RESOLUTION

AFFIRMING THE TOWN OF MATTHEWS' COMMITMENT TO FINANCIAL PARTNERSHIP WITH MECKLENBURG COUNTY TO CONSTRUCT IRVIN'S CREEK GREENWAY

WHEREAS, the Board of Commissioners of the Town of Matthews is committed to maintaining Matthews' small town identity by providing a pedestrian-friendly community and extensive greenway system; and

WHEREAS, the Town of Matthews encourages active use of greenway trails as a means of improving physical and mental health; and

WHEREAS, the Town of Matthews actively supports the proper integration of greenway trails with land development to offer a viable transportation option to motorized vehicles; and

WHEREAS, the Town has continued to endorse Irvin's Creek Greenway as a critical segment connecting citizens in northern Matthews to current and future trail systems in Matthews and throughout Mecklenburg County; and

WHEREAS, the Irvin's Creek Greenway project demonstrates the collaborative effort between the Town of Matthews and Mecklenburg County to enhance connectivity through greenways and trails, joining residential areas, schools, and park facilities; and

WHEREAS, the Town of Matthews and Mecklenburg County have an excellent track record of financial partnerships to complete mutually beneficial projects; and

WHEREAS, alternative transportation opportunities such as greenways, provide access to other public amenities, provide safe areas for citizens to use for travel, improve the quality of the air by promoting non-motorized transportation, promote healthy lifestyles by offering a place for exercise and recreation, and develop a sense of community through stronger social and family ties; and

WHEREAS, the Town of Matthews is planning a multi-use path along Sam Newell that connect Irvin's Creek Greenway to Downtown Matthews and beyond, enhancing the value of Irvin's Creek Greenway to citizens of Matthews.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Town of Matthews affirms its vote of January 23, 2017 to commit $500,000 of Town funds to be used in addition to County funds towards funding the completion of the Irvin’s Creek Greenway project led by Mecklenburg County. This financial commitment becomes effective July 1, 2018 (FY19) or a later date corresponding to Irvin’s Creek Greenway project funding within the Mecklenburg County Capital Improvement Plan.

This the 30th day of January 2017.

Mayor James P. Taylor

Town Clerk Lori Canapinno
RESOLUTION FOR NCDOT REGARDING DESIGN STANDARDS FOR U-4714 (EAST JOHN STREET)

WHEREAS, in 2013 the North Carolina General Assembly passed the Strategic Transportation Initiative (STI), which subsequently allowed for additional funding to be transferred to the urban areas of the state in order to address congestion; and

WHEREAS, preserving the small-town character of Matthews is a top priority for the Matthews Board of Commissioners, its citizens and staff; and

WHEREAS, the intersection of John Street and Trade Street is known as "the Square" and is considered the symbolic center of the town; and

WHEREAS, the widening of East John Street will separate the historic core from the historic Community Center, McDowell Arts Center, Matthews Elementary School and Stumptown Park; and

WHEREAS, it is critical that U-4714 be designed to enable Matthews to retain its small-town character.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews formally requests the North Carolina Department of Transportation to include in the East John Street design, in no particular order, the following:

1. The elimination of the loons altogether or at the most small loons for cars only:
   • Truck routes will be signed for trucks to move outside of downtown.
   • Town staff will work with CMS to find acceptable bus routes.

2. Intersection design at:
   • McKee Road and E. John Street - NCDOT to install a full movement intersection or roundabout.
   • Greylock Ridge Road and E. John Street - NCDOT to install a full movement intersection.
   • Charles Buckley Way and E. John Street - NCDOT to install a full movement intersection.

3. Intersection design at John and Trade Streets:
   • Eliminate the U-Turn movement. Instead consider a one-way street in the vicinity of BB&T connecting E. John Street to Sadie Drive.
   • Examine eliminating left turns from John (East and West) onto Trade Street. Gain full understanding of the consequences of such an action.
   • Pedestrian pads on all four corners. These pads need to be inviting and comfortable to pedestrians as this pedestrian crossing is the bridge between historic downtown and Stumptown Park, the Matthews Community Center, McDowell Arts Center and Matthews Elementary School.
   • Pedestrian refuges (center of John Street). The focus should be on aesthetics i.e. reducing the "sea of asphalt" and discuss further the need for pedestrian a refuge.

4. East John Street design:
   • Narrow travel lane width to 11 feet west of I-485.
   • Multi-purpose trail and sidewalk are to remain and insure adequate separation from travel lanes.
   • Narrow the view shed. Large trees should be both close to the roadway and in the median.
   • Use varying pavement colors, patterns, textures etc. at crosswalks, particularly at the intersection of Trade Street and John Street.
• Traffic should be signaled so that traffic can travel as if it is a one-way pair.
• Signals need to be coordinated.
• U-Turns and pedestrian crossings need to be signalized.
• Medians should be as narrow as possible without hindering U-Turns, restricting tree size or increasing traffic speed.
• Implement Intelligent Transportation Systems.
• All options should be considered to save houses along the roadway, including but not limited to the modification of the roadway or moving the residences.

ADOPTED by the Board of Commissioners of the Town of Matthews this the 13th day of March, 2017.

[Signature]
Mayor James P. Taylor
RESOLUTION IN OPPOSITION TO HOUSE BILL 37: AN ACT TO PROTECT MUNICIPAL LAW ENFORCEMENT OFFICERS WHO REPORT IMPROPER OR UNLAWFUL GOVERNMENT ACTIVITY FROM RETALIATION

WHEREAS, the bill purports to protect municipal law enforcement officers who report improper behavior from retaliation; and

WHEREAS, while the intent of this legislation is commendable, the language with which it has been written is problematic in several ways; and

WHEREAS, the bill encourages officers to report evidence of activity constituting (1) a violation of state or federal law, rule, or regulation; (2) fraud; (3) misappropriation of state and local government resources; (4) substantial and specific dangers to the public health and safety; (5) gross mismanagement, a gross waste of monies, a gross abuse of authority; and

WHEREAS, public employees are already afforded ‘whistleblower’ protections pursuant to state law through the North Carolina Department of Labor’s Office of Workplace Retaliatory Discrimination, and federal law through the United States Department of Labor’s Whistleblower Protection Program; and

WHEREAS, employees already have rights of due process in the public courts for wrongful actions; and

WHEREAS, the bill does not define ‘misappropriation’ of resources and could provide outlets for employees to legally challenge the budgetary priorities and decisions of municipal managers and/or Boards; and

WHEREAS, the bill does not define ‘gross waste of monies’ which would then promote officers a legal challenges to the budgetary decisions of superiors, managers and/or elected Boards; and

WHEREAS, the bill does not define ‘specific dangers to public health and safety’, and could promote within officers legal challenges of commands or orders of superiors, to include protective measures during civil unrest; and

WHEREAS, the bill does not define ‘gross mismanagement’ or ‘gross abuse of authority’ which would promote opportunities for officers facing disciplinary actions for misconduct to delay or derail those processes by making such a claim which then must, by law, be fully investigated; and

WHEREAS, the bill applies only to municipal law enforcement officers and municipal government and promotes a belief that discriminatory practices are rampant within municipal governmental entities; and

WHEREAS, the bill as proposed serves to further deteriorate the public’s view or perception of the integrity of the law enforcement profession by the citizens’ elected legislators attesting that local leaders and elected officials cannot be trusted to uphold the already-lawful rights of their employees; and

NOW THEREFORE, The Board of Commissioners of the Town of Matthews hereby opposes North Carolina House Bill 37 as it creates unnecessary duplication of state and federal protections, imposes extraneous layers of bureaucratic oversight and constitutes a usurpation of local governments’ right of local control, and respectfully requests that the North Carolina General Assembly oppose any such legislation now and in the future.

ADOPTED by the Board of Commissioners of the Town of Matthews this the 13th day of March, 2017.
RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE A PORTION OF THE FORMER RIGHT-OF-WAY OF CAMPUS RIDGE ROAD PHYSICALLY ABANDONED BY THE NC DOT AND FURTHER BEING LOCATED ON THE PROPERTY OF JUDY TENNANT DRAKE IN THE TOWN OF MATTHEWS, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, Campus Ridge Road Realignment has been completed by the NC DOT leaving a portion of the prior right-of-way physically abandoned and traversing property belonging to Judy Tennant Drake; and

WHEREAS, the portion of former Campus Ridge Road right-of-way to be closed lies entirely upon the property of Judy Tennant Drake as shown on a map marked “Exhibit A,” and is more particularly described by metes and bounds in a document marked “Exhibit B”, both of which are available for inspection in the Office of the Town Clerk, Town Hall, Matthews, North Carolina; and

WHEREAS, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, required that the Board first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the Resolution shall be public once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, at its regularly scheduled session of August 28, 2017, that it intends to close a portion of the former right-of-way of Campus Ridge Road, said portion being more particularly described on a map and by a metes and bound description available for inspection in the Town Clerk’s Office, and hereby calls a public hearing on the question to be held at 7:00 p.m., on Monday, the 9th day of October 2017, at the Matthews Town Hall, 232 Matthews Station Street, Matthews, North Carolina 28105. The Town Clerk is hereby directed to publish a copy of this resolution in a local newspaper once a week for four successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299 and further to send by Registered or Certified Mail to all of the owners of property adjoining the said portion of the former right-of-way of Campus Ridge Road, and to prominently post a notice of the closing and public hearing in at least two places along a portion of the said former right-of-way of Campus Ridge Road, all as required by N.C.G.S. 160A-299.

RESOLVED, this the 28th day of August 2017.

ATTEST:

[Signature]

Mayor

[Signature]

Town Clerk
Resolution Approving Financing Terms

WHEREAS: The Town of Matthews (the “Town”) has previously determined to undertake a project for the financing of a radio replacements, (the “Project”), and the Town Manager has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through PNC Equipment Finance LLC (“PNC”), in accordance with the proposal dated October 5, 2017. The amount financed shall not exceed $1,125,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.08%, and the financing term shall not exceed five (5) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. The Town Manager and the Finance Officer of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approval of the Document’s final form.

4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Town intends that the adoption of this resolution will be a declaration of the Town’s official intent to reimburse expenditures for the project that is to be financed from the proceeds of the PNC financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town’s general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 9th day of October, 2017.

By: ____________________________  By: ____________________________
(Clerk)  (Mayor)

SEAL
RESOLUTION CLOSING A PORTION OF THE FORMER RIGHT-OF-WAY OF CAMPUS RIDGE ROAD LOCATED ON THE PROPERTY OF JUDY TENNANT DRAKE IN THE TOWN OF MATTHEWS, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the Board of Commissioners has caused to be published a Resolution of Intent to Close a portion of the former right-of-way of Campus Ridge Road located on the property of Judy Tennant Drake, which calls for a public hearing on the question; and

WHEREAS, the Town has caused a copy of the Resolution of Intent to Close a portion of the former right-of-way of Campus Ridge Road located on the property of Judy Tennant Drake to be sent by registered or certified mail to all owners of property adjoining the said street (or portion thereof), and prominently posted a notice of the closing and public hearing in at least two (2) places along a portion of the said former right-of-way of Campus Ridge Road, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 9th day of October 2017, and the Board of Commissioners determined that the closing of a portion of the former right-of-way of Campus Ridge Road located on the property of Judy Tennant Drake is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, at its regularly assembled meeting of October 09, 2017, that the Board hereby orders the closing of a portion of the former right-of-way of Campus Ridge Road located on the property of Judy Tennant Drake in the Town of Matthews, Mecklenburg County, North Carolina, as described on Exhibit B attached hereto and incorporated herein along with a plat thereof both for a more particular description.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

ATTEST:

Mayor

Town Clerk

And more particularly described as follows:

**Beginning** at a common corner of Kathryn Stillwell as described in Deed Book 2961 at Page 387 and Judy Tennant Drake as described in Will Book 12 at page 243 in the Mecklenburg County Register of Deeds, and said corner being on the Easterly right of way of Campus Ridge Road (SR#3457, having an Apparent maintained right of way width of 60' feet); thence with a curve to the right with an arc length of 139.58', with a radius of 634.22', with a chord bearing of N 18°13'52" E, and with a chord length of 139.30' to a computed point; thence with a curve turning to the right with an arc length of 189.72', with a radius of 2064.64', with a chord bearing of N 25°21'38" E, and with a chord length of 189.65' to a computed point; thence N 27°07'51" E a distance of 108.94' to a computed point, said point being a common corner with the City of Charlotte Property as described in Deed Book 5689 at page 797 in said Registry; thence N 75°23'53" W a distance of 21.68' to a computed point; thence with a curve turning to the right with an arc length of 136.58', with a radius of 1530.00', with a chord bearing of S 43°45'25" W, and with a chord length of 136.53' to a computed point, said point being on the westerly right of way of said Campus Ridge Road (SR#3457, having an Apparent maintained right of way width of 60' feet); thence with a curve to the left with an arc length of 166.83', with a radius of 2118.08', with a chord bearing of S 24°59'50" W, and with a chord length of 166.79' to a computed point; thence with a curve turning to the left with an arc length of 193.11', with a radius of 693.48', with a chord bearing of S 16°29'24" W, and with a chord length of 192.49' to a computed point; thence with a curve to the left with an arc length of 27.43', with a radius of 422.70', with a chord bearing of S 06°35'00" W, and with a chord length of 27.42' to a computed point; thence N 31°32'34" E a distance of 78.15' to a computed point; thence S 68°33'54" E a distance of 30.40' to the **Point of Beginning**, having an area of 24,807 square feet, 0.570 acres
Note:
1. PROJECT BEARINGS ARE NC GRID NAD 83/2001.
   BEARINGS AND DISTANCES IN PARENTHESES ARE
   BASED ON RECORDED DEED AND MAP
   INFORMATION.
2. TOTAL RIGHT OF WAY AREA TO BE ABANDONED: 24,807 SQ. FT.

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

REVIEW OFFICER OF
MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO
WHICH THIS CERTIFICATION IS ATTACHED MEETS ALL STATUTORY
REQUIREMENTS FOR RECORDB.  

REVIEW OFFICER  DATE
RESOLUTION ESTABLISHING THE TIME AND PLACE FOR THE REGULAR MEETING OF THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF MATTHEWS AND FURTHER ESTABLISHING ITS RULES OF PROCEDURE

WHEREAS, N.C.G.S. 160A-71 requires that the Town Council shall fix the time and place for its regular meeting and further provides that the Council may adopt its own rules of procedure; and

WHEREAS, N.C.G.S. Section 143-318.12 requires that a current copy of a Resolution establishing the Town Board’s regular meetings, showing time and place, be kept on file with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that beginning with January 2018 its regular meeting shall be held on the second and fourth Monday nights of each month at 7:00 P.M. at the Town Hall in Matthews, North Carolina; be it further RESOLVED, the meetings of the Board of Commissioners whether it be special or regular shall follow Roberts’ Rules of Order and the Town Attorney shall act as parliamentarian; be it further RESOLVED, that the Agenda shall be prepared under the direction of the Mayor and, additionally, each Commissioner should he or she desire any business be placed on the Agenda shall so make a request to the Mayor; however, should the Mayor for whatever reason decline this request for a given Agenda, then the request by a second Commissioner shall make it mandatory that the item be placed on the given Agenda as required by the first Commissioner; be it further RESOLVED, that an item on each Agenda shall be designated as “Public Comment” intended to give citizens an opportunity to speak on any subject; speakers will be given up to four (4) minutes to speak unless the time period is changed by vote of the Board of Commissioners at that meeting; further this Public Comment item on zoning Agenda nights will be placed on the Agenda after “Action From Planning and Zoning Board; and on the second meeting of the month this Public Comment item will be placed on the Agenda after the “Pledge of Allegiance”; be it further RESOLVED, the necessity for a Board Closed Session will normally be listed on the Agenda when possible, however, if it is not possible, the individual Commissioner requesting the Closed Session shall contact all Board members, the Mayor, the Manager and the Attorney as time will allow; be it further RESOLVED, any Commissioner or the Mayor with just cause may request an item on the printed Agenda be deferred; it shall be the policy of the Board of Commissioners to defer the said requested Agenda item until the next regular meeting of Council, absent any compelling reason not to defer the item (normally absence of a Commissioner by itself is not just cause to have an item deferred); be it further RESOLVED, any item that needs to be added to an already printed Agenda will be announced at the beginning of each meeting, however, items to be added should only be added to the Agenda when time is a necessity; be it further RESOLVED, there is hereby established as a part of each Agenda as required an item to be designated as “Consent Agenda” and the items listed under the Consent Agenda will be voted on cumulatively in one motion unless a Board member requests to deal with any items on the Consent Agenda individually.

RESOLVED, this the 11th day of December 2017.

[Signature]
Mayor

ATTEST:

[Signature]
Town Clerk