

**MINUTES
BOARD OF COMMISSIONERS SPECIAL MEETING - MINI CONFERENCE
HOOD ROOM, MATTHEWS TOWN HALL
DECEMBER 7 & 8, 2018**

The Board of Commissioners met with staff to discuss various issues. All related documents can be found in the complete agenda packet.

**FRIDAY, DECEMBER 7, 2018
MATTHEWS TOWN HALL
1:00 PM**

PRESENT: Mayor Paul Bailey; Mayor Pro Tem John Higdon; Commissioners Barbara Dement, Chris Melton, Jeff Miller, Kress Query and John Urban

ALSO PRESENT: North Carolina Demographic Center Director Dr. Rebecca Tippet; Town Manager Hazen Blodgett; Assistant Town Manager Becky Hawke; Fire & EMS Chief Rob Kinniburgh; Parks, Recreation and Cultural Resources Director Corey King; Planning and Development Director Kathi Ingrish; Police Chief Clark Pennington; Public Works Director CJ O'Neill; Human Resources Director Tonya McGovern; Town Engineer Susan Habina Woolard; Transportation Planner Dana Stoogenke; Communications Coordinator Maureen Keith; Town Clerk Lori Canapinno; North Carolina Demographic Center Director Dr. Rebecca Tippet

PRESENTATION OF DEMOGRAPHIC TRENDS FOR MATTHEWS WITH DR. REBECCA TIPPETT, DIRECTOR OF THE NORTH CAROLINA DEMOGRAPHIC CENTER

University of North Carolina Demographic Center Director Dr. Rebecca Tippet discussed demographic trends. In general, more people are living in urban areas. The issue of the aging population is well known but the impacts of that are not yet fully known. There is an increasingly diverse population. Matthews is growing at a faster rate than North Carolina – 18.2% from 2010 to 2017 vs 17.1% in Mecklenburg County and 7.7% for North Carolina overall. Matthews is estimated to have a population of over 44,000 by 2035 based on the current growth rate and will require approximately 260 additional housing units per year. The feasibility of that will have to be discussed and likely become a policy decision. Issues of the timing of existing project buildout, density, and rezoning decisions can all enable or facilitate future growth. It may be that without available housing the growth in the region would go elsewhere.

Matthews' median age is 43.2 and its population is very heavily weighted with mid-career, 30 to 50-year-old residents. This is consistent with Matthews' position as a suburb of Charlotte. People move away from Charlotte and into the suburbs as they move into the next phases of their lives and the population shifts to older ages over the years. Most people moving into town will arrive with all of the children they're planning on having as opposed to adding more children once they're in town. Matthews is less diverse than Mecklenburg County, although diversity has been increasing over the years and the minority population is increasing more rapidly than the Caucasian population. A lot of this is due to the impact of immigration. 11% of Matthews residents are foreign-born and 13% speak a language other than English at home.

Charlotte is driving growth. The decline of the big three industries – tobacco, textiles and furniture – leads to the rise of new industries such as information technology, food production, banking and finance, and biotechnology. People

move where the money is and 44% of North Carolina's new jobs from 2007 to 2017 were in Mecklenburg County. With that growth come challenges in the form of housing, income and commuting.

The median year build of Matthews' housing is 1991, making it one of the oldest housing stock among its peer communities. This means there's a little less housing supply available in Matthews. Matthews' median sales price is much higher than other communities and over \$50,000 more than the broader region. Homeowners are generally not cost-burdened - spending more than 35% of their income on housing – but many Matthews renters are, more so than homeowners and significantly more so than other renters in similar areas. Costs are increasing for renters and decreasing for homeowners. The median income of homeowners is \$90,185 while that of renters is \$45,561.

The median income for most categories of Matthews residents is higher than those of Mecklenburg County, with Asian households reporting the highest income. Black and Hispanic households, while lower than town average, are much more affluent in Matthews than in Mecklenburg County overall. This may be due to the cost of housing in Matthews, with fewer opportunities for lower-income people to live in town. 6% of Matthews residents live in or near poverty and 5.1% of the Matthews population collected SNAP (Supplemental Nutrition Assistance Program) benefits in the previous year.

Average commute times are increasing around the state. In 2011 the North Carolina one-way commute time average was 23.4 minutes and in Matthews it was 25.6 minutes. In 2016 the state average was 24.1 minutes and in Matthews it was 27.9 minutes. Most Matthews workers commute alone – more so than the Mecklenburg County and state figures. There's not much access to public transportation here so Matthews commuters are much less likely to carpool, take public transit or walk. Matthews workers are also more likely to work from home. Most people who work in Matthews don't live in town and vice versa. 15,832 work here and live outside of Matthews; 12,125 live here and work outside of Matthews; and 894 both work and live in Matthews. Matthews is a net importer of people with more jobs than workers: 17,000 jobs and 13,000 workers. For those who work elsewhere, many travel from the east toward Charlotte and travelling through Matthews is often the easiest way to access their job.

DISCUSSION OF DEMOGRAPHICS PRESENTATION

The Board discussed Dr. Tippet's information. Mayor Bailey noted the large number of renters who spend a significant portion of their income on renting in Matthews and questioned why when people could live elsewhere and rent less expensive homes. Dr. Tippet explained that there are a lot of factors, but any choice made about location changes commuting time and cost. Being cost-burdened is a signal that can mean distress, but it doesn't always have to. It was also suggested that people may be willing to spend more on housing to access the quality schools and community.

Dr. Tippet reviewed some other data points comparing Matthews to Mecklenburg County overall. It's more difficult to get to a nearby childcare facility in Matthews than in Mecklenburg County. This is something to look at if the Board decides to look at affordable housing. Over 91% of neighborhood children are attending their home school, and there are lower rates of absenteeism and higher testing proficiency in Matthews. The town also has higher rates of voter participation, arts and culture participation and library card holders. 9.1% of town residents moved into Matthews in the last 12 months. This can be an indicator that there will be more new faces and new relationships to build on a regular basis. Turnover, both into and out of town, means more than just a new population. Town Manager Hazen Blodgett said that helps to understand why some people have never heard of some of the things the Town is doing – people are new and haven't heard about all that has been done before.

RECEIVE COMMISSIONER MILLER'S PRESENTATION ON BRANDING

Commissioner Jeff Miller presented information on town branding and art. He suggested choosing a theme for future Town branding and design, such as the railroad industry or architectural details such as turrets and cupolas.

He presented images of other locations' design themes and suggested new opportunities for murals, sculptures and other public art in Matthews. The Board discussed possible future mural locations and Mr. Miller suggested adding at least one substantial mural per year, as well as other smaller pieces throughout town. Mr. Higdon noted that Charlotte mandates that 1% of its public funding be put towards art. Mr. Melton noted that there are some art pieces currently displayed in town that belong to the artists, not the Town of Matthews. He suggested acting to secure ownership if the artists are amenable.

DISCUSS BRANDING OVERPASSES AND MEDIANS ON US HIGHWAY 74 AND I-485

Transportation Planner Dana Stoogenke reviewed options for Town-specific branding and beautification treatments on bridge overpasses and medians. There are five existing structures and five new structures will be constructed by NCDOT as part of the new Weddington Road/I-485 interchange and new bridges for the US-74 widening project. Bridge beautification could include embellishments like painted road names, painted concrete or brick veneer. Staff is waiting on cost information from the Turnpike Authority.

Mr. Blodgett said the bridge over Weddington Road is a gateway to the town, and Sam Newell Road could be another one. Town Engineer Susan Habina Woolard noted the Idlewild Road project will be another, although that one will be shared with Mint Hill. Regarding funding, Ms. Stoogenke noted that the Arts and Science Council has some grant possibilities, and there be opportunities for business community partnerships. She explained that some communities dedicate 1% of public art funding specifically for transportation project beautification. Town Attorney Charles Buckley said tourism funds can be used for these types of improvements.

Mayor Bailey said the existing brick entry signs are classic and never go out of style. He would like to see those replicated elsewhere. Mr. Blodgett noted that those are part of the still unfinished wayfinding project – there are a couple of locations that have been identified but staff is still working out the logistics. Mr. Miller suggested adding a sign at Sardis Road. Mr. Blodgett explained that the overpass branding wouldn't need to be paid for until the construction was done, and that tourism dollars could be used instead of general funds. Mr. Higdon said he's not opposed to bridge enhancements but can't see spending so much on them. He'd prefer to see wildflowers and trees planted along the highway.

Staff will investigate designs and costs and determine what NCDOT will allow.

DISCUSS LONG-TERM VISION FOR STUMPTOWN PARK

Parks, Recreation and Cultural Resources Director Corey King reviewed existing conditions of and long-term plans for Stumptown Park. Additional parcels would have to be acquired to expand the park's footprint: three residential parcels and the Masonic Lodge site. Mr. Blodgett explained that staff has talked about this in the past with the property owners, but they are not currently for sale and no one knows what the fair market value of the parcels will be when they do become available for purchase.

Mr. King reviewed two options for a redesigned Stumptown Park. These plans would reorient the park and includes the opportunity for a centerpiece water element. The theme is people-centric with a redesigned entrance, sidewalk accessibility, drinking fountains, moveable seating, and more. Mayor Bailey said he's envisioned Stumptown Park as a quiet place, not necessarily one with a lot of programming. He suggested an open field for play and areas that would allow people to just sit and enjoy the quiet. Mr. King explained that there are passive enjoyment opportunities as well as more active areas in the plan, adding that some active recreation makes the park more usable. Mr. Miller asked if any thought had been given to adding a concession stand. Mr. King explained that the investment and inventory upkeep it wouldn't be worth it. For now, foods trucks seem to be the best way to proceed. Mr. Melton asked about the Masonic building, saying that he believes that will be here for a long time. Mr. King explained that if the property was acquired the intent would be to tear down the existing structure rather than reuse it. Mr. King

reviewed the second layout, which configures the park with more open grass area and keeps the legacy trees on site as much as possible. Mayor Bailey appreciated the larger passive area in this plan.

Mr. Melton asked if anything could be done to improve the quality of the existing turf, saying he's sensitive to the need to avoid using too many chemicals but that the turf needs help and the gumballs need to be cleaned up. Mr. King explained that the lawn is treated the same as the green in front of town hall, but seven or eight months of foot traffic each year has an impact. Mr. Melton asked about pressure washing and sealing the stage deck and Mr. King said it was recently stained. Mr. Melton asked about using Trex material for the stage floor and Mr. King explained that it is expensive. Mr. Miller suggested terracing the lawn to allow for better viewing. Mr. Urban noted that there would be added complications with retaining walls and all the sidewalks would have to be sloped per ADA requirements. Mr. Melton said there will be some significant grading costs when the stage is repositioned. Mr. Urban noted a potential issue of sunlight and the direction of the amphitheater positioning in the western side, and recommended staff look at ways to add parking spots. Mr. Melton suggested sharing parking with the Women's Center.

RECEIVE INFORMATION ON POLICE DEPARTMENT'S MOTORCYCLE PROGRAM

Chief Clark Pennington, Captain Stason Tyrrell and Sergeant Grant Nelson discussed the Police Department's new motorcycle program. Patrol officers will be in vehicles and motorcycles for traffic enforcement. The motorcycles allow much greater maneuverability than vehicles. In addition, motorcycles have historically been used for traffic enforcement, so the visual deterrent is helpful. They stand out a lot and draw more attention than marked police cars.

REVIEW THE PURPOSE AND DIRECTION OF TOWN BOARD-APPOINTED ADVISORY COMMITTEES

The Board discussed the Town's advisory committees, communication, and how the committees might better support their missions. There was also discussion about those which currently allow nonresidents to be appointed.

By consensus the Mayor and Board decided to each list three suggestions/ideas for each committee and to indicate whether that committee should allow nonresidents to be appointed.

DISCUSS 2019 PLANNING CONFERENCE TOPICS

Mr. Blodgett reviewed possible topics for the February 2019 planning conference, including an all-encompassing CIP (capital improvement plan), livestreaming Board meetings and the zoning of property at 433 East John Street. Mayor Bailey suggested adding discussion about the greenway plan and any gaps and discussing the paving process. Mr. Higdon suggested discussing expectations for the Entertainment District. Mr. Urban suggested discussing broadband downtown and elsewhere; inviting someone from the Urban Land Institute or similar to talk about growth, land banking and other issues in a macro sense; having some discussion with REBIC and similar organizations about the impacts of housing projects on schools and other significant aspects of development; and the kiln at Outen Pottery.

Mr. Melton suggested discussing having a lobbyist working on behalf of the town in Raleigh and a deeper dive into Dr. Tippett's demographic data. Mr. Query suggested discussing four-year terms for the Board of Commissioners. Ms. Dement suggested discussing crosswalks and sidewalks, or the lack thereof, charter schools, and concerns about what can be built by right. Mr. Miller suggested discussing the park site at Pleasant Plains and McKee Roads.

SATURDAY, DECEMBER 7, 2018
MATTHEWS TOWN HALL
8:00 AM

PRESENT: Mayor Paul Bailey; Mayor Pro Tem John Higdon; Commissioners Barbara Dement, Chris Melton, Jeff Miller, Kress Query and John Urban

ALSO PRESENT: Town Manager Hazen Blodgett; Assistant Town Manager Becky Hawke; Fire & EMS Chief Rob Kinniburgh; Parks, Recreation and Cultural Resources Director Corey King; Planning and Development Director Kathi Ingrish; Police Chief Clark Pennington; Public Works Director CJ O'Neill; Human Resources Director Tonya McGovern; Town Engineer Susan Habina Woolard; Senior Planner Jay Camp; Transportation Planner Dana Stoogenke; Communications Coordinator Maureen Keith; Town Clerk Lori Canapinno

DISCUSS DOWNTOWN BEAUTIFICATION AND OTHER IMPROVEMENTS

NORTH TRADE STREET FROM RAILROAD TO MATTHEWS STREET – SIDEWALKS AND STREETSCAPES

Senior Planner Jay Campo discussed possible streetscape improvements on North Trade Street, including a brick knee wall along the sidewalk edge in front of the Johnson Building to create a better pedestrian experience and hide the parking lot, a bump-out at the crosswalk at the corner of North Trade and Matthews Streets, pedestrian improvements at the crosswalk in front of Brakeman's Coffee, and more. Staff is requesting that the Board review options and consider an overall design for the area so that improvements can be made incrementally as funds are available. Staff proposes hiring a design firm to create conceptual drawings for both sides of the 200 block of North Trade Street.

Mayor Baily said angled parking spots should also be considered. Mr. Miller questioned if the bump-out would obstruct the view of drivers turning right and the safety one with a crosswalk further up. Town Engineer Susan Habina Woolard explained that it would be designed properly to bring visibility to pedestrians and make for safer crossings. Mayor Bailey asked about the potential to lose parking spaces with the bump-out and Ms. Habina Woolard confirmed that one space would be lost if the grassy area was included in the design. Mr. Blodgett asked about the proposed knee wall in front of the Johnson Building. Mr. Camp explained that taking the wall around the curve would help hide the parking lot. The brick wall could incorporate elements like planters, historic markers and/or art elements. Staff would like to work with the property owner to see if he'd like to work with the Town on this.

Mr. Camp then discussed the visual clutter of overhead utilities, including power lines and 30-year old acorn lamps. Those lamps are the lowest quality Duke Energy offers and the Town may want to consider upgrading to a better style light post. Mr. Blodgett pointed to the style used in the nearby North End development as a good base line. Mr. Camp explained there are pole styles that can also accommodate banners or hanging flower baskets. They're expensive. Public Works Director CJ O'Neill noted that the existing poles cost \$850 per month, which includes the energy costs. An LED fixture would be \$2,500 per month. The Town could pay money toward the cost of the fixture to lower the monthly payment, but they can never be purchased outright. Ms. Habina Woolard noted that she's been researching solar options, but they come with giant panels and so may not be appropriate if the goal is to minimize visual clutter. Mr. O'Neill said staff has asked Dike to retrofit some of the existing cobra lights into LEDs but Duke would charge a lot of money to do so, even though it would save them money after a few years. Mr. Miller questioned if people really care about acorn lights versus other styles, and Ms. Dement commented that it's one of those things that people may not really notice but adds so much to the look of a town. Mr. Miller noted that there are two different color lights with mercury vapor lamps and the other style.

Mr. Camp continued to review ways to eliminate overhead clutter in the area, including using at least one traffic mast arm to eliminate a section of wire and post. Mr. O'Neill discussed pavement markings on crosswalks,

explaining that the thermo-print process holds on better but still eventually wears away. Another option would be to use pavers or colored concrete – those wouldn't wear away, but they'd be more expensive. Mr. Camp reviewed more ideas, including the incorporation of planters, seating and brick accents on concrete sidewalks. Mayor Bailey discussed traffic calming devices. Mr. Camo said the right turn lane in front of the Johnson Building would probably have to drop if angled parking was installed there. Ms. Habina Woolard agreed but said the turn lane might not be needed. Staff would have to do a traffic count to verify that need.

Mr. Camp explained the option for a consultant to look at the area in the 200 block, inventory what's there, do some survey work and make recommendations. They'd then need to make renderings before going to engineering and developing full costs. The project cost depends on what the Board wishes to do. Mayor Bailey asked about encompassing a larger area down to Trade Street or all the way down to Fullwood Lane.

Discussion ensued. Several members liked the large clock shown. Mr. Melton suggested tying in the mural program to something, such as putting a black and white image of what Renfrow's looked like a hundred years ago on the side of their building. Ms. Dement suggested having a theme to the lighting fixtures. Mr. Miller said he wasn't in favor of diagonal parking, since people have great difficulty backing out in heavy traffic. Mr. Camp noted that angled parking disrupts the streetscape from a visual perspective. Mr. Higdon asked about costs to bury electrical lines and Mr. O'Neill said the historical estimate is a million dollars per mile. Mr. Urban said he'd like to see a separate line item for a pattern book – information to give people when they start developing their own property. He also noted that all elements needed to be ADA compliant.

EXTENSION OF FLOWER BASKETS IN BOTH DIRECTIONS TO MATTHEWS STREET AND TO STUMPTOWN PARK

Mr. O'Neill discussed extending the flower baskets north to East Matthews Street and south to Stumptown Park. Currently there are 20 hanging baskets, 20 planters and numerous planting beds throughout town. Staff recommends adding 12 poles – 24 baskets – for a total of \$15,600 for materials. Annual investments of about \$20,000 for a seasonal worker and \$600 for flowers totals \$20,600. Current staff does not have capacity to handle any additional planters so the seasonal worker would work on the baskets and other projects. Mr. Miller said the ground planters retain water better than the hanging baskets and suggested using more of these instead. Mr. O'Neill said they could in the areas that are spacious enough to allow them. Mr. Blodgett said he could see this plan growing to match the existing elements, which includes both baskets and planters.

Mr. Query asked if tourism funds could be used for this and Town Attorney Charles Buckley said tourism funds could be used for the initial investment but not the ongoing labor. Mr. Higdon suggested looking at plumbing in irrigation lines; Mr. O'Neill explained it would be cost prohibitive because installing water lines would require taking out sidewalks and boring underneath the road. Staff does plan on researching self-watering baskets soon. Mr. Melton suggested looking into corporate sponsorship, such as the Red Brick Partnership.

Mr. Blodgett suggested waiting until the conceptual design work for the streetscape was done, then look at expanding the program from South Trade Street and Fullwood on up.

PARKING

TOWN-OWNED VACANT LOT ACROSS FROM BLACK CHICKEN (MATTHEWS STATION STREET GRASSY LOT) – REVIEW COSTS OF FIRST STORY PARKING AND SECOND STORY RETAIL

Assistant Town Manager Becky Hawke discussed an idea for the Town-owned, currently vacant lot on Matthews Station Street: a structure with parking on the first floor that could be converted for other use after hours and office of the second story. This would meet concerns about parking while also getting the last parcel developed. At Lat Purser of Lat Purser & Associates (LPA) request, staff discussed the costs and potential Town contribution. LPA said they'd need an investment from the Town of about \$800,000. At the per-space cost for 22 spaces it would be

\$36,000 per space. By comparison, structured parking is around \$15-25,000 per space depending on type of construction. Staff did look at options for programming that space to make up the costs but there wasn't an overwhelming sense that there would be a justified cost to the Town. Staff conveyed to LPA that they didn't think this was a viable option for the Town.

Mayor Bailey said he also talked to LPA and the furthest he'd be willing to go would be to give them the land to get the parking spaces, so it would cost the value of the land – about \$180,000 or so. Mayor Bailey asked about making that lot a surface parking lot and Ms. Hawke explained that the Planning staff is reluctant to do that, since it would be better to finalize the development with a building as planned. A surface lot would be an option for an interim measure. LPA is interested in partnering with the Town on costs to pave that space, and they'd want first right of refusal when the property is placed for sale in the future. Mr. Buckley noted that LPA has legal first right of refusal anyway per the original development agreement. Mr. Blodgett noted that the site is difficult to market because people believe parking is an issue. Ms. Hawke noted that staff was told that any other responsible developer would have the same concerns about parking.

Mr. Buckley clarified the details of the downtown development agreement. Mr. Higdon said the Town should consider building a two-story parking deck with 50-60 spaces and make it look like a nice building. Mayor Bailey agreed with the concept but said it would have to be located elsewhere since the Matthews Station Street lot is a prime spot. Planning Director Kathi Ingrish noted that the downtown pedestrian plan envisions a parking deck a block away from the main area. She also noted that attitudes about parking are starting to change – people are more willing now to park a block away and walk rather than needing a parking space right in front of a business. Mr. Miller suggested financing a building with the first-floor parking deck and second story retail, so that the rental of the second floor would pay the debt service. Mr. Buckley explained that public funds can't be used to rent out real estate to private commercial entities. Mr. Urban said the lot has value and questioned if the Board would be willing to convey the land for a dollar to bring developers to the table. Ms. Hawke asked if there was interest in selling the lot for fair market value and then putting those funds toward structured parking in another location. A 20-space deck would cost between \$300-400,00 to construct. A two-story unit with 44 spaces total would be about \$660,000. Discussion ensued.

Mr. Blodgett said staff can produce an RFP for the Matthews Station lot for a structure with multiuse parking with convertible space on the ground floor and commercial on top and see if there's any interest.

TOWN-OWNED LOT BY POST OFFICE – COST TO CONSTRUCT PARKING

Mr. Blodgett discussed the Town-owned lot near the post office on John Street. It's a flag lot situated next to a creek. Staff put together a plan to add 48 parking spaces here. It would require underground water detention and would cost \$290,000, or about \$6,000 per space. If these spaces are built, then the Town can take its time on the issue of building a parking deck.

Discussion ensued. Mr. Melton said there could be ways to drop that amount, such as adding bicycle parking spaces to make it a multimodal transportation hub, which would then allow the Town to seek grants or making people pay to park there. Mr. Higdon said he doesn't want to charge for parking.

By consensus the Board directed staff to investigate costs for adding parking in the larger area.

DISCUSS SPENDING TOWN TAX DOLLARS ON ROAD AND CIRCULATION IMPROVEMENTS FOR MATTHEWS ELEMENTARY, CROWN POINT AND ELIZABETH LANE ELEMENTARY SCHOOLS

Transportation Planner Dana Stoogenke discussed issues relating to traffic congestion around the elementary schools at drop-off and pickup times. Elizabeth Lane Elementary School had an engineer review the issue last year

and he said that a 30-minute pickup and drop-off period is average – and acceptable - for CMS. The Town feels that could improve.

Currently at Crown Point Elementary School there are no student walkers. The Sam Newell Road traffic count is 13,000 and cars stack on Sam Newell and double-stack on the campus. Options include adding signage, reconfiguring more internal stacking within the campus, construction of a turn lane on Sam Newell Road, having a police presence every day at morning and afternoon, and encouraging school bus ridership. She reviewed estimated costs for solutions, including \$17,000 for an off-duty officer and \$368,000 for a new turn lane.

Currently at Elizabeth Lane Elementary School has one crossing guard and the traffic count on Elizabeth Lane is 1,300. Options include adding speed humps, construction of a turn lane between the school parking/bus lots, adding pavements markings to create a turn lane on Elizabeth Lane between the bus lot and Cithara Drive, improving signage, adding a crossing guard at Cithara Drive and Elizabeth Lane, adding a police officer to direct traffic at the school entrance, and working with the school to stack traffic on the campus earlier in the afternoon. The estimated costs for solutions include \$1,500 to add three speed humps and \$200,000 to add a turn lane.

Currently at Matthews Elementary School there is a police officer directing traffic every morning and afternoon and the traffic count on South Trade Street is 13,100. There is a lot of nearby on street parking, which helps naturally slow down drivers and improve pedestrian safety. There are a lot of parents who park and walk their child into the school. Options include working with the school to reinstate double stacking carpool lines, adding pavement markings, adding a crossing guard, encouraging bus ridership and construction of a turn lane on South Trade Street. The estimated costs for solutions include \$2,650 for a crossing guard and \$669,000 to add a turn lane.

Regarding Matthews Elementary, Mr. Higdon discussed the concept of punching the road through on Charlotte-Mecklenburg Schools (CMS) property and stacking cars. CMS refused because of the location of their busses behind the school and their refusal to mix bus and vehicle traffic. Mr. Higdon believes this option could pull a lot of traffic off of South Trade Street. Mayor Bailey said it could be similar at Elizabeth Lane. Ms. Stoogenke noted that the Town has more leverage with Elizabeth Lane because of the zoning action that the Board needs to approve every year, but that leverage isn't there with Matthews Elementary. Mr. Melton said it appears that the Town is putting more effort into solving their problems than CMS is, and that CMS doesn't want to work with the Town to solve these problems since they don't see it as their problem. These traffic issues have the potential to affect emergency response times and risk people's lives.

A member of the public requested the opportunity to make a comment. Motion by Mr. Miller to take a comment from the public. The motion was seconded by Mr. Higdon and unanimously approved. Matthews resident Renee Garner discussed alternate traffic flow options. She noted that Sadie Drive and the church property are not owned by CMS and parents aren't supposed to park or drive there to get to the school, so some type of CMS policy change would be needed to change the flow. Mr. Higdon suggested using McDowell instead. Parks, Recreation and Cultural Resources Director Corey King noted that while the cars on stacked on South Trade Street in the afternoon, the busses are stacked on McDowell Street. The busses aren't allowed into the school parking lot until shortly before dismissal. Captain Tyrrell explained that was because the school uses the playground and blacktop in that area until shortly before dismissal time.

Ms. Stoogenke noted that additional turn lanes are the last resort and staff does not recommend them in the public right of way on Sam Newell, South Trade or Elizabeth Lane. Public Works Director CJ O'Neill explained that CMS is willing to work with the Town a little, but they're generally not interested in change. Assistant Town Manager Becky Hawke suggested increasing traffic enforcement to not allow stacking on public roads, which would then force people to keep driving around until a space opens on school property. That would shift the problem back to CMS. Captain Tyrrell explained that he and the department has worked with each of these schools over the years, working directly with the principals, and they ultimately have a good relationship with the schools and don't want to jeopardize that. It always comes down to a matter of manpower. They do think the street is the Town's problem, not theirs. The double-stacking at Matthews Elementary was his plan, but the school was worried about liability and

they didn't want to allocate any personnel resources out there to make it happen. Something similar occurred at Elizabeth Lane Elementary. He said signage is great but ineffective - every parent makes their own decisions and pushes the limits. All three of the schools have the same issues, and the only way the parents will do everything correctly is to require a police officer every single day. Without that the parents will go back to their previous actions. Discussion continued.

REVIEW TOWN BOARD CODE OF ETHICS

Mr. Blodgett discussed the Board's code of ethics. The existing code is fine, but it doesn't include any provisions for a censure process, and best practice calls for the inclusion of such a process. A censure has no legal impact on its recipient; it's a way to express disapproval of a Board member. There has not been any need for this recently but in previous years there had been a situation in which a censure process probably would have been used if the member hadn't chosen to resign his position. Mr. Buckley clarified that the code currently includes all statutory requirements. If a censure provision was added it would mean there was a formal process in place for the Board to censure another member. If a complaint was made then the Town Attorney would investigate it, or get outside council to do so, and then hold a public hearing. The Board could adopt a resolution of non-support by majority vote or resolution of censure by a super majority. It's a very serious thing – it essentially puts a member on trial to determine if an ethical violation was made. There's a serious chance for potential reputational damage to the accused even if the process determines that no unethical behavior occurred. Discussion ensued.

Mayor Bailey discussed reading a statement at the start of each meeting to remind everyone of the expected civil behavior of all participants. He quoted portions of the Board's code of ethics:

Whereas, a spirit of honesty and forthrightness is reflected in North Carolina's state motto, *Esse quam videri*, "To be rather than to seem;"

and

Section 1. Public Officials should obey all laws applicable to their official actions as members of the board. Public Officials should be guided by the spirit as well as the letter of the law in whatever they do. At the same time, Public Officials should feel free to assert policy positions and opinions without fear of reprisal from fellow Public Officials or citizens. To declare that a board member is behaving unethically because one disagrees with that board member on a question of policy (and not because of the board member's behavior) is unfair, dishonest, irresponsible, and itself unethical.

He said there has been some behavior from citizens recently that he's never experienced, and it concerns him. He stated that just because a person's opinion is different doesn't mean that person is unethical.

Motion by Mr. Query to read a section of text at the beginning of every meeting:

Public Officials should obey all laws applicable to their official actions as members of the board. Public Officials should be guided by the spirit as well as the letter of the law in whatever they do. At the same time, Public Officials should feel free to assert policy positions and opinions without fear of reprisal from fellow Public Officials or citizens. To declare that a board member is behaving unethically because one disagrees with that board member on a question of policy (and not because of the board member's behavior) is unfair, dishonest, irresponsible, and itself unethical.

The motion was seconded by Ms. Dement and passed 6-1 with Bailey, Dement, Melton, Miller, Query and Urban in favor and Higdon in opposition.

Mr. Higdon said this decorum is self-evident and he doesn't think it needs to be read at every meeting. He doesn't want to discourage people from expressing their discontent and is very wary of quashing public opinion or making it

any less likely for people to feel free to voice their opinion. Mr. Miller said he doesn't mind criticism but certain recent comments from a citizen to Mr. Urban were wrong. Mr. Melton suggested printing the language on each agenda rather than reading it out at every meeting. Mr. Query said he'd prefer it to be read aloud so everyone can hear it. Mayor Bailey said this in no way inhibits anyone from giving their opinion during public comment, but he feels it's an issue when it gets to the point where people are publicly questioning the ethics of an elected official when that person is just doing their job.

Discussion ensued. Mr. Buckley clarified the issue of freedom of speech, noting that speakers can't be shut down simply because their comments are negative. Ms. Dement said she would never want to squelch opinions, but the vilification that has happened with some comments is what the last sentence of that quote is referring to. Disagreeing with someone and being accused of unethical behavior are two very different things. She believes the mayor can stop comments that veer toward vilification. Mr. Buckley pointed out that the code of ethics applies to the Board, not the public, so it shouldn't be said that a member of the public is behaving unethically when they're not subject to this policy. Mr. Melton noted that the reading of the wording is not to apply the code of ethics but simply use its language to remind everyone in the room that just because someone dislikes an opinion doesn't make it wrong. The language also reminds the council members that they have a duty to share their opinions. Mr. Query said he has no problem hearing comments but does have a problem with personal attacks. Mr. Miller suggested reading out a simple disclaimer at the beginning of each public comment period asking people to refrain from personal attacks. Ms. Dement said the behavior the council models sets the tone for the meeting, and so perhaps it could encourage people to share their opinions without including personal attacks. Mr. Higdon reiterated his concerns about scaring people away and squelching their comments. Discussion continued.

Mr. Buckley noted that the only time freedom of expression can be prohibited is if there is a clear and present danger from it. A council member is within their rights to respond to a public comment, but it carries a political consequence. All speakers need to remember that they can't say something they know to be untrue because that's slander. Someone may have a case for slander/libel if that can be proven.

After additional discussion, Mr. Melton made a motion to reconsider the previous action – the reading of the statement at each meeting. The motion was seconded by Mr. Higdon and unanimously approved.

A member of the public requested the opportunity to make a comment. Motion by Mr. Miller to take a comment from the public. The motion was seconded by Mr. Higdon and passed 5-2 with Bailey, Higdon, Melton, Miller and Urban in favor and Dement and Query in opposition. Matthews resident Renee Garner stated that the issue of censuring came up at her request because of things that happened to her and were done to her by members of the council. She said residents have no protection against mistreatment by the Board. She is sorry some members feel like they've been attacked by citizens but there are citizens who feel they have been attacked by the Board. The censure process is the only remedy available to handle that. Mr. Buckley noted that if a person feels that they have been mistreated they can make a complaint to the manager, mayor or town attorney and the complaint will be investigated.

Discussion continued. Mayor Bailey made a motion to withdraw the previous motion and direct staff to work on suggested phrasing that could be read before comment periods to explain how the process works and request that people refrain from personal attacks. The motion was seconded by Mr. Miller.

Ms. Dement suggested including language to disallow speakers from posing questions to or asking for input from the audience. Mr. Miller noted that type of activity had been allowed before. Mayor Bailey said it was his responsibility to stop disruptive activity. Ms. Hawke said staff can incorporate language that instructs speakers to direct their comments to the Board. Mr. Query explained that his vote against allowing a comment from the audience was because he felt that this was an item that the Board needed to decide amongst its members. The motion was unanimously approved.

DISCUSS BICYCLE/PEDESTRIAN FACILITY BETTERMENTS FOR U-2509/INDEPENDENCE BOULEVARD PROJECT

Public Works Director CJ O'Neill discussed possible betterments for the Independence Boulevard project. NCDOT is working on the design work now and the Town has the opportunity to add sidewalks, multiuse paths and bike lanes. There are significant costs for this; DOT will pay for bike lanes if requested and will pay for 5.5 feet wide sidewalks over bridges. Sidewalks would be split 70/30% with the Town paying 30%. The Board must determine what betterments should be added. Once that's done DOT will come up with a more specific cost estimate. No contracts would be signed until the Town received those estimates and the funds wouldn't need to be paid until the end of the project, which is six to eight years away. He noted that the current cost estimates do not include right of way acquisitions or utility relocations. Final cost estimates will be done next year, and the Town will be held to those numbers for whichever projects it decides to pursue.

Mr. O'Neill reviewed the options and estimated costs. There are ten items for which the Town's portion would be \$5.2 million. The Board could choose to move forward with some, none or all of these projects. The Board discussed using concrete versus asphalt for paths. Mr. O'Neill explained that asphalt is easier to use and provides a smoother path but there's currently not that much difference in price. The Board also discussed the use of bike lanes and multiuse paths and debated various widths of each.

The Board took this information into consideration and will continue discussion soon at an upcoming regular meeting.

DISCUSS RENAMING THE SENIOR CENTER

Mr. Blodgett discussed the possibility of renaming the Levine Senior Center. There had been some discussion about renaming it since it is now owned by the Town. There was also discussion about using terminology more modern than "senior center." He spoke of his discussions with Dahn Jenkins, the center's director, who explained that to date, the Levine Foundation has donated \$2.1 million to the center. The Levines have been great partners and the center would prefer to keep the Levine name. Also, Ms. Jenkins explained that the title "senior center" was very common – in fact, 73% of these types of facilities use that title – and she didn't feel like it needed to be changed. Mr. Melton noted that he is on the center's Board of Directors and they have a very strong desire to not change the name.

By consensus the Board agreed that a name change was not necessary.

STAFF/BOARD COMMUNICATION: GENERAL DISCUSSION ABOUT WHAT STAFF CAN DO TO BETTER COMMUNICATE WITH THE BOARD

Mr. Melton explained that he and Mr. Query wanted to discuss the fact that there have been times when issues came up that the Board was not made aware of in a timely fashion. The accident on East John Street that occurred the same morning as the shooting at Butler High School and the press conferences at Butler that day as the most recent examples. He would like the Board to receive all communications that go out to the media at least five minutes before they're distributed to the media. Discussion ensued. Mr. Blodgett acknowledged the concerns and said staff will work on these issues.

ADJOURNMENT

Motion by Mr. Miller to adjourn. The motion was seconded by Mr. Higdon and unanimously approved. The meeting adjourned at 2:00 pm.

Respectfully submitted,

Lori Canapinno
Town Clerk