

**AGENDA**  
**SPECIAL BOARD OF COMMISSIONERS MEETING**  
**JORDAN ROOM, MATTHEWS TOWN HALL**  
**AUGUST 24, 2015 – 5:30 PM**

The Board will meet with staff to receive Departmental Quarterly Reports and to hold a pre-development consultation regarding property located at the corner of Matthews Township Parkway and Northeast Parkway.

**AGENDA**  
**BOARD OF COMMISSIONERS MEETING**  
**HOOD ROOM, MATTHEWS TOWN HALL**  
**AUGUST 24, 2015 - 7:00 PM**

1. Regular Meeting Called to Order
2. Swear in Commissioner George Fossett
3. Invocation
4. Pledge of Allegiance
5. Items to be Added to the Agenda
6. Matthews Alive – Barbara Cody
7. Planning and Development Business
  - A. Report from Planning Board
  - B. Planning and Zoning Related Actions:
    - 1) Public Improvement Variance – 1503 Home Place
8. Public Comment (Please sign in to speak at this time. Limited to 4 minutes)
9. Reports from Boards/Committees
  - A. Historic Preservation Advisory Committee – Chair Paula Lester
  - B. Environmental Advisory Committee - minutes

10. Consent Agenda

- A. Approve Minutes of the August 10, 2015 Regular Meeting
- B. Approve Minutes of the June 8, June 22 and August 10, 2015 Closed Sessions
- C. Repeal Resolution Setting a Public Hearing Date of September 14, 2015 for Zoning Application 2015-632 for Primrose School at 720 Park Center Drive and Reschedule Public Hearing to October 12, 2015
- D. Approve Revised Preliminary Plat - Stevens Grove
- E. Approve Amendment to Town Manager's Contract
- F. Approve Budget Ordinance Amendments to:
  - 1) Recognize Court-Ordered Restitution Received by Police Department from Clerk of Court in the Amount of \$104.00
  - 2) Roll Forward Fund Balance in Order to Accommodate Appropriations for Both Required and Committed Purposes in the Amount of \$10,665
  - 3) Use Fund Balance to Fund an Appropriation for a Required Purpose in the Amount of \$74,570

11. Unfinished Business

- A. Receive Update on Planning Conference To-Do List

12. New Business

- A. Receive Monthly Budget Report
- B. Consider Purchase of Downtown Historic District Marker
- C. Adopt Hazard Mitigation Plan

13. Mayor's Report

14. Attorney's Report

15. Town Manager's Report

16. Adjournment

**PLANNING BOARD REPORT  
ON THEIR MEETING OF  
AUGUST 18, 2015**

**FOR TOWN BOARD ACTION:**

**I. PUBLIC IMPROVEMENT VARIANCE – 1503 Home Place, Defer Installation of Sidewalk**

Planning Board, on a 5 to 2 vote, recommended approval to defer construction of sidewalk in front of 1503 Home Place, with the provision that a bond is provided to the Town to assure completion within one year of approval. This action would allow Mecklenburg County building inspections department to issue a Certificate of Occupancy for the newly-constructed house.

Planning Board also requested that Arcadia Homes begin discussion with the adjacent homeowners at 1517 Home Place to mediate a solution to their required but missing sidewalk, and if possible be the bond issuer for 1503 Home Place.

## **Agenda Item: Public Improvement Variance to delay Installation of Sidewalk at 1503 Home Place – The Glen at Home Place Subdivision**

**DATE: August 19, 2015**

**FROM: Mary Jo Gollnitz, Planner II**

### **Background/Issue:**

Property owner Kenneth Dykstra is requesting a Public Improvement Variance for the installation of sidewalk along 1503 Home Place. The request is to delay construction of their portion of the sidewalk *“until the contiguous properties, which do not have sidewalks, are evaluated for sidewalk”*.

Arcadia Homes was issued a building permit on September 29, 2014 for construction of a new home at 1503 Home Place. A conditional requirement note was listed on the permit that *“sidewalk needs to be installed per the recorded plat”*.

### **Additional background:**

- The property is zoned R-15
- The subdivision was approved in 2006 for three lots.
- Recorded subdivision plat showed the required sidewalk
- A request for driveway permit in July 2015 at 1503 Home Place first brought the sidewalk concern to staff’s attention
- The neighboring home at 1517 Home Place was constructed and a Certificate of Occupancy (CO) issued in 2007 without the sidewalk being installed along the front of the property.
- To the east, the property is currently a single family residence on approximately 1.5 acres that does not currently require sidewalks but, would if it is subdivided or rezoned in the future.
- Mr. & Mrs. Dykstra are scheduled to move into their home around August 24.
- Until the sidewalks are completed, or a public improvement variance is approved, the property owner cannot receive a CO and move into this home.
- Arcadia Homes has responded to the Planning Board’s request and will speak with the home owners of both properties; however they are the opinion that the original subdivider and/or the home owners are responsible for the cost of sidewalk construction (see attached email).

### **Related Town Goal:**

Public Safety  
Economic Development/Land Use Planning

### **Comments:**

On a 5 to 2 vote, the Planning Board recommended approval of the public improvement variance with the condition that a bond be placed on the property to guarantee installation of the sidewalk within one year of the Town Board approval date. The Planning Board also requested that Arcadia homes begin discussion with the homeowners of 1517 Home Place to mediate a solution to their sidewalk installation and if possible be the bond issuer for 1503 Home Place.

**Proposal/Solution:**

It is in the neighborhood's and the Town's best long-term interests to have a complete sidewalk system. A delay in installation allows an opportunity for the two property owners to share design and construction costs, with a specific time limit and financial security as part of the deferral agreement.

**Recommendation:**

Staff suggests approving the Public Improvement Variance to delay installation of the sidewalk with a bond in place to insure sidewalk installation in the future.

Kenneth D. Dykstra  
1503 Home Place  
Matthews, NC 28105

10 August 2015

Kathi Ingrish, AICP  
Planning & Development Director

Dear Ms Ingrish:

I am writing to seek a *Public Improvement Variance*. At its most simple, my wife and I are being prevented from moving into our new home because Matthews (or, maybe, Mecklenburg County) refuses to grant a Certificate of Occupancy (CO) since a side walk has not been put in along the frontage (about 70 feet) of our property at 1503 Home Place, Matthews. At an impromptu meeting, today, with Mary Jo Gollnitz, and others, it was plainly stated that withholding the CO was the “only leverage” that the City has to assure that the side walk is completed. Apparently, the City of Matthews determined that there should be an extensive network of side walks, although the rationale for this decision was not disclosed. I can assume that, perhaps, it was made to encourage people to get out and walk and, possibly, to provide an opportunity for neighbors to meet. If this supposition is true, it seems to be a laudable goal. Nevertheless, it created the current situation (described in more detail, below). The *Public Improvement Variance* seeks: **1]** to *delay* construction of our portion of the side walk until such a time as other, contiguous properties, which also do not have a side walk, are evaluated and **2]** to issue a CO on, or before 24 August 2015, so that we can occupy our new home.

It is my hope that there are still some public officials who, in addition to enforcing codes, laws, and provisions, as their position requires, understand that there may be unforeseen consequences when these codes, laws, and provisions are formulated and/or enacted. With this understanding, they either have the authority to make concessions (variance) when needed, and/or are possessed of a sense of compassion, and community, when enforcement results in undue and unnecessary hardship for some individuals. That being said, our situation is as follows:

When considering the information which follows, be aware that, *at no time* since September 2013, when we purchased the lot, or after construction started in November 2014, has there been any mention of the need for side walks to me or to the builder. This situation only came to light on about the 7<sup>th</sup> or 8<sup>th</sup> of August. This is a week before we were scheduled to take possession of our new home and 3 weeks before we are due to move in. We started the process of returning to North Carolina in the Spring of **2013**. All the plans to actually accomplish this move have been in place for a long time.

I am a graduate of South Mecklenburg High School, Clemson University, and the Wake Forest School of Medicine. My wife is a graduate of the Duke University School of Nursing. Therefore, when we left North Carolina in 1974 to begin my 30 year military career, it has always been our plan, and desire, to return “home” to North Carolina. The culmination of this plan, which is now very near to being realized, is being blocked by a side walk!

My wife has a 45+ year history of lupus. Within the past several years, complications of the disease and its treatment have begun to appear. Because of very poor circulation to the lower portion of her right leg, she underwent below-the-knee amputation of her right leg in December 2014. She was in a coma and on a ventilator for two weeks after surgery and experienced a large number of very

significant and, at times, life threatening complications. To allow you to “fully appreciate” the severity and complexity of her condition, my wife suffered multiple serious blood, lung, and urinary infections; heart problems (arrhythmia and an infected growth on a heart valve); seizures, blood clots, pneumonia, severe weakness (essentially paralyzed for the first month); a severe decubitus ulcer (bed sore) that required surgical repair, significant depression, and intestinal blockage, to name a few. She has not been home since the 16<sup>th</sup> of December 2014. While she is making progress, now, it is a very slow and drawn out process. Our new home was designed with the possibility in mind that she would eventually be confined to a wheel chair. We had no idea that this would occur so soon. Once it is determined that she has achieved as much physical recovery as possible, insurance will terminate authorization for her to remain in a skilled nursing facility. I wonder if she will have a home to go to when that happens?

During the time of my wife's confinement, I visited her regularly (commuted) to provide the emotional support she desperately needed. As a retired physician myself, I closely monitored her medical care to assure that, in addition to managing her acute problems, physicians did not neglect management of her chronic conditions. The effort required to move her from KS to NC was difficult and emotionally draining because of insurance bureaucracy and red tape. The cost for this air transfer was \$10,000.00 (a very unexpected expense). I made all of the arrangements, for the sale of our Kansas home, in addition to running the house hold and keeping our home in a condition that was conducive to sale. I managed all of the details of building a new custom home 1000+ miles away from our Kansas home, which made it necessary to travel between KS and NC to supervise construction at least 6 times.

We have saved carefully our entire married lives and we built our new home with some of these savings. I try to be very careful of the money we spend (good stewardship) because, if I predecease my wife, she will have no source of income except for our savings. The requirement to pay for a side walk, that someone else thought would be “nice”, was never an issue and never part of our plans, nor could we have imagined they would be (after all, there is no side walk on the adjacent lots). However, I am sure that the possibility that the monetary expenditure, required by the need to put in a side walk, might have an adverse impact upon funds available to my wife (or anyone required to put in a side walk) was not considered by Matthews Planning, just as I could not prepare for this unexpected expense.

With respect to the side walk itself:

- 1] The frontage of our lot is about 70 feet, 11 feet of which is already paved driveway. If we must put in a side walk in this area, it *will not* connect to any other side walk on either end – the side walk to nowhere! The likelihood that this short segment will significantly benefit the community, in the near future, seems extremely remote.
- 2] If the side walk eventually connects with other portions of existent side walk to the right of our property, it will still dead end at the lot line of our neighbor to the left. It is unlikely that this latter property will be developed any time soon and the dead end will persist. If someone walks to the end of the side walk to the left of our drive way, they will be forced to cross the street at a dangerous, blind curve in the road (ironic that someone might get killed or injured while walking to get fit, or visit a neighbor, on a side walk that was mandated by the City).
- 3] The front portion of our lot is a Tree Save Area. If it is required for there to be grass between the street and the side walk, this will necessitate cutting down a large number of beautiful trees for the sake of pavement (“pave paradise and put up a parking lot” as in Joni Mitchell's song). If, as suggested

during today's meeting, the side walk goes up the small hill and through the Tree Save Area, trees will still have to be sacrificed.

4] It would seem prudent, and practical, not to force pavement of a 70 foot segment and, at some later time, pave areas in adjacent lots. It should be done all at once to avoid disrupting traffic in the neighborhood on multiple occasions.

With respect to the use of the CO as leverage to get the side walk installed, I am incensed. No one in Matthews knows me or my wife, yet the assumption is that the City needs "leverage" against its citizens (us, in this case). In effect, you assume that we will be guilty of obstructing Matthew's master plan rather than being the responsible people and citizens that we are. We have longed to finally set down roots near family and friends and become involved in the local community. This is not the welcome we expected. We have built a beautiful and unique home that should reflect positively upon the Community and that truth should be acknowledged. Now we are faced with the possibility that we will have no home in Kansas and a new home in North Carolina that we are not allowed to occupy! Hopefully, the City will permit us to deposit our house hold goods in the drive way until we are allowed to move in. Obviously, I am failing in my resolution to be calm, not sarcastic, and not resort to inflammatory statements, but under the circumstances, this is proving to be a very difficult task and is probably justified (*no one* will be harmed if there is a delay in putting in a side walk).

As if the above considerations are not enough, within minutes of leaving the meeting, I visited my wife and discovered the very real possibility that she may be developing the same problem, in her left leg, that resulted in amputation of the right one. My faith in the general goodness of people may be totally destroyed if the only response (from Matthews or Mecklenburg County), to this request for a Variance, is continued refusal to grant us a Certificate of Occupancy because: "It is the law." Or "Our hands are tied." Such a response makes the rationale for side walks a sham and a hollow "benefit" to the community. There must be some balance between the stringent dictates of a law designed to promote a better community and the needs of one of its citizens (or many of its citizens, since no one can predict what other, unforeseen situations might occur).

I respectfully (at least in so far as possible) submit this request and add that, apparently, a meeting on the 14<sup>th</sup> of August will address, but not resolve, this issue. This is the day we are to make the final payment on the house and take possession of it. In addition, a more definitive meeting, on the 25<sup>th</sup> of August, will be one day *after* the earliest time the moving van will pull up to our driveway. This problem is *NOT* of our making. *Someone else* is responsible for not discovering (and notifying us and/or the builder) that a side walk needed to be put in resulting in the denial of a Certificate of Occupancy at a *very late* time in the process of building, and occupying, a new home. I do not understand how anyone could sanction the great distress that this situation is causing us by continuing to refuse to allow us to move into our new home.

Sincerely,

Kenneth D. Dykstra

cc: Mary Jo Gollnitz, CZO



## Building Permit

### One/Two Family

<b>Property</b>			
Address: 1503 HOME PL	Parcel: 22764189	Lot: 1	Block:
Subdivision:	Tax Jurisdiction: MATTHEWS		

<b>Site Details</b>			
Land Area (sq. ft.):	Parking Required:	Front Street:	
Lot			
Corner: N	Through: N	Irregular: N	
Minimum Setbacks (ft.)			
Front: 40	Left: 10	Right: 10	Rear: 55

<b>Project</b>			
Project Number: 348149	Occupancy Type: R3 * RESIDENTIAL - SINGLE FAMI		
Project Name: ARCADIA / NEW RES / PLN EV	Contract Cost: \$196,632		
USDC: 101 - One Family Detached	Type of Work: New		
Work Details: New. SF Dwelling Detached.			
New Heated Area: 3026 sq. ft.	New Unheated Area: 1278 sq. ft.	Deck Area:	
Unhtd to Htd:	Renovate Existing:	Bdrm Add/Upfit:	

<b>Owner</b>	
Name: KEN & CAROL DYKSTRA	Address: 1611 SILVER POINTE S
Phone:	ANDOVER, KS 67002

<b>Trade Details</b>				
<b>Electrical</b>				
Total Amps: 200	Number of Circuits: 35	Connections at 120 Volts: 30	Connections Over 120 Volts: 5	
Service Type: New		Utility Company: DUKE ENERGY		
<b>Mechanical</b>				
No. of Gas Connections: 4	No. of Appliances: 1	Utility Company: PIEDMONT NATURAL GAS		
Heating/Cooling:				
<b>Plumbing</b>				
No. of Fixtures: 15	No. of Appliances: 3			
<b>Utilities</b>				
Type of Service: New				
	Public Meter/Connection		Private Service	
	<u>Individual</u>	<u>Master</u>	<u>Individual</u>	<u>Community</u>
Water/Well:	Yes	No	No	No
Sewer/Septic:	Yes	No	No	No

*This permit will expire if work either has not started within 6 months or is discontinued for a period of 12 months.  
 No credit or refund will be given unless applied for within 120 days after a permit has expired.*

Mecklenburg County  
Land Use and Environmental Services  
P.O. Box 31097  
700 N Tryon St  
Charlotte, NC 28231-1097  
(704) 336-3830



Permit: **B2686974**  
Issue Date: September 29, 2014

## Building Permit One/Two Family

### Miscellaneous

Entry Date: 09/11/2014 10:38 am  
Issue Date: 09/29/2014  
Special Inspections: n/a

Entered By: ARCADIA HOMES INC  
Issued By:

### Lien Agent

Agent: Old Republic National Title Insurance Company  
Phone: (888) 690-7384  
Fax: (919) 489-5231  
Email: support@liensnc.com  
Mailing Address: 19 W Hargett ST Unit: 507, Raleigh, North Carolina 27601  
Physical Address: 19 W Hargett ST Unit: 507, Raleigh, North Carolina 27601

### Agency Holds

As of the time of this permit issuance, the following holds exist on this project:

Agency	Phone Number	Hold Reason
Matthews Planning	7048474411	Conditional Requirement
<b>Additional Information:</b>	PLEASE CALL RALPH MESSARA AT 704-708-1243. SIDEWALK NEEDS TO BE INSTALLED PER RECORDED PLAT	



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**RE: Public Improvement Variance**

1 message

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**Jeff Ecleberry** <jecleberry@arcadiahomesinc.com>

Wed, Aug 19, 2015 at 5:48 PM

To: Shawn Johnson <sjohnson@arcadiahomesinc.com>, Mary Jo Gollnitz <mjgollnitz@matthewsnc.gov>, Foard <aj@arcadiahomesinc.com>

Hello Ms. Gollnitz,

Thank you for your efforts to resolve this situation. I understand that the subdivision of this property into 3 individual lots included a requirement of the addition of sidewalks on each, however Arcadia was not a party in the sale of those lots to their owner's, and was not aware of this requirement. I think Shawn has explained the situation well, but to elaborate, our building agreement with our clients is only for construction. The most common homebuilding scenario is for a builder to contract with a client to build on a lot owned by the builder and then for the builder to convey title to the property to the client when construction is completed. In our case we have never owned either of these properties. We simply built homes for our clients on their lots. Nonetheless, we are certainly willing to assist our clients in resolving this situation as Shawn has demonstrated.

Considering the unfortunate circumstances that Dr. and Mrs. Dykstra are dealing with we sincerely appreciate your consideration of issuing a variance allowing them to move into their beautiful new home as soon as possible.

Respectfully,

Jeff Ecleberry

Managing Partner

**ARCADIA**  
CUSTOM HOMES · RENOVATIONS

6428 Bannington Road

Suite A

Charlotte, NC 28226

Office 704-412-4130

Cell 704-634-6747

[JEcleberry@ArcadiaHomesInc.com](mailto:JEcleberry@ArcadiaHomesInc.com)

**From:** Shawn Johnson  
**Sent:** Wednesday, August 19, 2015 5:10 PM  
**To:** Mary Jo Gollnitz <[mjgollnitz@matthewsnc.gov](mailto:mjgollnitz@matthewsnc.gov)>; Foard <[aj@arcadiahomesinc.com](mailto:aj@arcadiahomesinc.com)>; Jeff Eccleberry <[jeccleberry@arcadiahomesinc.com](mailto:jeccleberry@arcadiahomesinc.com)>  
**Subject:** Re: Public Improvement Variance

Mary Jo. I spoke w 2 of the managing partners. AJ Foard and Jeff Eccleberry.

AJ said the developer of those lots at 1517 - 1503 had a bond and was suppose to put in the sidewalks .... Which is why we didn't put them in at 1517.

Arcadia will approach 1517 owners about the sidewalk issue and get their response end of this week when the owner is back in town.

The bond needs to be in the owners name Kenneth Dykstra because he owns the lot.

Our contract was and is with the owner to build the house and our specifications and contract spell out who is responsible for what.

Some of the Features n NOT included ... "all costs for the property and costs related to property ownership".

Costs associated w changes required by The ARC, If any costs associated w changes required by the County Building Standards"

I mention this for both the Owners of 1517 and 1503 to state that if anything pertaining to Property arise the owners are responsible to pay for the associated costs. Had Arcadia known prior to the signing of the contract with the customer(s) we would have added it to the contract or the customer can come out of pocket.

Hope this helps. AJ and Jeff can edit this and reply if I am incorrect.

Thank you for all your attention to this matter.

Shawn Johnson  
Construction Manager

Matthews Zoning  
Map 1993

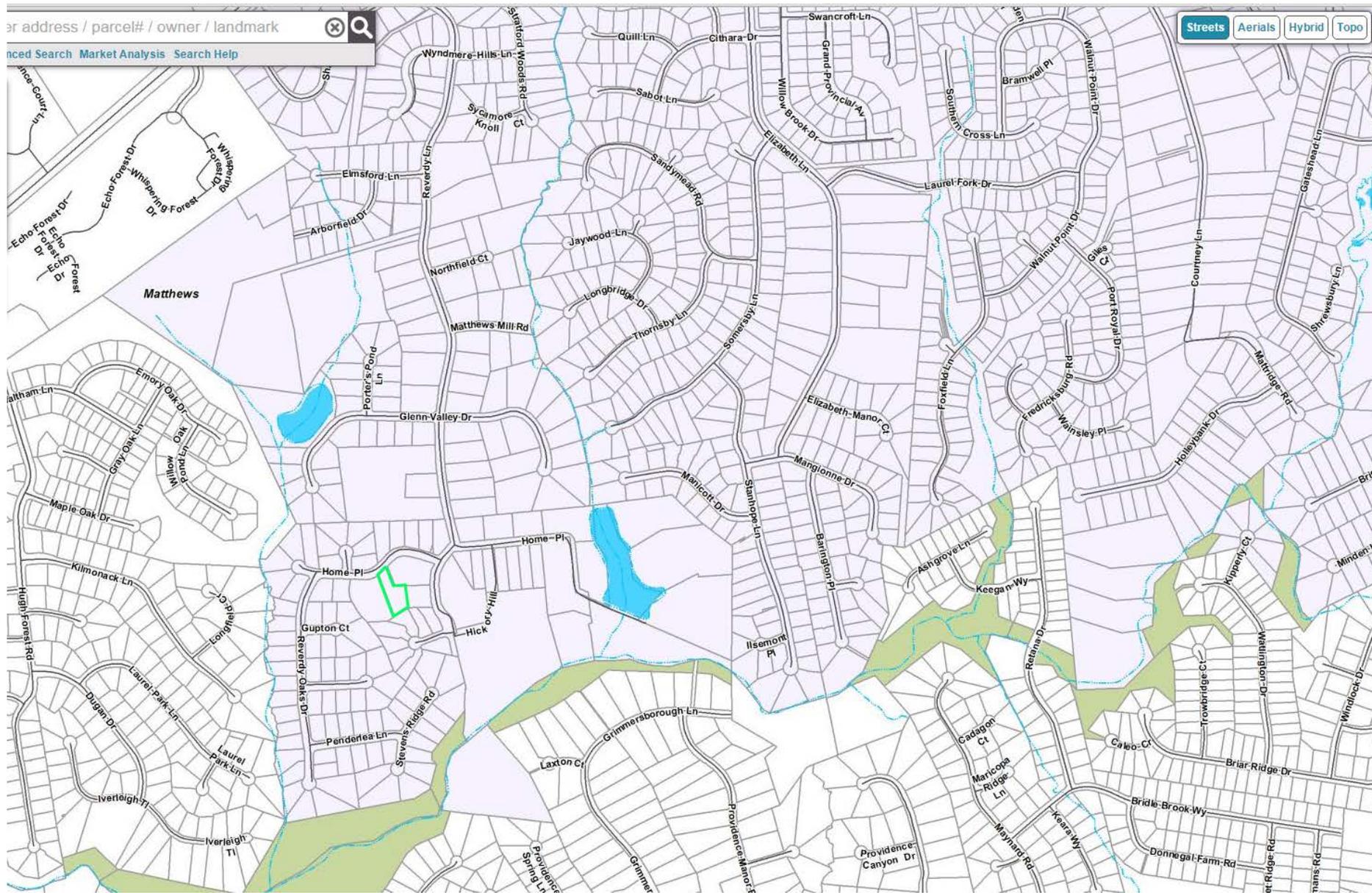


or address / parcel# / owner / landmark



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## **Environmental Advisory Committee**

### **Minutes July 7, 2015**

The Matthews Environmental Committee met in regular session on July 7th, 2015 at the Public Works Facility. Members present were Chairman Gordon Miller, David Ross, John Lynch and Bob Stratton. Also present were Jack Killiebrew from Republic Services, along with Rosalind Cumming from Public Works.

Mr. Miller called the meeting to order at 7:00pm. The June minutes were reviewed and approved.

Mr. Killiebrew gave the Republic Services report stating that yard waste had increased, but that all residential trash and recycles were running well. Mr. Ross mentioned that he had noticed that 90% of recycling bins after emptying are being left open. Several other members stated they had noticed this also. Mr. Miller stated that it is the priority to put the cart back where it was taken from, and secondly to make sure that the lid is closed. Mr. Killiebrew said he will take a look at this issue.

Under storm water issues, the resident at 2601 Briar Trail Court that had received the penalty where sewage was observed to have been pumped from the resident's septic tank into various yards, requests an appeal of the fine. The committee would like the resident to attend the next meeting to discuss the appeal. Mrs. Cumming will notify the resident and Rusty Rozzelle from Mecklenburg County, to attend the Environmental meeting on Tuesday August 4<sup>th</sup>, 2015.

Also, under storm water issues, the committee discussed the notice of violation and penalty that had been issued for 10416 E. Independence Boulevard. A sewer had been stopped up at this location, allowing sewage to flow into a storm drain which drained into Irwins creek. A NOV was sent to the landlord of the shopping center. This violation happened twice within a two month period. A penalty was initiated and sent by the Town Manager. A response to the penalty was received stating that the lender had foreclosed on this property and the partnership was no longer in existence, and the owner on record at the time was now in Florida. The committee made a resolution to recommend to the Town Manager that the Town attorney Mr. Buckley look into this to see if there are any other ways of obtaining the payment from the penalty such as an escrow account or a lien on the property. The resolution carried.

Regarding Air Quality, Mr. Ross reported that there were two code orange ozone days last month. Mr. Ross is the back up for checking the ozone sign located at Carmel Baptist Church. Mr. Ross asked whether the Town currently has someone checking the Ozone signs in Matthews. We currently have three signs that need to be monitored: Carmel Baptist Church, Fullwood, and

one by the Advanced Auto on independence. Chris Rhone who used to be the Safety Manager, used to have this responsibility. Mrs. Cumming said she would check with CJ O'Neill, the Public Works Director and Rad Pate the current Safety Manager to check on this.

Mr. Ross also reported that everyone in the Matthews area is in compliance, and there were no violations of air quality in the past month in Matthews. It was mentioned, that we will be getting new ozone standards in October, but as of now, we remain in compliance.

Regarding Physical Agents, there were no physical agent issues.

Under other business, the plan for the garbage contract was discussed. SOQ's were received from four companies:

Republic Services  
Advanced Disposal  
Waste Mgmt  
Waste Pro

Copies of the SOQ's had been distributed during June and the committee had reviewed them ahead of time. It was suggested that the Town Manager and the Mayor discuss these four companies with other Towns that have used them and get back to the Environmental Committee with their input. Mr. Miller will write an email to the Town manager with this suggestion.

The next step in this process will be to create a Request for Proposal (RFP). It was suggested that the committee members start to think of things they would like to have included in this proposal.

Also, under other business, education was discussed. Mr. Ross mentioned that a couple of years ago it was discussed about using the storm water penalty fines for education. Mr. Miller suggested to Mr. Ross to take a look at what was available in the Superintendent of Public Instruction and see if they don't have something in place already. He also suggested contacting Melinda Johnson with the Charlotte Observer about the possibility of printing some articles on environmental issues, which could be used as an education process to the public.

With other business completed, a motion was made at 8:25 pm to adjourn the meeting, which was seconded, and passed. The next meeting will be held on Tuesday August 4th, 2015.

Rosalind Cumming  
Secretary



## **Environmental Advisory Committee**

### **Minutes August 4th, 2015**

The Matthews Environmental Committee met in regular session on August 4th, 2015 at the Public Works Facility. Members present were Chairman Gordon Miller, Scott Baranowski, John Lynch and Bob Stratton. Also present were David Holt from Republic Services, along with Rosalind Cumming and CJ O'Neill from Public Works.

Mr. Miller called the meeting to order at 7:00pm. The July minutes were reviewed and approved.

Mr. Holt gave the Republic Services report stating that yard waste had been fairly light, and that all residential trash and recycles were running well. He said they were starting to prepare for Matthews Alive and would get in touch with the Street Supervisor, Robert Cooper, to co-ordinate the effort. Mr. Holt also mentioned the issue that Mrs. Cumming had raised about so many carts being broken each month. During July there were over a hundred carts broken. He said he has talked with Mr. Jack Killiebrew and that Mr. Killiebrew was looking into it, and would be talking with all the drivers about it by the end of the week. The concern of recycle carts being emptied and left with their lids open was brought up again. Mr. Holt said there is a fine line between putting the carts down too hard and breaking them, and putting them down too softly where they don't close. He said he will look into this issue.

Under storm water issues, the appeal of the civil penalty at 2601 Briar Trail Court was presented. Attending for the hearing were Richard Farmer and Chad Broadway of Charlotte Mecklenburg Storm Water Services. Also attending, were Mrs. Kim Phan owner of 2601 Briar Trail Court, and her sister in law Mrs. Hoang who was there to help the homeowner communicate with us.

Firstly, Mecklenburg County presented their findings. They were originally alerted to the problem on 4/24/2015, when the Town of Matthews was contacted by a neighboring resident and the Town contacted the county for assistance. When Mecklenburg County arrived at the residence at 2601 Briar Trail Court, they found the septic tank uncovered, with approximately 225 feet of pipe attached to it, which was discharging contaminated water into the ditch line. The contaminated water had already reached the neighborhood storm water system. Mr. Broadway stated that the brother in law Mr. Hoang was working on the broken system and said they couldn't find anyone to come out and fix it. Mr. Broadway stated that they were there at the inspection from 3:30 pm until 4:20 pm, approximately. Sewage was being pumped out of the septic tank by a sump pump. Mecklenburg County told them to cease pumping immediately and to clean it up using lime and a vacuum truck, and gave them a list of companies to contact for clean up. On Saturday 4/25/2015 when Mecklenburg County employees arrived at the residence, the septic tank had been replaced, the pipe and pump had been removed, lime was put out, and

the contaminated water at the storm water outfall had ceased and been vacuumed up. On the following Monday they prepared the notice of violation.

Mrs. Hoang then spoke on behalf of Kim Phan and said that the family is from Vietnam and had only been in the USA one and a half years, and they did not understand that they were breaking the rules, as things are very different in Vietnam. She asked for mercy, stating that it would be a hardship for Kim Phan to pay the penalty of \$1000. The expenses paid on the clean up already were, about \$50 for the lime bags, and about \$300 for the vacuum truck, a total of about \$350.

Mr. Broadway stated that he felt the resident had done the clean up in a timely and satisfactory manner. After much discussion, and a review to identify that it is Union County that currently runs a line near this property, a motion was made by Mr. Bob Stratton.

The motion stated that the penalty would be waived as long as the resident goes ahead and taps into the Union County sewer system within 6 months. The resident will need to provide evidence that this has been done in the form of receipts from Union County for the hooking up fees, and also from the plumber, a private company that does the work to connect them. If we don't receive the receipts or hear back from the resident within the 6 month time frame (February 4, 2016), then the fine will be issued for the full \$1000. The motion was seconded by Mr. Lynch and passed.

Also, under storm water issues, the committee discussed the notice of violation and penalty that had been issued for 10416 E. Independence Boulevard. A sewer had been stopped up at this location, allowing sewage to flow into a storm drain which drained into Irwins creek. A NOV was sent to the landlord of the shopping center. This violation happened twice within a two month period. A penalty was initiated and sent by the Town Manager. A response to the penalty was received stating that the lender had foreclosed on this property and the partnership was no longer in existence, and the owner on record at the time was now in Florida. Last month the committee made a resolution to recommend to the Town Manager that the Town attorney Mr. Buckley look into this to see if there are any other ways of obtaining the payment from the penalty such as an escrow account or a lien on the property.

It was reported that Mr. Buckley the Town attorney had investigated this and had stated that a lien could not be made, and the only way to follow up on this, was to file a claim in the small claims court. Mr. Lynch made a resolution of recommendation that the Code Enforcement Officer file a civil action in Small claims or Environmental claims court, in order to process this penalty.

Regarding Air Quality, Mr. Ross had sent an email that reported that everyone in the Matthews area is in compliance, and there were no violations of air quality in the past month in Matthews.

It was mentioned, that we will be getting new ozone standards in October, but as of now, we remain in compliance.

Regarding Physical Agents, there were no physical agent issues.

Under other business, the plan for the garbage contract was discussed. It was mentioned that the last time the Solid Waste contract had been put out for bid was in 1996. Mr. Miller stated that he had not started on the RFP (request for Proposal) yet. The committee had asked the Town Manager and the Mayor to contact other Towns and to let us know feedback they received on the four companies we received SOQ's from: Republic Services, Advanced Disposal, Waste Mgmt and Waste Pro. Mrs. Cumming presented the feedback received.

Concord, use Waste Pro & switched from Republic (price & service)

Stallings, use Waste Connections (not one of our 4)

Mint Hill, use RCS (not one of our 4)

Pineville, left Republic in 2010, (missed pickups, dirty leaky trucks), use none of the 4

Cornelius, Republic past 5 years and good experience (switched from WM, not good service)

Davidson, Republic (good service)

Indian Trail, Waste Pro (consistent & good value)

With other business completed, a motion was made at 8:25 pm to adjourn the meeting, which was seconded, and passed. The next meeting will be held on Tuesday September 1st, 2015.

Rosalind Cumming

Secretary

**MINUTES  
SPECIAL BOARD OF COMMISSIONERS MEETING  
CLOSED SESSION  
JORDAN ROOM, MATTHEWS TOWN HALL  
AUGUST 10, 2015 – 5:30 PM**

**PRESENT:** Mayor James Taylor; Commissioners John Higdon; Chris Melton, Jeff Miller, Kress Query and John Ross; Town Manager Hazen Blodgett

The Board met in closed session to discuss personnel matters.

**MINUTES  
BOARD OF COMMISSIONERS MEETING  
HOOD ROOM, MATTHEWS TOWN HALL  
AUGUST 10, 2015 - 7:00 PM**

**PRESENT:** Mayor James Taylor; Commissioners John Higdon; Chris Melton, Jeff Miller, Kress Query and Joe Pata; Town Attorney Charles Buckley; Assistant Town Manager Jamie Justice; Town Clerk Lori Canapinno

**ALSO PRESENT:** Public Works Director CJ O'Neill; Planning Director Kathi Ingrish; Senior Planner Jay Camp; Planning Board members Chair Steve Lee, Vice Chair Rob Markiewitz, Members Barbara Dement, Mike Ham, Gary Turner, David Weiser and Eric Welsh

**REGULAR MEETING CALLED TO ORDER**

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

**INVOCATION**

Mr. Melton rendered an invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Taylor led the audience in the pledge.

**ACCEPT RESIGNATION OF CURRENT BOARD MEMBER**

Motion by Mr. Ross to accept the resignation of Commissioner Joe Pata from the Matthews Board of Commissioners. The motion was seconded by Mr. Miller and unanimously approved.

### **APPOINT MAYOR PRO TEM**

Motion by Mr. Miller to appoint Kress Query as Mayor Pro Tem. The motion was seconded by all and unanimously approved.

Mr. Query said he appreciated the vote of confidence given to him by the rest of the Board. He spoke of his history, explaining that he was first elected in 1969 and served as Mayor Pro Tem then before serving as Mayor.

### **APPOINT REPRESENTATIVE TO CENTRALINA COUNCIL OF GOVERNMENTS AND ALTERNATIVE REPRESENTATIVE TO CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION**

Motion by Mr. Query to appoint Mr. Ross as primary representative to the Centralina Council of Governments. The motion was seconded by Mr. Melton and unanimously approved.

Motion by Mr. Ross to appoint Mr. Melton as alternate representative to the Charlotte Regional Transportation Planning Organization. The motion was seconded by Mr. Miller and unanimously approved.

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

Mayor Taylor added a new business item: fill the unexpired seat of Commissioner on the Matthews Board of Commissioners.

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

Motion by Mr. Melton to recess the regular meeting for a public hearing. The motion was seconded by Mr. Ross and unanimously approved.

Planning Director Kathi Ingrish introduced members of the Planning Board in attendance: Chair Steve Lee, Vice Chair Rob Markiewicz, Members Barbara Dement, Mike Ham, Gary Turner, David Weiser and Eric Welsh.

Application 2015-631: to change the zoning from B-H to B-D(CD) on that certain zoning district located at 11325 Independence Boulevard and being property belonging to Armors, Inc., and further being designated as Tax Parcel 215-101-03, to allow for a commercial kennel.

Senior Planner Jay Camp explained the proposal for this approximately three acre site is for an almost 20,000 square foot commercial pet kennel. The B-D zoning is the most appropriate category for this use. The site was once home to a family amusement park. The property line bisects the existing feed store. There are currently unresolved property line encroachments on both sides of the parcel which need to be resolved. The primary access is along Moore Road with access easements to Highway 74 and Matthews-Mint Hill Road. There should not be any impact from the proposed Highway 74 widening plans, but staff recommends that a note be added to say that Highway 74 access may be cut off in the future due to the widening project.

The proposed conditions include the following: all uses within the B-D zoning designation would be allowed; the building would be a prefabricated metal building designed to mimic an equestrian facility; a landscaping bed would be added along Moore Road and a new sidewalk would be installed along Moore Road. Mr. Camp displayed the site plan and noted issues relating to the current property lines and encroachments. The feed store

and some parking areas were previously subdivided but the building and some parking for it and some parking associated with the Americana Restaurant and the strip plaza encroach on the subject parcel.

Mr. Camp discussed outstanding issues. The property owner needs time to rectify the property line encroachment issues and so staff recommends that the public hearing be kept open to allow for that. Staff also recommends relocating the dumpster, which is currently proposed for the front of the site. A note should be added stating that the existing feed store sign must be removed. The current right-of-way (ROW) of 60 feet on Moore Road does not reflect the current standard of 70 feet for collector roads, so the applicant should show a 5 foot transitional ROW on their side of the roadway. Garbage pickup hours should be clarified with more detail than "business hours". Hours that pets are allowed outdoors should be indicated in the notes, and more detail should be shown for the fencing surrounding the outdoor kennels.

Mr. Melton asked about nearby residences in relation to possibly barking dogs. Mr. Camp explained the closest residential building is about 300 feet away from the kennels. The Police Department reviewed the application and did not note any concerns with nuisance barking.

Applicant representative Mark Fee of the Myers Cooper Company, 5050 East Galbraith Road, Suite B, Cincinnati, Ohio and Ken May, President of Pet Suites, 449 Vinyard Hills Drive, Cincinnati, Ohio addressed the Board. Mr. May explained that Pet Suites operates eight upscale pet boarding facilities and the company continues to grow. They're seeking to enter the Charlotte market with three facilities. Pet Suite's trademarks are its transparency and its cleanliness. They believe in a balanced approach to the care of pets. Play time is important and potty and playtime is always monitored. The typical facility is open from 6:30 am to 8:00 pm with outdoor group play sessions running from 10:00 am to noon and a second session from 1:00 – 3:00 pm and potty breaks throughout the day. Pets would be outside at 8:00 pm at the latest.

Mr. May described the proposed building, which would be a metal construction with a knee wall all around the building, stone wainscoting along the bottom and a nice porch. There would be attractive windows, cupolas and dog weathervanes. This is not a typical plain metal building.

Regarding the encroachment by the feed store: they have been talking to the owner, Tommy Williams, about this. They have been discussing the potential to redraw a new property line or lease or sell the land to Mr. Williams. Another possibility is that he'd have to vacate the property. They have also talked to George Poulos of the Americana Restaurant regarding that encroachment and they're working on getting an agreement in writing. The third owner has only a few feet of encroachment and the applicants are willing to disregard it.

Mr. Fee responded to some of the concerns. He said they understand Mr. Camp's concern about the dumpster location but it's the best location for it since all of the water meters and associated easements are located there all throughout that area. The applicants can't otherwise use that area and it would be difficult to manage it if the dumpster had to be moved elsewhere. They will address the issue of the feed store sign with Mr. Williams and will note the additional ROW as suggested. They will work with the garbage contractors regarding appropriate garbage pickup hours. The business hours run from 6:30 am to 8:00 pm and the latest a dog would be outside is 8:00 pm. Mr. May noted that the fence would help with noise buffering if there were any issues and Mr. May said they have a facility in Columbus, Ohio at which the closest residential unit is only 150 feet away and to date they have not received any complaints.

Planning Board member Mike Ham asked about the property that may be sold to the feed store owner, and if the loss of that parking area would have any impact on the kennel's required parking. Mr. Fee said they'd meet the requirements without that area. If they don't sell that part to Mr. Williams they'd likely tear out the parking and turn it into green space.

Mr. Higdon asked about waste odors and mitigation within the dumpster. Mr. May said he wasn't aware of any dumpster components that do that but said that they've never received any complaints about odors. All waste is sealed in plastic bags before disposal.

Mr. Ross asked if the company used the same building plan for all sites. Mr. Fee explained that generally they do, although the style has evolved. This is the standard. Mr. Query asked if they would consider changing it to a brick building. Mr. Fee said it would be very expensive to build and noted that the three foot tall knee wall has a stone veneer. They could change that to brick, but above that would still be white metal. Mr. Query reiterated his desire for the applicants to consider something other than metal for the building's construction and Mr. Fee said they will have to review costs for a brick or other masonry-type construction. Mr. Query asked the applicants to consider enclosing the dumpster in brick and Mr. Fee agreed. Mr. Query asked the applicants to research trash pickup times and to avoid disturbing the residential units too early.

Mr. Melton asked about the challenges in this application and Mr. Fee said the encroachments were unexpected problems that they're still working on. The utility easement was another issue, one that required them to change their site plan to accommodate the easement and water meters. Mr. Melton asked about the life expectancy and aesthetics of the metal roof and Mr. Fee explained that they install 20-year roofs. The first facility has been in operation for fifteen years and the roof hasn't faded at all.

Mayor Taylor asked about total pet capacity and the outside play areas. Mr. Fee explained the maximum capacity would be between 250-300 cats and dogs. Outside there would be 14 individual play areas, an area for group play, a shade area and a small wading pool. Mayor Taylor requested they look for an alternate location for the dumpster due to the apartments across the street. He reiterated the need for a note acknowledging that access to Highway 74 will be cut off in the future. He also wants the specific hours of operation noted.

Mr. Miller said the Board is likely looking for something more substantial than a veneer wrap on the building's walls. He said he's comfortable with a metal roof. Mr. Melton asked about the roof color and Mr. Fee said their standard is green but they can change that if necessary. Mr. Higdon asked about provisions to prevent animal escapes and Mr. May explained that there are both business policies and physical items in place to prevent escape.

The hearing was opened to comments from the public. Tommy Williams, owner of the feed store adjacent to the subject property, said the subject property has been a nuisance for a long time. It's been cleaned up over the years but it still has problems with vermin and vagrants. The proposed use would be a big asset and they would make a good neighbor in that area. He spoke about the metal building and said he's familiar with the various types of metal buildings and confirmed that the quality of the metal used here is very high. Regarding the dumpster, his is on the same side as the proposed location and it's emptied around 9 am, which doesn't disturb anyone. He thinks this proposal would help the site look much better than it has for a number of years.

Motion by Mr. Miller to continue the public hearing to September 14, 2015 to allow the ongoing issues to be resolved. The motion was seconded by Mr. Ross and unanimously approved.

## **RECONVENE REGULAR MEETING**

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

## **PLANNING AND DEVELOPMENT BUSINESS**

## REPORT FROM PLANNING BOARD

Planning Board Chair Steve Lee gave a report on the Board's activities (Exhibit #1 hereby referenced and made a part of these minutes).

## PLANNING AND ZONING RELATED ACTIONS

### Public Improvement Variance – Streamside Subdivision (deferred from July 13)

Planning Director CJ O'Neill reported that the homeowners have agreed to the sidewalk installation and asked that it meander to avoid some existing vegetation. The developer is in agreement as well. Staff is still working on this, but if all parties come to an agreement then the variance will not be needed.

Motion by Mr. Miller to continue this to September 14, 2015 to allow staff time to pursue installation of the sidewalk. If all parties can agree, then the variance may be denied at a future Board of Commissioners meeting and a substitute variance will be brought to the Planning Board for action. The motion was seconded by Mr. Query and unanimously approved.

### Consider Master Sign Plan for North End 324, For Up to Four Tenants in Two New Buildings at 324 N Trade Street

Motion by Mr. Query to approve the Master Sign Plan for North End 324. The motion was seconded by Mr. Ross and unanimously approved.

### Consider Master Sign Plan Revision for Sycamore Commons, To Amend Sign Area and Placement for Old Navy and Five Below

Motion by Mr. Higdon to approve the Master Sign Plan revision for Sycamore Commons. The motion was seconded by Mr. Query and unanimously approved.

## PUBLIC COMMENT

Jeremy Stephenson, candidate for Mecklenburg County Board of Education spoke of his candidacy. He discussed his personal and professional background and asked for the public's support in the upcoming election.

Barbara Dement invited the public to a celebration in honor of the 71<sup>st</sup> anniversary of Operation Dragoon, the Allied liberation of southern France during World War II. It will be held at Squirrel Lake Park on August 15 from 3-7 pm.

## CONSENT AGENDA

- A. Approve Minutes of the February 23, March 9 & July 13, 2015 Meetings
- B. Approve Revision to Parks Manager Job Description
- C. Accept Zoning Application 2015-634, Christ Covenant Church, Vacant Tract to the Rear of the Town Community Gardens (formerly three house lots), From R-15 to R/I, and Set Public Hearing for September 14, 2015
- D. Approve Tax Refunds

**E. Approve Tax Collector's Settlement for FY 2015 and Order of Collection for Tax Year 2015**

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

**UNFINISHED BUSINESS**

**UPDATE ON COMMUNITY CENTER ROOF – ARCHITECT FRANK WILLIAMS**

Architect Frank Williams summarized the project and explained that bids will come in around Labor Day and he will come to the Board for approval at the end of September. Mayor Taylor noted previous discussion which indicated the project should start right after Matthews Alive in early September. Mr. Williams said he would work towards having the bid approval set for the first meeting in September. The estimate is for a 4-5 month project, barring weather issues.

There was some discussion of the work and construction materials. The Charlotte Mecklenburg Historic Landmarks Commission (CMHLC) has approved the use of synthetic slate for the roof. Mr. Higdon prefers real slate for the roof unless there is a significant price difference between the real and synthetic slate. CMHLC was against the use of a fiberglass door so a custom wood door will be installed. It will look similar to one from the 1930s photo.

**FILL UNEXPIRED TERM OF COMMISSIONERS SEAT**

Motion by Mr. Query to appoint Dr. George Fossett to fill the unexpired seat of Commissioner on the Matthews Board of Commissioners. The motion was seconded by Mr. Miller.

Mayor Taylor agreed that Dr. Fossett would be an excellent choice, particularly since he served on the Board with Mr. Query in the 1990s. Mr. Higdon said it would be a great honor to serve with Dr. Fossett.

The motion to appoint Dr. Fossett was unanimously approved.

**MAYOR'S REPORT**

None

**ATTORNEY'S REPORT**

**APPROVE PAYMENT OF LEGAL FEES FOR WRIGHT LITIGATION**

Attorney Buckley explained that the courts made a decision regarding the attorney fees for the Wright case and ordered the Town to pay \$74,570 within 60 days of the August 4<sup>th</sup> signing date.

Motion by Mr. Ross to approve payment of legal fees in the amount of \$74,570 and direct staff to bring a budget amendment to the Board for approval at the next meeting. The motion was seconded by Mr. Melton and unanimously approved.

**TOWN MANAGER'S REPORT**

None

**ADJOURNMENT**

Motion by Mr. Melton to adjourn. The motion was seconded by Mr. Miller and unanimously approved. The meeting adjourned at 8:35 pm.

Respectfully submitted,

Lori Canapinno  
Town Clerk

## **Agenda Item: Deferral of Public Hearing for 2015-632 Primrose School**

**DATE: August 20, 2015**

**FROM: Jay Camp**

### **Background/Issue:**

During initial review of Application 2015-632, staff identified an issue with the site plan that relates to the Downtown Overlay District and the relationship of the building to the street. New buildings in Downtown Matthews are required to occupy 75% of the frontage of the lot while this building occupies about 50%. The applicant has decided to request a variance to remedy the problem. The applicant is requesting deferral of the Public Hearing to allow for time to request the variance before the Board of Adjustment on October 1<sup>st</sup>.

### **Proposal/Solution:**

A deferral of Application 2015-632 allows the applicant time to request a variance before the Board of Adjustment in advance of the Public Hearing.

### **Financial Impact:**

None

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

Quality of Life

Economic Development/Land Use Planning

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

Defer Application 2015-632 to October 12, 2015.

## **Agenda Item: Stevens Grove Subdivision Revised Preliminary Plat (formerly Arborfield Subdivision)**

**DATE:** August 19, 2015  
**FROM:** Mary Jo Gollnitz, Planner II

### **Background/Issue:**

Pursuant to § 155.405.7.B.3 of the Matthews Unified Development Ordinance, the Preliminary Plan of a proposed subdivision is forwarded to the Board of Commissioners within 30 days following the determination that all required standards have been met. The Board of Commissioners shall approve or approve with conditions the Preliminary Plan. If the Preliminary Plan is conditionally approved, the minutes of the Board of Commissioners meeting shall state the measures necessary for the Final Plat to be approved.

Developer Matthews Arborfield LLC, has submitted a revised Preliminary Plat for Stevens Grove Subdivision. The revised plan indicates 50 lots including the existing former Morrison house that will remain. The revised preliminary request will not affect Phase I of the subdivision that is already being developed.

Approval of the preliminary plat allows the developer/property owner to grade the land and begin development. About the subdivision:

- development has increased from 45 lots to a 50 lot subdivision
- fee-in-lieu will increase by \$8,590
- subdivision is being created from 4 original lots totaling 35.29 acres
- additional tree save has been added
- addition of short cul-de-sac at lots 20 through 24 on plat
- two street names have been changed with the approval from Mecklenburg County
- development is by right in the R-15 district
- estate size lots have been reduced to create the additional five lots
- public improvements will be installed including sidewalk and curb and gutter
- subdivision will be accessed from Arborfield Drive
- subdivision is adjacent to the City of Charlotte limits at Echo Forest apartments (along Pineville-Matthews Rd) and Hugh Forest Subdivision. There is no access to either of these locations.
- developer cannot get building permits or sell lots until final plat(s) are recorded

### **Proposal/Solution:**

The attached preliminary plat does meet all the R-15 requirements and conditions that are necessary for approval. The proposed preliminary plat complies with the Matthews UDO.

### **Financial Impact:**

There will be 49 new homes added to the tax base, five more than previously approved.

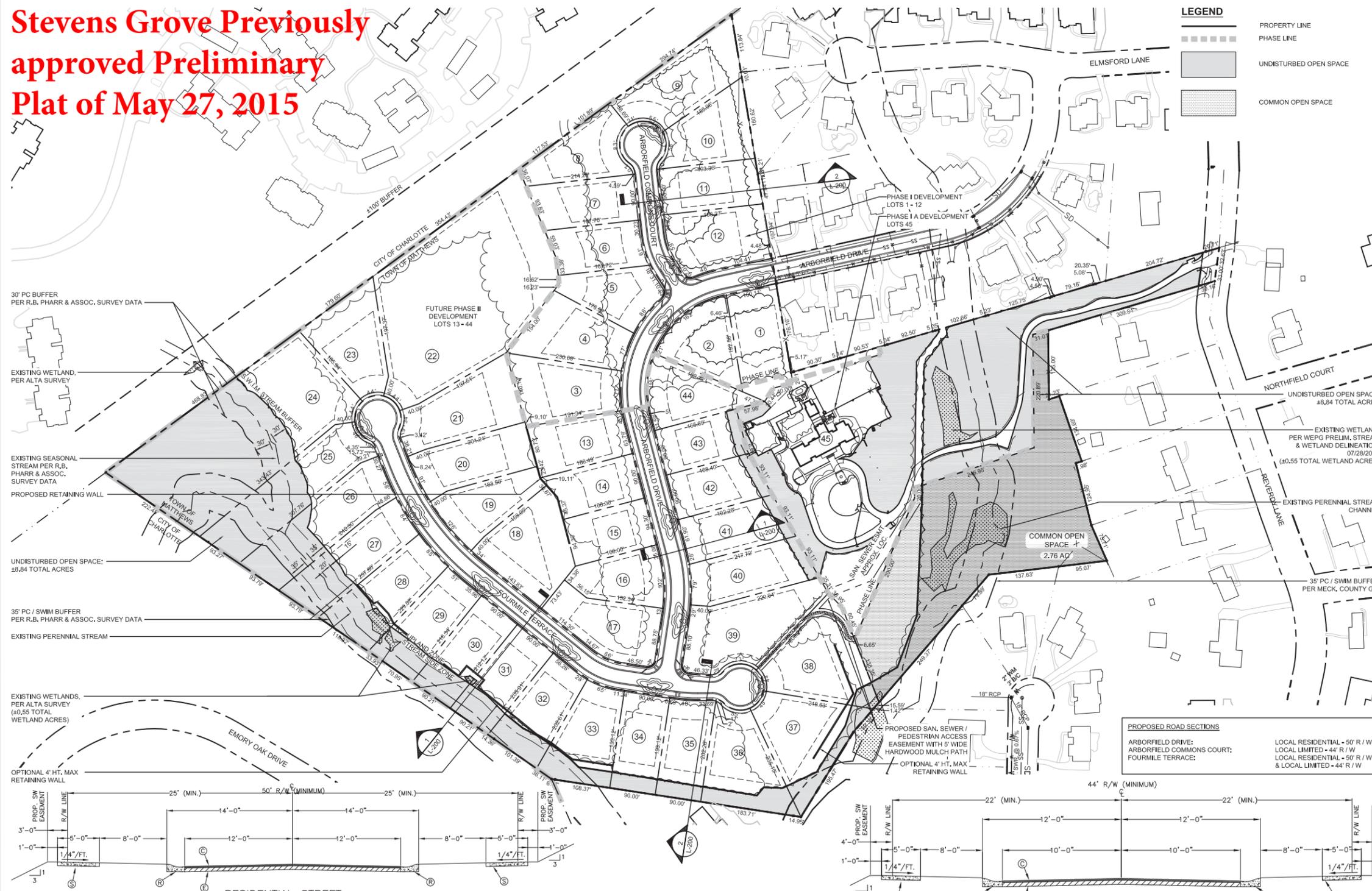
**Related Town Goal(s) and/or Strategies:**

Economic Development/Land Use Planning: to enhance the quality of life of the citizens by aggressively pursuing a balanced tax base; and by planning for orderly growth and development.

**Recommended Motion/Action:**

Staff recommends approval of the preliminary plat as presented.

# Stevens Grove Previously approved Preliminary Plat of May 27, 2015



**LEGEND**

- PROPERTY LINE
- PHASE LINE
- UNDISTURBED OPEN SPACE
- COMMON OPEN SPACE

**DEVELOPMENT DATA:**

TAX PARCEL ID:	22706103 22706106 22706163 22706164
TOTAL SITE AREA:	±35.29
TOTAL ACREAGE IN NEW LOTS:	±24.22
ZONING:	R-15
PROPOSED USE:	LOW DENSITY, SINGLE-FAMILY
LOTS PROPOSED:	OVERALL: 45 Lots
DENSITY PROPOSED:	OVERALL: 1.28 DU / Ac
	MIN. LOT SIZES: 15,000 SF
	±15,007 SF (LOT 43)
	80' (MIN. @ SETBACK)
	40'
	10'
	55'
	35'
HOA MAINTAINED OPEN SPACE	
REQUIRED OPEN SPACE:	41 LOTS x $\frac{1}{25}$ ACRE = 1.17 ACRES
PROVIDED OPEN SPACE:	±2.76

PROPOSE FEES-IN-LIEU FOR EACH NEW SINGLE-FAMILY LOT INSTEAD OF LAND DEDICATION FOR PUBLIC RECREATION

TOTAL ACRES:	±35.29
TOTAL CURRENT TAX VALUE (LAND ONLY):	\$2,165,300
TAX VALUE PER ACRE:	\$61,357.33
TOTAL NEW BUILDING LOTS:	41
NUMBER OF ACRES REQUIRED 1.17 FOR LAND DEDICATION ( $\frac{1}{25}$ ACRE PER NEW LOT):	
ESTIMATED FEE IN-LIEU OF LAND DEDICATION:	\$71,788.08
ESTIMATED FEE PER LOT (BASED ON 41 LOTS):	\$1,750.93

**UNDISTURBED OPEN SPACE CALCULATION (LESS THAN 24% BUILT UPON AREA):**

TOTAL SITE AREA:	±35.29 AC
MINIMUM 25% UNDISTURBED OPEN SPACE REQUIRED:	±8.82 AC
UNDISTURBED OPEN SPACE PROVIDED:	±8.84 AC OR 25.05%

- GENERAL NOTES:**
- THIS PROJECT PROPOSES TO DEVELOP UNDER "LOW DENSITY" WATER QUALITY REQUIREMENTS, AND AS SUCH, BUILT-UPON AREA (BUILDINGS, PAVING, ETC.) ARE LIMITED. CURRENTLY, EACH LOT IS ALLOCATED ±5,823 SF OF BUILT-UPON AREA (BUA). MAXIMUM, LARGER LOTS MAY BE GRANTED A HIGHER ALLOCATION AS APPROPRIATE, BUT THAT PAVING MUST BE REMOVED FROM THE BUA ALLOCATION FOR THE REMAINING LOTS.
- |                                |             |
|--------------------------------|-------------|
| PROPOSED BUA (INFRASTRUCTURE): | ±102,045 SF |
| TOTAL ACREAGE:                 | ±35.29 AC   |
| BUA TO REMAIN:                 | ±1.02 AC    |
| NET ACREAGE:                   | ±34.27 AC   |
| 24% BUA AVAILABLE:             | ±8.23 AC    |
| BUA USED IN R/W:               | ±2.34 AC    |
| NET BUA FOR LOTS:              | ±5.88 AC    |
| PROPOSED # OF NEW LOTS:        | 44          |
| BUA AVAILABLE PER LOT:         | ±5,823 SF   |
| % OF PROPOSED IMPERVIOUS:      | ±24.00%     |
- \* 910 REVERDY LANE (LOT 45) IS EXCLUDED FROM LOT COUNT BECAUSE IT PROPOSES NO NEW BUA

- BUILDER SHALL PREPARE AND SUBMIT AN AS-BUILT IMPERVIOUS SURVEY FOR EACH LOT PRIOR TO C.O.
- AN OVERALL BUA SURVEY SHALL BE PROVIDED AND NOTED ON THE UNDISTURBED OPEN SPACE EASEMENT PLAT
- DEVELOPER SHALL PREPARE AND SUBMIT AN AS-BUILT SURVEY FOR THE PROPOSED RIGHT-OF-WAY
- PROJECT TO BE SEWERED BY CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT (CMUD)

30' PC BUFFER PER R.B. PHARR & ASSOC. SURVEY DATA

EXISTING WETLAND, PER ALTA SURVEY

EXISTING SEASONAL STREAM PER R.B. PHARR & ASSOC. SURVEY DATA

PROPOSED RETAINING WALL

UNDISTURBED OPEN SPACE: ±8.84 TOTAL ACRES

35' PC / SWIM BUFFER PER R.B. PHARR & ASSOC. SURVEY DATA

EXISTING PERENNIAL STREAM

EXISTING WETLANDS, PER ALTA SURVEY (±0.55 TOTAL WETLAND ACRES)

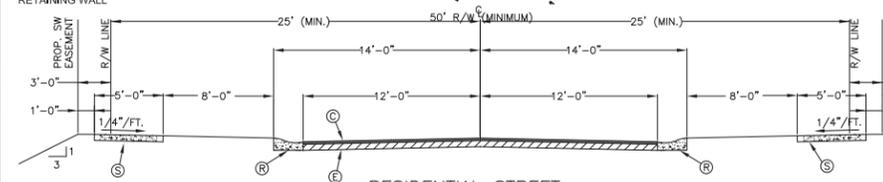
OPTIONAL 4' HT. MAX RETAINING WALL

**PROPOSED ROAD SECTIONS**

ARBORFIELD DRIVE: LOCAL RESIDENTIAL - 50' R/W & LOCAL LIMITED - 44' R/W

ARBORFIELD COMMONS COURT: LOCAL RESIDENTIAL - 50' R/W & LOCAL LIMITED - 44' R/W

FOURMILE TERRACE: LOCAL RESIDENTIAL - 50' R/W & LOCAL LIMITED - 44' R/W

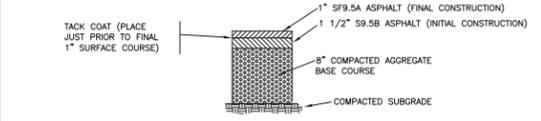


**RESIDENTIAL STREET**

**PAVEMENT SCHEDULE**

- 2.5" BITUMINOUS CONCRETE SURFACE COURSE, TYPE S9.5B AND SF9.5A (SEE LEFT)
- 8" COMPACTED AGGREGATE BASE COURSE
- 2'-0" VALLEY GUTTER
- 4" CONCRETE SIDEWALK

- PAVEMENT NOTES:**
- SUBGRADE MUST BE TESTED BY AN INDEPENDENT TESTING LAB, AND HAVE A DENSITY OF 100% IN ACCORDANCE WITH AASHTO-199; BASE COURSE MUST HAVE A DENSITY OF 90% FOR B.C.B.C. AND 100% FOR A.B.C. IN ACCORDANCE WITH AASHTO-1180 SURFACE COURSE SHALL BE COMPACTED TO A DENSITY OF 95%. ALL TESTS TO BE CONDUCTED BY AN INDEPENDENT TESTING FIRM AT THE DEVELOPERS EXPENSE, AND THE RESULTS SENT TO MECKLENBURG COUNTY ENGINEERING DEPARTMENT AND TO THE STREET MAINTENANCE DEPARTMENT FOR THE TOWN.
  - FINAL ONE (1) INCH OF ASPHALT TO BE APPLIED WHEN DEVELOPMENT HAS 80% OCCUPANCY.
  - FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS OF 80,000 POUNDS

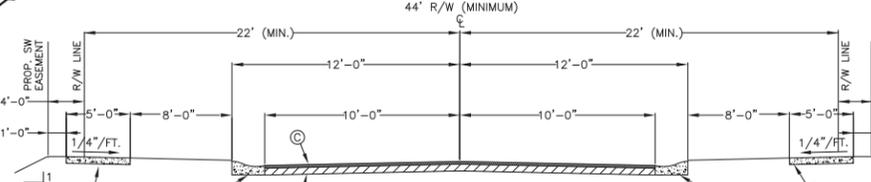


**TYPICAL PAVEMENT SECTION**

- NOTES:**
- THE CROWN (TRANSVERSE SLOPE) FOR TYPICAL SECTION ON THIS SHEET IS 3/8" PER FOOT.
  - ELEVATION OF SIDEWALK SHALL BE NO LESS THAN 6" OR MORE THAN 18" ABOVE THE ROADWAY CROWN.

**1 MATTHEWS TYPICAL LOCAL RESIDENTIAL STREET SECTION**  
SCALE: NTS

PARCEL #	AREA (SF)	PARCEL #	AREA (SF)	PARCEL #	AREA (SF)
1	20347.97	16	16282.68	31	18811.46
2	18144.36	17	22648.61	32	20224.98
3	22794.49	18	26564.24	33	22428.82
4	22181.74	19	17817.14	34	17380.58
5	17045.38	20	21240.42	35	17668.40
6	16073.72	21	26302.56	36	25875.29
7	18088.15	22	99582.38	37	28701.61
8	19473.33	23	22907.56	38	29866.48
9	26863.37	24	88330.86	39	31262.69
10	20172.41	25	32309.51	40	21175.93
11	17619.06	26	28872.87	41	18396.26
12	22972.19	27	24645.26	42	16230.57
13	18002.75	28	24193.03	43	15007.45
14	15441.88	29	21277.36	44	17882.34
15	15653.60	30	19370.96	45	211342.17

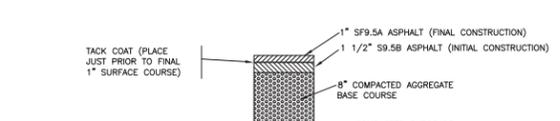


**RESIDENTIAL STREET**

**PAVEMENT SCHEDULE**

- 2.5" BITUMINOUS CONCRETE SURFACE COURSE, TYPE S9.5B AND 1" SF9.5A (SEE LEFT)
- 8" COMPACTED AGGREGATE BASE COURSE
- 2'-0" VALLEY GUTTER
- 4" CONCRETE SIDEWALK

- PAVEMENT NOTES:**
- SUBGRADE MUST BE TESTED BY AN INDEPENDENT TESTING LAB, AND HAVE A DENSITY OF 100% IN ACCORDANCE WITH AASHTO-199; BASE COURSE MUST HAVE A DENSITY OF 90% FOR B.C.B.C. AND 100% FOR A.B.C. IN ACCORDANCE WITH AASHTO-1180 SURFACE COURSE SHALL BE COMPACTED TO A DENSITY OF 95%. ALL TESTS TO BE CONDUCTED BY AN INDEPENDENT TESTING FIRM AT THE DEVELOPERS EXPENSE, AND THE RESULTS SENT TO MECKLENBURG COUNTY ENGINEERING DEPARTMENT AND TO THE STREET MAINTENANCE DEPARTMENT FOR THE TOWN.
  - FINAL ONE (1) INCH OF ASPHALT TO BE APPLIED WHEN DEVELOPMENT HAS 80% OCCUPANCY.
  - FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS OF 80,000 POUNDS



**TYPICAL PAVEMENT SECTION**

- NOTES:**
- THE CROWN (TRANSVERSE SLOPE) FOR TYPICAL SECTION ON THIS SHEET IS 3/8" PER FOOT.

**2 MATTHEWS TYPICAL LOCAL LIMITED RESIDENTIAL STREET SECTION**  
SCALE: NTS

This Plan Is A Preliminary Design. NOT Released For Construction.



**REVISIONS:**

No.	Date	By	Description

**STEVENS GROVE**  
TOWN OF MATTHEWS, MECKLENBURG COUNTY, NORTH CAROLINA  
MATTHEWS ARBORFIELD, LLC  
121 WEST TRADE STREET, 28TH FLOOR  
CHARLOTTE, NC 28202

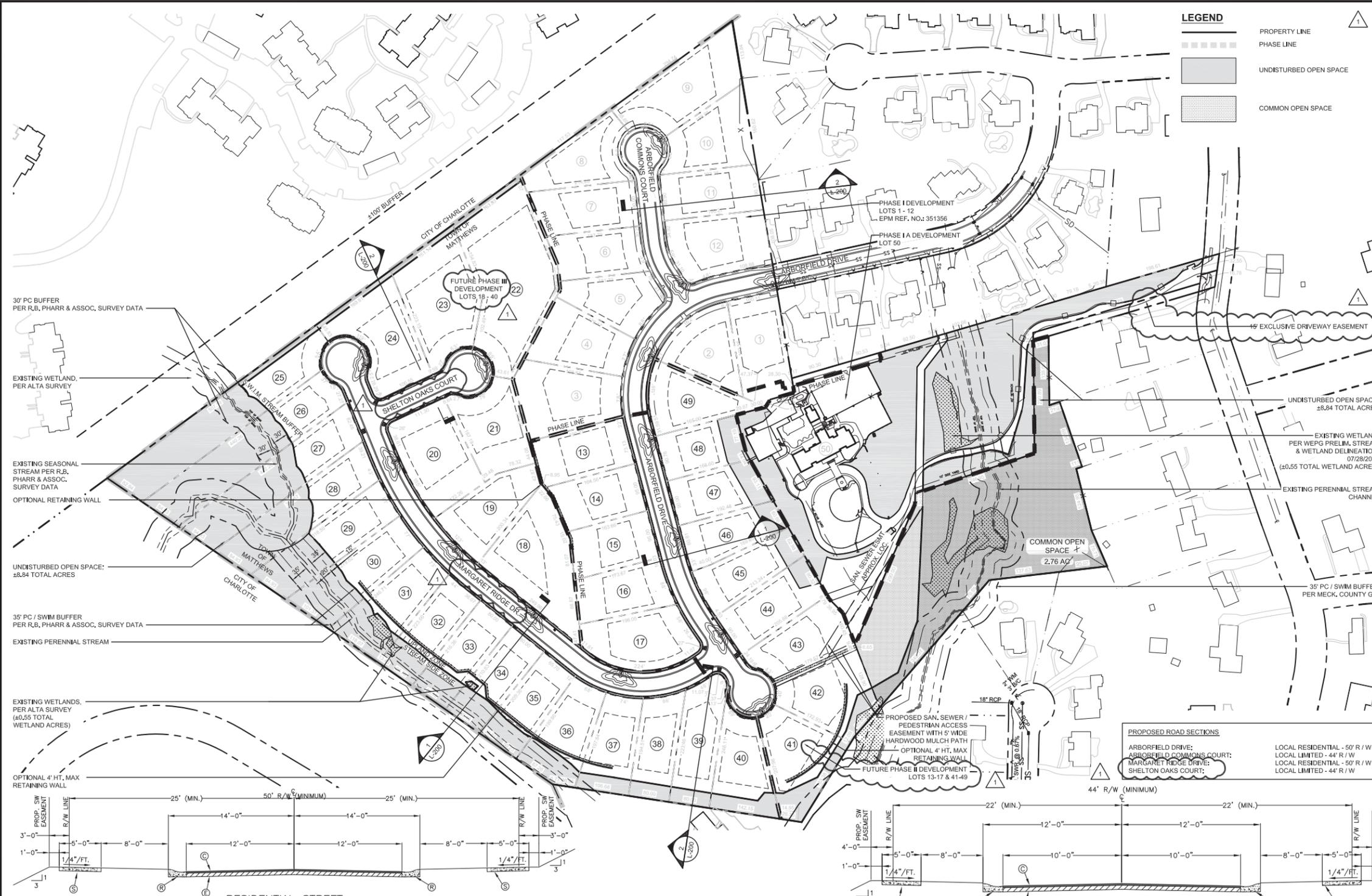
**PRELIMINARY PLAT**



CORPORATE CERTIFICATIONS  
NO. PE-C-2039 N.C.L.A. C-253  
SC.ENG. NO. 3599 S.C.L.A. NO. 211

Project Manager: MDL  
Drawn By: SDW  
Checked By: SSW  
Date: 5/15/15  
Project Number: 14025  
Sheet Number:

**L-200**



**DEVELOPMENT DATA:**

TAX PARCEL ID:	22708103 22708106 22708163 22708164
TOTAL SITE AREA:	±35.29
TOTAL ACREAGE IN NEW LOTS:	±24.22
ZONING:	R-15
PROPOSED USE:	LOW DENSITY, SINGLE-FAMILY
LOTS PROPOSED:	OVERALL: 45 Lots
DENSITY PROPOSED:	OVERALL: 1.28 DU / AC
	MIN. LOT SIZE: 15,000 SF
	±15,000 SF (LOT 48)
	80' (MIN. @ SETBACK)
	40'
	10'
	55'
	35'
HOA MAINTAINED OPEN SPACE	
REQUIRED OPEN SPACE:	46 LOTS x $\frac{1}{20}$ ACRE = 1.31 ACRES
PROVIDED OPEN SPACE:	±2.76

PROPOSE FEES-IN-LIEU FOR EACH NEW SINGLE-FAMILY LOT INSTEAD OF LAND DEDICATION FOR PUBLIC RECREATION

TOTAL ACRES:	±35.29
TOTAL CURRENT TAX VALUE (LAND ONLY):	\$2,165,300
TAX VALUE PER ACRE:	\$61,357.33
TOTAL NEW BUILDING LOTS:	46
NUMBER OF ACRES REQUIRED FOR LAND DEDICATION:	1.31
( $\frac{1}{20}$ ACRE PER NEW LOT)	
ESTIMATED FEE IN-LIEU-OF LAND DEDICATION:	\$80,641.06
ESTIMATED FEE PER LOT (BASED ON 46 LOTS):	\$1,753.07

FLOOD PLAIN PANEL NO.: 3710447900K - DATED 02/19/2014

**UNDISTURBED OPEN SPACE CALCULATION (LESS THAN 24% BUILT UPON AREA):**

TOTAL SITE AREA:	±35.29 AC
MINIMUM 25% UNDISTURBED OPEN SPACE REQUIRED:	±8.82 AC
UNDISTURBED OPEN SPACE PROVIDED:	±8.87 ACRES OR 25.13%

**GENERAL NOTES:**

- THIS PROJECT PROPOSES TO DEVELOP UNDER "LOW DENSITY" WATER QUALITY REQUIREMENTS, AND AS SUCH, BUILT-UPON AREA (BUILDINGS, PAVING, ETC.) ARE LIMITED, CURRENTLY, EACH LOT IS ALLOCATED ±4,846 SF OF BUILT-UPON AREA (BUA). MAXIMUM, LARGER LOTS MAY BE GRANTED A HIGHER ALLOCATION AS APPROPRIATE, BUT THAT PAVING MUST BE REMOVED FROM THE BUA ALLOCATION FOR THE REMAINING LOTS

PROPOSED BUA (INFRASTRUCTURE):	±114,920 SF
TOTAL ACREAGE:	±35.29 AC
BUA TO REMAIN:	±1,02 AC
NET ACREAGE:	±34.27 AC
24% BUA AVAILABLE:	±8.23 AC

BUA USED IN R/W:	±2.63 AC
NET BUA FOR LOTS:	±5.59 AC
PROPOSED # OF NEW LOTS:	49
BUA AVAILABLE PER LOT:	±4,846 SF
% OF PROPOSED IMPERVIOUS:	±24.00%

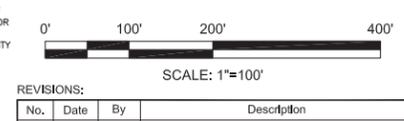
\* 910 REVERDY LANE (LOT 50) IS EXCLUDED FROM LOT COUNT BECAUSE IT PROPOSES NO NEW BUA

- BUILDER SHALL PREPARE AND SUBMIT AN AS-BUILT IMPERVIOUS SURVEY FOR EACH LOT PRIOR TO C.O.
- AN OVERALL BUA SURVEY SHALL BE PROVIDED AND NOTED ON THE UNDISTURBED OPEN SPACE EASEMENT PLAT
- DEVELOPER SHALL PREPARE AND SUBMIT AN AS-BUILT SURVEY FOR THE PROPOSED RIGHT-OF-WAY FOR PUBLIC DEDICATION.
- PROJECT TO BE SEWERED BY CHARLOTTE - MECKLENBURG UTILITY DEPARTMENT (CMUD)
- COMMON AREAS WILL BE OWNED/MAINTAINED BY THE HOA

**EPM REFERENCE NUMBERS**

#350027	SKETCH / CONCEPT PLAN
#351356	PHASE I - CONSTRUCTION PLANS
#352163	PHASE II - CONSTRUCTION PLANS

This Plan Is A Preliminary Design. NOT Released For Construction.



REVISIONS:

No.	Date	By	Description

**Landworks**  
Design Group, P.A.  
7621 Little Avenue, Suite 111  
Charlotte, NC 28226  
704-941-6041 Fax: 704-941-6044

**STEVENS GROVE**  
TOWN OF MATTHEWS, MECKLENBURG COUNTY,  
NORTH CAROLINA  
MATTHEWS ARBORFIELD, LLC  
121 WEST TRADE STREET, 28TH FLOOR  
CHARLOTTE, NC 28202

**PRELIMINARY PLAT**



CORPORATE CERTIFICATIONS  
NO. PE-C-2009 NO. LA-C-253  
SC. ENG. NO. 3599 S.C. LA. NO. 211

Project Manager: MDL  
Drawn By: SDW  
Checked By: SSW  
Date: 08/05/2015  
Project Number: 14025  
Sheet Number:

**L-200**  
SHEET # 2 OF 3

**1 MATTHEWS TYPICAL LOCAL RESIDENTIAL STREET SECTION**  
SCALE: NTS

**TYPICAL PAVEMENT SECTION**

**PAVEMENT SCHEDULE**

- Ⓒ 2.5" BITUMINOUS CONCRETE SURFACE COURSE, TYPE S9.5B AND SF9.5A (SEE LEFT)
- Ⓔ 8" COMPACTED AGGREGATE BASE COURSE
- Ⓕ 2"-0" VALLEY GUTTER
- Ⓖ 4" CONCRETE SIDEWALK

**PAVEMENT NOTES:**

- SUBGRADE MUST BE TESTED BY AN INDEPENDENT TESTING LAB, AND HAVE A DENSITY OF 100% IN ACCORDANCE WITH AASHTO-199; BASE COURSE MUST HAVE A DENSITY OF 90% FOR B.C.B.C. AND 100% FOR A.B.C. IN ACCORDANCE WITH AASHTO-1180 SURFACE COURSE SHALL BE COMPACTED TO A DENSITY OF 95%. ALL TESTS TO BE CONDUCTED BY AN INDEPENDENT TESTING FIRM AT THE DEVELOPERS EXPENSE, AND THE RESULTS SENT TO MECKLENBURG COUNTY ENGINEERING DEPARTMENT AND TO THE STREET MAINTENANCE DEPARTMENT FOR THE TOWN.
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- FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS OF 80,000 POUNDS

**NOTES:**

- THE CROWN (TRANSVERSE SLOPE) FOR TYPICAL SECTION ON THIS SHEET IS 3/8" PER FOOT.
- ELEVATION OF SIDEWALK SHALL BE NO LESS THAN 6" OR MORE THAN 18" ABOVE THE ROADWAY CROWN.

**PARCEL TABLE**

PARCEL #	AREA (SF)
1	20716.29
2	18144.36
3	24403.78
4	19547.96
5	17023.36
6	16073.72
7	18088.15
8	19473.33
9	26863.37
10	20172.41
11	17613.30
12	22972.43
13	17930.76
14	16281.95
15	15844.89
16	16726.34
17	22369.24

PARCEL #	AREA (SF)
18	31597.07
19	19252.61
20	25663.26
21	21490.89
22	48981.68
23	30510.47
24	27374.62
25	37638.19
26	34300.26
27	31036.91
28	27170.91
29	23754.93
30	22740.78
31	22039.49
32	17550.97
33	17087.85
34	16644.72

PARCEL #	AREA (SF)
35	16852.24
36	19974.45
37	17375.24
38	16488.31
39	19896.53
40	20349.43
41	23840.42
42	22862.02
43	19085.05
44	18851.60
45	17063.93
46	15709.52
47	16248.81
48	15000.46
49	17882.34
50	204054.86

**2 MATTHEWS TYPICAL LOCAL LIMITED RESIDENTIAL STREET SECTION**  
SCALE: NTS

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**NOTES:**

- THE CROWN (TRANSVERSE SLOPE) FOR TYPICAL SECTION ON THIS SHEET IS 3/8" PER FOOT.

EFFECTIVE DATE: **July 1, 2015**

2015/2016 AMENDMENT TO AGREEMENT

between

TOWN OF MATTHEWS, a municipal corporation, hereinafter referred to as "TOWN", whose mailing address is 232 Matthews Station Street, Matthews, North Carolina

28105 and

HARLEY HAZEN BLODGETT, III, hereinafter referred to as "MANAGER", whose mailing address is 232 Matthews Station Street, Matthews, North Carolina 28105

W I T N E S S E T H:

THAT WHEREAS, the parties hereto entered into that certain Agreement of employment dated the 28th day of April 2003 and subsequently amended each year thereafter; AND

THAT WHEREAS, the parties hereto are desirous to amend the said Agreement as amended to reflect a change in compensation and retention of employment.

NOW THEREFORE, the parties hereto mutually covenant and agree to this 2015/2016 Amendment to this Agreement as follows:

1. That Section 6 – Salary is hereby amended by deleting the existing annual salary and substituting in lieu thereof the term \$131,000, being a 2.6% salary increase.
2. That Section 12 – Vacation and Sick Leave is hereby amended by deleting the existing term of annual vacation leave and substituting in lieu thereof the term twenty (20) days, being an increase of five days.
3. That except as amended herein, the original Agreement dated April 28, 2003, and as subsequently amended shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto sign their names hereunder with authority duly given for the uses and purposes contained herein.

TOWN OF MATTHEWS

\_\_\_\_\_  
Harley Hazen Blodgett, III

(SEAL)

By: \_\_\_\_\_  
Mayor James P. Taylor

\_\_\_\_\_

ATTEST: Town Clerk Lori Canapinno

[CORPORATE SEAL]

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

BUDGET ORDINANCE AMENDMENT

ORDINANCE AMENDING THE BUDGET FOR THE TOWN OF MATTHEWS, NORTH CAROLINA FOR FISCAL YEAR 2015-2016

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, 2016.

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

		<u>INCREASE</u>	<u>DECREASE</u>
10000001-4417	Clerk of Court Fees	\$ 52.00	
10000001-4417	Clerk of Court Fees	\$ 52.00	

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

		<u>INCREASE</u>	<u>DECREASE</u>
10438000-5300	Professional Services	\$104.00	

SECTION 3: The purpose of this amendment is to recognize court ordered restitution payments.

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

Adopted this the 24th day of August 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 2015-2016

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, 2016.

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

		<u>INCREASE</u>	<u>DECREASE</u>
10000001-4990	GF Fund Balance Appropriated	\$10,665	

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

		<u>INCREASE</u>	<u>DECREASE</u>
10434000-5260	Department Supplies	\$750	
10434000-5353	Vehicle Maint. & Repairs	\$6,000	
10434010-5174	MVFD Special Equipment	\$3,915	

SECTION 3: The purpose of this amendment is to roll forward Fund Balance in order to accommodate appropriations for both Required and Committed purposes.

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

Adopted this the 24th day of August 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 2015-2016

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, 2016.

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

		<u>INCREASE</u>	<u>DECREASE</u>
10000001-4990	GF Fund Balance Appropriated	\$74,570	

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

		<u>INCREASE</u>	<u>DECREASE</u>
10411000-5301	Legal Fees	\$74,570	

SECTION 3: The purpose of this amendment is to use Fund Balance to fund an appropriation for a required purpose.

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

Adopted this the 24th day of August 2015.

---

James P. Taylor, Mayor

---

Lori Canapinno, Town Clerk

**2015 PLANNING CONFERENCE TO-DO LIST**

original #	ITEM	ASSIGNED	SHORT 60 days	MEDIUM 61-180 days	LONG 181-300 days	NOTES
6	market the Matthews Station lot; consider temporary uses	KI	X	X		temporary uses are underway i.e. pop-up market; RFP for selling the property will be sent out 8/24
12	research increasing performance bond payment	KI	X	X		NCGA passed legislation that limits towns authority. Staff will work w/attorney on new language
30	Follow up on pavement degradation fee	CJ	X		X	Ralph did not complete. Move to long-term CJ is new to the position
31	Can town employees sign off on street cuts before utility crew completes project?	CJ	X		X	This would be covered in the degradation fee and an on-site inspector would monitor
40	New website = high priority	JT	X	X		Municipal CMS has been selected; Contract signed; 12 to 16 weeks to complete.
44	Paint the roof and floor of Stumptown Park stage and uplight the trees behind the stage	CK	X			\$8,000 in PRCR capital for uplighting trees. Painting stage floor completed. Uplighting expected by MA!
1	establish priority list for trails. CK to submit; TB to assign rate using point system	CK		X		Corey has developed a point system. Will share with the Board in the near future.
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		Pending new hire in planning dept. Interviews underway.
16	plan for future shade trees at Stumptown Park	CK		X		Corey and landscaping staff have met on site. Plans have not been put to paper.
20	draft (or communicate) wayfinding sign standards. Keep standard aspect ratio	JT		X		
32	Staff and CB to work together on list of eligible tourism fund projects	HB		X		
33	Draft list of possible improvements for Stumptown Park related to festivals	CK		X		
35	Develop a sportsplex marketing project that promotes Matthews businesses to visitors	JT		X		A monitor promoting PRCR events is in operation at Community Center; Still working on remote monitors
36	Butler greenway: investigate dirtway instead of paved greenway	CK			X	
37	Hwy 51 park: investigate Trailblazers for trail, gravel parking	CK			X	
3	add active community garden with gravel parking lot by spring 2016 - either rice road park or Hwy 51 park	CK			X	\$20,000 for Hwy 51 Park community garden (CIP)
5	staff to draft prioritized park list and possible grant opportunities	CK			X	
9	educate public on paving options/answer questions about methods (review with TB the planned paving schedule, which includes alternating full depth reclamation w/ other technologies)	CJ			X	
<b>COMPLETE</b>						
2	Community gardens: draft preference rules for Matthews residents	CK		X		New rules shared with the Board on 8/19 by email.
4	research liability issues related to dog parks	CK	X			Corey provided explanation to Board on 6/22
10	hold community meeting with property owners re: special assessment/Oscar Drive	RM	X			Budget to be amended when decision made on Oscar Drive
13	can TB grant subdivision variances after subdivision is complete?	KI	X			Yes; C. Buckley sent memo to TB on 3/9/15
14	do rate study of storm water fees; tiers/incremental increases	RM	X			Ralph completed a rate study. Decided to postpone any recommendation until FY 16-17
15	submit to TB one page summary on differences between existing and draft bike/ped plans	KI	X			New bike/ped plan adopted 5/11
17	add Fountain Rock Park to greenway maps	CK		X		Done
18	show progress of Wayfinding to date	JT	X			New directional signs approved by DOT 6/17
19	track down rogue signs; TB to review costs before signs are replaced	JT	X			New Sportsplex and greenway trail signs have been installed
21	find out details of League's legislative action committee	HB	X			Shared details w/Board on 6/16
22	Matthews 101: start in August? Send invitations to recent board/committee applicants	JT	X			\$1,500 (estimate) Matthews 101 included in Manager Dept. budget; 1st session in Sept.
23	Give TB a list of properties with zoning classifications that are not in the UDO * how are the parks zoned now?	KI	X			List of properties shared with the Town Board on 6/18/15
24	Manager to keep TB apprised of controversial Planning issues – no surprises	HB	X			Manager has committed to keeping the Board apprised; Implemented a pre-development sessions
25	Ongoing projects pages on website needs to be kept current. Should be first source of new info to citizens	JT	X			Project pages updated as of 6/19
26	Update TB on future mass transit plans	RM	X			TB to be updated at 6/22 meeting
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		Done; see list
28	Prioritize list of Small Area Plans; consider one for 74 corridor to town line	KI	X			Top priority from list is East John St. SAP; included in Planning Dept. budget (in-kind)
29	Send draft Citizen Survey to TB, see if any questions need to be added	JT	X			Draft survey sent to TB in early March
34	Get legal language of tourism fund statute to TB	HB	X			Sent 5/22
38	Signal at Crestdale: flip to flashing light – educate drivers ahead of signal relocation	RM	X			Flashing nights & weekends; \$40,000 signal relocation included in PW Dept. budget
39	Should library pay anything for façade and facility maintenance?	HB	X			According to the lease they are responsible for 43% of the costs for maintenance of the bldg.
41	MyMatthews app needs to be improved/made functional	JT	X	X		No need for an app. The new website will be compatible with all mobile devices. 8/19/15
42	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			Funding not included in FY 15-16 budget
43	Orient Planning Board and Board of Adjustment to UDO	KI	X			PB reoriented 6/23; BOA reoriented 7/9
45	Legislative agenda: add campaign signs issue – give towns authority to enforce regulations	HB	X			Rep. Brawley introduced H613 to allow town to regulate. Bill has passed House and is in the Senate's State and Local Committee

GFOA Certificate of Achievement for Excellence in Financial Reporting 1998-Present.

August 21, 2015

To: Honorable Mayor and Board of Commissioners

From: Christopher Tucker, Finance Director

CC: Hazen Blodgett, Town Manager  
Jamie Justice, Assistant Town Manager  
Lori Cannapino, Town Clerk

RE: Monthly Financial Summary

Please find attached for your review the Monthly Financial Summary through June 2015. This will be the next to last snapshot of our fye15 numbers prior to having finalized financial statements. Our auditors at Martin Starnes and Associates will be here for fieldwork the week of August 31, so we will include any feedback from them in the September report. The September report will include our final quarterly distribution of several state revenues including Electric sales and Telecommunications Tax.

Revenues:

- The Town has collected 95.64% of budgeted revenues through June.
- Sales Tax ended the year \$193,293 or 7.79% above budget.
- Recreation revenues continue to trend upwards. We are looking at a surplus of around \$180,000 above budget.
- Of concern, Stormwater Fees and Vehicle Tag Fees will likely not hit budget by a combined \$90,000. We will review the stream and adjust fye16 accordingly.

Expenditures:

- Most departments finished at or below their budget paces as General Fund expenditures are at 95.35% of budget.

Other items of note:

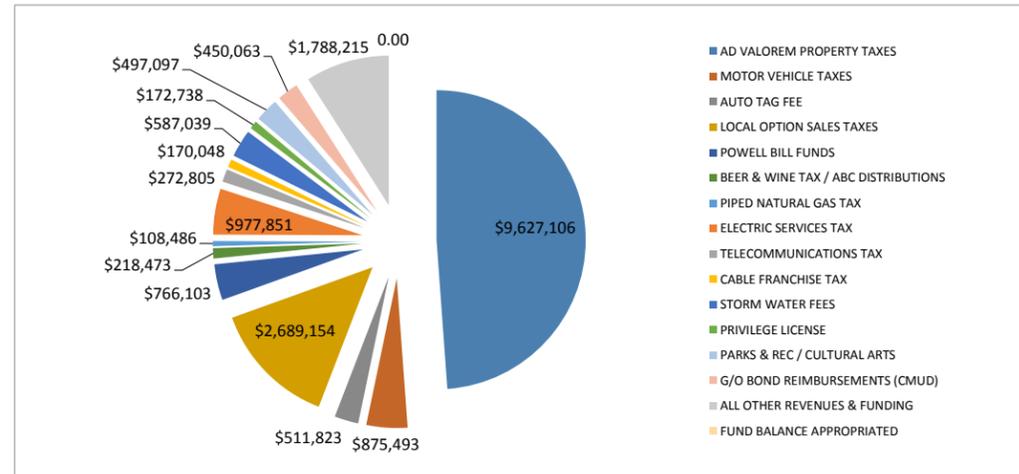
- Tax Revaluation Refunds through June are \$568,460.



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

### GENERAL FUND

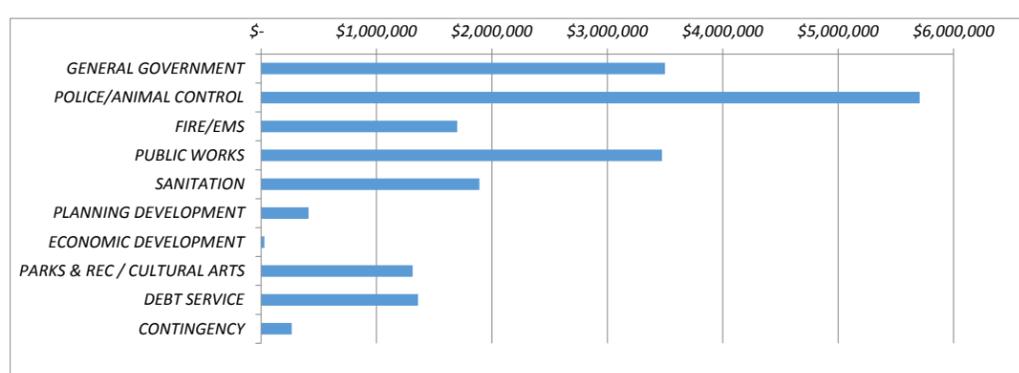
REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL	Y-T-D % COLLECTED
AD VALOREM PROPERTY TAXES	\$ 9,906,500	\$ 9,906,500	\$ 9,627,106	97.18%
MOTOR VEHICLE TAXES	\$ 706,300	\$ 706,300	\$ 875,493	123.95%
AUTO TAG FEE	\$ 587,500	\$ 587,500	\$ 511,823	87.12%
LOCAL OPTION SALES TAXES	\$ 2,495,861	\$ 2,495,861	\$ 2,689,154	107.74%
POWELL BILL FUNDS	\$ 750,000	\$ 766,626	\$ 766,103	99.93%
BEER & WINE TAX / ABC DISTRIBUTIONS	\$ 188,300	\$ 188,300	\$ 218,473	116.02%
PIPED NATURAL GAS TAX	\$ 150,000	\$ 150,000	\$ 108,486	72.32%
ELECTRIC SERVICES TAX	\$ 880,650	\$ 880,650	\$ 977,851	111.0%
TELECOMMUNICATIONS TAX	\$ 331,200	\$ 331,200	\$ 272,805	82.37%
CABLE FRANCHISE TAX	\$ 196,692	\$ 196,692	\$ 170,048	86.45%
STORM WATER FEES	\$ 613,758	\$ 613,758	\$ 587,039	95.65%
PRIVILEGE LICENSE	\$ 200,000	\$ 200,000	\$ 172,738	86.37%
PARKS & REC / CULTURAL ARTS	\$ 317,000	\$ 317,000	\$ 497,097	156.81%
G/O BOND REIMBURSEMENTS (CMUD)	\$ 450,063	\$ 450,063	\$ 450,063	100.00%
ALL OTHER REVENUES & FUNDING	\$ 1,577,701	\$ 2,288,551	\$ 1,788,215	78.14%
FUND BALANCE APPROPRIATED	\$ 346,844	\$ 531,064	\$ 0.00	0.00%
<b>TOTAL GENERAL FUND REVENUES</b>	<b>\$ 19,698,369</b>	<b>\$ 20,610,065</b>	<b>\$ 19,712,494</b>	<b>95.64%</b>



### PRIOR YRS COMPARISON

	FY 14 ACTUALS	FY 13 ACTUALS	FY 12 ACTUALS
\$ 9,529,890	\$ 9,365,313	\$ 9,593,837	
\$ 808,478	\$ 767,222	\$ 748,925	
\$ 728,265	\$ 329,176	\$ 329,429	
\$ 2,351,106	\$ 1,999,347	\$ 2,257,134	
\$ 745,750	\$ 726,986	\$ 698,539	
\$ 124,243	\$ 173,481	\$ 118,396	
\$ 194,751	\$ 163,587	\$ 145,038	
\$ 671,908	\$ 647,369	\$ 666,899	
\$ 259,306	\$ 275,068	\$ 296,874	
\$ 154,958	\$ 155,291	\$ 153,965	
\$ 565,258	\$ 580,539	\$ 591,689	
\$ 180,223	\$ 199,809	\$ 188,017	
\$ 429,692	\$ 446,452	\$ 462,051	
\$ 473,388	\$ 481,550	\$ 499,875	
\$ 1,663,345	\$ 1,851,508	\$ 1,769,999	
\$ 0	\$ (1,294,083.0)	\$ (865,000)	
<b>\$ 18,880,561</b>	<b>\$ 16,868,615</b>	<b>\$ 17,655,667</b>	

EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL	Y-T-D % SPENT
GENERAL GOVERNMENT	\$ 3,501,613	\$ 3,483,977	\$ 3,500,320	100.47%
POLICE/ANIMAL CONTROL	\$ 5,519,052	\$ 5,812,631	\$ 5,706,390	98.17%
FIRE/EMS	\$ 1,811,268	\$ 1,841,421	\$ 1,699,791	92.31%
PUBLIC WORKS	\$ 3,661,102	\$ 4,247,598	\$ 3,474,500	81.80%
SANITATION	\$ 1,923,200	\$ 1,908,700	\$ 1,891,807	99.11%
PLANNING DEVELOPMENT	\$ 451,531	\$ 451,531	\$ 410,804	90.98%
ECONOMIC DEVELOPMENT	\$ 20,000	\$ 40,000	\$ 29,064	72.66%
PARKS & REC / CULTURAL ARTS	\$ 1,142,550	\$ 1,174,819	\$ 1,313,491	111.80%
DEBT SERVICE	\$ 1,372,383	\$ 1,372,383	\$ 1,359,846	99.09%
CONTINGENCY / TRANSFERS TO CIP	\$ 295,670	\$ 277,005	\$ 265,670	95.91%
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$ 19,698,369</b>	<b>\$ 20,610,065</b>	<b>\$ 19,651,683</b>	<b>95.35%</b>
<b>Y-T-D FUND BALANCE INCREASE (DECREASE)</b>	<b>0.00</b>	<b>0.00</b>	<b>\$ 60,811</b>	



	FY 14 ACTUALS	FY 13 ACTUALS	FY 12 ACTUALS
\$ 3,248,653	\$ 1,931,117	\$ 1,848,077	
\$ 5,407,361	\$ 6,103,628	\$ 5,548,778	
\$ 1,261,599	\$ 1,366,106	\$ 1,247,399	
\$ 3,198,569	\$ 3,657,040	\$ 3,077,288	
\$ 1,868,891	\$ 1,833,624	\$ 1,784,905	
\$ 386,535	\$ 427,162	\$ 396,085	
\$ 19,390	\$ 23,396	\$ 21,015	
\$ 1,173,797	\$ 1,112,123	\$ 1,595,206	
\$ 1,581,606	\$ 1,712,533	\$ 1,885,785	
\$ 367,483	\$ 2,028,290	\$ 2,062,821	
<b>\$ 18,513,884</b>	<b>\$ 20,195,019</b>	<b>\$ 19,467,359</b>	

**NOTES:**

**NOTES:**

**REVENUES**

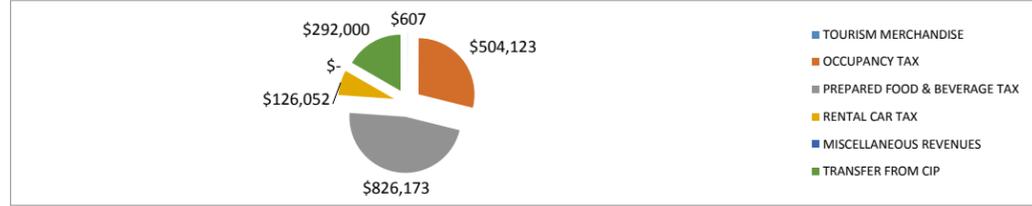
AD VALOREM PROPERTY TAXES	Receive majority in months of Nov, Dec, Jan
MOTOR VEHICLE TAXES	Receive monthly distributions
AUTO TAG FEE	Receive monthly distributions
LOCAL OPTION SALES TAXES	Receive monthly distributions - 2 months in arrears
POWELL BILL FUNDS	Receive equal distributions semi-annual: Oct & 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**

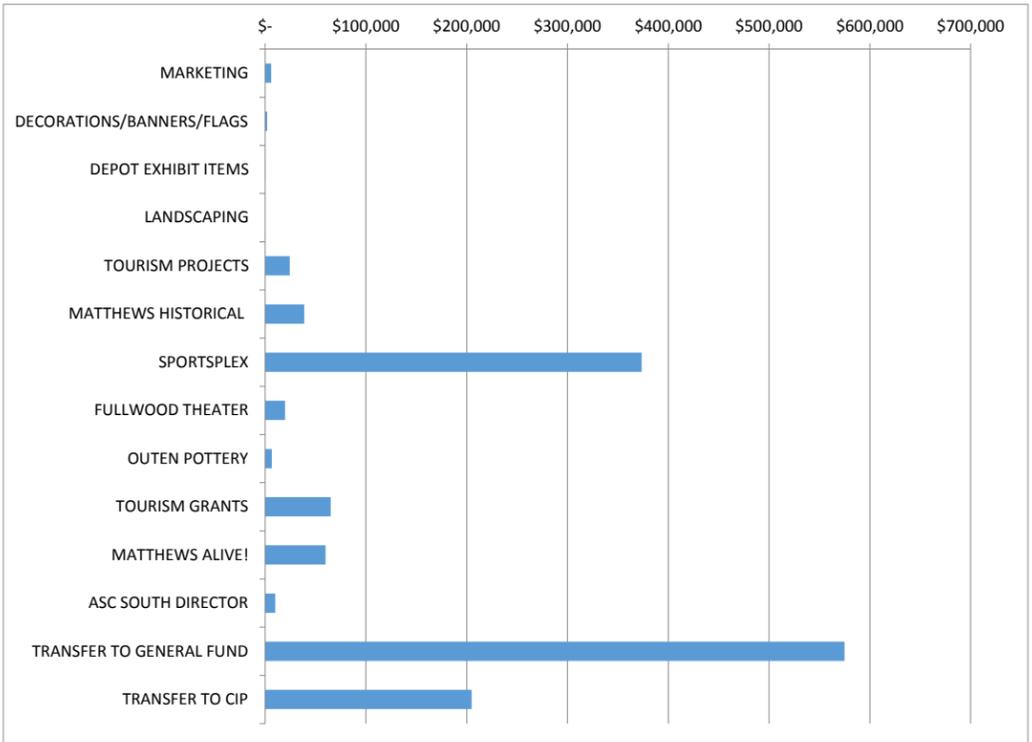
Large expenses incurred during July/Aug each yr due to annual contracts, insurance premiums, dues, capital outlay (vehicles/equipment) purchases

**TOURISM FUND**

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL	Y-T-D % COLLECTED
TOURISM MERCHANDISE	\$ 1,000	\$ 1,000	\$ 607	60.69%
OCCUPANCY TAX	\$ 429,629	\$ 429,629	\$ 504,123	117.34%
PREPARED FOOD & BEVERAGE TAX	\$ 809,859	\$ 809,859	\$ 826,173	102.01%
RENTAL CAR TAX	\$ 131,328	\$ 131,328	\$ 126,052	95.98%
MISCELLANEOUS REVENUES	\$ 1,000	\$ 1,000	\$ -	0.00%
TRANSFER FROM CIP	\$ -	\$ 292,000	\$ 292,000	100.00%
<b>TOURISM REVENUE TOTAL</b>	<b>\$ 1,372,816</b>	<b>\$ 1,664,816</b>	<b>\$ 1,748,955</b>	<b>105.05%</b>



EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL	Y-T-D % SPENT
MARKETING	\$ 25,000	\$ 25,000	\$ 5,957	23.83%
DECORATIONS/BANNERS/FLAGS	\$ 45,000	\$ 45,000	\$ 1,900	4.22%
DEPOT EXHIBIT ITEMS	\$ 2,500	\$ 2,500	\$ 162	6.48%
LANDSCAPING	\$ 10,000	\$ 10,000	\$ 0	0.00%
TOURISM PROJECTS	\$ 86,084	\$ 49,584	\$ 24,426	49.26%
MATTHEWS HISTORICAL	\$ 40,000	\$ 40,000	\$ 38,764	96.91%
SPORTSPLEX	\$ 194,075	\$ 486,075	\$ 373,667	76.87%
FULLWOOD THEATER	\$ 26,000	\$ 26,000	\$ 19,789	76.11%
OUTEN POTTERY	\$ 0	\$ 36,500	\$ 6,700	18.36%
TOURISM GRANTS	\$ 60,000	\$ 60,000	\$ 65,000	108.33%
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	\$ 575,000	94.39%
TRANSFER TO HEALTH FUND	\$ 0	\$ 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
RUGBY	\$ 0	\$ 0	\$ 0	0
<b>TOURISM FUND EXPENDITURE TOTAL</b>	<b>\$ 1,372,816</b>	<b>\$ 1,664,816</b>	<b>\$ 1,386,364</b>	<b>83.27%</b>
<b>Y-T-D FUND BALANCE INCREASE/(DECREASE)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 362,590</b>	



**PRIOR YRS COMPARISON**

FY 14 ACTUALS	FY 13 ACTUALS	FY 12 ACTUALS
TOURISM TOTAL REVENUE ONLY AVAILABLE BREAKDOWN AS TO CATEGORY NOT AVAILABLE		
<b>\$ 1,397,396</b>	<b>\$ 191,158</b>	<b>\$ 1,138,700</b>

FY 14 ACTUALS	FY 13 ACTUALS	FY 12 ACTUALS
\$ 20,224	\$ -	\$ -
\$ 30,199	\$ -	\$ -
\$ 1,572	\$ 544	\$ 1,759
\$ -	\$ 23,431	\$ 6,686
\$ 500	\$ 94,623	\$ 44,286
\$ 37,764	\$ 187,000	\$ 50,000
\$ 55,335	\$ 437,500	\$ -
\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
\$ -	\$ -	\$ 5,500
\$ 105,000	\$ 41,247	\$ 36,750
\$ 10,000	\$ 10,000	\$ 10,000
\$ 698,172	\$ 773,489	\$ 667,508
\$ -	\$ 50,000	\$ 38,680
\$ 220,000	\$ 512,975	\$ -
\$ -	\$ 3,500	\$ 2,500
\$ 8,500	\$ 9,000	\$ 8,500
\$ 27,250	\$ 29,000	\$ 27,500
\$ 10,500	\$ 11,500	\$ 10,500
\$ 1,000	\$ -	\$ -
\$ 750	\$ -	\$ -
\$ 500	\$ -	\$ -
\$ 1,000	\$ 1,000	\$ -
\$ 6,500	\$ -	\$ -
<b>\$ 1,234,766</b>	<b>\$ 2,184,809</b>	<b>\$ 910,169</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

## **Agenda Item: Funding Request for Historic District Marker**

**DATE: August 19, 2015**

**FROM: Jay Camp**

### **Background/Issue:**

The Matthews Historical Foundation requests Town funding for the placement of a historical marker to commemorate the National Register Historic District located in the 100 block of North Trade Street. The cast bronze marker would be located in the bump out planter along North Trade Street in front of Renfrow Hardware store. Information on the rear of the plaque includes the names and year built of the buildings. The marker will be fabricated at a foundry in Rhode Island.

### **Proposal/Solution:**

Tourism Funds are an acceptable funding source given the nature of the sign

### **Financial Impact:**

\$3,149.83

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

#5 Continue historic preservation initiative by identifying a prioritized list of historic properties.



**PLAQUE ORDER: 3306444**

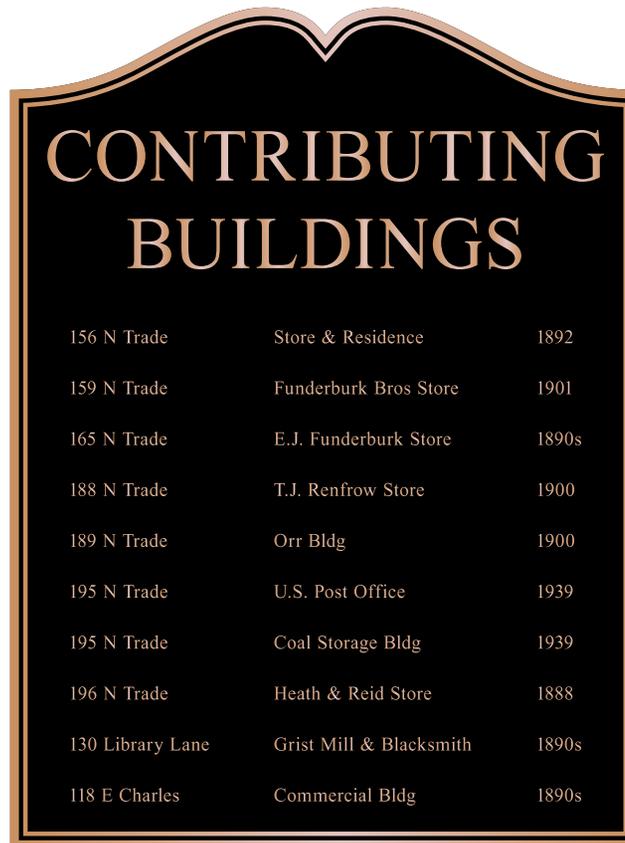
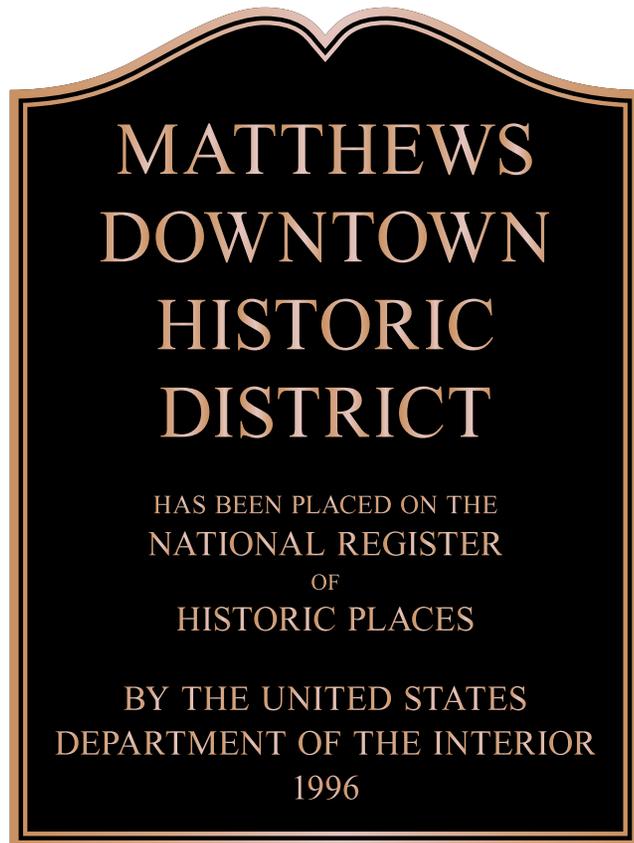
**CUSTOMER PO: MATTHEWS DOWNTOWN**

**SALES PERSON: Joe T.**

**DATE: 08-02-15**

**ARTIST: Amanda**

**VERSION: 2**



Cast BRONZE Plaque (18" W x 24" H)  
DEPTH - Cast Plaque (1/2")  
SHAPE - Custom Double Sided  
COPY - Raised Copy-Horizontal Stroke  
FINISH - CLASSIC LEATHER w/Brush Surface  
BORDER - Double Line Border  
COLOR - 2025 Black Painted  
STYLE - Times NEW Roman  
CLEAR CO - Satin  
MOUNT - Custom Mount - See Comments  
ROSETTES - No Rosettes Required

- Double Sided Post Cap Plaque

Plaque (Type R) Post Cap Mount  
CAP SIZE - Post Cap for 2"ID Sch40 Pipe  
POST BLA - Ogee PostCap Blade  
- Round Post Cap Mount as part of  
custom plaque casting.

Round Post for Post Cap Mount  
POST FIN - 2025 Black SATIN Painted  
RD POST - 2"ID x 7' Sch40 Round Pipe

Qty. 1 Each

-  -RAISED  
Bronze
-  -RECESSED  
2025 Black

**PLEASE NOTE THE FOLLOWING:**

**(08-19-15) REVISION - Text changes per customer request**

**Smallest border at standard minimum**

Michael Healy Designs, Inc.  
 PO Box 4  
 60 New River Road  
 Manville RI 02838

PAGE: 1  
 QUOTE #: 17283  
 QUOTE DATE: 06/16/15  
 S.P. #: JB  
 O.E. #: JB

Phone : (401) 765-7600

Fax : (401) 765-7612

MEDIA CODE:  
 \*\*\*\*\*

QUOTE - VALID FOR 30 DAYS  
 \*\*\*\*\*

SOLD TO:  
 HPRETAIL  
 Jay Camp  
 Town of Matthews  
 232 Matthews Station St  
 Matthews NC 28105

SHIP TO:  
 Jay Camp  
 Town of Matthews  
 232 Matthews Station St  
 Matthews NC 28105

CUST.	P.O.	SHIP VIA	TERMS	FOB	EST.	SHIP
DOUBLE SID		UPS GROUND	CREDIT CARD	ORIGIN		

DESCRIPTION	QTY ORDERED	UNIT PRICE	EXTENSION
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ITEM: SB18X24 DOUBLE SIDED NATIONAL REGISTER PLAQUE BDP1M1	1.0	2580.75	2580.75
ITEM: FONT CENTURY ALL CAPS	1.0	0.00	0.00
ITEM: HORIZONTAL Horizontal/Landscape Layout	1.0	0.00	0.00
ITEM: POLECAP-LG Pole Cap	1.0	498.00	498.00

jcamp@matthewsnc.gov

- \* THERE WILL BE ADDITIONAL ARTWORK CHARGES IF YOU DO NOT PROVIDE ACCEPTABLE VECTOR ARTWORK FOR LOGOS.
- \* PLEASE ADVISE IF YOU WANT US TO PROCEED WITH AN ORDER.
- \* SCHEDULED SHIP DATES ARE CALCULATED AFTER ARTWORK APPROVAL.
- \* ARTWORK PROOFS ARE NOT PROVIDED FOR PLAQUES SMALLER THAN 100 sq in IF REQUIRED, THERE IS AN ADDITIONAL CHARGE OF \$25.00.

SUBTOTAL:	3078.75
SALES TAX:	0.00
FREIGHT:	71.08
TOTAL:	3149.83

## Hazard Mitigation Plan

DATE: 19 August 2015  
RE: Hazard Mitigation Plan Update 2015 Adoption  
FROM: Dennis Green, Fire & EMS Chief

### Background/Issue:

Congress passed the DISASTER MITIGATION ACT OF 2000 on 30 October 2000. Basically it requires the states and local municipalities to develop plans to mitigate the effect of various hazards in their communities. It requires that these plans be reviewed every five years by FEMA. We must show the status of each strategy in the previous plan and determine if any new strategies need to be added. We started this latest review on 01 July 2014. All municipalities in Mecklenburg County along with the County met numerous times over the past year to update the current strategies, identify new strategies and identify any new hazards that perhaps we did not face five years ago.

### Proposal/Solution:

It is required that each participant in the plan must pass a resolution adopting the plan. Attached you will find the proposed resolution. Failure of the Town to adopt such a resolution can jeopardize our ability to receive reimbursement from FEMA if a disaster should occur in our own. It is recommended that the Board of Commissioners adopt the resolution.

### Financial Impact:

The recommended strategies can be implemented within the existing budget.

### Related Town Goals & Strategies:

Operational Performance Goal: "To provide the necessary trained personnel, equipment, and procedures to ensure the safety of Matthews' citizens and enhance the Town's reputation for safety.  
Town Strategy #22 & #23: "To continue and expand communications and education outreach to citizens. To evaluate community standards that will positively impact citizens' safety"

### Recommended Motion:

Adopt the resolution as presented.





## **RESOLUTION APPROVING THE UPDATED MECKLENBURG COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

**WHEREAS**, the residents and property within the Town of Matthews are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the town are particularly vulnerable to flooding, winter storms, hurricanes and tropical storms, severe thunderstorms and tornadoes, droughts, wildfires and earthquakes; and

**WHEREAS**, the Town desires to seek ways to mitigate the impact of identified hazard risks; and

**WHEREAS**, the North Carolina General Assembly has in Part 6, Article 21 of Chapter 143 of the General Statutes; in Articles 6 and 18 of Chapter 153A of the General Statutes; and in Article 19 of Chapter 160A of the General Statutes delegated to town governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its residents; and

**WHEREAS**, the North Carolina General Assembly has in General Statute 166A-6.01 (b)(2)3. stated that "[f]or a state of disaster proclaimed pursuant to G.S. 166A-6(a) after the deadline established by the Federal Emergency Management Agency pursuant to the Disaster Mitigation Act of 2002, P.L. 106-390, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act" ; and

**WHEREAS**, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

**WHEREAS**, The Town of Matthews along with Mecklenburg County has performed a comprehensive review and evaluation of each section of the previously approved 2010 Multi-Jurisdictional Hazard Mitigation Plan and has updated said Plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management; and

**WHEREAS**, it is the intent of the Matthews Board of Commissioners to fulfill this obligation in order that the Town will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the Town;

**NOW, THEREFORE, BE IT RESOLVED** that the Matthews Board of Commissioners hereby:

1. Adopts the 2015 Mecklenburg County Multi-Jurisdictional Hazard Mitigation Plan (Plan); and
2. Vests the Town Manager of the Town of Matthews to:
  - a) Inform all concerned parties of this action.
  - b) Cooperate with federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts; and
3. Appoints the Charlotte-Mecklenburg Emergency Management Office to assure that said Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and federal regulations and that any substantial revisions or amendments to the Plan (those that result in fundamental changes to the Plan) are developed and presented to the Matthews

Board of Commissioners for consideration; and

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Plan and addendum and/or annex developed by the Town of Matthews to said Plan.

This the 24<sup>th</sup> day of August 2015

---

Mayor James P. Taylor

APPROVED AS TO FORM

---

Town Attorney Charles Buckley

---

Town Clerk Lori Canapinno

Seal

The complete Multi-Jurisdictional Hazard Mitigation Plan for Mecklenburg County can be downloaded here:

[https://www.dropbox.com/s/l0afilobk2fqpr/MC\\_HMP-FINAL\\_DRAFT-FOR\\_PRINTING.pdf?dl=0](https://www.dropbox.com/s/l0afilobk2fqpr/MC_HMP-FINAL_DRAFT-FOR_PRINTING.pdf?dl=0)