

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**August 21, 2023
6:00 p.m. – Huntersville Town Hall
101 Huntersville-Concord Road**

PRE-MEETING

None

**REGULAR MEETING
TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall, 101 Huntersville-Concord Road, at 6:00 p.m. on August 21, 2023.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Dan Boone, Amber Kovacs, Lance Munger, Derek Partee and Stacy Phillips. Commissioner Rob Kidwell was not present.

Mayor Bales called the meeting to order.

Mayor Bales called for a moment of silence.

Mayor Bales led the Pledge of Allegiance.

STAFF QUESTIONS

None

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Mayor Bales proclaimed August 26, 2023, as National Women's Equality Day in Huntersville.

A Proclamation for National Women's Equality Day

WHEREAS, On August 26, 1920, after decades of hard-fought advocacy, women won the right to vote, and our Nation moved one step closer to living out our sacred ideal that all people are created equal. On Women's Equality Day, we honor the movement for universal suffrage that led to the 19th Amendment, celebrate the progress of women over the years, and renew our commitment to advancing gender equity and protecting women's rights; and

WHEREAS, With the ratification of the 19th Amendment, millions of women across the country were finally able to make their voices heard in our elections. Yet many women of color who helped lead the universal suffrage movement were effectively denied those rights until the Voting Rights Act passed 45 years later. Women are less likely to have time to vote in-person with increased caregiving demands and a disproportionate share of low-wage, inflexible work. The right to vote and to have that vote counted is essential to the future of our democracy; and

WHEREAS, Women and girls have fought for justice and freedom throughout our history. All Americans should have the opportunity to fully participate in society — no one's rights should be denied because of their gender; and

WHEREAS, On Women's Equality Day, we celebrate the trailblazers who fought to deliver a better future for America's daughters. We recognize the work that remains to ensure that everyone can fully participate and make fundamental choices. We strive to uphold our Nation's promise of equality for all people.

NOW, THEREFORE, I, Melinda Bales, Mayor of Huntersville, do hereby proclaim August 26 "**NATIONAL WOMEN'S EQUALITY DAY**" in Huntersville, North Carolina.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 21 of August, 2023.

Centralina Council of Governments. Christina Danis, Community Economic Development Director introduced Zsuzsi Kadar, Community Economic Development Administrator. Ms. Danis presented information about the Centralina Regional Council Housing Preservation Initiative Grant. *PowerPoint attached hereto as Exhibit No. 1.*

Mayor Bales recognized Miss Huntersville, Deanna Glenn.

Deanna Glenn said I'm serving as Miss Huntersville for this year. I am dedicated to helping parenting students get the resources that they need to be successful in school and I did this at my alma mater UNC-Charlotte. I started a group called Single Mothers Support Group which helps the parenting students get diapers and any tangible items through our school resource program. If they are food insecure, that's where they go, our Jamil Niner Pantry Center. It's through there. They can apply to get the resources that they need.

Mayor Bales said you are also a music teacher at Bonnie Cone Leadership Academy.

Ms. Glenn said one thing I really love about Bonnie Cone Leadership Academy is their family values and I feel that my spirit is at rest being at a place where I can have the family values support the family through being a music teacher. I'm really grateful for all the blessings that I've gotten.

Ashley Wiley, 12435 Treasure Cove, said tonight my topic is going to be about the Social Media Policy. Honestly, like Eric had stated prior to tonight on Huntersville Politics, that the revision to the Social Media Policy for elected and appointees, that while he appreciated the policy's efforts in increasing transparency and working to ensure compliance with state public record open meeting laws, it was interesting that the policy doesn't even pay lip service to freedom of speech. Elected officials and advisory board appointees don't even give up their freedom of speech once they are elected or appointed. Why is he only referenced to liability and legal costs in referencing towards discriminatory and/or defamatory comments and also, in reference to the Town facing liability for violations of public records and/or open meeting laws. So, with that, I would also like to point out that social media has been very good to this town and it's been very unfair to this town. To include our beloved Mayor Pro Tem who once stood up for people, who was a fierce advocate for everybody, who literally loved this town, lived and breathed this town, and honestly after somebody decided that they were going to stand up and go against her after she had a moment of embracing just people for being people and saying if you need a trusted adult please come and speak to me, that was so sad for our entire community because our beloved Mayor Pro Tem was silenced and her voice was taken away from us. She used to stand up for us so proudly and she stood up for everybody until the person that's running for mayor wanted to say something and affectively silenced her. That other person is also running around and saying things about the town such as racial things. And I'm sorry but we don't live in a town of hate. We don't live in a town of even recognizing people for being anything other than just people. We need

Huntersville to go back to being kind. The heart of Huntersville was significantly hurt when that person decided to have their Spartacus moment and then had another one and it didn't matter what happened or what was said to make someone else uncomfortable that's what they were going to do to include using the people against the Lagoona Bay project. Political usefulness is certainly something that we all have but it shouldn't be used against the town.

AGENDA CHANGES

Commissioner Phillips made a motion to adopt the agenda.

Commissioner Partee seconded motion.

Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes. Commissioner Phillips made a motion to approve the minutes of the July 17, 2023, Regular Town Board Meeting. Commissioner Kovacs seconded motion. Motion carried unanimously.

Budget Amendment. Commissioner Phillips made a motion to approve budget amendment appropriating \$2,044,344 from General Fund balance and \$511,086 from Mecklenburg County to Fire Station Land for purchase of land on Ramah Church Road for Fire Station #5 and a neighborhood park. Commissioner Kovacs seconded motion. Motion carried unanimously.

Social Media Policy. Commissioner Phillips made a motion to approve revisions to Social Media Policy for Elected and Appointed Officials. Commissioner Kovacs seconded motion. Motion carried unanimously.

Revised Social Media Policy attached hereto as Exhibit No. 2.

PUBLIC HEARINGS

None

OTHER BUSINESS

Petition #R23-01, Foundry – Everett Keith Road. Petition #R23-01, Foundry – Everett Keith Road is a request by Foundry Commercial, LLC to rezone +/- 59.66-acres generally located east of Everett Keith Road and south of Hambright Road from existing Transitional Residential to Corporate Business - Conditional District for approximately 750,000 sq. ft. of light industrial space.

Commissioner Munger made a motion to defer action on this item until September 18, 2023, at 6:00 p.m. at Huntersville Town Hall.

Commissioner Partee seconded motion.

Commissioner Boone said I don't know why this was delayed. I don't know if it's on the Town's part or the applicant's part, but reading the minutes from the Community Meeting, the very last question that

was asked by the citizens, what can go wrong with the rezoning approval. All 15 families are excited to see this property developed. The applicant reminded the attendees that the rezoning is a political process. Why this has been delayed I do not know, but we've got to stop these kind of delays either on Town's part or the applicant's part.

Mayor Bales called for the vote to defer action until September 18.

Motion carried unanimously.

Petition #TA23-01, Street Trees. Lauren Speight, Senior Planner, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 3.*

What you have in your agenda tonight is a text amendment for three options for future street tree planting requirements to better support the infrastructure in Residential and Commercial subdivisions. The three options include a revised planting strip of 7' for small maturing trees, 9' for large maturing trees, and an alternative where a developer may provide a grass strip in lieu of a planting strip with an additional tree in the private yard.

The text amendment was supported unanimously by the Huntersville Ordinances Advisory Board. The Planning Board recommended approval of the text amendment 5 to 1, and the one vote in opposition specifically indicated that they did not prefer the third planting option which was to add an additional tree to a private yard for the maintenance of a private citizen.

Commissioner Boone made a motion in considering the proposed amendment TA23-01, the Town Board recommends approval based on the amendment being consistent with Policies EOS-4.1 and EOS-4.3 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it will provide developers with multiple options to comply with the street tree guidelines of the Huntersville 2040 Plan, as well as the intent of Article 7 of the Zoning Ordinance, to continue to provide Huntersville with the benefits of a robust tree canopy while reducing maintenance impacts on the public right-of-way.

Commissioner Munger seconded motion.

Commissioner Munger said do we currently have in place a policy for corner lot homes where the trees are along the side, because I know this one addresses more of the front, and does this affect anything for those particular type of residences.

Ms. Speight said we don't have a policy specific to corner lots, but that is something that we will need to address, because I do recall that being presented in discussion I can't recall if it was HOAB or Planning Board, with regard to the conditions on those streets because the particular issue with site distance for the corner lots.

Commissioner Munger said it's essentially at the developer's discretion?

Ms. Speight said no, it's not at their discretion. That will be something that will be determined during plan review.

Commissioner Munger said you have a planning review and then basically say on this corner lot I need you to put a tree every 30' within the space between the sidewalk, so you just do that during that phase of discussion for a new development.

Ms. Speight said yes, and the challenge was previously that on the corner lots they may also require a front and rear yard tree, so figuring out where they can plant them both so they are not in conflict.

Commissioner Munger said is that just at Planning staff's discretion.

Ms. Speight said it would have to be in compliance with the engineering requirements and it would also need to be where the Zoning Ordinance also requires the trees to be planted.

Mayor Bales said does that mean that there will be more discussion around this particular topic and then something more formalized around it or no.

Ms. Speight said no, but I'm sure whatever is determined tonight there will be discussions among staff about implementation.

Commissioner Kovacs said just more for resident clarification I just want to check, who is responsible for the trees.

Ms. Speight said the ordinance indicates that it is the adjacent property owner or the HOA, whomever the HOA essentially determines. Most of the subdivisions in the Town that responsibility is given to the property owner.

Mayor Bales called for the vote to approve Petition #TA23-01.

Motion carried unanimously.

Ordinance – NCMPA1 Power Purchase Agreement. David Lucore, Electric System Manager, ElectriCities, said for your consideration tonight is an ordinance change authorizing the sale of 150 megawatts generating capacity at the nuclear station that the Power Agency owns to Central Power, which is a cooperative in South Carolina. This has been debated many times. There are 19 cities in the western part of the state that own a majority share in the Catawba Nuclear Power Station and all 19 cities have to agree for this sale to go through. There have been numerous discussions.....lively, vigorous discussions about whether this was a good deal for the cities or not and there's been extensive analysis to that regard, and it is my opinion that it is in Huntersville's best interest to approve this sale and I'm more than happy to answer any questions that you might have.

Commissioner Boone made a motion to adopt an Ordinance of the Board of Commissioners of the Town of Huntersville determining that it is in the best interest of the Town of Huntersville to approve the Power Purchase Agreement by and between North Carolina Municipal Power Agency No. 1 and Central Electric Power Cooperative, Inc. to consent to the transaction contemplated thereby, and to approve and authorize the execution and delivery of, among other documents, an amendment to the Project Power Sales Agreement.

Commissioner Phillips seconded motion.

Commissioner Phillips said Ms. Huffman, would you like to come up here and give like a brief synopsis of the financial situation because it's beautiful and marvelous.

Jackie Huffman, Deputy Town Manager, said ElectriCities has performed for each of those 19 member cities a financial analysis. Over the next 20 years it's estimated that our approval of this agreement will reduce our cost of power by an estimated net \$14 million. Some of those years it will cost a little more, some of those years it will cost a little less. The net number is \$14 million. I'm not certain at this juncture that would result in a rate decrease to our customers, but it certainly gives us a potential funding mechanism for the roughly \$15 million in capital that we have projected in needs for the next 5 years.

Mayor Bales called for the vote to adopt Ordinance.

Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 4.

MAYOR AND COMMISSIONER REPORTS/CLOSING COMMENTS

Commissioner Phillips

- No Report

Commissioner Boone

- If you see something, say something, call 911.

Commissioner Kovacs

- Provided update from the Lake Norman Chamber of Commerce.

Commissioner Partee

- Provided safety tips for using area greenways.
- Advocate for gun safety. Huntersville Police Department has free gun safety locks.
- Consider contributing to our non-profits.

Commissioner Munger

- Municipal Education Advisory Committee (MEAC) met on August 17.
- Consider supporting local non-profits.

Mayor Bales

- Next Metropolitan Transit Commission meeting is August 23.

Commissioner Kovacs said based I did reach out to Huntersville Police Department because I had some residents reach out to me with concerns and we have not had any sexual assaults on our greenways. That doesn't mean don't be cautious and stuff, but I just wanted to clarify for the residents that are worried it hasn't happened, but you can still be cautious. And we've had very few assaults. They are safe, just notice your surroundings.

CLOSED SESSION

Commissioner Phillips made a motion to go into closed session pursuant to NCGS 143-318.11(a)(6) to consider the qualifications, competence, and performance of an employee.

Commissioner Kovacs seconded motion.

Motion carried unanimously.

Upon return from closed session, there being no further business, the meeting was adjourned.

Approved this the 5th day of September 2023.