthews, North Carolina that the following amendments are made to the Budget Ordinance for the fiscal year ending June 30, 2015.

SECTION 1: To amend the General Fund, the Revenues are to be changed as follows:

		<u>INCREASE</u>	<u>DECREASE</u>
10000001-4420	DARE PROGRAM	350.00	

SECTION 2: To amend the General Fund, the Expenditures are to be changed as follows:

		<u>INCREASE</u>	<u>DECREASE</u>
10431400-5231	DARE PROGRAM	350.00	

SECTION 3: The purpose of this amendment is to recognize donation to the DARE program in excess of budgeted revenues.

SECTION 4: Copies of the budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 27th day of April 2015.

\_\_\_\_\_  
James P. Taylor, Mayor

\_\_\_\_\_  
Lori Canapinno, Town Clerk

ORDINANCE NO. \_\_\_\_\_

BUDGET ORDINANCE AMENDMENT

ORDINANCE AMENDING THE BUDGET FOR THE TOWN OF MATTHEWS, NORTH CAROLINA FOR FISCAL YEAR 2014-2015

BE IT ORDAINED by the Board of Commissioners of the Town of Matthews, North Carolina that the following amendments are made to the Budget Ordinance for the fiscal year ending June 30, 2015.

SECTION 1: To amend the General Fund, the Revenues are to be changed as follows:

		<u>INCREASE</u>	<u>DECREASE</u>
10000001-4520	Alarm Ordinance	\$2,000.00	

SECTION 2: To amend the General Fund, the Expenditures are to be changed as follows:

		<u>INCREASE</u>	<u>DECREASE</u>
10431000-5263	Office Supplies	\$2,000.00	

SECTION 3: The purpose of this amendment is to recognize excess revenues received from Alarm Ordinance penalties to cover additional supplies necessary to administer this program.

SECTION 4: Copies of the budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 27th day of April 2015.

\_\_\_\_\_  
James P. Taylor, Mayor

\_\_\_\_\_  
Lori Canapinno, Town Clerk

ORDINANCE NO. \_\_\_\_\_

BUDGET ORDINANCE AMENDMENT

ORDINANCE AMENDING THE BUDGET FOR THE TOWN OF MATTHEWS, NORTH CAROLINA FOR FISCAL YEAR 2014-2015

BE IT ORDAINED by the Board of Commissioners of the Town of Matthews, North Carolina that the following amendments are made to the Budget Ordinance for the fiscal year ending June 30, 2015.

SECTION 1: To amend the CIP Fund, the Revenues are to be changed as follows:

	<u>INCREASE</u>	<u>DECREASE</u>
46000001-491802 PW115 STREET SWEEPER PROCEEDS	200,000.00	

SECTION 2: To amend the CIP Fund, the Expenditures are to be changed as follows:

	<u>INCREASE</u>	<u>DECREASE</u>
4645100-6547 PW115 STREET SWEEPER	\$200,000.00	

SECTION 3: The purpose of this amendment is to recognize Loan proceeds from BB&T to purchase a street sweeper

SECTION 4: Copies of the budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 27th day of April 2015.

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James P. Taylor, Mayor

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Lori Canapinno, Town Clerk

# Memo

**To:** Mayor and Board of Commissioners  
**From:** Ralph S. Messera, Public Works Director  
**Date:** April 21, 2015  
**Subject:** Forest Brook Estates-Oscar Drive Petition

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The purpose of this memo is to give the Board an outline of the steps needed to respond to the petition submitted by the residents of Forest Brook Subdivision. It is not intended to be comprehensive and further questions should be submitted to Mr. Buckley.

The residents of Forest Brook Estates have submitted a petition requesting that the Town make repairs and /or reconstruct the street, sidewalks, curb, gutter and storm drainage system on Oscar Drive. These are items that the developer should have completed, but failed to do. The bond that he had posted was cashed and is available, but the amount is not enough to accomplish this work.

NCGS 160A- 216 through 160A-235 lays out the authority and procedure for a local government to levy such assessments and make such improvements. I have attached a copy of that part of the General Statutes.

The process is much proscribed and must be followed closely to have a valid assessment and levy. Generally the process is as follows and I have included some possible schedule dates if the Board is interested in proceeding.

Oscar Drive within the Forest Brook subdivision consists of 20 parcels, with a total street frontage of 2,334 feet. Residents have submitted a petition with 80% of the property owners signing, representing 82% of the front footage. The statute requires a minimum of 51% of the owners representing a minimum of 51% of the footage. They have requested be assessed up to 100% of the total cost of the project.

The residents did try to limit their exposure through saying that the signatures are only valid if the final cost does not exceed 10% of the Town Engineers estimate. It's my opinion that such a limitation is not valid. The Town can either strike that provision, or it could be handled in the following manner- since the Town intends to obtain bids for this work this month as part of our larger annual paving contract, we should know by late May what the cost will be. Prior to going into the required Public Hearing on the preliminary assessment, we will know the costs and the petitioners will be able to tell the Board whether they wish to continue with their petition or withdraw it. The final decision to proceed or not rests with the Board.

Prior to the public hearing, the Board needs to adopt a Preliminary Resolution (160A-223) spelling out a number of items, regarding costs and methods of assessment, but primarily setting a public hearing date. Mr. Buckley would need to prepare this resolution. I suggest that the Board adopt the preliminary resolution at the May 11th or May 25th meetings, setting June 22 for the Public Hearing. This should get us past the budget process.

At that Public Hearing, as stated above, we should have the best cost estimate for the work. The Board could then, if the residents still wish to proceed, adopt a resolution directing the project to proceed. (160A-225)

After the project is constructed there are procedures for establishing the final costs, authorizing discounts, preparing the final assessment rolls, holding additional hearings, etc. Mr. Buckley should be able to guide you through that process.

I hope that this memo explains the general process. If the Board wishes to proceed, it will need to request Mr. Buckley prepare the resolution for one of the May meetings, and at the same time we will proceed with obtaining costs for the project. Should you have any questions, please advise.

section. The city finance officer has the same authority as the Secretary of Revenue in imposing these penalties and remedies.

(e) **Effective Date.** - A tax imposed under this section becomes effective on the date set in the ordinance imposing the tax. The date must be the first day of a calendar quarter and may not be sooner than the first day of the calendar quarter that begins at least two months after the date the ordinance is adopted.

(f) **Repeal.** - A city may, by ordinance, repeal a tax imposed under this section. The repeal is effective on the date set in the ordinance. The date must be the first day of a calendar quarter and may not be sooner than the first day of the calendar quarter that begins at least two months after the date the ordinance is adopted. (2008-144, s. 3; 2009-445, s. 27(a).)

## Article 10.

### Special Assessments.

#### **§ 160A-216. Authority to make special assessments.**

Any city is authorized to make special assessments against benefited property within its corporate limits for:

- (1) Constructing, reconstructing, paving, widening, installing curbs and gutters, and otherwise building and improving streets;
- (2) Constructing, reconstructing, paving, widening, and otherwise building or improving sidewalks in any public street;
- (3) Constructing, reconstructing, extending, and otherwise building or improving water systems;
- (4) Constructing, reconstructing, extending, or otherwise building or improving sewage collection and disposal systems of all types, including septic tank systems or other on-site collection or disposal facilities or systems;
- (5) Constructing, reconstructing, extending, and otherwise building or improving storm sewer and drainage systems. (1971, c. 698, s. 1; 1975, c. 664, s. 8; 1979, c. 619, s. 12.)

#### **§ 160A-217. Petition for street or sidewalk improvements.**

(a) A city shall have no power to levy special assessments for street or sidewalk improvements unless it receives a petition for the improvements signed by at least a majority in number of the owners of property to be assessed, who must represent at least a majority of all the lineal feet of frontage of the lands abutting on the street or portion thereof to be improved. Unless the petition specifies another percentage, not more than fifty percent (50%) of the cost of the improvement may be assessed (not including the cost of improvements made at street intersections).

(b) Property owned by the United States shall not be included in determining the lineal feet of frontage on the improvement, nor shall the United States be included in determining the number of owners of property abutting the improvement. Property owned by the State of North Carolina shall be included in determining frontage and the number of owners only if the State has consented to assessment in the manner provided in G.S. 160A-221. Property owned by railroad companies shall be included in determining frontage and the number of owners to the extent that the property is subject to assessment under G.S. 160A-222. Property owned by railroad companies that is not subject to assessment shall not be included in determining frontage and the number of owners. If it is necessary to exclude property owned by the United States, the State of North Carolina, or a railroad company in order to obtain a valid petition under subsection (a), not more than fifty percent (50%) of the cost (not including the cost of improvement at street intersections) may be assessed unless all of the owners subject to assessment agree to a higher percentage.

(c) No right of action or defense asserting the invalidity of street or sidewalk assessments on grounds that the city did not comply with this section in securing a valid petition shall be asserted except

in an action or proceeding begun within 90 days after publication of the notice of adoption of the preliminary assessment resolution. (1915, c. 56, ss. 4, 5; C.S., ss. 2706, 2707; 1955, c. 675; 1963, c. 1000, s. 1; 1971, c. 698, s. 1; 1973, c. 426, s. 33.)

**§ 160A-218. Basis for making assessments.**

Assessments may be made on the basis of:

- (1) The frontage abutting on the project, at an equal rate per foot of frontage, or
- (2) The area of land served, or subject to being served, by the project, at an equal rate per unit of area, or
- (3) The value added to the land served by the project, or subject to being served by it, being the difference between the appraised value of the land without improvements as shown on the tax records of the county, and the appraised value of the land with improvements according to the appraisal standards and rules adopted by the county at its last revaluation, at an equal rate per dollar of value added; or
- (4) The number of lots served, or subject to being served, where the project involves extension of an existing system to a residential or commercial subdivision, at an equal rate per lot; or
- (5) A combination of two or more of these bases.

Whenever the basis selected for assessment is either area or value added, the council may provide for the laying out of benefit zones according to the distance of benefited property from the project being undertaken, and may establish differing rates of assessment to apply uniformly throughout each benefit zone.

For each project, the council shall endeavor to establish an assessment method from among the bases set out in this section which will most accurately assess each lot or parcel of land according to the benefit conferred upon it by the project. The council's decision as to the method of assessment shall be final and conclusive and not subject to further review or challenge. (1971, c. 698, s. 1.)

**§ 160A-219. Corner lot exemptions.**

The council shall have authority to establish schedules of exemptions from assessments for corner lots when a project is undertaken along both sides of such lots. The schedules of exemptions shall be based on categories of land use (residential, commercial, industrial, or agricultural) and shall be uniform for each category. The schedule of exemptions may not provide exemption of more than seventy-five percent (75%) of the frontage of any side of a corner lot, or 150 feet, whichever is greater. (1971, c. 698, s. 1.)

**§ 160A-220. Lands exempt from assessment.**

No lands within a city, except as herein provided, shall be exempt from special assessments except lands belonging to the United States that are exempt under the provisions of federal statutes. (1971, c. 698, s. 1.)

**§ 160A-221. Assessments against lands owned by the State.**

When any city proposes to make local improvements that would benefit lands owned by the State of North Carolina or any board, agency, commission, or institution thereof, the council may request the Council of State to consent to special assessments against the property. The Council of State may authorize the Secretary of Administration to give consent for special assessments against State property, but the city may appeal to the Council of State if the Secretary of Administration refuses to give consent. When consent is given for special assessments against State lands, the Council of State may direct that the assessment be paid from the Contingency and Emergency Fund of the State of North Carolina or from any other available funds. If consent to the assessment is refused, the state-owned property shall be exempt from assessment. (1971, c. 698, s. 1; 1975, c. 879, s. 46.)

### **§ 160A-222. Assessments against railroads.**

Assessments shall not be made against land owned, leased or controlled by a railroad company, except that if there is a building on the land, the portion of railroad property subject to assessment shall be a lot whose frontage equals the actual front footage occupied by the building plus 25 feet on each side thereof, but not more than the amount of land owned, leased, or controlled by the railroad. If a building is placed on land that would have been subject to assessment but for the limitations imposed by this section after an improvement is made, then the railroad company shall be subject to an assessment without interest on the same basis as if the building had been on the property when the improvement was made.

It is the intent of this section to make uniform the law concerning assessments against railroads. To this end, all provisions of law, whether general or local, in conflict with this section are repealed; and no local act taking effect on or after January 1, 1972, shall be construed to modify, amend, or repeal any portion of this section unless it shall specifically so provide by reference hereto. (1965, c. 839, s. 2; 1971, c. 698, s. 1.)

### **§ 160A-223. Preliminary resolution; contents.**

Whenever the council decides to finance a proposed project by special assessments, it shall first adopt a preliminary resolution that shall contain the following:

- (1) A statement of intent to undertake the project;
- (2) A general description of the nature and location of the project;
- (3) A statement as to the proposed basis for making assessments, which shall include a general description of the boundaries of the area benefited if the basis of assessment is either area or value added;
- (4) A statement as to the percentage of the cost of the work that is to be assessed;
- (5) A statement as to which, if any, assessments shall be held in abeyance and for how long;
- (6) A statement as to the proposed terms of payment of the assessment; and
- (7) An order setting a time and place for a public hearing on all matters covered by the preliminary resolution which shall be not earlier than three weeks nor later than 10 weeks from the date of the adoption of the preliminary resolution. (1971, c. 698, s. 1.)

### **§ 160A-224. Notice of preliminary resolution.**

At least 10 days before the date set for the public hearing, the council shall publish a notice that a preliminary assessment resolution has been adopted and that a public hearing will be held on it at a specified time and place. The notice shall generally describe the nature and location of the improvement. In addition, at least 10 days prior to the hearing, the council shall cause a copy of the preliminary resolution to be mailed to the owners, as shown on the county tax records, of all property subject to assessment if the project should be undertaken. The person designated to mail these resolutions shall file with the council a certificate showing that they were mailed by first-class mail and on what date. The certificate shall be conclusive as to compliance with the mailing provisions of this section in the absence of fraud. (1971, c. 698, s. 1.)

### **§ 160A-225. Hearing on preliminary resolution; assessment resolution.**

At the public hearing, the council shall hear all interested persons who appear with respect to any matter covered by the preliminary resolution. After the public hearing, the council may adopt a resolution directing that the project or portions thereof be undertaken. The assessment resolution shall describe the project in general terms (which may be by reference to projects described in the preliminary resolution) and shall set forth the following:

- (1) The basis on which the special assessments shall be levied, together with a general description of the boundaries of the area benefited if the basis of assessment is either

- area or value added;
- (2) The percentage of the cost to be specially assessed;
  - (3) The terms of payment, including the conditions under which assessments are to be held in abeyance, if any.

The percentage of cost to be assessed may not be different from the percentage proposed, and the projects authorized may not be greater in scope than the projects described in the preliminary resolution. If the council decides that a different percentage of the cost should be assessed than that proposed in the preliminary resolution, or that any project should be enlarged, it shall adopt and advertise a new preliminary resolution as herein provided. (1915, c. 56, s. 6; C.S., s. 2708; 1971, c. 698, s. 1.)

#### **§ 160A-226. Determination of costs.**

When the project is complete, the council shall ascertain the total cost. In addition to construction costs, the cost of all necessary legal services, the amount of interest paid during construction, costs of rights-of-way, and the costs of publication of notices and resolutions may be included. The determination of the council as to the total cost of any project shall be conclusive. (1915, c. 56, s. 9; C.S., s. 2711; 1971, c. 698, s. 1.)

#### **§ 160A-226.1. Discounts authorized.**

The council is authorized to establish a schedule of discounts to be applied to assessments paid before the expiration of 30 days from the date that notice is published of confirmation of the assessment roll pursuant to G.S. 160A-229. Such a schedule of discounts may be established even though it was not included among the terms of payment as specified in the preliminary assessment resolution or assessment resolution. The amount of any discount may not exceed thirty percent (30%). (1983, c. 381, s. 4.)

#### **§ 160A-227. Preliminary assessment roll; publication.**

When the total cost of a project has been determined, the council shall have a preliminary assessment roll prepared. The preliminary roll shall contain a brief description of each lot, parcel, or tract of land assessed, the basis for the assessment, the amount assessed against each, the terms of payment, including the schedule of discounts, if such a schedule is to be established and the name of the owner of each parcel of land as far as this can be ascertained from the county tax records. A map of the project on which is shown each parcel assessed with the basis of its assessment, the amount assessed against it, and the name of the owner, as far as this can be ascertained from the county tax records, shall be a sufficient assessment roll.

After the preliminary assessment roll has been completed, it shall be filed in the city clerk's office where it shall be available for public inspection. A notice of the completion of the assessment roll, setting forth in general terms a description of the project, noting the availability of the assessment roll in the clerk's office for inspection, and stating the time and place for a hearing on the preliminary assessment roll, shall be published at least 10 days before the date set for the hearing on the preliminary assessment roll. The council shall also cause a notice of the hearing on the preliminary assessment roll to be mailed to the owners of property listed thereon at least 10 days before the hearing. The notice mailed to each property owner shall give notice of the time and place of the hearing, shall note the availability of the preliminary assessment roll for inspection in the city clerk's office and shall state the amount of the assessment against the property of the owner as shown on the preliminary assessment roll. The person designated to mail these notices shall file with the council a certificate showing they were mailed by first-class mail and on what date. Such a certificate shall be conclusive as to compliance with the mailing provisions of this section in the absence of fraud. (1915, c. 56, s. 9; C.S., s. 2712; 1971, c. 698, s. 1; 1983, c. 381, s. 5.)

#### **§ 160A-228. Hearing on preliminary assessment roll; revision; confirmation; lien.**

At the public hearing, which may be adjourned from time to time until all persons have had an

opportunity to be heard, the council shall hear objections to the preliminary assessment roll from all interested persons who appear. Then or thereafter, the council shall annul, modify, or confirm the assessments, in whole or in part, either by confirming the preliminary assessments against any or all of the lots or parcels described in the preliminary assessment roll, or by canceling, increasing, or reducing them as may be proper in compliance with the basis of assessment. If any property is omitted from the preliminary assessment roll, the council may place it on the roll and levy the proper assessment. Whenever the council confirms assessments for any project, the city clerk shall enter in the minutes of the council the date, hour, and minute of confirmation. From and after the time of confirmation, the assessments shall be a lien on the property assessed of the same nature and to the same extent as the lien for county and city property taxes, according to the priorities set out in G.S. 160A-233(c). After the assessment roll is confirmed, a copy of it shall be delivered to the city tax collector for collection in the same manner as property taxes, except as herein provided. (1915, c. 56, s. 9; C.S., s. 2713; 1971, c. 698, s. 1; 1973, c. 426, s. 34.)

#### **§ 160A-229. Publication of notice of confirmation of assessment roll.**

After the expiration of 20 days from the confirmation of the assessment roll, the city tax collector shall publish once a notice that the assessment roll has been confirmed, and that assessments may be paid without interest at any time before the expiration of 30 days from the date that the notice is published, and that if they are not paid within this time, all installments thereof shall bear interest as provided in G.S. 160A-233. The notice shall also state the schedule of discounts, if one has been established, to be applied to assessments paid before the expiration date for payment of assessments without interest. (1971, c. 698, s. 1; 1983, c. 381, s. 6.)

#### **§ 160A-230. Appeal to General Court of Justice.**

If the owner of, or any person interested in, any lot or parcel of land against which an assessment is made is dissatisfied with the amount of the assessment, he may, within 10 days after the confirmation of the assessment roll, file a notice of appeal to the appropriate division of the General Court of Justice. He shall then have 20 days after the confirmation of the assessment roll to serve on the council or the city clerk a statement of facts upon which the appeal is based. The appeal shall be tried like other actions at law. (1915, c. 56, s. 9; C.S., s. 2714; 1971, c. 698, s. 1.)

#### **§ 160A-231. Reassessment.**

The council shall have the power, when in its judgment any irregularity, omission, error or lack of jurisdiction in any of the proceedings related thereto, has occurred, to set aside the whole of any special assessment made by it and thereupon to make a reassessment. In that case, all additional interest paid, or to be paid, as a result of the delay in confirming the assessment shall be included as a part of the project cost. The proceeding shall, as far as practicable, in all respects take place as it had with the original assessments, and the reassessment shall have the same force as if it had originally been properly made. (1915, c. 56, s. 9; C.S., s. 2715; 1971, c. 698, s. 1.)

#### **§ 160A-232. Payment of assessments in cash or by installments.**

The owners of assessed property shall have the option, within 30 days after the publication of the notice that the assessment roll has been confirmed, of paying the assessment either in cash or in not more than 10 annual installments, as may have been determined by the council in the resolution directing the project giving rise to the assessment to be undertaken. With respect to payment by installment, the council may provide

- (1) That the first installment with interest shall become due and payable on the date when property taxes are due and payable, and one subsequent installment and interest shall be due and payable on the same date in each successive year until the assessment is paid in full, or

- (2) That the first installment with interest shall become due and payable 60 days after the date that the assessment roll is confirmed, and one subsequent installment and interest shall be due and payable on the same day of the month in each successive year until the assessment is paid in full. (1915, c. 56, s. 10; C.S., s. 2716; 1971, c. 698, s. 1.)

**§ 160A-233. Enforcement of assessments; interests; foreclosure; limitations.**

(a) Any portion of an assessment that is not paid within 30 days after publication of the notice that the assessment roll has been confirmed shall bear interest until paid at a rate to be fixed in the assessment resolution but not more than eight percent (8%) per annum.

(b) If any installment of an assessment is not paid on or before the due date, all of the installments remaining unpaid shall immediately become due and payable, unless the council waives acceleration. The council may waive acceleration and permit the property owner to pay all installments in arrears together with interest due thereon and the cost to the city of attempting to obtain payment. If this is done, the remaining installments shall be reinstated so that they fall due as if there had been no default. Waiver of acceleration and reinstatement of future installments may be done at any time before foreclosure proceedings have been instituted.

(c) Assessment liens may be foreclosed under any procedure prescribed by law for the foreclosure of property tax liens, except that lien sales and lien sale certificates shall not be required, and foreclosure may be begun at any time after 30 days after the due date. The city shall not be entitled to a deficiency judgment in an action to foreclose an assessment lien. The lien of special assessments shall be inferior to all prior and subsequent liens for State, local, and federal taxes, and superior to all other liens.

(d) No city may maintain an action or proceeding to enforce any remedy for the foreclosure of special assessment liens unless the action or proceeding is begun within 10 years from the date that the assessment or the earliest installment thereof included in the action or proceeding became due. Acceleration of installments under subsection (b) shall not have the effect of shortening the time within which foreclosure may be begun, but in that event the statute of limitations shall continue to run as to each installment as if acceleration had not occurred. (1915, c. 56, s. 11; C.S., s. 2717; 1923, c. 87; 1929, c. 331, s. 1; 1971, c. 698, s. 1.)

**§ 160A-234. Assessments on property held by tenancy for life or years.**

(a) Assessments upon real property in the possession or enjoyment of a tenant for life, or a tenant for a term of years, shall be paid by the holder of the remainder or reversion, as the case may be.

(b) Repealed by Session Laws 1979, c. 107, s. 12. (1911, c. 7, ss. 1, 2, 3; C.S., ss. 2718, 2719, 2720; 1971, c. 698, s. 1; 1979, c. 107, s. 12; 2003-232, s. 6.)

**§ 160A-235. Lien in favor of a cotenant or joint owner paying special assessments.**

Any one of several tenants in common, or joint tenants, or copartners shall have the right to pay the whole or any part of any special assessment levied against property held jointly or in common, and all sums by him so paid in excess of his share of the assessment, interests, costs, and amounts required for redemption, shall constitute a lien upon the shares of his cotenants or associates, which he may enforce in proceedings for partition, actual or by sale, or in any other appropriate judicial proceeding. The lien herein provided for shall not be effective against an innocent purchaser for value unless and until notice thereof is filed in the office of the clerk of superior court in the county in which the land lies and indexed and docketed in the same manner as other liens required by law to be filed in the clerk's office. (1935, c. 174; 1971, c. 698, s. 1.)

**§ 160A-236. Apportionment of assessments.**

When special assessments are made against property which has been or is about to be subdivided, the council may, with the consent of the owner of the property, apportion the assessment among the lots or tracts within the subdivision, or release certain lots or tracts from the assessments if, in the opinion of the

council, some of the lots or tracts in the subdivision are not benefited by the project. Upon an apportionment, each of the lots and tracts in the subdivision shall be released from the lien of the original assessment, and the portions of the original assessment assessed against each lot or tract shall have the same force and effect as the original assessment as to the particular lot or tract assessed. At the time of making an apportionment under this section, the council shall enter on its minutes a statement to the effect that the apportionment is made with the consent of the owners of the property affected, and this entry shall be conclusive in the absence of fraud. Reassessments made under this section may include past due installments of principal and interest as well as installments not then due, and any installments not then due shall fall due at the same dates as they would have under the original assessment. The council may delegate authority to make apportionment of assessments to the chief financial officer, but apportionments shall in all cases be reported to the council at its next regular meeting and entered in the minutes. (1929, c. 331, s. 1; 1935, c. 125; 1971, c. 698, s. 1.)

**§ 160A-237. Authority to hold water and sewer assessments in abeyance.**

The assessment resolution may provide that assessments levied under this Article for water or sewer improvements be held in abeyance without interest until improvements on the assessed property are actually connected to the water or sewer system for which the assessment was levied, or a date certain not more than 10 years from the date of confirmation of the assessment roll, whichever event first occurs. Upon termination of the period of abeyance, the assessment shall be paid in accordance with the terms set out in the assessment resolution. If assessments are to be held in abeyance, the assessment resolution shall classify the property assessed according to general land use, location with respect to the water or sewer system, or other relevant factors, and shall provide that the period of abeyance shall be the same for all assessed property in the same class.

All statutes of limitations are suspended during the time that any assessment is held in abeyance without interest. (1973, c. 426, s. 35.)

**§ 160A-238. Authority to make assessments for beach erosion control and flood and hurricane protection works.**

A city may make special assessments, according to the procedures of this Article, against benefited property within the city for all or part of the costs of acquiring, constructing, reconstructing, extending, or otherwise building or improving beach erosion control or flood and hurricane protection works. Assessments for these projects may be made on the basis of:

- (1) The frontage abutting on the project, at an equal rate per foot of frontage; or
- (2) The frontage abutting on a beach or shoreline protected or benefited by the project, at an equal rate per foot of frontage; or
- (3) The area of land benefited by the project, at an equal rate per unit of area; or
- (4) The valuation of land benefited by the project, being the value of the land without improvements as shown on the tax records of the county, at an equal rate per dollar of valuation; or
- (5) A combination of two or more of these bases.

Whenever the basis selected for assessment is either area or valuation, the council shall provide for the laying out of one or more benefit zones according to the distance from the shoreline, the distance from the project, the elevation of the land, or other relevant factors. If more than one benefit zone is established, the council shall establish differing rates of assessment to apply uniformly throughout each benefit zone. (1973, c. 822, s. 7.)

**§ 160A-239. Reserved for future codification purposes.**

Article 10A.

Special Assessments for Critical Infrastructure Needs.

To: <[mayortaylor@matthewsnc.gov](mailto:mayortaylor@matthewsnc.gov)>  
Subject: West Charles Street

West Charles Street Concerns:

The board looked at this issue in December and wished to proceed adding 15 new spaces.

Concern is the impact it will have on the streetscape.

One Proposed compromise (See attached - If we number the 15 spaces starting at Trade) - shows 9 new spaces ( 1,4,5,6,7,8,10,11,12) allowing the ends of the streets to become termination points for the street view corridors- where as a tree or landscaping can visually terminate the street, not parking.

Likewise, giving maneuvering room for vehicles turning the corner. I am also suggesting breaking up the spaces i.e.: #9 be used for a tree/landscaping.

In the towns' effort to get the quick fix on parking, we have forgotten the aesthetic affects parking will have on the street. With a little finesse, a long row of parking can be made to blend in better with the residential street and the visual buffer to the rail line will be better maintained.

Another Suggestion addressing more of the historical residential nature of the street:

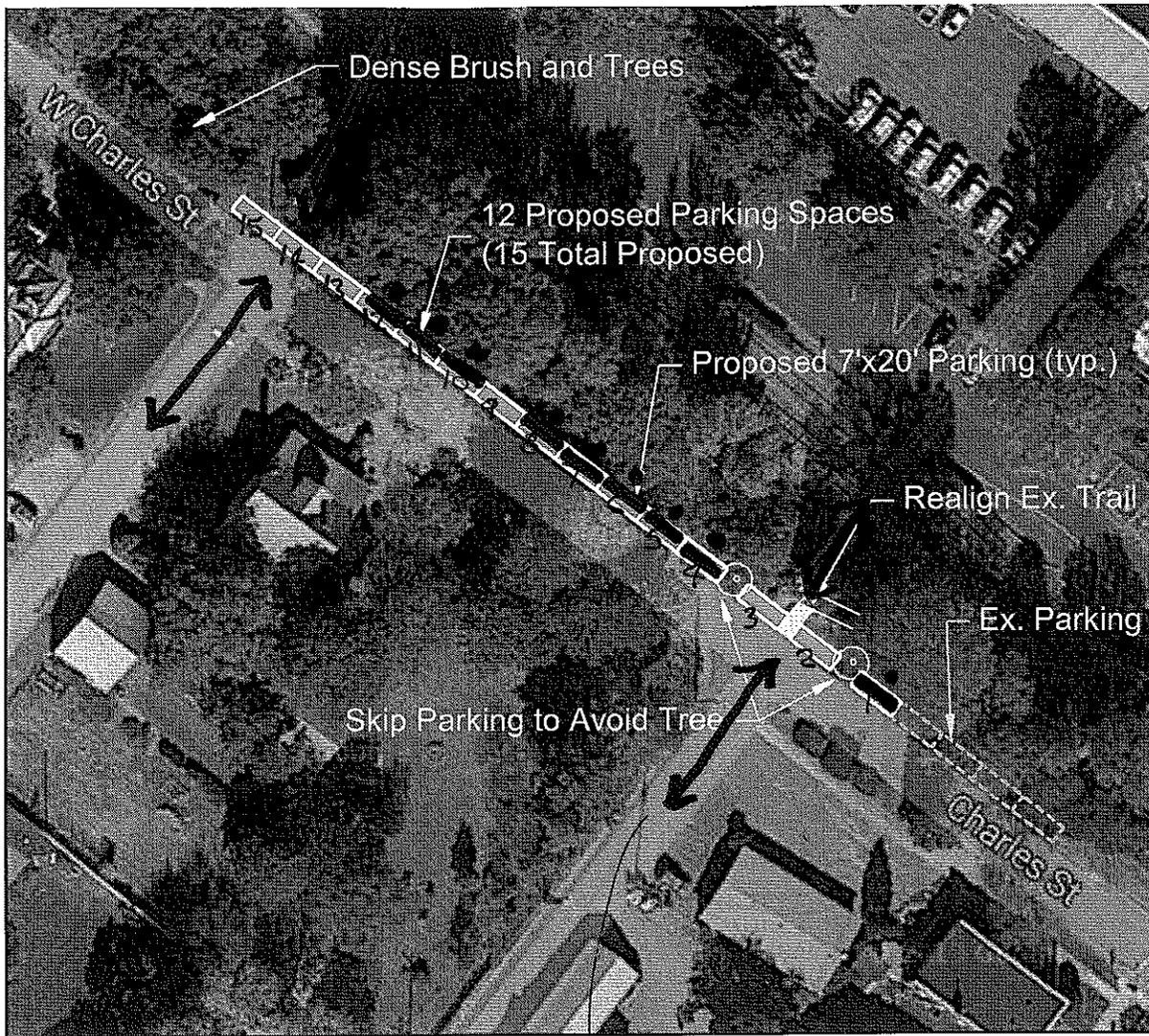
Again, if we number the 15 spaces starting at Trade... See Attached

Parking at spaces 1,4,5,6,7 and 8 look beneficial. (Net 6 additional Spaces)

Parking Spaces 2 and 3 will adversely impact the safety of Library Lane.

Parking spaces 13, 14 and 15 adversely impact the safety of Freemont Street.

Parking spaces 9,10,11 and 12 are just too far down into the residential side of Charles Street and impact the noise and visual shelter we get from the rail road tracks.



REVISION	DATE	DESCRIPTION

DATE: \_\_\_\_\_ SCALE: \_\_\_\_\_ TOWN OF MATTHEWS  
**Parking on West Charles St.**  
 Proposed Parking

*Do not block view  
 corridors  
 w/ cars  
 terminate w/  
 Landscaping/Path etc.*

## Monthly Financial Summary

Date: April 22, 2015

From: Lindsey Wiggs, Finance Specialist

**Background:** Review monthly the actual versus budget financial data to ensure compliance, track trends and/or note concerns in order to keep management and governing body abreast of current financial conditions.

### Update:

#### FY 14-15

##### Revenues

- Revenues collected through March 31, 2015 were 79%.
- Sales taxes – distribution runs 2 months in arrears – annualized 3-month collections tracking Approx. 10% above budget.
- Cable Franchise taxes – distribution received in March for 2nd quarter ending December were \$55,039 This amount represents a 5% increase from the same time period in FY13-14
- Powell Bill funding – received 100% as of December. Exceeds original budget by 2.25%
- Privilege License – slated to expire July 1, 2015. This is last year for collections. Slated for invoicing in April/May and due by May 31

##### Expenditures

- Expenditures through March were approx. 67% of budget.
- Categories with a 10% variance (under 30% or over 36.7%) include the following:  
**None for the month of March**

### Other updates:

- Ad Valorem refund taxes paid out current FY-T-D almost \$423,000. Pearson Group is working Matthews and work will continue until the end of their work plan. We expect some parcels to remain unvisited until the very end of the project (12/2014) based on email information.

**Financial Impact:** To maintain effective budgeting and cost control

**Related Town Goal:** Vision #7 – Financial Performance

To provide financial resources in a prudent and responsible manner through traditional and alternative sources of revenue, effective budgeting, and cost control with a focus on maintaining a healthy fund balance.

**Recommended Motion:** Received as information



## TOWN OF MATTHEWS FINANCIAL SUMMARY REPORT FISCAL YEAR 2014-2015 (JULY-MARCH)

### GENERAL FUND

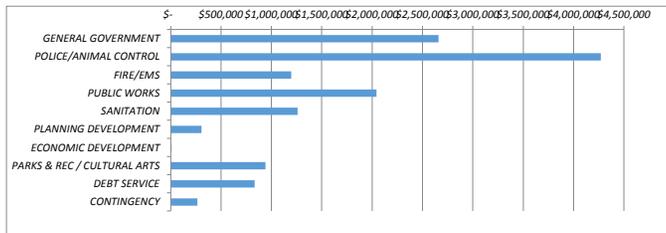
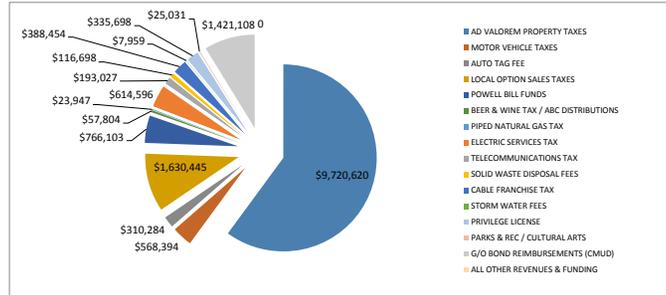
REVENUES	ORIGINAL	AMENDED	ACTUAL	Y-T-D %
	BUDGET	BUDGET	COLLECTED	
AD VALOREM PROPERTY TAXES	\$ 9,906,500	\$ 9,906,500	\$ 9,720,620	98.12%
MOTOR VEHICLE TAXES	\$ 706,300	\$ 706,300	\$ 568,394	80.47%
AUTO TAG FEE	\$ 587,500	\$ 587,500	\$ 310,284	52.81%
LOCAL OPTION SALES TAXES	\$ 2,495,861	\$ 2,495,861	\$ 1,630,445	65.33%
POWELL BILL FUNDS	\$ 750,000	\$ 766,626	\$ 766,103	99.93%
BEER & WINE TAX / ABC DISTRIBUTIONS	\$ 188,300	\$ 188,300	\$ 57,804	30.70%
PIPED NATURAL GAS TAX	\$ 150,000	\$ 150,000	\$ 23,947	15.96%
ELECTRIC SERVICES TAX	\$ 880,650	\$ 880,650	\$ 614,596	69.8%
TELECOMMUNICATIONS TAX	\$ 331,200	\$ 331,200	\$ 193,027	58.28%
CABLE FRANCHISE TAX	\$ 196,692	\$ 196,692	\$ 116,698	59.33%
STORM WATER FEES	\$ 613,758	\$ 613,758	\$ 388,454	63.29%
PRIVILEGE LICENSE	\$ 200,000	\$ 200,000	\$ 7,959	3.98%
PARKS & REC / CULTURAL ARTS	\$ 317,000	\$ 317,000	\$ 335,698	105.90%
G/O BOND REIMBURSEMENTS (CMUD)	\$ 450,063	\$ 450,063	\$ 25,031	5.56%
ALL OTHER REVENUES & FUNDING	\$ 1,577,701	\$ 2,155,533	\$ 1,421,108	65.93%
FUND BALANCE APPROPRIATED	\$ 346,844	\$ 531,064	\$ 0	0.00%
<b>TOTAL GENERAL FUND REVENUES</b>	<b>\$ 19,698,369</b>	<b>\$ 20,477,047</b>	<b>\$ 16,180,168</b>	<b>79.02%</b>

EXPENDITURES	ORIGINAL	AMENDED	ACTUAL	Y-T-D %
	BUDGET	BUDGET	SPENT	
GENERAL GOVERNMENT	\$ 3,501,613	\$ 3,503,977	\$ 2,659,985	75.91%
POLICE/ANIMAL CONTROL	\$ 5,519,052	\$ 5,689,920	\$ 4,269,814	75.04%
FIRE/EMS	\$ 1,811,268	\$ 1,849,113	\$ 1,196,388	64.70%
PUBLIC WORKS	\$ 3,661,102	\$ 4,195,098	\$ 2,043,198	48.70%
SANITATION	\$ 1,923,200	\$ 1,923,200	\$ 1,258,647	65.45%
PLANNING DEVELOPMENT	\$ 451,531	\$ 451,531	\$ 305,267	67.61%
ECONOMIC DEVELOPMENT	\$ 20,000	\$ 40,000	\$ 10,318	25.80%
PARKS & REC / CULTURAL ARTS	\$ 1,142,550	\$ 1,174,819	\$ 939,826	80.00%
DEBT SERVICE	\$ 1,372,383	\$ 1,372,383	\$ 833,932	60.77%
CONTINGENCY / TRANSFERS TO CIP	\$ 295,670	\$ 277,006	\$ 265,670	95.91%
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$ 19,698,369</b>	<b>\$ 20,477,047</b>	<b>\$ 13,783,045</b>	<b>67.31%</b>

<b>Y-T-D FUND BALANCE INCREASE (DECREASE)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,397,123</b>	
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### PRIOR YRS COMPARISON

	FY 14	FY 13	FY 12
ACTUALS	ACTUALS	ACTUALS	ACTUALS
AD VALOREM PROPERTY TAXES	\$ 9,546,575	\$ 9,267,653	\$ 9,513,834
MOTOR VEHICLE TAXES	\$ 630,166	\$ 522,670	\$ 516,105
AUTO TAG FEE	\$ 430,175	\$ 226,677	\$ 224,723
LOCAL OPTION SALES TAXES	\$ 1,383,922	\$ 1,261,471	\$ 1,326,402
POWELL BILL FUNDS	\$ 745,750	\$ 726,986	\$ 698,539
BEER & WINE TAX / ABC DISTRIBUTIONS	\$ 0	\$ 30,462	\$ 0
PIPED NATURAL GAS TAX	\$ 69,560	\$ 59,233	\$ 54,639
ELECTRIC SERVICES TAX	\$ 459,938	\$ 464,131	\$ 484,522
TELECOMMUNICATIONS TAX	\$ 169,934	\$ 180,553	\$ 194,300
SOLID WASTE DISPOSAL FEES	\$ 102,502	\$ 103,615	\$ 109,346
CABLE FRANCHISE TAX	\$ 391,683	\$ 399,897	\$ 396,991
STORM WATER FEES	\$ 6,412	\$ 58,874	\$ 46,395
PRIVILEGE LICENSE	\$ 310,198	\$ 303,191	\$ 328,241
PARKS & REC / CULTURAL ARTS	\$ 31,694	\$ 38,275	\$ 44,938
G/O BOND REIMBURSEMENTS (CMUD)	\$ 660,273	\$ 1,538,282	\$ 587,838
ALL OTHER REVENUES & FUNDING	\$ 0	\$ (493,874.0)	\$ 0
<b>TOTAL</b>	<b>\$ 14,938,782</b>	<b>\$ 14,688,786</b>	<b>\$ 14,526,813</b>

	FY 14	FY 13	FY 12
ACTUALS	ACTUALS	ACTUALS	ACTUALS
GENERAL GOVERNMENT	\$ 2,510,066	\$ 1,524,266	\$ 1,414,146
POLICE/ANIMAL CONTROL	\$ 3,981,256	\$ 4,616,500	\$ 4,158,479
FIRE/EMS	\$ 844,398	\$ 1,006,239	\$ 892,937
PUBLIC WORKS	\$ 2,326,496	\$ 2,883,093	\$ 2,402,582
SANITATION	\$ 1,239,133	\$ 1,214,807	\$ 1,186,810
PLANNING DEVELOPMENT	\$ 277,350	\$ 311,118	\$ 289,788
ECONOMIC DEVELOPMENT	\$ 4,622	\$ 9,324	\$ 15,379
PARKS & REC / CULTURAL ARTS	\$ 813,281	\$ 927,571	\$ 854,892
DEBT SERVICE	\$ 931,301	\$ 986,874	\$ 1,085,625
CONTINGENCY	\$ 367,483	\$ 2,028,290	\$ 2,750
<b>TOTAL</b>	<b>\$ 13,295,386</b>	<b>\$ 15,508,082</b>	<b>\$ 12,303,388</b>

**NOTES:**

**NOTES:**

**REVENUES**

AD VALOREM PROPERTY TAXES	Receive majority in months of Nov, Dec, Jan
MOTOR VEHICLE TAXES	Receive monthly distributions
AUTO TAG FEE	Receive monthly distributions
LOCAL OPTION SALES TAXES	Receive monthly distributions - 2 months in arrears
POWELL BILL FUNDS	Receive equal distributions semi-annual: Oct & Jan
BEER & WINE TAX / ABC DISTRIBUTIONS	Receive quarterly from County, annual from state in May
PIPED NATURAL GAS TAX	Receive quarterly from State. First fiscal distribution received in Dec
ELECTRIC SERVICES TAX	Receive quarterly from State. First fiscal distribution received in Dec
TELECOMMUNICATIONS TAX	Receive quarterly from State. First fiscal distribution received in Dec
CABLE FRANCHISE TAX	Receive quarterly from State. First fiscal distribution received in Dec
STORM WATER FEES	Receive monthly from County
PRIVILEGE LICENSE	To be invoiced in April, due by May 31
PARKS & REC / CULTURAL ARTS	Collected through out year, based on events and programming

**EXPENDITURES**

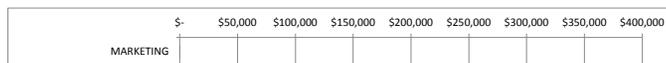
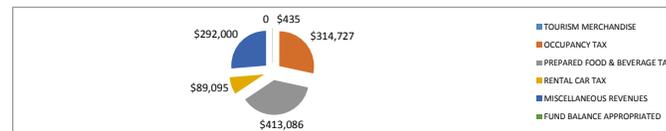
Large expenses incurred during July/Aug each yr due to annual contracts, insurance premiums, dues, capital outlay (vehicles/equipment) purchases

### TOURISM FUND

REVENUES	ORIGINAL	AMENDED	ACTUAL	Y-T-D %
	BUDGET	BUDGET	COLLECTED	
TOURISM MERCHANDISE	\$ 1,000	\$ 1,000	\$ 435	43.47%
OCCUPANCY TAX	\$ 429,629	\$ 429,629	\$ 314,727	73.26%
PREPARED FOOD & BEVERAGE TAX	\$ 809,859	\$ 809,859	\$ 413,086	51.01%
RENTAL CAR TAX	\$ 131,328	\$ 131,328	\$ 89,095	67.84%
MISCELLANEOUS REVENUES	\$ 1,000	\$ 293,000	\$ 292,000	99.66%
FUND BALANCE APPROPRIATED	\$ -	\$ 0	\$ 0	
<b>TOURISM REVENUE TOTAL</b>	<b>\$ 1,372,816</b>	<b>\$ 1,664,816</b>	<b>\$ 1,109,343</b>	<b>66.63%</b>

EXPENDITURES	ORIGINAL	AMENDED	ACTUAL	Y-T-D %
	BUDGET	BUDGET	SPENT	
MARKETING	\$ 25,000	\$ 25,000	\$ 191	0.77%
DECORATIONS/BANNERS/FLAGS	\$ 45,000	\$ 45,000	\$ 0	0.00%

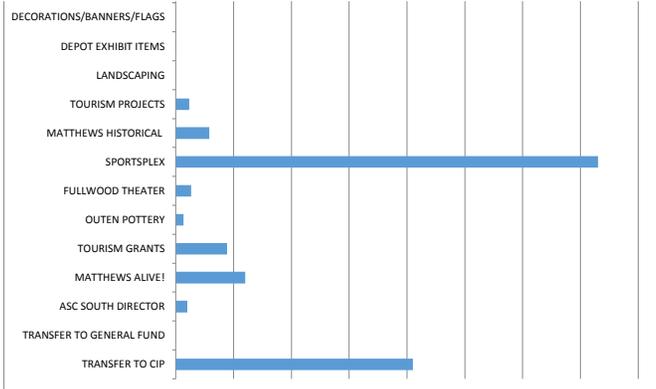


### PRIOR YRS COMPARISON

	FY 14	FY 13	FY 12
ACTUALS	ACTUALS	ACTUALS	ACTUALS
TOURISM TOTAL REVENUE ONLY AVAILABLE BREAKDOWN AS TO CATEGORY NOT AVAILABLE			
<b>TOTAL</b>	<b>\$ 1,164,597</b>	<b>\$ 609,981</b>	<b>\$ 648,666</b>

	FY 14	FY 13	FY 12
ACTUALS	ACTUALS	ACTUALS	ACTUALS
MARKETING	\$ 11,321	\$ 0	\$ 0
DECORATIONS/BANNERS/FLAGS	\$ 24,788	\$ 0	\$ 0

DEPOT EXHIBIT ITEMS	\$ 2,500	\$ 2,500	\$ 162	6.48%
LANDSCAPING	\$ 10,000	\$ 10,000	\$ 0	0.00%
TOURISM PROJECTS	\$ 86,084	\$ 49,584	\$ 11,526	23.25%
MATTHEWS HISTORICAL	\$ 40,000	\$ 40,000	\$ 29,073	72.68%
SPORTSPLEX	\$ 194,075	\$ 486,075	\$ 365,401	75.17%
FULLWOOD THEATER	\$ 26,000	\$ 26,000	\$ 13,359	51.38%
OUTEN POTTERY	\$ 0	\$ 36,500	\$ 6,700	18.36%
TOURISM GRANTS	\$ 60,000	\$ 60,000	\$ 44,500	74.17%
MATTHEWS ALIVE!	\$ 60,000	\$ 60,000	\$ 60,000	100.00%
ASC SOUTH DIRECTOR	\$ 10,000	\$ 10,000	\$ 10,000	100.00%
TRANSFER TO GENERAL FUND	\$ 609,157	\$ 609,157	\$ 0	0.00%
TRANSFER TO HEALTH FUND	\$ 0	\$ -	\$ 0	0.00%
TRANSFER TO CIP	\$ 205,000	\$ 205,000	\$ 205,000	100.00%
ROTARY	0	0	0	0
MARA	0	0	0	0
PLAYHOUSE	0	0	0	0
CHAMBER	0	0	0	0
CCBC	0	0	0	0
AMERICAN LEGION	0	0	0	0
BUTLER BAND	0	0	0	0
WOMAN'S CLUB	0	0	0	0
<b>TOURISM FUND EXPENDITURE TOTAL</b>	<b>\$ 1,372,816</b>	<b>\$ 1,664,816</b>	<b>\$ 745,912</b>	<b>44.80%</b>
<b>Y-T-D FUND BALANCE INCREASE/(DECREASE)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 363,431</b>	



DECORATIONS/BANNERS/FLAGS	\$ 1,572	\$ 544	\$ 1,615
DEPOT EXHIBIT ITEMS	\$ 0	\$ 14,110	\$ 0
LANDSCAPING	\$ 500	\$ 29,594	\$ 56,442
TOURISM PROJECTS	\$ 28,323	\$ 173,665	\$ 0
MATTHEWS HISTORICAL	\$ 50,905	\$ 437,500	\$ 0
SPORTSPLEX	\$ 0	\$ 0	\$ 0
FULLWOOD THEATER	\$ 0	\$ 0	\$ 0
OUTEN POTTERY	\$ 0	\$ 0	\$ 0
TOURISM GRANTS	\$ 60,000	\$ 44,500	\$ 0
MATTHEWS ALIVE!	\$ 60,000	\$ 60,000	\$ 0
ASC SOUTH DIRECTOR	\$ 10,000	\$ 10,000	\$ 10,000
TRANSFER TO GENERAL FUND	\$ 31,200	\$ 773,489	\$ 0
TRANSFER TO HEALTH FUND	\$ 0	\$ 0	\$ 0
TRANSFER TO CIP	\$ 220,000	\$ 50,000	\$ 0
ROTARY	\$ 0	\$ 3,500	\$ 2,500
MARA	\$ 0	\$ 9,000	\$ 0
PLAYHOUSE	\$ 27,250	\$ 29,000	\$ 27,500
CHAMBER	\$ 10,500	\$ 11,500	\$ 10,500
CCBC	\$ 1,000	\$ 0	\$ 0
AMERICAN LEGION	\$ 750	\$ 0	\$ 0
BUTLER BAND	\$ 500	\$ 0	\$ 0
WOMAN'S CLUB	\$ 0	\$ 1,000	\$ 0
<b>TOTAL</b>	<b>\$ 523,609</b>	<b>\$ 1,570,149</b>	<b>\$ 108,557</b>

**NOTES:**

**REVENUES**

TOURISM MERCHANDISE

OCCUPANCY TAX

PREPARED FOOD & BEVERAGE TAX

RENTAL CAR TAX

Receive monthly distributions

Receive equal distributions semi-annual: Oct & Mar

Receive monthly distributions

## Privilege License Revenue in FY 14-15 Budget

TO: Mayor and Board of Commissioners  
DATE: April 21, 2015  
FROM: Hazen Blodgett, Town Manager

### Background/Issue:

On May 29, 2014 the North Carolina General Assembly passed House Bill 1050 which amended a number of revenue laws within the state. Specifically, the law bans all city and county privilege license taxes for tax years that begin on or after July 1, 2015. Town Attorney Charlie Buckley worked with staff on this issue last year. See attached memo from him for additional insight.

As per this legislation, the Matthew Town Board adopted as part of the 2014-15 budget \$185,000 in privilege licenses to be billed and collected within the 2015 fiscal year. On May 30, 2014 the North Carolina School of Government's NC Local Government Law group issued a blog – attached is a copy – written by Chris McLaughlin. In Mr. McLaughlin's blog, he writes,

Now about 2015: the law bans all city and county PLTs for tax years that begin on or after July 1, 2015. If a local government uses a PLT tax year that begins on May 1 (or on any date prior to July 1), technically that local government could still levy 2015 PLTs because the ban will not yet have taken effect.

That said, I do not recommend that any local governments plan to levy PLTs for 2015. Clearly the intent of the General Assembly was to eliminate all city and county PLTs as of the 2015 tax year, regardless of when that tax year begins. I think a city or a county that attempts to bill 2015 PLTs runs the risk of incurring the wrath of the legislature. (And I also think the legislature might change the effective date of the ban to January 1, 2015, which would in fact ban all 2015 PLTs.)

The Finance Department has done some research to find out what other towns in our area are doing. Below are the results of their survey. Currently in sales tax, we are \$252,000 above estimated projections. As Finance Director Chris Tucker reviewed with the Board, our revenues year to date appear to be in good shape.

The major concern is the \$975,000 projected cost as a result of the revaluation of the 2011 county evaluation project and the impact on our Fund Balance.

Telephone Survey: We contacted Indian Trail, Monroe, Pineville, Stallings, Wingate, Albemarle, and Concord. All of these peers have a PLT year that runs on their fiscal year, so they billed in July/Aug and have received their FY 14-15 monies, or they do not bill PLTs at all.

After finding no local peers to compare to, we posted to the Business Licenses listserv and had a phone conversation with Debra Mack, Finance Director of Wilmington, who stated that their situation is like ours of having a PLT year of May to Apr. She stated to staff, that they intend to bill and collect as customary, but will only produce a business license that runs for two months until June 30 2015

On April 21<sup>st</sup> I had a telephone conversation with Trina Griffin, an attorney with NC General Assembly Research Division. She has advised Sen. Rucho that according to the PLT law because we are billing prior to June 30, 2015 and we are recognizing the revenue in FY 14-15, Matthews is in compliance with the law.

I think the angst for the General Assembly members, or at least some of them, is they have been telling businesses that in 2015 the PLT will go away, but in fact cities/town are authorized to issue the tax until June 30, 2015. Business owners may complain to General Assembly members as well as you, as local elected officials, if we proceed to levy the PLT this year.

The second issue to be aware of in past years a PLT has been issued for a couple months in one fiscal year, but a majority time of the PLT's effectiveness are for next fiscal year. In our case if we issue the privilege license this year it will be for June 1, 2015 to May 31, 2016, but only one month will be prior to the July 1, 2015 PLT revenue deadline. This is all legal but may be confusing to business owners in Matthews.

### **Proposal/solution:**

While we are within the law by assessing a privilege license tax in June of 2015, in Mr. McLaughlin's opinion we could incur "the wrath of the General Assembly".

In staff's opinion this boils down to a political decision by the Board.

### **Fiscal Impact:**

If we decide to send out the bills, we would collect approximately \$185,000. Otherwise, if we choose not to we will absorb these funds through the excess sales tax revenues.

The bigger concern is the \$975,000 projected cost as a result of the revaluation of the 2011 county evaluation. The \$185,000 would help offset the revaluation cost.

### **Related Town Goals and Strategies:**

Financial performance: to provide financial resources in a prudent and responsible manner through traditional and alternate sources of revenue, effective budgeting, and cost control with a focus on maintaining a healthy fund balance.

### **Options:**

Option 1 is for the Board to decide not to send out privilege license notices for this year, realizing that we will not receive an estimated \$185,000 in revenue. If this option is chosen, Chapter 110: Privilege License Tax must be repealed.

Option 2 is to proceed with sending out the privilege licenses as budgeted for this fiscal year, which is within the law; however as Chris McLaughlin mentions we could be subject to the "wrath of the legislature".

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## Coates' Canons Blog: The Axe Finally Falls on Local Privilege License Taxes

By Chris McLaughlin

Article: <http://canons.sog.unc.edu/?p=7711>

This entry was posted on May 30, 2014 and is filed under Finance & Tax, Privilege License Taxes

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Well, that took forever. But it sure happened quickly.

Although this observation sounds like something Yogi Berra might have uttered, it accurately describes the General Assembly's elimination of local privilege license taxes yesterday. After debating this move for years, once it made up its mind to act the legislature took only two weeks to go from a bill introduction to the governor's signature.

The final version of the bill, [S.L. 2014-3](#), does much more than eliminate local privilege license taxes. For one, it allows Moore County to levy occupancy taxes on private houses rented out through realtors for the men's and women's U.S. Opens at Pinehurst starting next week. (Anyone interested in paying [\\$65,000 for two weeks in a three-bedroom house?!?](#)) I'll be writing on some of those other provisions in the weeks to come.

But today I want to focus on the privilege license tax provisions because some cities and towns have already started billing businesses for the 2014 tax year. Here is a summary of the law's impact and a short Q&A.

The basics:

[Section 12 of S.L. 2014-3](#) is where the rubber hits the road for local privilege license taxes ("PLTs"). First, the law fixes the unintentional repeal of city PLT authority that I discussed [here](#). Without this fix, cities would have had no authority to levy PLTs for 2014.

All [Schedule B exemptions and caps](#) (professionals, service stations, etc.) that were in place for 2013 remain in place for 2014.

Second, the law adds a new restriction to city PLTs by limiting these taxes to businesses that are "physically located" in the city limits. The law doesn't define what it means to be "physically located," but I think the best interpretation is that it requires in your city an office or headquarters or some similar physical space from which the business operates. A city may no longer tax service providers such as plumbers, contractors, and landscapers who service customers within the city but have no office or similar working space within the city.

Note that the physical location restriction does not apply to *county* PLTs. Unless we see a technical corrections bill that adds this language to the county PLT provision ([G.S. 153A-152](#)), counties can continue to tax service providers who have customers in the county but offices elsewhere.

More on the physical location issue in the Q&A below.

If a city has already collected 2014-2015 PLTs from service providers who do not maintain offices in the city boundaries, then that city must refund the 2014-2015 PLTs to those businesses. (More on this below.) The law doesn't affect prior years' taxes, so no refund is due for taxes from the 2013-2014 tax year or earlier years.

Third, the law limits 2014-2015 city PLTs to the same rates and amounts that were levied by a particular city for the 2013-2014 tax year. This limitation means that if a city had increased its PLT rates from 2013 to 2014 or had moved from a "flat fee" basis to a "[gross receipts](#)" basis for 2014 for [non-Schedule B businesses](#), that increase or change is invalid. Each city must keep its 2014 PLTs at the same (or lower) rates that it charged in 2013.

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Finally, the law eliminates (nearly) all city and county PLTs for tax years beginning on or after July 1, 2015. The only local PLTs that will remain in 2015 and forward will be the beer and wine taxes authorized by [G.S. 105-113.77](#) and [G.S. 105-113.78](#).

Okay, that was the easy part. Now for some of the tougher questions that have been filling my in-box all morning.

*How does the new law affect a city for which the 2014 privilege license tax year began before the law took effect on May 29, 2014?*

Most cities use PLT years that run from July 1 to June 30. But some cities start their PLT years on May 1 to correspond with the mandatory May 1 to April 30 tax year for beer and wine licenses.

Technically cities that began their 2014 PLT year prior to May 29, 2014 (the day S.L. 2014-3 became law) did not have the authorization to do so because of the unintended repeal of that authority last year.

The conservative, belt-and-suspenders approach for these cities would be to change their tax ordinances so that their 2014 PLT years begin on June 1 or later. However, I think that is overly cautious. I think cities that began their tax years prior to the effective date of S.L. 2014-3 may proceed with their 2014 PLTs as if the law had authorized their taxes from beginning of their tax years.

The only concern I have about this approach would be for businesses that were in operation as of May 1 but closed prior to May 29, when city PLT authorization was re-established. If a city taxed such a business for 2014 PLTs, I think the city should refund that tax payment. But that should be a very, very small number of businesses, if any.

**Now about 2015: the law bans all city and county PLTs for tax years that begin on or after July 1, 2015. If a local government uses a PLT tax year that begins on May 1 (or on any date prior to July 1), technically that local government could still levy 2015 PLTs because the ban will not yet have taken effect.**

**That said, I do not recommend that any local governments plan to levy PLTs for 2015. Clearly the intent of the General Assembly was to eliminate all city and county PLTs as of the 2015 tax year, regardless of when that tax year begins. I think a city or a county that attempts to bill 2015 PLTs runs the risk of incurring the wrath of the legislature. (And I also think the legislature might change the effective date of the ban to January 1, 2015, which would in fact ban all 2015 PLTs.)**

*What types of businesses are “physically located” in my city and therefore can be subject to PLTs for 2014?*

As mentioned above the law does not provide additional explanation of the “physically located” restriction. I think the intent of this language was to ban city PLTs on service providers who come into a city to provide services to customers but who do not maintain an office or similar physical space in the city. The presence of a plumber and his truck in a city to work on a building on the city limits is not enough to trigger liability for city PLTs under the new law.

However, I think retailers and food sellers with mobile locations who park in the city limits and sell their wares or food are “physically located” in that city for purposes of PLTs. A food truck that uses a kitchen in Durham as its home base but that parks in Chapel Hill several times a week to sell food should be subject to Chapel Hill PLTs.

I think the same rule would apply to a guy who sells t-shirts out of his car trunk in Raleigh on N.C. State home football Saturdays; I think that seller would be subject to Raleigh PLTs even though he drives his car home to Garner at night. (I also think that guy should pick a better football team and start selling Blue Devil gear.)

That seller is “physically located” in Raleigh because he is conducting his business from a physical location (his car) in that city. If such a business is subject to gross receipts PLTs for 2014, I think the business should be permitted to apportion his gross receipts by city so that he is not taxed multiple times on the same income. I describe the apportionment process [here](#).

How about companies that provide vending machines or video games or water coolers to businesses in your city but have offices elsewhere? I think those types of businesses are more similar to the out-of-city service providers than to the mobile retailers. These businesses should not be taxed by your city because they are “physically located” in their offices where

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they actually process transactions and direct their operations.

*If a city has already collected 2014 PLTs from businesses that are not physically located in the city boundaries must that city provide refunds to those businesses?*

Cities could approach this issue in at least two different ways. A city could initiate the refund process on its own by identifying those businesses with mailing addresses outside of the city and providing those businesses refunds. Or a city could place the burden of requesting refunds on the businesses by sending letters to all PLT taxpayers informing them of the new “physically located” restriction and instructing businesses that are not located in the city to request a refund. Cities could probably put reasonable time restrictions on the refund request period so that they are not processing these requests for the next year.

*Does the new law affect municipal motor vehicle fees?*

No. Although technically the municipal vehicle registration fees imposed under [G.S. 20-97\(b\) and \(c\)](#) are taxes for the “privilege” of using public roads, the new law did not affect these fees. Nor did the new law affect the \$15 tax levied by cities on taxis and limousines under [G.S. 20-97\(d\)](#).

## Links

- [www.ncga.state.nc.us/EnactedLegislation/SessionLaws/HTML/2013-2014/SL2014-3.html](http://www.ncga.state.nc.us/EnactedLegislation/SessionLaws/HTML/2013-2014/SL2014-3.html)
- [www.pinehurstrealestatenc.com/USOpen2014Rentalsavailablehere.asp#homes](http://www.pinehurstrealestatenc.com/USOpen2014Rentalsavailablehere.asp#homes)
- [www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=153A-152](http://www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=153A-152)
- [www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=105-113.77](http://www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=105-113.77)
- [www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=105-113.78](http://www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=105-113.78)
- [www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=20-97](http://www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=20-97)

**CRANFORD, BUCKLEY, SCHULTZE, TOMCHIN, ALLEN & BUIE, P.A.**

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EMAIL: crb3@southcharlottelawfirm.com**

**M E M O R A N D U M**

**TO:** Mr. H. Hazen Blodgett, Matthews Town Manager  
**FROM:** Charles R. Buckley, III, Town Attorney  
**DATE:** April 06, 2015  
**SUBJECT:** Privilege License Revenue in FY 14/15 Budget

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My recollection regarding the actions taken during May/June 2014 are as follows:

That a prior bill seemed to abolish the Privilege License Tax effective January 2014. Then the General Assembly during the spring of 2014 introduced House Bill 1050, which seemingly after May 29 authorized Privilege License Taxes for 2014/2015 but abolished them effective June 30, 2015. Working with your office and with Christine, we attempted to comply with the requirements of House Bill 1050 that was adopted into law but recognizing the prior legislation that had abolished the Privilege License Tax effective January 14, we dated our actions June 01 through May 31 in order to be in compliance with House Bill 1050. All along our actions were to put Privilege License Tax revenues into the 2014/2015 fiscal year. There was never any attempt to go beyond the authorization of House Bill 1050. So, the Budget Ordinance for Town of Matthews for the 2014/2015 fiscal year including Privilege License Tax revenues that would be generated by the June 01 billing date. The efforts of staff were to put into compliance our 2014/2015 Privilege License revenue with house bill 1050. We were never attempting to circumvent or bill Privilege License taxes that would have to come after July 01, 2015.

I noticed Chris's commentary regarding the City of Wilmington who took similar action. I like the City of Wilmington's dating of the Privilege License for the 2014-2015 to be a time period ending June 30, 2015. We could do the same for the Town of Matthews.

Remember, Privilege License Taxes were established by the General Assembly to provide local revenues only. It is not a regulatory tax nor does it authorize people to do business. It purely was designed to generate revenues for local governments. So, the time period for a Privilege License Tax is not related to authorization to do business but purely establishes the framework where Privilege License Taxes won't be levied until after the passage of a certain period of time again.

**POST IN A  
CONSPICUOUS  
PLACE**

**Town of Matthews, NC**  
**MINIMUM BUSINESS LICENSE**  
and Gross Receipt Tax  
**THIS LICENSE EXPIRES 06/30/2015**

License Number  
**3551**

Business Owner: JOHN DOE  
DBA: JOHN DOE LANDSCAPING  
Business Location: 1000 JOHN DOE STREET

Account Number: 5266

**MINIMUM BUSINESS TAX**

This is to certify that the person or firm named herein has paid into my hands minimum payment of tax as set out herein for the use and benefit of the City aforesaid, and is licensed to engage in the business of: LANDSCAPING



**PAID**

**This License is NOT Transferable**

**Receipt**

**PLEASE RETAIN  
FOR YOUR  
RECORDS**

**Town of Matthews, NC**  
**MINIMUM BUSINESS LICENSE**  
and Gross Receipt Tax  
**THIS LICENSE EXPIRES 06/30/2015**

License Number  
**3551**

**MINIMUM BUSINESS TAX**

Account Number: 5266

This is to certify that the person or firm named herein has paid into my hands minimum payment of tax as set out herein for the use and benefit of the City aforesaid, and is licensed to engage in the business of: LANDSCAPING

Business Name and Address:

JOHN DOE  
1000 JOHN DOE STREET  
MATTHEWS, NC 28105



Total Received..... **25.00**

AN ORDINANCE TO AMEND CHAPTER 110, PRIVILEGE LICENSE TAX, WITHIN MATTHEWS TOWN CODE.

BE IT ORDAINED, by the Town Board of Commissioners of the Town of Matthews, North Carolina:

SECTION 1. That Chapter 110, Section 19 “Due Date”, is deleted in its entirety; new Section 19 is hereby adopted to read as follows:

“110.19 **Due Date** – Unless otherwise specified, the license issued pursuant to this chapter is valid for a period beginning May 01 and ending June 30.

- (a) The taxes are due and payable no later than June 01 of each year.
- (b) A person may not commence a business conducted within the Town, which is taxed pursuant to this chapter, until the Privilege License Tax due is paid, and may not continue such business beyond the period for which the license is issued.
- (c) The provisions of this section shall not be applicable to beer and wine licenses, which shall be as provided by State law.”

SECTION 2. That Chapter 110, Section 20 “Proration of Tax”, is hereby repealed.

SECTION 3. That Chapter 110, Section 53(a), is amended by deleting the references to May 02 and the term June 02 is hereby inserted.

SECTION 4. That this Ordinance shall become effective upon adoption.

This the 27th day of April 2015.

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney

## Charles Buckley Way Contract & Budget

DATE: April 22, 2015  
FROM: C.J. O'Neill, PE- Town Engineer

### Background/Issue:

As you are aware, the Town has been designing a roadway between East Charles Street and East John Street named Charles Buckley Way. The road will allow residents of the area to more easily access East John Street without going through the post office parking lot. The Town opened bids for the construction of Charles Buckley Way on March 25, 2015. The bids came in very close together and are itemized below.

<u>Company</u>	<u>Bid</u>
Sealand Contractors Corporation	\$433,213.07
Red Clay Industries	\$439,410.35
Trull Contracting, LLC	\$439,492.80
Blythe Development Company	\$459,870.00

The low bid was from Sealand Contractors Corporation for \$433,213.07.

### Fiscal Impact:

Project to be funded with CDBG Grant in the amount of \$250,000 with the balance from CIP appropriations.  
Budget attached.

### Related Town Goals and Strategies:

Transportation: to identify, plan, design, fund, and build transportation facilities that efficiently and effectively serve the community in a cost effective and environmentally sensitive manner.

Financial performance: to provide financial resources in a prudent and responsible manner through traditional and alternate sources of revenue, effective budgeting, and cost control with a focus on maintaining a healthy fund balance.

### Recommendation Action:

Motion to award the contract to Sealand Contractors Corporation for \$433,213.07 authorize the Town Manager to sign any necessary documents and approve the attached project budget.

	<b><u>Project Authorization</u></b>
<b>Revenues:</b>	
Restricted Intergovernmental:	
CDBG (CCOG)	\$250,000.00
Transfer from other Funds-CIP Account	\$258,214.00
	<u>\$ -</u>
 Total Revenue	 <u>\$508,214.00</u>
 <b>Expenditures:</b>	
Construction	\$433,214.00
Professional Services	\$ 40,000.00
Program Expenses	\$ 10,000.00
Contingency	<u>\$ 25,000.00</u>
 Total Expenditures	 <u>\$508,214.00</u>

To: Mayor and Board of Commissioners  
From: Ralph S. Messera, Public Works Director  
Date: April 22, 2015  
Subject: Township Parkway and Matthews Mint Hill Road "Superstreet"  
Project U-5511

We received the attached E-Mail on Friday from Scott Cole, Deputy Division Engineer regarding this project. He indicates that they are ready to proceed with this project, but there have been costs incurred that are above the original grant we received from the Federal Highway Administration for the project. The Federal Grant was for a total not to exceed \$526,027, and the Town's additional 20% share was to be \$131,507, to be made in two payments of 65,754. The first payment was made 2 years ago.

Total cost increases appear to be \$293,000. The DOT will pick-up the additional costs caused by design, right-of-way purchase and utility relocations in the amount of \$188,000, but at this point they are estimating construction to be an additional \$105,000. Under the contract that we signed in 2013, the Town is responsible for the additional construction costs. If the project is to proceed this summer, this payment would be in FY 2016.

Staff has identified possible sources for these additional funds, which include remaining unspent allocations from the CIP account or the possibility of a small amount of tag fee revenue being available and allocated to the project. We are not recommending the use of General Fund revenues (property & sales) at this time. These recommendations will be incorporated into the Budget to be presented next month.

The purpose of the memo is to make you aware of the situation. Should you have questions, I will be available at the meeting Monday evening.

---

## Fwd: U-5511 TCSP Grant

1 message

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**Ralph Messera** <[rmessera@matthewsnc.gov](mailto:rmessera@matthewsnc.gov)>

Thu, Apr 23, 2015 at 10:43 AM

To: Lori Canapinno <[licanapinno@matthewsnc.gov](mailto:licanapinno@matthewsnc.gov)>

here is the e-mail from Scott Cole I referred to in memo on the superstreet.

Ralph S. Messera  
Public Works Director  
Town of Matthews  
1600 Tank Town Road  
Matthews, NC 28105  
[704-847-3640](tel:704-847-3640)  
[704-845-2488](tel:704-845-2488) Fax  
[rmessera@matthewsnc.gov](mailto:rmessera@matthewsnc.gov)  
[www.matthewsnc.gov](http://www.matthewsnc.gov)

Pursuant to North Carolina General Statutes, Chapter 132, e-mail correspondence to and from this address may be considered public record under the North Carolina Public Records Law and may be disclosed to third parties

----- Forwarded message -----

From: **Cole, Scott** <[scole@ncdot.gov](mailto:scole@ncdot.gov)>

Date: Fri, Apr 17, 2015 at 1:59 PM

Subject: U-5511 TCSP Grant

To: "Ralph Messera ([rmessera@matthewsnc.gov](mailto:rmessera@matthewsnc.gov))" <[rmessera@matthewsnc.gov](mailto:rmessera@matthewsnc.gov)>

Cc: "Mitchell, Louis L" <[lmitchell@ncdot.gov](mailto:lmitchell@ncdot.gov)>, "Hearne, Ritchie" <[rhearne@ncdot.gov](mailto:rhearne@ncdot.gov)>, "Argabright, Van" <[vargabright@ncdot.gov](mailto:vargabright@ncdot.gov)>

Ralph,

We are preparing to request authorization of construction funds for the subject project, so I wanted to update you on status and costs. We have completed design, right of way acquisition, and utility relocation. The cost to get the utilities relocated was significantly more than originally expected. We are currently exceeding costs for these phases by \$188,000. Our agreement with the Town states that the Department will cover these costs, and we are prepared to do so. Our estimate for the construction costs is currently approximately \$105,000 over the project funds. Our agreement with the Town states the Town will cover these costs. Once we have concurrence from the Town to cover these costs, we will get the funds authorized and advertise the project.

We will advise you and request your concurrence again once we receive bids and are prepared to award the project.

We look forward to hearing back from you. Let me know if you have any questions or would like to discuss further.

J. Scott Cole, PE

Deputy Division Ten Engineer

Phone: [\(704\) 983-4400](tel:(704)983-4400)

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NC 51  
MATTHEWS HILL RD.

BRANDYWINE DRIVE

SWAIN DRIVE

REID HARKEY RD.

PHILLIPS RD. (SR-376)

PHILLIPS RD. (SR-376)

NC 51

PROP. VEGETATION  
AROUND SIDEWALK



## 2015 Planning Conference To-Do List

TO: Mayor and Board of Commissioners  
DATE: April 22, 2015  
FROM: Hazen Blodgett, Town Manager

### **Background/issue:**

During the last weekend in February the Town Board met at our annual Planning Conference and discussed items as outlined in the Planning Conference notebook. As a result of the work from that weekend, staff has compiled a list of to-do items for staff to work on prior to the 2016 Planning Conference.

Attached is the draft to-do item list. We have assigned items to staff and categorized them as short, medium and longer-term items.

### **Proposal/solution:**

Please review the Planning Conference to-do list to see if there is anything we have missed. Also, if you would like to change the deadlines from short/medium/long term please do that as well. Once approved, staff will make this part of the Strategic Plan for the 15-16 fiscal year. Some of these items are not Strategic Plan-items but rather regular work plan items and we will make that determination as well.

### **Related town goals and strategies:**

Operational performance: to plan, allocate resources and operate all departments effectively and efficiently in order to meet the citizens' needs for local government services.

### **Fiscal impact:**

None

### **Recommendation:**

Approve the attached list with any changes the Board deems appropriate.

## 2015 PLANNING CONFERENCE TO-DO LIST

		ASSIGNED	SHORT 60 days	MEDIUM 61-180 days	LONG 181-365 days	STRATEGIC PLAN	WORK PLAN
1	establish priority list for trails. CK to submit; TB to assign rate using point system	CK		X			
2	Community gardens: draft preference rules for Matthews residents	CK		X			
3	add active community garden with gravel parking lot by spring 2016 - either rice road park or Hwy 51 park	CK			X		
4	research liability issues related to dog parks	CK	X				
5	staff to draft prioritized park list and possible grant opportunities	CK			X		
6	market the Matthews Station lot; consider temporary uses	KI	X				
7	update Warren Report charts by 2016/17. Internal.	KI/JJ		X			
8	construct interactive road map with overlays: different colors for under construction (designate town vs state projects), planned under construction, funded but not under construction, needed but not funded	PLANNING		X			
9	educate public on paving options/answer questions about methods (review with TB the planned paving schedule, which includes alternating full depth reclamation with other technologies)	RM			X		
10	hold community meeting with property owners re: special assessment/Oscar Drive	RM	X				
11	investigate less expensive options for park construction (Scouts, etc)	CK			X		
12	research increasing performance bond payment	RM	X				
13	can TB grant subdivision variances after subdivision is complete?	KI	X				
14	do rate study of storm water fees; tiers/incremental increases	RM	X				
15	submit to TB one page summary on differences between existing and draft bike/ped plans	KI	X				
16	plan for future shade trees at Stumptown Park	CK		X			
17	add Fountain Rock Park to greenway maps	CK		X			
18	show progress of Wayfinding to date	JT	X				
19	track down rogue signs; TB to review costs before signs are replaced	JT	X				
20	draft (or communicate) wayfinding sign standards. Keep standard aspect ratio	JT		X			
21	find out details of League's legislative action committee	HB	X				
22	Matthews 101: start in August? Send invitations to recent board/committee applicants	JT	X				
23	Give TB a list of properties with zoning classifications that are not in the UDO * how are the parks zoned now?	KI	X				
24	Manager to keep TB apprised of controversial Planning issues – no surprises	HB	X				
25	Ongoing projects pages on website needs to be kept current. Should be first source of new info to citizens	JT	X				
26	Update TB on future mass transit plans	RM	X				
27	Planning/PB to draft list of top 10 infill projects in downtown – keep TB aware of possible areas that are right for infill development	KI		X			
28	Prioritize list of Small Area Plans; consider one for 74 corridor to town line	KI	X				
29	Send draft Citizen Survey to TB, see if any questions need to be added	JT	X				
30	Follow up on pavement degradation fee	RM	X				

## 2015 PLANNING CONFERENCE TO-DO LIST

		ASSIGNED	SHORT 60 days	MEDIUM 61-180 days	LONG 181-365 days	STRATEGIC PLAN	WORK PLAN
<b>31</b>	Can town employees sign off on street cuts before utility crew completes project?	RM	X				
<b>32</b>	Staff and CB to work together on list of eligible tourism fund projects	HB		X			
<b>33</b>	Draft list of possible improvements for Stumptown Park related to festivals	CK		X			
<b>34</b>	Get legal language of tourism fund statute to TB	HB	X				
<b>35</b>	Develop a sportsplex marketing project that promotes Matthews businesses to visitors	JT		X			
<b>36</b>	Butler greenway: investigate dirtway instead of paved greenway	CK			X		
<b>37</b>	Hwy 51 park: investigate Trailblazers for trail, gravel parking	CK			X		
<b>38</b>	Signal at Crestdale: flip to flashing light – educate drivers ahead of signal relocation	RM	X				
<b>39</b>	Should library pay anything for façade and facility maintenance?	HB	X				
<b>40</b>	New website = high priority	JT	X				
<b>41</b>	MyMatthews app needs to be improved/made functional	JT	X				
<b>42</b>	Tech: investigate quad screens on each side in Hood Room; monitor in reception area for overflow (primary); monitor in Jordan Room (secondary); preference for petitioners/podium in front center of dias	LC	X				
<b>43</b>	Orient Planning Board and Board of Adjustment to UDO	KI	X				
<b>44</b>	Paint the roof and floor of Stumptown Park stage and uplight the trees behind the stage	CK	X				
<b>45</b>	Legislative agenda: add campaign signs issue – give towns authority to enforce regulations	HB	X				