

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**February 5, 2024
6:00 p.m. – Huntersville Town Hall
101 Huntersville-Concord Road**

I hereby certify that this is a true and correct copy of the approved minutes of the Town of Huntersville Board Meeting held on February 5, 2024 at 6:00 p.m. at Huntersville Town Hall

Janet Pierson 3-11-2024
Janet Pierson, Town Clerk



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 February 5, 2024.

GOVERNING BODY MEMBERS PRESENT: Mayor Christy Clark; Commissioners Alisia Bergsman, Amanda Dumas, Jennifer Hunt, Edwin Quarles, LaToya Rivers and Nick Walsh.

Mayor Clark called the meeting to order.

Mayor Clark called for a moment of silence for Myra Skinner, a former Town Commissioner who recently passed away.

Mayor Clark led the Pledge of Allegiance.

ANNOUNCEMENTS

Main Street Project is nearing completion. NCDOT has determined pedestrian crosswalks must be redone despite prior approval.

New Town of Huntersville website launched January 31, 2024.

Application period for external agency funding requests is open until March 1, 2024.

If the Resolution creating the Environmental Sustainability Committee is approved, the Town will be seeking applicants for that committee.

The 2024 Parks & Recreation survey is live.

Ways to connect with us – website, social media pages, Town of Huntersville app.

PUBLIC COMMENTS

Ashley Wiley, 12435 Treasure Cove, said I would like to speak to you tonight about the Personnel Policy that you guys will be changing and adopting and things of that nature. When you have a policy, it's all great, however if it doesn't transfer off of the paper and actually practice into real life, it ain't going to work. I know I spoke to you last about Huntersville Police and checking into that. I know I have also spoken to you about different policies regarding that as well as different failures regarding that and I am still waiting for a call back because my solution was that I was going to have to learn how to get along with him and that cop was the one that gaslit me, yelled at me, told me Title 9 was policy, not law, and then you have the whole issue that goes into the girl from Southlake Christian. Did he tell them that, too? At the end of the day when is something going to actually be done and when is the Town going to start following the policies, the rules and the laws that they practice and preach.

Julia Rogers, 14820 Beatties Ford Road, said I'm a lifetime resident and a small business owner here in Huntersville and I'm here to express my concerns for the proposed cluster of homes to be built by Suriano Homes, Inc. on a property that's adjacent to my farm on Parcel ID 01501114. First of all, I would like to thank Commissioner Quarles and Commissioner Bergsman for responding to my email regarding this matter. Commissioner Quarles took the time to meet with me and my husband in person and I really appreciate that because I know how busy you all are with very important matters. The property in question is known to be an historic homesite of the Blythe/Beard family dating back before 1800. The concern with this development is that there is some evidence to suggest that there is a potential gravesite located on this property in the form of unnatural vegetation growing in specific areas. The noted vegetation is yucca and daffodil plants, both of which were used in the past to mark graves of enslaved people. Within the last year I did bring this concern to contacts within Mecklenburg County, but I was told that investigations could only be authorized by the landowners and now that the land has officially been marked for development, I believe that the Board of Commissioners must investigate the potential for a gravesite on this property before it's destroyed. It's been unfortunate to witness the reckless development of this area over the past 30 years with little regard for historic sites, native habitats and don't even get me started on the effects of traffic. I believe we can all acknowledge that development is inevitable in such a beautiful area with close proximity to a large city, however that does not dismiss the duty of our elected officials to manage the growth appropriately. In addition to cultivating a contemporary town, our goal as a society should be to honor the past, the people who lived and died in this town, to establish the town that we now know and love, as well as preserve a meaningful space for future generations. Do we really want to be known as a town that bulldozes the last resting place of past generations to build the latest and greatest developments. I think we can be more than that and I hope that you will take the time to fully investigate the site as a potential gravesite.

AGENDA CHANGES

Commissioner Walsh made a motion to adopt the agenda.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes – January 16, 2024. Commissioner Walsh made a motion to approve the minutes of the January 16, 2024 Regular Town Board Meeting. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Ordinance – Road Closure for Hello Huntersville. Commissioner Walsh made a motion to adopt Ordinance to temporarily close certain Town maintained roads for the annual Hello Huntersville event. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 1.

Ordinance – Road Closure for Spring Car and Truck Show. Commissioner Walsh made a motion to adopt Ordinance to temporarily close certain Town maintained roads for the Spring Car and Truck Show. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 2.

Recreation Activity Scholarship Policy. Commissioner Walsh made a motion to approve changes to the Recreation Activity Scholarship Policy. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Recreation Activity Scholarship Policy attached hereto as Exhibit No. 3.

Budget Amendment – Parks & Recreation. Commissioner Walsh made a motion to approve budget amendment appropriating insurance proceeds of \$11,520.93 from Parks & Recreation revenue to Contract Services expense account to be used for repairs to the water line and tile wall within the restroom at the Dellwood Center. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Property Tax Refunds. Commissioner Walsh made a motion to approve seven property tax refunds from Mecklenburg County totaling \$5,796.31, which includes \$152.33 in interest. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Property Tax Refund Report attached hereto as Exhibit No. 4.

Call for Public Hearing – Petition #TA24-01. Commissioner Walsh made a motion to call a public hearing for Monday, March 4, 2024, at 6:00 p.m. at Huntersville Town Hall, 101 Huntersville-Concord Road, Huntersville, NC 28078, on Petition #TA24-01, a request by the Huntersville Planning Department to amend Zoning Ordinance Articles 3.3.2, 3.3.3, and 8.17 to comply with House Bill 600.

Commissioner Bergsman seconded the motion.

Motion carried unanimously.

Call for Public Hearing – Petition #TA24-02. Commissioner Walsh made a motion to call a public hearing for Monday, March 4, 2024, at 6:00 p.m. at Huntersville Town Hall, 101 Huntersville-Concord Road, Huntersville, NC 28078, on Petition #TA24-02, a request by the Huntersville Planning Department to amend Zoning Ordinance Article 10, Section 10.10.9, 10.12, and 10.14.3 to clarify the Town's role in permitting, the placement, and removal of campaign signs.

Commissioner Bergsman seconded the motion.

Motion carried unanimously.

Call for Public Hearing – Street Name Change. Commissioner Walsh made a motion to call a public hearing for Monday, February 19, 2024, at 6:00 p.m. at Huntersville Town Hall, 101 Huntersville-Concord Road, Huntersville, NC 28078 on Street Name Change Petition, University City Church Drive, a request by Workmanship LLC to rename all of University City Church Drive to Ambassador Christian Way, a length of 0.14 miles, beginning at Sam Furr Road and dead ending.

Commissioner Bergsman seconded the motion.

Motion carried unanimously.

PUBLIC HEARINGS

Petition #R23-06, Beatties Ford Entertainment. Mayor Clark called to order public hearing on Petition #R23-06, Beatties Ford Entertainment, a request by Jonathan Eury and Katie Carpenter to rezone +/- 2.513 acres at 9349, 9339, and 9331 Beatties Ford Road from the Rural District to Highway Commercial Conditional District to allow Outdoor Recreation and Office use.

Nathan Farber, Planner II, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 5.*

Just a quick background, this rezoning was originally submitted in June of 2023. On September 18, 2023, the Town Board made a motion to approve. The motion failed by a vote of 2 to 3 and no further motion was made. On December 18, the Town Board directed staff to call for and readvertise a public hearing for this rezoning.

The applicants, Jonathan Eury and Katie Carpenter, are proposing to rezone the property here from the Rural zoning district to Highway Commercial with conditions.

The conditions of the rezoning are to limit the uses to only outdoor recreation and meeting/office space. The applicants will provide a 10' sidepath along Beatties Ford Road and a 5' sidewalk along Broadway Street. They are proposing to include 22 mulch parking spots and they will also provide a 6' privacy fence along the rear of the property, which is to the west. The existing structure will not be modified.

The Highway Commercial zoning district has a 30 percent specimen tree requirement. The applicants will be saving 89 percent of the specimen trees on site. They will also be providing a required 30' vegetated buffer along the south side of the property, which would be made up of existing and new vegetative buffers.

The property is located in the Mountain Island Lake Critical Watershed, which has a max 6 percent impervious allowance. The applicants are proposing to include 14,474 sq. ft. of impervious. In order to meet this requirement, they will need to do a 7,000 sq. ft. impervious transfer which will come from the neighboring property. That property is also owned by the applicant.

The applicants have two modification requests. The first is to use mulch as the surface for their parking stalls and to note this will only be for the parking stalls and not the driveway portion of the parking. Staff

does not support this modification request as it's not consistent with the intent of the Zoning Ordinance, as well as staff having safety and maintenance concerns.

Modification two is to allow the existing shed to encroach into the 30' buffer. Staff does support this modification request as the shed will be buffered by existing and new vegetation.

A Town TIA for this proposed project was not required.

The rezoning site is located next to a future intersection improvement project, which is to improve safety and traffic movements by removing one of the five legs of the existing intersection and installing a traffic signal.

The Beatties Ford Road Corridor Small Area Plan does not support this rezoning as the rezoning is located outside of the designated higher intensity areas and located within the low density residential district.

The Beatties Ford Road/Mt. Holly-Huntersville Road Small Area Plan created a vision for the future commercial and residential growth for the intersection of Beatties Ford Road and Mt. Holly-Huntersville Road. The plan calls for higher intensity commercial development to be focused closer to Hambright Road and then decrease intensity the farther you travel north on Beatties Ford Road. The rezoning site does not fall into the planned commercial or residential zones for increased development.

The 2040 Community Plan and the 2040 Future Land Use Map do not support this rezoning either, as the rezoning site is located within the Rural Conservation and Critical Watershed districts of the 2040 Community Plan. This Rural Conservation district calls for low density residential development.

The Planning Department recommends denial based on the plan being inconsistent with the 2040 Community Plan, the Beatties Ford Corridor Small Area Plan, and the Beatties Ford/Mt. Holly-Huntersville Road Small Area Plan. While staff does recommend denial, staff does recommend if the Town Board decides to approve this, that the existing activity cluster at the bottom of Beatties Ford Road be shifted slightly north to include the rezoning site in question.

Commissioner Walsh said if we were to approve the rezoning and the node moves north and there are about seven or eight properties on that block that are south of this rezoning.....in order to avoid a spot zoning issue, those properties then would be able to ask for some kind of similar rezoning.

Mr. Farber said any one of those properties could come in for a rezoning and then ask for a higher intensity use, but they are not automatically rezoned if this is approved.

Commissioner Quarles said when it comes to conditional rezoning we have different definitions. What does conditional mean?

Brian Richards, Planning Director, said in a nutshell what is conditional rezoning. It's a process in which a zoning district designation is subject to voluntary limitations or limitations that are agreed upon between the applicant and the Board. Any of those modifications can be made to the standards of the ordinance, but it's basically a contract – what you see is what you get.

Commissioner Quarles said if the business fails, do the conditions remain?

Mr. Richards said they run with the land, correct.

Commissioner Quarles said if it failed, what type of business could move into that area?

Mr. Richards said just what they are asking for tonight, so a meeting space/office space as well as outdoor recreation. That's the only thing that could occur unless another applicant came in and asked for another conditional rezoning.

Commissioner Bergsman said one thing you mentioned in your presentation is that staff has some concerns over safety and maintenance. Can you expand on that a little bit?

Mr. Farber said we feel that at least on the maintenance side with large downpours, you know storm water moving through the site, that a constant maintenance issue is going to occur, as well as safety.....people getting out of their cars, whatever footwear they are wearing tripping on mulch or mud. The Zoning Ordinance normally requires asphalt or some sort of hard surface in order to get around any of those issues.

Commissioner Bergsman said I do have a few more. The impervious transfer.....two parts to that question. I guess the first part is if that has occurred in any other properties in that area in the past and maybe also just explain a little bit like what that means.

Mr. Richards said there was one a few years ago, a neighboring property, where the parents transferred some to one of the children for some shops in the back of their property. This is not an uncommon occurrence around town. It doesn't happen every day, but it does happen. Basically, what that does is you just reserve some allocations from your property for impervious surface and it goes to a neighboring property in the same vicinity.

Commissioner Bergsman said on the topic of the type of rezoning, because when I was looking at the ordinances I saw that there's a few different types of businesses that seem permitted by right within the current zoning of Rural. Is that correct?

Mr. Richards said you can have churches, schools, outdoor recreation is allowed by right in the Rural zoning district as well as many other zoning districts.

Commissioner Bergsman said I saw like a bed and breakfast was mentioned. Is outdoor recreation something that's currently allowed as a business within the current zoning?

Mr. Richards said it is.

Commissioner Bergsman said I would think the community garden.....would that be as well?

Mr. Richards said yes.

Commissioner Bergsman said but office space.

Mr. Richards said not in the Rural district. That's what is mandating the property to be rezoned is the office component, as well as the modifications.

Commissioner Hunt said can you tell us about the watershed maintenance and monitoring that happens in that area, and can you explain how this project might impact the watershed.

Mr. Richards said all of our creeks and streams in all of Mecklenburg County and really all over the United States are constantly monitored by the Fish and Wildlife Services, NOAA, different various agencies, public and private agencies as well. It's just to monitor the health of our streams and monitor to make sure that there's no degradation due to development or any number of things. This is one of the most studied areas, Gar Creek. Staff does not feel that anything, if approved at this site, would garner a concern for degradation to the environment as they would need to meet the impervious restrictions.

Commissioner Bergsman said can you explain the staff recommendation that says "The rezoning is not consistent with the existing development patterns in the vicinity." Does this include approved developments that haven't broken ground, so if they were already built, would this project be consistent?

Mr. Richards said to the east of here you have the Oak Grove Hill neighborhood, which is being constructed as you can see here. If you want to go back to this particular small area plan, you can see on the right side with the little bit of black streets, the orange for lack of a better term, reverse pyramid there, that basically shows you Oak Grove Hill in the future. This plan is from a number of years ago.....two or three years ago they asked for that rezoning, so that would be consistent with the plan. A little bit prior to that just west of there a neighbor had come in and requested a rezoning to turn a home into a real estate office. That did not happen. They did withdraw, but as you can see where the star is located, this is outside of the areas that were earmarked for development in this small area plan as well as other small area plans, so we would say allowing this to move forward would be inconsistent with the goals for the Town's plans.

Commissioner Bergsman said Chief Graham, residents have shared some concerns about Long Creek serving alcohol. Can you talk about any issues of safety or any incident reports that have happened at any of our local institutions serving alcohol.

Police Chief Barry Graham said we have probably four major spots through here that serve alcohol and those would be 760 across the street, Primal Brewery up 115, Crafty Beer down here and then Neoteric over across the street. I had the crime analyst pull up our calls for service versus our crimes. Overall, we're really not having any issues with any of these four spots. At 760 they had a breaking and entering at the end of 2022 when it was still under construction. There was a domestic violence protective order at Primal, Crafty had an issue with a previous employee. We've had not crimes in the last two years at Neoteric.

Commissioner Dumas said I want to know more about why we need to do conditional with this one when we have examples like Rural Hill that is able to serve alcohol and things like that. What is it about this property that we have to do this type of rezoning?

Mr. Richards said the applicant is asking to offer co-working space, office, and meeting space. Those are not uses that are allowed in the Rural district, so therefore they would need to ask for the Highway Commercial zoning district.

Commissioner Dumas said when it comes to the impervious transfer, how does that impact future sale of the property?

Mr. Richards said it actually just gives them a little bit more area that they can develop. Again, even if they were to get this approved and it get sold, the parcel is subject to these conditions. To do something different someone would have to come back to the board to do anything other than this.

Commissioner Dumas said this is an older property. Do we as a Town have any requirements to check for lead or asbestos?

Mr. Richards said no, any sort of renovations would fall under Mecklenburg County.

Commissioner Walsh said just a follow-up question. There is an intersection improvement being done not far from here. Beatties Ford is a pretty crowded road north and south. Are there any plans to widen Beatties Ford Road?

Mr. Richards said no, there are no plans to widen Beatties Ford Road on the CRTPO Thoroughfare Map mainly due to the historic walls that are at Hopewell Presbyterian Church.

Commissioner Bergsman said I have a follow-up question for Chief Graham. I know you talked about Neoteric, Primal, etc. Do you happen to have any incident reports or knowledge around Lancaster's BBQ, because I know that's probably the closest that serves alcohol.

Chief Graham said not off the top of my head.....not that I know of. I'm sure that there's probably some issues through there somewhere, but off the top of my head it's not an issue that we are dealing with. You could ask me what are our top 10 or 15 areas and none of these places come up there that we would be concerned with.

Mayor Clark called on the petitioner.

Katie Carpenter and Jon Eury addressed the Board.

Katie Carpenter said we're here to present the Long Creek Family Entertainment. A little bit about both of us. Jon is a third generation Lake Norman native. He's a North Meck grad and he's an App State grad as well. He was actually Yosef for two years as well.

As for me, I've been a Lake Norman resident for the last 10 years. My dad was military, so we traveled around a lot growing up. I'm a Veterinary Technician with a master's in business and currently a Regional Operations Director for a veterinary company where I oversee 26 animal hospitals to the tune of \$100 million in revenue a year. I'm a certified CrossFit coach and wildlife and reptile rehabber. I have Crohn's disease as well as double whammy Celiac disease, so I follow a very healthy lifestyle – proactive, preventative, as well as gluten free.

As you heard already, we are seeking to rezone our property from Rural to Highway Commercial – Conditional. The plan keeps the current home structure for our co-working building. The land will be used for outdoor seating, recreation, gardening and club space. This will provide a walkable destination for the Long Creek community, which you just saw is coming in across the street with the new residential development at D. R. Horton.

Here's our site. Some notables – we are 200' from Martial Arts Training Institute, 300' from Lancaster's BBQ and we are 2,500' from a major shopping center just south of Mt. Holly-Huntersville in Charlotte. It

includes a Food Lion, CVS, Smoothie King, various other businesses, including just opened the Millionaire Social Dance Academy with pole fitness, cabaret and an adult theatre.

So why this location. This location completes the Long Creek Gateway which is found on the plan from the Beatties Ford Road Protection and Enhancement Strategy. It is also in close proximity to similarly zoned properties. You saw that the intersection improvement is coming this summer and 10,500 vehicles drive pass this location every single day, as well as there will be minimal changes to the existing property.

You saw the Beatties Ford Road Small Area Plan. I've highlighted on the left side of Beatties Ford Road you see that there's going to be Larger Commercial, Smaller Commercial, as well as Office and Institutional, but our project site was not included in that plan, which as you saw is part of the Long Creek Gateway. Some growth that is coming to the area.....there are currently 165 existing homes within ½ mile radius of this site. With the approval of the D. R Horton homes, that's an extra 140 homes coming in and Mosaic Apartments were approved a few years ago as well, which is another 130 residential locations, meaning there's going to be upwards of an additional 500 to 600 residents in this area very shortly. Additionally, in the yellow you can see that's already the planned 20 to 25 acres of commercial and office space including a gas station that the property there at the corner there is already owned by an oil company where a gas station will be coming in.

Again, here is the intersection. DOT states 10,500 drive up and down Beatties Ford Road in front of this site every single day and the intersection improvement will be starting this summer.

Ten foot (10') wide sidewalks are called for on both sides of Beatties Ford Road in front of the site location from the intersection improvement. It will be converting to a four-point intersection and there will be a stoplight in front of this project site.

A little bit more about our rezoning, the conditions that we are offering and asking for. You already heard that we are asking for the conditional rezoning and that it means that business plans cannot be expanded without Town approval and future owners cannot expand the scope without Town approval as well. The conditions will stay with the land, such as the business offerings and the hours of operation.

We'll be offering a co-working space as well as a club space. Some examples of the club space – gardening club, senior and veteran coffee club, volleyball club, community watch club and a book club.

Our gardening club we're very proud and excited about. We'll have 10,000 sq. ft. of dedicated gardening space. There will be native fruiting bushes and trees throughout – think edible landscape. We will also have a pollinator garden with wildflowers and we will be composting onsite, as well as providing composting education. We own the 4-1/2 acres across the street as you also saw, where we will be placing honeybees from a local entrepreneur who you are going to hear tonight from Queen's Orders Honey.

Additionally, our business offers will include coffee and soda, juice, ice cream, smoothies, beer and wine. There will be no commercial kitchen onsite, so we will have pastries and healthy snacks procured from local businesses, micro farmers, entrepreneurs. We will also be partnering with local small businesses such as Lancaster's BBQ and Tony's Pizza.

Our hours of operation, again these are part of the conditional rezoning and would be locked in. Mornings during the week we would open at 8 a.m. and on the weekends we would open at 10 a.m.

Our closing hours, we had feedback from the last board, neighbors, and Town Manager on the hours that we should mirror the closing hours to already existing established businesses in the area. Lancaster's closes at those times, so we would do the same.

Here are some renderings and drawings of the site plan. A different view for you. There were questions and concerns around noise from this rezoning. There were concerns about loud sounds from the outdoor activities. There will be no amplified activity announcements. The only sounds heard will be cheering on teammates. There will be no amplified live music – acoustic only. We have moved the outdoor activity area closer to Beatties Ford Road which provides a 350' buffer away from neighboring homes, which is over a football field away.

Additionally, the neighbors requested a privacy fence to aid with any noise concerns, which you can see highlighted in yellow across the back of the property.

What this is not. There's been false information in regards to our project spread around town and there is a petition of opposition that includes a lot of inaccurate information. We've been called a "liquor bar." That doesn't make any sense, we won't be serving liquor. We've been a "sports venue." Outdoor recreation will be a small part of our business offerings. Like we spoke about there will be volleyball and other various yard games available. We've also been called a "music complex." There will be no amplified live music – acoustic only.

A little bit more about the site location. The majority of the properties in Long Creek are in the extraterritorial jurisdiction, also known as the ETJ. This site location is one of them. What does that mean? Everything on this map, all properties in the yellow, are in the ETJ, so the Town of Huntersville has governmental authority over these parcels. However, these parcels do not pay Town of Huntersville taxes, they do not receive Town of Huntersville services, nor do the residents have voting rights. If approved, we volunteer to be annexed into the Town of Huntersville, thus this property will be subject to Huntersville taxes which would bring additional revenue to the town. We will also then be creating entry level jobs in Huntersville.

As you guys have heard the site is located in the Critical Watershed 1. We have 6 percent impervious development and we would be transferring our rights from our 4-1/2 acres to this for the impervious needs.

Huntersville Municipal Code states that all of those things are appropriate and okay in Critical Watershed areas. If you zoom in, the paired parcel average density development states that calculated by built-upon area it shall not exceed the impervious that would be allowed if the parcels were developed separately. Additionally, it states that the paired parcels may include or be developed for residential or non-residential purposes.

Huntersville is full of history and I would be remiss to not speak of the history of Long Creek. This is a sale advertisement from 1929 of when the properties were broken up to be sold to individual people. If you zoom in, you will see that our site location where the star is, there were athletic fields here long before, over 100 years ago, so this project site is only 400' from the original athletic fields. These properties were sold initially knowing that there were athletic fields right here in this area.

Some of those sports that were provided there baseball, football, basketball and cheerleading, which meant hundreds of families were coming in and out of this area on a regular basis. As for what we're proposing, it'll be volleyball on a very small scale, as well as yard games. Additionally, the Long Creek

School used the 4-1/2 acres that we own as a teacherage. This was a home for teachers to live in. It was also a walkable field trip which included science education for the kids at the school. At the end of the year, they would also have class picnics on that property. Our future plan, since we'll be transferring most of the rights away from it, is for a tortoise and turtle sanctuary to be housed on that property and to eventually be able to use it for educational field trips for local schools once again.

What does the Town of Huntersville have planned for this area? The established growth plans for Long Creek Urban Village. The Beatties Ford Road Small Area Plan calls for an Urban Village centered on Long Creek Elementary School. It also states that it provides an excellent setting for retirement housing where goods and services as well as other things are in close proximity to residential housing units.

Here's a future Land Use Map from the 2040 Plan, which you guys have already seen.

Policy LU-4 states to limit the scale of new development in Critical Watersheds, allow very low-density development in Critical Watersheds. We have a 6 percent built upon area, which would mean this would be a low density project and we are rezoning, as you all know, Highway Commercial – Conditional.

Policy EOS-5 says to protect water quality, restrict development in the Critical Watershed. Restrict is a verb that means to confine within bounds or to place under restrictions as to use. Restrict does not mean prevent. It says discourage intense development in Critical Watersheds. This rezoning and development is low impact and low intensity. It also states to continue impervious surface transfer options, which we will be doing. We have asked for the modification for the parking stalls to be mulch instead of paved for preservation of current property character as well as lower impact on the environment.

EOS-5.3 states to encourage low impact development such as pervious pavements and other low impact development features.

LU-8 states to emphasize form and flexibility in Activity Centers and allow multiple types of land uses, a mix of uses.

EV-2 states to encourage entrepreneurial business – promote and encourage local businesses, particularly small businesses and foster a dynamic, diversified and inclusive business climate. This project is unique. This is not another cookie cutter corporately stamped out business.

EOS-3 states that to prioritize tree canopy preservation in the lower intensity areas. As you heard, we will only be removing three trees and we will be adding back additional native trees. We are also committing to plant one additional native tree on the site every year on Arbor Day.

The Beatties Ford Road Corridor Small Area Plan calls for recreational activities in this area.

LU-1 talks about the development patterns. LU-1.3 states to regularly update the Future Land Use Map.

LU-1.4 states updates or new plans may be needed for areas that have experienced change since their adoption. This project site is a reasonable distance to other similar zonings.

What is a 2040 Community Plan? A community plan is a guide. It's a framework. It is not set in stone and across the bottom here you can see that it can be amended periodically as needed.

The rezoning is not staff supported due to it being outside of the Activity Center. Should this rezoning be approved they recommend that the Activity Center shift north, which you can also see everything below the black dotted line is Charlotte, where Huntersville has no jurisdiction anyway.

Here's a map of neighbors in support of this project and they are also in support of moving of the Activity Center.

Thank you for your time.

Commissioner Rivers said could you go back to your slide where you have the full plan. My question is, you said you would have a garden, the workspace, and then the volleyball. Where would your parking be?

Ms. Carpenter said this is your parking right here, so across the back and this is the front right here is to orient you. This is the front, so Beatties Ford Road is right here. This is handicapped parking so it's very close to.....this is one parking stall for handicapped, this is the outdoor recreation area, and here you will see where that existing shed is. We'll be converting that into a modified greenhouse which all around that will be all of our gardening.

Commissioner Rivers said are you able to accommodate for overflow parking, if need be?

Ms. Carpenter said yes, we are. The possible overflow parking is right here. Additionally, we have secured additional overflow should we need it at the Martial Arts Institute right down the road and the schools that are right down the road as well have a community use of schools program where we could request use of their parking lot from time to time should we need it.

Commissioner Walsh said I saw the slide with no amplified music and then I thought a slide after that said, I saw speakers or something, and it kind of went by pretty quickly. I was trying to figure out exactly what that was.

Ms. Carpenter said there will be no amplified live music – acoustic only. We will have small speakers set up inside and in the yard by the Activity Center that will be playing low key subtle music. It will not be live. It won't be loud. It's just like that low music coffeehouse vibe, that's what you'll hear out of those.

Commissioner Walsh said when you say in the yard.....all around the yard?

Ms. Carpenter said no, over by the Activity Center.

Commissioner Walsh said then you said volleyball on a small scale. What does that mean?

Ms. Carpenter said there would be two sand volleyball courts and we will be providing as you guys heard from Rachel last meeting or the meeting before, youth volleyball, 2-on-2 girls volleyball, and then in the evenings from time to time we'll have adult volleyball play.

Commissioner Walsh said until about what time?

Ms. Carpenter said recreational activities will be from 2 p.m. to 9 p.m. Monday through Thursday and Friday 2 p.m. to 10 p.m. This is just the windows, this will not be happening the entire time, but those would be the windows that it would be available.

Commissioner Hunt said how many people do you expect to have on the property at one time?

Ms. Carpenter said we figure the most would be somewhere between 20 and 30 people.

Commissioner Hunt said would you consider using pervious pavement instead of the mulch to bring it into compliance?

Ms. Carpenter said absolutely, if that's an option.

Commissioner Quarles said you mentioned noise, but we've heard information about lighting. Will there be stadium lighting, or what type of lighting are you guys going to provide?

Mr. Eury in regards to lighting, we will be following the Huntersville guidelines for what is allowed. We will have lighting around the courts as well as in the area where the parking spaces will be.

Commissioner Quarles said so no stadium lighting?

Mr. Eury said no stadium lighting, no sir. The lighting will be basically downward facing towards the area to keep it concentrated towards the back around the parking lot. We'd like to keep those as low as what's allowed, that way it's not creeping over towards the backside where the neighbors are.

Commissioner Quarles said you all gave a history lesson on the Long Creek area. I'm going to give you one. Are you aware that on that corner at Mt. Holly-Huntersville and Beatties Ford Road that used to be called the turkey shoot?

Mr. Eury said there was a turkey shoot there, I believe.

Commissioner Quarles said at the old gas station.

Mr. Eury said they called it I think it was the Long Creek Tavern.

Commissioner Quarles said the beer joint, yeah.

Commissioner Bergsman said I will say that for a Highway Commercial rezoning request this is not the kind of project I would ever expect to see, so I feel like maybe part of that maybe the Town and the Board needs to consider looking at ways that we might look at changing that in the future to make it easier for very low impact projects like this, not to require a Highway Commercial because that's definitely not what I have in mind when I hear that. It's probably not the intent of the ordinance. I've got a couple of questions for you, and a few were already answered. I do want to clarify.....we talked about the acoustic music and we talked about the speakers. Can you be a little bit more specific where on the outside.....like how far away from the home do you plan on having those speakers?

Ms. Carpenter said you can see right here this is where the activity courts will be, so there will be speakers set up around here and then up here close to the building and then of course in the building as well.

Commissioner Bergsman said I took a look at your website and I don't remember if you mentioned in the presentation, but I did see it talk about like a pollinator garden and bee habitat and you've mentioned honey. Do you plan on having bees on the property?

Ms. Carpenter said no. We own this property here which is where we'll be moving the impervious surfaces from and so the bees would be located in this general vicinity. We're working with Justin from Queen's Orders Honey, who you will hear from tonight and he walked the site and said that this area would be the best for bees.

Commissioner Bergsman said I'm under the impression I believe that you've had someone from Mecklenburg County Water and Soil out to the property. Did they give any commentary? Did you ask them any questions about this being in the Critical Watershed and if there are any concerns over this specific project having a detrimental impact on the watershed?

Ms. Carpenter said we did speak with them and they said no, as long as we are following the Municipal Codes of the town, there's no reason why this project would be detrimental to the Critical Watershed.

Commissioner Bergsman said who was that you spoke to.....what department?

Ms. Carpenter said the Agricultural Extension Office for North Carolina – Sam Humphries.

Commissioner Bergsman said all my questions have been addressed. I may have more after public comments, though.

Commissioner Dumas said would you consider pulling in the speakers a little bit more closer to the house instead of surrounding the full.....

Ms. Carpenter said absolutely.

Commissioner Dumas said this was mentioned in an earlier meeting and I was just curious if you did look into it because I think it's such an interesting idea. There was a question about natural seating. Have you looked into that?

Mr. Eury said that was a question a long time ago. If that's asking if we could use some recycled materials like maybe trees.....yes. If we have a tree or something that somebody wants to carve, I think it would be great fitting, but natural seating would be fantastic.

Commissioner Dumas said everything else I had was already asked.

Mayor Clark asked if the Planning Board members present had any questions.

Planning Board members did not have any questions.

Mayor Clark called for public comments.

Mike Davids, 15322 Carrington Ridge Drive, said I've been there since 2018. I didn't want to go first. I run a local recreational club called Kubb. It's a Swedish yard game where you throw wooden batons at wooden blocks. We've been doing that locally for about 9 years now. I met Jon and Katie about 3 years ago when they signed up to one of our events. We have one or two events a year where we have to rent

space and time in a park, go through the insurance requirements and all that stuff. It's been kind of daunting and we've also had just a little bit of a challenge growing our club. This past summer we started this pilot over at Katie and Jon's where we'd come out every Monday night and introduce some people to the game. Some of the guys from our club would come out and we've really enjoyed it. It's really helped us grow. We recently had a small event over there and I thought it went fine noise wise. Those guys are always very considerate of their surroundings. We have to do this because where I live I don't have enough flat space to play, so we are always out seeking some place to go. A lot of times when we try and set up some meet-ups, there's conflict with soccer events or school events and you know stuff that we don't want to be disrespectful to the clubs that are there, so it's been a nice change of pace. That's why I just wanted to show up to show my support for the project.

Violet Clark, 13423 Willow Breeze Way, noted she signed up to defer her time to Robert McCluskey for the public hearing on the New Town Hall Installment Financing Contract.

Bill McElroy, 9547 Pembroke Road, said I'm across the road from where this is happening. I am here to talk about this R23-06. This is a bad idea. A real bad idea. The properties are residential and there's homes around this area that they are talking about. It's a bad location and it's because there's the Beatties Ford Road and McCoy and Overhill and I don't know what that road is that goes up the other way, but anyway there's traffic there in the mornings and the afternoons and they are backed up both north and south and it comes to be a problem there in trying to get out from either McCoy or Overhill or something like that. They are talking about serving beer and wine and other drinks. There is a place near there that does that and that's Lancaster's. They serve beer and wine, so why do we need another place to serve beer and wine. Commissioner Dumas said she was at a meeting with us and we were talking about this area and she was asked about this property and what they were going to do and she made a comment that she wouldn't have that in her neighborhood, so we don't want it in our neighborhood either. I want to thank Commissioner Welsch for him voting no on this before. He's the only one I really know here. The rest of you are new to me. I cannot understand why you don't take the word of the committee or the Planning Board here on their recommendations to this property. They've already said no to it and I can't understand why you can't take their word for it because they go out and look at these places. There's property available at Beatties Ford Road and Mt. Holly-Huntersville. It's already zoned Commercial, down there right across from CVS and all, both sides of Beatties Ford Road. It would be a better place there because there's more traffic and I think they had a number of 10,000 something there at the crossroads where they're talking about. That's nothing compared to Mt. Holly-Huntersville Road down there. This area is not in the middle of an established neighborhood, which this will be.

Mayor Clark said thank you sir, that's your time. Your three minutes are up.

Mr. McElroy said let me ask one question. Why do we that are talking about subjects don't get as much time as the ones presenting the thing.

Emily Sloop, Town Attorney, said we have a Public Comment Policy and the applicant who has put in the application is afforded 15 minutes in that policy and public speakers who are not the applicants get 3 minutes.

Mr. McElroy requested a copy of the policy. It was noted the policy was available in the lobby.

Tom May, 6122 Latta Springs Circle, said I originally came here to speak against the entertainment development. But it kind of dovetails into something that we spoke about I think the last time I was here

is the traffic....the volume of traffic and the high amount of building and high density housing and things like that that are going in in the area. I know during the week at 2:00 in the afternoon Beatties Ford Road is backed up for 1-1/2 hours and putting in another entertainment area for me.....originally I think there were basketball courts also in the plan and I was a little bit concerned about what was going to be coming up from north Charlotte, because we know there's an awful lot of violence and things going on there. But what I did want to kind of parlay this into, if you will, is the amount of high density or the amount of projects that are going on the project list that I got from the website, there's like 161 various projects that are going on. I believe that's your pipeline. I think those are things that you're looking at now, but they haven't been started yet. There's nowhere on the site that I can actually see what projects had been approved and are currently in development and what their status is. It would be nice to kind of see that. But I think we spoke a little bit about what's your pipeline. That's your pipeline, those 161 things that are going on right now. What I was going to ask is maybe it's the time to start pumping the brakes and stop approving all of these things until we can get impact reports to find out how it's going to affect. Another concern of mine is when 73 is going to get shut down and start to get rebuilt, where's all that traffic going to go. I went to the website for the NCDOT and they had some numbers in here that are actually pretty staggering about the level. They're saying that they are expecting by 2040 a 35 percent increase up to 45,000 vehicles per day on 73. That's an incredible amount of volume and those cars are putting out ozone and that low-level ozone.....our air quality in this area is fairly bad. I know we're going to have a bad AQI day on Wednesday. It's going to be 51 percent, so it's going to be unhealthy for old-timers like me to go out and breathe. But with that level of ozone, it's going to impact the kids in the schools and we've got so many schools, so my concern is smog. That's what happened in LA. It happened in San Diego because of the volume of cars, the level of smog and ozone was amazing and I was just kind of curious if you guys look at that stuff in the planning. I think it needs to be looked at in the initial planning, what's the environmental impact going to be.

Irwin Carmichael said some of you may remember me as your 44th sheriff of Mecklenburg County. I was born and raised in Mecklenburg County and grew up in the Long Creek community. For 40 years I've owned and operated a business off of Beatties Ford Road and Carver Avenue known as the Martial Arts Training Institute. It's a local karate studio in Long Creek across from Long Creek Elementary and Lancaster's BBQ. I've taught self-defense and law enforcement officers for 40 years. I also own family land at the corner of McCoy Road and Beatties Ford Road right next to my karate studio. I am here tonight to speak in support of Long Creek Family Entertainment project that sits less than 200' from my studio. As a law enforcement officer and a former sheriff of Mecklenburg County I can tell you the term community is more than just an address. Webster's defines community as (1) a group of people with common interests; (2) people with common characteristics within a larger society; (3) interacting population of various kinds in a common location. I feel Long Creek has lost its community feel. I can remember the time when neighbors knew neighbors and they would hang out at Puckett Brothers store for ice cream and a soda. Folks would ride their bikes to the Long Creek Elementary to the practice fields and personally that was the good old days, and I would like to see that back. I think a lot of folks would like to see that. I've known Jon Eury and his family for over 15 years. They are good people. I consider them a part of my community. I feel I or anyone in this community that was in need, Jon would be the first person to answer the call. Jon's a man of his word and he only wants the best for this community. As a fellow small business owner, Jon and I have discussed joint efforts of providing safety classes at his facility. I have even offered to be an advisor for the Neighborhood Watch Club that he plans to implement. This type of partnership would benefit our businesses and the local community by bringing awarenesses and safe practices for all. It would be a great fit for the community and bring back that community feel we have been missing. I think Long Creek Family Entertainment is an exciting opportunity. It would be an asset to our community and I cannot think anywhere better to have such offerings. I hope you will support this project with a yes vote and it truly would be a shame for the

community and Huntersville to miss out on this great opportunity. Thank you for your time. God bless you all.

Mary Brett, 9331 Broadway Street, said I'm a lifelong resident of the Long Creek community. My family along with our neighbors created a petition where 98 percent of the Long Creek community are against this rezoning. Some of our neighbors are elderly and are unable to attend this meeting tonight to speak for themselves. Their voices of their concerns for this petition should be heard loud and clear. This is the only way that they can let you know how this rezoning would affect their way of living. They are lifelong residents, too. We are a tightknit community where we take care of each other and we watch out for each other. This is what Long Creek community is built on. Please keep your promises to respect their way of living and protect their properties. Please do the right thing for them and deny this petition. Also, if you approve the R23-06 to be rezoned from Rural Residential to Highway Commercial, there are 12 other properties that would have a right to rezone Commercial. These properties are located on Broadway Street which is right in front of our house and Beatties Ford Road. Long Creek will be gone forever. The Town Board Planning Staff Report dated 9/18/2023 does not recommend approval for R23-06 throughout this entire report. Also, the 2040 Huntersville Community Plan states this plan does not support this project and violates four different policies. The Beatties Ford Road Corridor Small Area Plan created a vision for future land use for which the area should remain and develop as a low-density residential district. By approving this petition, the promises to control this reckless growth would be broken. There are two sides of this petition. Please be open minded and listen to our concerns, too. Please deny this petition.

Scott Brett, 9331 Broadway Street, said please deny the R23-06 petition from Rural Residential to Highway Commercial. This is not an appropriate location for a 7 day a week outdoor sports complex with live music and alcohol in a residential neighborhood. When this property is sold it remains Highway Commercial and could change into any type of business with new conditions set by the new property owners. If this petition is approved, this will move the commercial center north and will open up the right for 12 new commercial properties on the westside of Beatties Ford and Broadway Street and three other properties on Overhill Road. Beatties Ford Road is an old two-lane country road with 10,000 cars a day currently traveling on this road. When the new developments of 750 new homes are complete on the north end of Beatties Ford Road plus 140 homes at Oak Grove development, plus 130 apartments in the Long Creek community and possibly 12 commercial sites, will create a congestive nightmare. There are five schools located on Beatties Ford Road between Highway 73 and Mt. Holly-Huntersville Road. There are no crosswalks planned at Long Creek Elementary School for parents to walk their kids across Beatties Ford Road to the school and no crosswalks at McCoy Road to safely walk across Beatties Ford to these new commercial sites. This will change the 100 year old Long Creek community forever. Please hold to your promise and follow the 2040 Plan to control growth and to protect the quality of life for all the residents of Long Creek community and Huntersville.

Joy Jacobs, 3823 Alton Street, said I came here tonight with a lot of questions that were answered. I have not been paying a lot of attention but initially I do not want this. My biggest fear is that once you do this it's just going to do like dominos just one after the other after the other and that's such a beautiful community. I moved in in 2001 and it's just been beautiful. It's the one spot left in Huntersville that nobody really knows about. It's hidden, it's nice, it's quiet, but yet we can get to everything that we need very quickly. Traffic is horrible already. I don't need to tell you all that. I just really don't see the need in this to disrupt a whole area that's been there forever and I just hope you deny this.

Leo Brett, 3831 Alton Street, said I've grown up off of Beatties Ford my entire life. I know my neighbors. We've been surrounded by great people, great neighbors, a very supportive community for the people

that.....for everything that we need and I've gone around and got signatures from people against this and I can confidently say that it's not a small number that is against this and it's not just located off of Beatties Ford and Broadway Street that will be affected by this. Our main concern is the fact that once you open up this then there's going to be more commercial to come. Everybody just wants to live in peace and try to have a quiet area to live. There's not many places left in Huntersville where you can have an acre, two acres and not be on a main road and to sit there and be able to enjoy your life. We hear birds, animals and stuff like that. The worst-case scenario of things that we have to deal with, if you want to call it that, would be kids playing at the school and you know that's only during school hours. We don't really see a ton of noise and stuff like that which obviously this will bring up, and then overflow parking and we have enough issues already we've had before with Long Creek Elementary School with people parking cars on people's property, parking them where they're not belonged and everything else like that. I can confidently say when you go through with this and their overflow parking is overflowed and then they start parking in people's yards and places they're not supposed to be, it's just going to create more problems and more issues. Also, I know you guys made a comment about this, the asbestos and lead paint. It's a house built in the 40's. It's never been redone, really touched. Obviously if you plan to have kids and adults whoever there, you should probably have that tested and make sure that that's even you know not a concern for the people and their health coming in. I honestly don't see the environment improvements for this. They are just going to bring in more traffic and mind you Beatties Ford is not going to get widened and Broadway Street is not either and they plan to bring it directly into Broadway Street which would then be traffic in front of our own homes and things like that. I just would prefer it would be nice if you guys would make sure that this doesn't pass. We don't want anymore commercial, we have enough as is. We want to keep the small areas that are left in Huntersville and this is one of the last remaining ones.

Sandy Lusk, 9709 Midas Springs Road, said I have lived at that location since 1967. I was one of the ones that did go to Puckett's, did drink soft drinks, and I know every one of my neighbors. I like your sign right here. What does that sign say – honoring our history. Long Creek is full of history. Full of it, all the way down to 73. We love our quiet little neighborhood. They say they're not going to have noise. Why do they need to put the buffers up then. That's just a question. If there's not going to be noise, why do they need buffers. I'm just saying. We love our trees. We don't want the trees being cut down. We don't want the road being widened. We really don't want the traffic, but it's here. We have to deal with the traffic, but throwing more traffic and more traffic and more traffic, it's to the ridiculous point. Can people not just live in peace anymore. It's like they are taking everything away.....everything. Leave us our land. Leave us our peace. Twenty forty (2040), in 40 years won't none of us be here. You can do what you want. Please leave us our peace. Thank you.

Barbara Rojas, 6116 Latta Springs Circle, said I'm kind of glad that I came after that woman. It broke my heart to hear the accounts of many of these residents of Long Creek who have lived there long-term, decades, longer than decades, who have devoted their life and have lived their life peacefully and quietly to now for a second time in a year to be faced with a proposition, a petition, to change their neighborhood. A petition presented by individuals who only recently purchased their property and within six months chose to change the nature of their neighborhood. So I'm in opposition to the Long Creek Family Entertainment, which I think is proposition R23-02. I'd like to point out that your Planning Department stole most of my good points, but I would like to reiterate the points that they made. The Planning Department, our city employees, those that we employ with our taxpayer dollars, whose job it is to review, to research, and to give their advice and their recommendation regarding petitions placed before them, we need to give them the respect that they deserve and they did so in denying this. They reviewed this petition and they recommended denial for a number of reasons. One, it's a violation of the 2040 Plan. Our own 2040 Plan, which is quite robust, states that this is not an area that should be

developed. It's not a mixed-use or Activity or Employment Center. It's not in the Town Core or in Moderate Density area. It doesn't exist in the Beatties Ford Road Corridor Small Area Plan. It sits outside of that. And additionally, it is in a Critical Watershed area. I live in that similar watershed area. I live in Critical Area CA4, which is a critical area to Mountain Island Lake. They are in CA1. Part of the recommendations of the agencies that oversee those areas are that any non-residential program, any non-residential use be denied, so mitigating the impervious space is not enough. Please respect these homeowners and deny this petition.

Mary Ann Turetsky, 16977 Bridgeton Lane, said everyone who spoke here tonight gave you factual reasons why this property should never be rezoned. The vote, though, is going to come down to empathy. The definition of empathy – to understand and share the feelings of others. Do you understand how the feelings of these poor residents feel right now. Do you share their fears of losing their homes where they have lived for 40 plus years. Their properties and homes might not be as plush as some of yours, but to them it's everything. It's their little piece of Heaven. They've worked hard and they deserve to keep their homes. None of you would like this project 25' off your property line, so why do they have to have that. We're all hoping that at least four of you on the Board have empathy. Please share their hopes of remaining in their homes for the rest of their lives. Open your hearts, please. Empathy – do you have it. Everyone in this room is hoping that you do. Thank you.

AnnMarie Bemberry, 415 Oakwood Creek Lane, said I'm here today to express my support for the Long Creek Family Entertainment rezoning proposal. Like many Huntersville residents, I'm a transplant. I finished my degree, got a job and followed the money like many of us, I'm sure. I'm from New York, so I'm new to the Charlotte area which I immediately fell in love with and I'm hard-pressed to explore it, but who with. Certainly not my co-workers, so I keep my head down, focus on work and work hard to impress my manager. What a life, right. My dad calls one night to check on me and asks me how I'm doing and naturally I launch into a whole diatribe about how work is going and what I'm building there. And he says to me real old man wise and matter of fact you know like it's the most obvious thing in the world, well honey you didn't go down there just to build a career. You went to build a life. That conversation still sticks with me – build a life, the life you want, build community, you live here now, make it home. It was up to me to find kindred souls to build the community I was longing for, but how do you meet people. Where do you go to make friends? How do you break into established social circles in a brand new city where you know no one. Anyone who's ever been on one or many of those social swiping apps knows that your thumb might well fall off before you make a group of friends worth keeping or a date, but I digress. Being from NYC I didn't drive when I first moved here, so for the first year I used a lot of rideshare apps. Call it what you want, but my first true friends were my Uber and Lyft drivers. I know, but imagine your app drivers being the only people you meet in a new city besides your co-workers. And if you drive yourself around, forget about it. What Katie and Jon are proposing is literally a breath of fresh air. An opened air low key beautiful space that will offer people like me a safe space to expand my social network. Recently my mom and sister have joined me here and have been facing the same issues, challenges of networking and building home. It only took one visit to sell them on this area, but they are still strangers here. This space would offer them a place to spend time and forge bonds with others in the community....the opportunity to build home. It will truly be a place for everyone. Please vote yes for the Long Creek Family Entertainment project. Support these local entrepreneurs. They are doing great things for the community, our community, not to mention that this project would create jobs for other professionals, social clubs, volunteer and even potential internship opportunities for our youth. But I'd need another three minutes to do that justice. Thank you for your time.

Alyssa Shepherd, 9311 Beatties Ford Road, said we're located two doors down from Katie and Jon and literally 200' from their property with the Long Creek Family Entertainment project. We're also right across the street from the old Trillium School on the corner, caddy-corner to I guess Lancaster's. I'm here to express my support for the rezoning proposal. My husband Jake and I have lived at the property since July 2007. We are raising two young kids here. There's been definitely a lot of change over the last 16 years including different road projects. Our property in particular we've had our side yard and our front yard also used for road projects and property taken away. We've been aware of the small area plan for the upcoming intersection improvement project for many years, since right after we moved there really. The upcoming project will take more of our front yard including adding a 10' wide sidewalk through the middle of our only 50' front yard. While we are not really happy about this there is no reason to exclude us and the other properties along that area that we've seen on the maps from being rezoned. We understand that Huntersville is a popular area to live and change is coming. We support Katie and Jon's Long Creek Family Entertainment project because basically the west side of Huntersville really does need something like this for families like ours and growing with kids. With the 2040 Small Area Plan it's calling for a lot of mixed uses in the area. Things that have all been included in a lot of the speeches with the high density housing and like offices, different office spaces both small and large commercial. For some reason our property also was literally.....we're literally only 20' across from the previous school and 40' across from the restaurant at Lancaster's. We're not included in this area plan for some random reason. We understand the approval of the Long Creek Family Entertainment project means our property will be moved into that small area activity center and we welcome this. The Beatties Ford Small Area Plan was created and adopted 20 years ago. Also, the other thing I will say that I didn't get a chance to, is at least Katie and Jon are going about this the right way. They're coming here, they're talking to people, they're going through everything else.

Mayor Clark said that's your time, thank you.

Cory Neal, 6305 Stephens Grove Lane, said I came here tonight to express my support for the Long Creek Family Entertainment rezoning proposal. My wife Kelly and I live just a few minutes down the road from the rezoning and I cannot tell you how excited we are about the possibility of a business like this on our side of town. Kelly and I moved here from Washington, D.C. in 2020 and specifically chose Huntersville to plant our roots and start our family. We have a 2 year old son and another one on the way. Huntersville appealed to us not only due to its advantageous location but because of the sense of community we felt almost immediately. Since the beginning of the pandemic my wife and I like many people began working remotely from home. I work for the U.S. Department of Education and my job most days consists of meetings with various colleges and universities around the United States. Working from home is quite a blessing, but you can imagine the challenges that come when presenting to professors, provost or university presidents with a 2 year old toddler tornado in the background of my Zoom calls. The easiest solution to this challenge is a co-working facility. Unfortunately, there are very limited options for this in Huntersville. A quick Google search will show you other possibilities for meeting spaces such as conference rooms in hotels that are either too large or too expensive or facilities that offer monthly rentals. The only other local alternative is Main Street Coffee and Co-working which is located on the opposite side of Huntersville. Remote work is on the rise. An article published by Forbes in June 2023 presents research that anticipates that remote work will continue its upward trend. As more companies adapt to remote employment the demand for co-working facilities like this will also rise. The west side of Huntersville is very much in need of a space like the one Katie and Jon are proposing. A communal, affordable and convenient space. In closing I ask that you please support the Long Creek Family Entertainment project by voting yes to this rezoning.

Mason LuCan, 15331 Mac Wood Road, said while I can't speak to zonings and commercial properties, I can speak to who Jon and Katie are. They came into my life at one of the saddest moments. I had just lost my grandmother and my father passed after a 10-year fight with cancer. I hopped in my car and drove to Fayetteville, North Carolina because I couldn't deal with the sadness of that day to visit my eldest brother who lived there, but unfortunately I missed him on the highway going back to my parents. I then drove and ended up in Huntersville where I met Jon. And he was so welcoming and inviting and even though my grief lessened, it hurt less to say the least. It was still there. I can see what they're doing and I empathize with all of you about not wanting to change your community. I have grown up in a small community. I know it. But Jon and Katie are a part of your community now, so why not allow them to be a part of it and make a change to it for them to leave their stamp in Huntersville. One of the people pointed out to honoring our history. It also says celebrating our tomorrow. And with tomorrow, there's change, so why not at least let that be. That's all I have to say, so please vote yes for Long Creek Entertainment.

Daniel Austin, 5730 Jim Kidd Road (Leo Enwright, 20909 Brinkley Street, Cornelius, deferred his time), I'm here to speak in favor of the Long Creek Family Entertainment project. I'm a local farmer. I also serve on the Mecklenburg Farm Bureau Board of Directors, the Mecklenburg County Agricultural Extension Advisory Committee and I'm also on the Board of Supervisors for Mecklenburg Soil and Conservation District.

Jim Kidd Road was named after my great grandfather, James Barkley Kidd. He built the home and established his family farm on Jim Kidd Road in the early 1900's. I operate a small farm and own 24 acres of the old century farm. I raise milk goats, beef cows, laying hens....I'm a beekeeper and we currently depend on local farmers markets to sell our products.

I met Jon and Katie a number of times to learn about their project and coach them on a few farming and gardening topics. They came over and learned how to milk goats. We share many core values and I believe we're not alone in that... sustainable agriculture, organic gardening, outdoor living, preservation and conservation. Many of you on the Board campaigned on some of these values and thousands of Huntersville citizens echoed your passion for these things.

I'm real excited to help them to get their community garden club started. Over 10,000 sq. ft. of land dedicated to a community garden is an amazing opportunity. It's no secret that small business owners flourish when partnering and networking with other small businesses. Jon and Katie have offered me shelf space for me to sell my products at their establishment. In return I'll help them with getting the garden club going. Partnerships like this used to be a way of life in Huntersville before the large cookie cutter commercial big box stores started taking up all the street corners. I'm not sure about you, but I'd rather support a small business than a large conglomerate.

The 2040 Plan and the Beatties Ford Road Small Area Plan promote agritourism along the corridor and state that there are plans to promote tourism down Beatties Ford Road. It's easy to focus efforts and attention on the downtown development initiative, but what steps has the town taken to facilitate this part of the agritourism initiative. There are thousands of Huntersville citizens that live on the outskirts of Huntersville that would appreciate closer opportunities for our families to enjoy.

Traffic through Huntersville is already congested and there's a major deterrent for many of us to go on the other side of town. Other than Latta and Rural Hill, what are we offering the citizens and tourists that visit the Beatties Ford Road corridor. Entertaining guests on a farm visit is a great idea, but that's a

big ask for owners/operators running a small farm. We currently don't have the capacity or staff to support large scale agritourism.

The Long Creek Family Entertainment project is obviously a step in the right direction. Their core business proposal offers support outlets for farmers like myself. These guys are hungry and their actions speak louder than words of support coming through this microphone. They're offering to preserve 4-1/2 acres as a turtle and tortoise sanctuary. They also expressed interest in long-term preservation of this space and not many people are willing to do that.

The 2040 Plan calls for Huntersville to partner with local landowners' preservation efforts as well as partner with non-profits. Their boots are on the ground networking with local farmers and small businesses. They've already planted more native trees, berry bushes, apples, figs and they want to share that with the community. These are actions not just talk. The 2040 Plan calls for continued growth and support of entrepreneurs. Please support these efforts of these entrepreneurs and enrich Huntersville community by voting yes to the rezoning.

Justin Orders, 9123 Mt. Holly-Huntersville Road (Kandice Jones deferred her time), said my fiancé and I live about 2 minutes for this proposed rezoning and I am in favor of this rezoning. A little bit about me, I'm a Charlotte native, I know that's pretty rare, more specifically of this area of Huntersville. I went to Hopewell High School. I'm very familiar with this area.

I've probably driven by this house literally thousands of times in the course of my years living around here. I spent a lot of time at Latta Nature Preserve. We now go there quite frequently to walk our dog. It's just a beautiful place and I want to keep it that way. I started keeping bees in 2018. That's actually how they contacted me through my business, Queen's Orders Honey, where I have bees. I sell honey, of course. I provide bees for other people. People want bees on their property. I bring it to them, allow them to experience bees like how I've been able to experience them.

I know with saying that it comes maybe to imply that I want to do this to boost my business or whatever, you know sell honey from their storefront. The reason I got into beekeeping was to save bees. At the time I got into beekeeping as well as now bees, pollinators are at risk of a lot of things, mostly development, losing their habitats to development and it's definitely been something that I've observed here. At one point my bees were getting all sorts of honey, pollen, all sorts of sources and it's dwindled over the years and it's I feel largely due to this irresponsible development and then you may also be saying, well why I am in favor of this. In the time I've known them and what they've expressed to me and what they've shared with all of us here tonight is this is not going to be this unrestricted irresponsible development.

I kind of play this depressing game where as I'm driving around Huntersville now I will turn a corner and this one spot that just was home to beautiful nature trees, growth just turns into what I like to call Mars lots. They're just orange and red and then have pre-construction equipment and then the next month or maybe it's a couple of months down the road it becomes apartments, condos. We all know that pretty well having lived in Charlotte for a little while. So all to say anyone that's saying I don't want irresponsible development on this lot, you're preaching to the choir. I don't want that for myself or my bees for other pollinators.

That's why they are planning to have a pollinator garden here. This is going to be rather than this name your chain restaurant, gas station, whatever, it's going to be a sanctuary for wildlife, for things that do need this desperately. I want to use this as a place where I can educate people about bees. I'll have just

a few hives again in that very corner of that lot. It's going to be well distanced away from people, from traffic, but in a way to then educate people about what inspired me to become a beekeeper and as well as they're not going to get rid of all the trees. I feel very aligned with this project enough to where I almost feel part of it. It's not going to be this destruction.

We're new to where we live right now, but again I've lived there for a while and as has been expressed by others, this also gives a place for small businesses to sell their products. We live on Mt. Holly-Huntersville between two Food Lions, a mile apart. I don't know how that happened and I probably never will, but there's got to be a place for people to get food from that isn't a chain grocery store that's getting things shipped in for all over the world. It's a place where people can buy local foods. There's not a whole lot of places like that in Huntersville. I would know because I'm constantly trying to find places to sell my honey and also my fiancé sells sourdough products, she wants to sell that as well and so they'll be greatly supporting us in that effort.

I've not heard of anyone proposing something this unique and this detailed of what they're trying to organize. They've taken a lot of time to talk to us about this to where I'm on board. We are part of this community, but we also don't feel that connected with the community because just where we live in our neighborhood, I'm not really sure, but this would allow us to feel more connected.

Lastly, if it's not me, it's not for my business, it's really about the bees. We need biodiversity in our environment. We keep removing things from nature and giving them things or taking things away from them. People all of a sudden are going to say where did all the bees go. Where are all the pollinators. Where did all the butterflies go. This would be an attempt to reverse that, allow the things to say natural. We plant native species of plants for the bees and pollinators to feed on rather than destroy it and take it away. If your vote is not for them, for the project that you see here, vote for bees, vote for pollinators, vote for insects, vote for other animals that also are losing their habitat because they are not in favor of destroying that for their profit or for their gain.

Lance Munger, Post Office Box 664, said as some of you may know one of the mantras I had in my time on the board was simply "find a path to yes and ask for it." To that end, here are a few of the issues that I've heard discussed with resolutions.

The facility is open too late. They agreed to adjust their hours to close a little bit earlier. It has the potential for disturbing neighbors. They've agreed to install a 6' fence for privacy and no amplified sound. Sidewalks need to be put in. They've agreed to put in the sidewalks and work with staff to set aside land for future sidewalks. Traffic generation. This should be minimal and given where you are, you've heard it mentioned a couple different times that the current traffic flow is 10,500. Impervious ground – one of the innovative things that they are looking at doing in this particular area because you need a lot of impervious ground is installing the mulch to preserve that impervious ground. I would definitely suggest you take into consideration of keeping it that way.

The last one is conditional rezoning could open the door to a far worse commercial entity to occupy this property in the event that this particular business might fail or they might sell it to someone else. It's been covered by the gentleman back here named Brian Richards that a conditional rezoning means that they can open this business. If it fails, if they sell it, and they want to do something else like a McDonald's or some other commercial type of entity, they have to come back to this board and ask for it to be changed, so it's not like you are opening the door and it can become a McDonald's or something in a year or two. If you are thinking it might be better to have a more well-established business to come in here, you should be asking yourself why.

We claim to want to support local businesses and this is a prime example of what a local business can and should look like. The proprietor has spent most of his life in the Lake Norman area and even graduated from North Meck High School. Unlike some entities in the area, they have chosen to follow the path of following Town ordinances and procedures to become a properly authorized company wishing to do business here in Huntersville. Keep in mind all this is happening in an ETJ area that currently generates no property taxes for the Town of Huntersville and as part of the rezoning process this property would be incorporated into the town. I know there are a lot of people here and in the town in general who moved here for the small-town feel, but the door doesn't close behind you. Please take the opportunity to listen and work with them.

Commissioner Bergsman said could you remind us the percentage of trees that are going to be kept.

Mr. Farber said 89 percent and that's specific to specimen trees.

Commissioner Bergsman said what's the requirement?

Mr. Farber said 30 percent.

Mayor Clark said in the road improvement intersection, are crosswalks included in that improvement or no?

Mr. Farber said I believe there may be one to the south. I believe if you look to the south, I believe there would be a crosswalk right here.

There being no further comments or questions, Mayor Clark closed the public hearing.

Mayor Clark called for a 5-minute recess.

The meeting reconvened.

Petition #TA23-08. Mayor Clark called to order public hearing on Petition #TA23-08, a request by the Huntersville Planning Department to amend Zoning Ordinance Article 8.13 to remove "Regulation of Nuisances" language.

Nathan Farber, Planner II, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 6.* TA23-08 is a text amendment by staff to remove the text related to regulation of nuisances from Article 8.13 and we will replace it with reserved for any future text amendment.

Noise and noxious fumes are covered by the Town Code of Ordinances, which makes Article 8.13 of the Zoning Ordinance redundant. This also conflicts with the enforcement procedure set forth for such violations in the Town's Code of Ordinances and the Town has an interlocal agreement with Mecklenburg County to police and enforce ordinance requirements within the Town's ETJ. The Police Department enforces the Town's ETJ, not Mecklenburg County within the ETJ. General police power authority is typically used to regulate such nuisances instead of development regulations. The code enforcement officers are not always available to investigate any alleged code violations of this nature after normal business hours, but the police are. Here you have the Zoning Ordinance and the Code of Ordinances next to each other relating to noise. They both cover the same things. While the Code of Ordinances

goes into further detail in Section 93.41 as you can see here on specifics of noise. Again here is the side by side for the fumes and odors and vibration related nuisances for the Zoning Ordinance and the Code of Ordinances. They both cover the same thing and the Code of Ordinances does go into further details for specific nuisances as you can see here. Planning staff recommends approval based on consistent with all policies of the Huntersville 2040 Community Plan and compliance with state statutes.

Commissioner Walsh said you were mentioning that the county enforces the codes in the ETJ.

Emily Sloop, Town Attorney, said just a clarification on that. We have an interlocal so that the Town's police officers can enforce Town Code of Ordinances in the ETJ.

Commissioner Bergsman said what happens right now if a noise complaint comes into the Planning Department instead of HPD and it's after hours or on the weekend.

Mr. Farber said we normally direct them to the Police Department.

Commissioner Bergsman said would that direction happen at the same time the call comes in.

Mr. Farber it would be whenever we're back in the office.

There being no further questions or comments, Mayor Clark closed the public hearing.

Installment Finance Contract. Mayor Clark called to order public hearing to discuss the Town's plan to enter into an installment financing contract in connection with the issuance of limited obligation bonds to pay the capital costs of construction, equipping and furnishing of a new Town Hall and renovation, and improvements to the existing Town Hall building, and to pay the cost related to entering into financing. The amount of the financing is not to exceed \$32 million. The \$32 million is estimated to account for the \$30 million building and related issuance costs including potential bond discount.

Anthony Roberts, Town Manager, presented history of the new town hall project. *PowerPoint attached hereto as Exhibit No. 7.*

Jackie Huffman, Deputy Town Manager, said I would start out this way. It is not legal for us to issue debt in North Carolina on real estate without the Local Government Commission (LGC) approval. We can't issue debt without a public hearing. The purpose behind Item 9.C on tonight's agenda is to hear from the public about issuing debt. We have talked at length about a \$30 million town hall. We advertised a public hearing of a price not to exceed \$32 million. Jackie, how did you get from \$30 to \$32 million. The answer to that question is not Jackie, how did you get there, it's Mitch. The Town has used Davenport & Company as financial advisors for more than 8 years. Mitch has been with Davenport & Company closer to two decades. I have never in my career issued a LOB, a limited obligation bond. Mitch probably does it three times a week, so I'm going to be quiet and let Mitch talk to you about why we advertised a public hearing to build a \$30 million town hall in a financing amount not to exceed \$32 million. Spoiler alert – it's about the change in interest rates. Mitch, please help us.

Mitch Brigulio, Davenport & Company, said big picture, selling limited obligation bonds, we are selling municipal bonds in the public marketplace. We are selling securities to the public and they buy those securities at interest rates set by the market at the time. When we go out, we are going to sell your limited obligation bonds, the underwriters are going to sell the limited obligation bonds, for the Town on

March 6. That is the date where the interest rates will be set for the bonds and we will know what the interest rate will be.

Selling the bonds to the public it's not just the interest rates necessarily that we will be setting at the time. The investors will also drive what price they are willing to pay for your bond. There's three different scenarios that we could see. We could see what's called a par pricing where they are willing to pay you one dollar for every dollar worth of bonds that they buy. There's a premium environment where they are willing to pay more than 100 cents on the dollar for your bonds. In exchange for that they ask for a slightly higher market interest rate. Then there's a discount scenario where they will pay you less than 100 cents on the dollar for your bonds.

In a premium pricing scenario, they are paying you more than 100 cents on the dollar for your bonds to generate \$30 million for the project. In the current market, we're in this premium environment right now. In the current market we would only have to issue about \$26.5 million worth of bonds to generate the \$30 million. They are willing to pay us more. They are paying us a premium for our bonds. In exchange for that, they get a slightly higher interest rate. So, we issue less bonds, we have to pay back less principal, but we have a slightly higher interest rate, we pay back more interest, we balance out. It works out to the same thing the way the math works in terms of the total payments you have to make.

Similarly, there's a discount pricing environment where in order to generate the \$30 million we may have to issue more than \$30 million to generate that because buyers are paying us a discount or less than 100 cents on the dollar. In exchange for us receiving less than 100 cents on the dollar, we would have a lower interest rate, so we would have to pay back more principal but our interest is less and so we end up at that same payment scenario. It's all about the market, supply and demand, and what investors are looking for at the time of the pricing.

We expect to be in a premium pricing environment. That's the environment that we've been in for a while now and we expect to be there, but in setting a not to exceed amount, don't want to get through all of your approvals, the Local Government Commission approval and be in the marketplace and all of a sudden something shifted and we don't have the authorization to get you the funds that you have approved if you choose to approve them to fund the project. It just provides contingency. At the end of the day, we are going to whatever project that you approve and you tell us this is the amount that we need for the project plus financing costs, we are only going to issue the amount of bonds needed to generate those exact dollars. That's how the Local Government Commission approval is structured. That's what we will be working towards to give you those dollars that you need to fund the project within those parameters, so that's the idea behind having some of that cushion to accommodate the market environment.

Today, just so you know, we updated numbers as of today, the average effective interest rate is about 3.4 percent, so good market environment. It's about where it was a couple of weeks ago and lower than where we were last fall when we started running some planning numbers. Overall, good market right now. Hopefully it stays that way until March 6 when we sell the bonds.

Ms. Huffman said we would open it up to questions now from the Board or you are welcome to hear from the public. When you close this public hearing in a few minutes, our obligations to issue this debt are not over. The next item on the agenda is to set a guaranteed maximum price, the GMP, related to debt. The item following that is a resolution authorizing staff to apply with the Local Government Commission for the opportunity to issue this debt and there will be another item on February 19 agenda. I'm happy to respond to any questions. Mitch will be awesome at responding to questions you

have about LOBs and how we would issue debt of whatever form. We also have the architect and the builder here if you have questions about how we got to this point on the different sites.

Commissioner Rivers said you spoke about potentially town hall being across the street. Looking at data and growth for the Town of Huntersville, what is the likelihood of or the longevity of town hall on “the sliver” versus over here.

Mr. Roberts said when the board was looking at the three-story building across the street and obviously when they originally looked at it they were just doing two stories, come back at a later date and do the third floor and you could still use the third floor of DPK. I’m sure numbers are going to come up 36 and 18 equals 54, versus 54,000 sq. ft. building over here. The biggest difference is you’ve still got the 18 to grow in over there. What I would say is at the time that board, obviously they were looking to get in the \$16 million number, at that time was maybe all they wanted to stomach, I don’t know. But ultimately to get at your question, the 36,000 sq. ft. building over there, three-story building, and you had the 18 to move into, they were looking at that time was a 20 to 30 year fix, round numbers. What the new board when they came in said Anthony, we don’t want to be in the same type position. Obviously, I won’t be here in 20 to 30 years.....hopefully I’ll still be living, but I won’t be here 20 to 30 years working as a Town Manager. I hope not anyway, even though I love the place. The 54 and the 18 you already have over there was to allow you to.....you know they were saying 50 years. I hate to project anything 50 years, but that was sort of the difference in the thinking. I think at that time people were thinking well maybe you do something with DPK. I don’t know what’s going to happen to DPK, but I would probably be willing to bet until 2040 at that price, they’re probably not moving anywhere. And then some future board in 2040, I don’t think I’ll be here in 2040, would have to decide what to do with that building. It’s a floor and a half left over. Short answer to your question 36 and the 18 was more of a 20 to 30 year fix. The 54 and 18 was more of a 50 and beyond type fix.

Commissioner Walsh said I think the idea was to get folks under one roof, so if we were across the street with the 36 and 18, it’s 54,000, correct?

Mr. Roberts said yes, sir.

Commissioner Walsh said which is the same thing that would be behind here. You mentioned we’ve got a \$30 million town hall we’re looking to finance right now. Assuming the \$22 million for across the street is a good number and we sell this property for \$3 million, then we are looking at \$19 million versus financing \$30 million, give or take a few dollars, correct?

Mr. Roberts said assuming you sell this for \$3 million, possibly yes.

Commissioner Walsh said we got 1.8 for that. We just paid 775 behind us.

Mr. Roberts said that math makes sense.

Commissioner Walsh said so big difference in funding \$19 million versus \$30 million.....doesn’t address some of the issues on space moving forward. It’ll probably be a question for these guys here about the delay, how long it would take to build the two different kind of buildings, so I’ll leave it at that.

Mr. Roberts said what I would say just to piggyback on that, obviously you can sell that sliver of land over there now, too. We got rid of the what I would say the private use issues that were related to a bond that we had on that parking deck over there, so if the Board decided you could sell that and also some of

the spaces in the deck to accommodate for larger space there, I have no clue what that would sell for. The other thing I would tell you, too, is if you moved over here, eventually we would move these people in there and those people off third floor. You could lease that space above DPK, the town offices, too, I have no idea what that would lease for. As you can tell since 2018, we've only got to this point right here, so I hate to guesstimate on selling this, that, or leasing that, so I've spent zero time on that.

Commissioner Walsh said the property here is including what we're on and we didn't even have a sliver to build on here, so we had to purchase more property. That total acreage is.....I had it in my mind at one point. I know it's 0.3 across the street. This is a lot bigger than 0.3 including a building.

Mr. Roberts said the key there would be parking spaces there, too. I could ramble off numbers on what a parking space goes for. These guys.....it's probably 30,000 a parking space. Some people will say different numbers. If you would sell the sliver over there, too, you would account for parking spaces in that number because you are guaranteeing parking spaces, too. But, yes, I don't know which one would sell. I would anticipate this would maybe sell for more, but I don't know.

Commissioner Walsh said I think so. How many parking spaces over here?

Mr. Roberts said I think roughly 120 will be the surface parking... maybe these guys could tell you an exact number, but it's fairly close to 120.

Commissioner Walsh said I thought I heard 110. And if at some point a few years down the road we had to now build a parking deck either for ourselves or through a PPP or whatever, what would we do in order to accommodate the people in these 100 and whatever number spaces because it would have to be shut down while the building goes on for a couple of years.

Mr. Roberts said you kind of see the picture up there and even though this picture up here are Option 4 pictures, it's not actually what it looks like. That building slides this way closer to existing town hall and there's a driveway behind it, but where that square is at the top of Option 4 is ultimately where you'd build the parking deck, so we would stage it there and folks who park on the other areas and then you know various places in town whether it's Veterans Park, whether it's the parking deck across the street, no different probably some of the people here would have to park in different areas. Do you want to do that as part of the GMP or do you want to talk about that now. I think the last bullet we talk about the delay there and I'll just let maybe Tim if you want to come up and talk about the 10 to 12 month delay and what that additional cost... that's how you get from that \$19 million to that \$22.5 but Tim you want to come up and talk about that.

Tim Bender, Edifice Construction, said we have been estimating a lot, as you can see, over the past three or four years. Thank you for having us. I guess the question was the delay. Right now when we come up and present we're going to be delivering a guaranteed max price. That means our subcontractors are locked in ready to go to work as soon as we sign off. When we start again, and we go back across the street, we would have to start that process all over again. We've been working diligently since we came to this lot for about 17 months to get to where we are today. We're looking at that's a little bit less site work, but we're thinking 13 months, Anthony did say 10, so we would expedite for you, but we would need to start everything from soil analysis, DOT review, how does this program fit, how do we get your 36 on that lot, because when we stopped across the street we had just bubble diagrammed and put square foot footprints down on land.

Commissioner Walsh said and four-story building, three-story building, how long to complete each of the buildings. Suppose we were building two of them, which one would get done first?

Mr. Bender said knowing just about building itself or if it's a three-story building we don't have any different site conditions that are maybe deep piers or foundations, that's an 18-1/2 month build, probably 14-1/2, so you are picking up three or four months on the 10 to 13.

Commissioner Walsh said so 10 to 13 month delay.

Mr. Bender said yes, minus your pick-up of opening two size buildings.

Commissioner Walsh said so 10 to, call it a 12 month delay to save maybe \$10 million.

Mr. Bender said we haven't got to the money yet, I'm not sure yet.

Commissioner Walsh said I'm just using the \$30 million for behind us. We'll call it 22 across the street, sell this for 3, the delta is 19.

Mr. Roberts said remember you are talking about if a 36,000 sq. ft. building goes across the street and we get to a GMP, we are estimating 22.5, so remember the Town Hall is 28.5, I'm just rounding numbers, so that's a \$6 million difference.....36, 54. Take this building, you can tell me tonight and tell us we're not going to do the renovations in this building, we've allocated 1.5 for that. That's where you get the 30, so we're doing 54 and 8 for 30. If you said Anthony, we want to just try to get you in a building, get the people in a building over here, we're not doing this, it's 54 versus 36. So, 54 versus 36, 22.5 for 36, 28.5 for 54. The 1.5 is all associated with knocking some walls down in here and throwing up some paint. So, that's how you look at it and the Board may say well, we want to wait, we can't even get you over there yet and let's wait and do this. I don't know. Those are options, but those are how we come up with what I'd say the 8th grade math numbers.

Commissioner Walsh said I like those numbers. Can you bring up the picture of the site across the street. So 36, there's a little breezeway to get to 18,000 sq. ft. To me that's under a roof, that's 54,000, with a parking deck right behind it.

Mr. Roberts said yes, I understand where you are going. Remember 54, 8.....that 18 is already there, so that 18 stays forever and a day until the board leases it out or do something. But you have 54 if you built a 36.....you have 36 plus 18 exists is 54. What we have if we build over here is \$30 million, 54, 8, 18 is still over there.

Commissioner Walsh said but the idea is to get everybody together, so the whole sale on moving it over here, the previous board was hey, we want them under one roof and you know yada yada yada, and basically abandon that over there and if we were over there 16 years from now and DPK.....obviously I would be renegotiating that lease.....then we have access to another 18 to 36,000 sq. ft. on one corner and the lost economic development opportunity here.

Mr. Roberts said potentially, but remember, I'm just using your number. It's 17,200 on the bottom floor, 8,200 on the second floor, so you have to some kind of way finish that second floor across. But assuming you kick DPK out, whatever board is here then, if you wanted to kick them out.....

Commissioner Walsh said or they leave.

Mr. Roberts said they could, I guess at that time it won't be this board or anyone in this room, but someone would make that decision.

Commissioner Walsh said I made my point.

Commissioner Hunt said I have a couple of questions. This discussion has been happening since 2018 and if we decided to build in Town Center instead, the plan would be delayed significantly, right, until like 2026 or so according to one of the estimates. So, in that event a different board could be sitting up here and they could decide to revert back to the plan that we are currently discussing. So could this potentially happen in perpetuity.

Mr. Roberts said it could, yes. It's happened already a couple of times, so could it happen again... absolutely.

Commissioner Hunt said we've already paid \$2.15 million. What have we gotten for that money and what other additional costs would we incur by switching back to the previous plan?

Mr. Roberts said we have got to a GMP, which you are going to see later. That's a guaranteed maximum price. If the Board says move back across the street, as Tim said you have to start over on some of those processes etc. The 2.15 I can't take that back. We've already spent that. Can you use some of that towards that.....sure. If we say look, Tim, I'm going to use the same color carpet, we're going to use the same tile in the bathroom, those kind of things – absolutely. Some of that stuff can be used, don't hold me to a number. Maybe Tim can tell me how much, but I'm just being simplistic – paint colors, tile, carpet.....we're not going to go all of a sudden in there and say let's just go all back through that process and pick new ones, so those kind of things can be used. Maybe things like well assuming it will fit, yeah we'll keep Parks & Rec with Engineering or whatever on this floor. Different things like that we could use. I don't know the number.

Mr. Bender said it's really hard, we're just talking so hypothetical of what does this building look like – is it three-story or is it four-story. When we get into it then we'll start to program – if Parks & Rec and who did you mention....someone has to be together, how does that work. It all starts again on structure on is the dais on the second floor, is it back on the first floor, do we have a community room here, is it back over there. All those same questions and processes come right back up.

Commissioner Hunt said it was mentioned a moment ago maybe we need to move into DPK and use that space. What type of renovation would that be?

Mr. Roberts said these folks have not looked at DPK renovations at all, just because that was not on the game plan.

Commissioner Hunt said but that would obviously be more in our costs, correct?

Mr. Roberts said oh yeah. We would have to look at that to determine you know in 2040 when we get there what that looks like. I don't know what the structure is on the second floor and what it would cost to complete that second floor across, I have no idea.

Commissioner Hunt said you also mentioned in your presentation if we built in Town Center and NCDOT required a turning lane, how could that potentially impact the project?

Mr. Roberts said if a turn-lane is in front of that and over towards the fire station.....the beauty on this site we are able to eat any improvements on our side of the road – we own this building, we own that land. Over there, depending on how long that turn-lane is etc., can I get it on that side of the land. Even if I can, the building would have to be pushed back. If I can't get it on that side, then I've got to start looking at can I buy from the other side of the street and I just don't know. The building you may be able to skinny it up. I think one of the buildings we looked at early on I think there was a four-story option, but you've got to remember that building gets kind of skinny. I know you say what difference does that make. It affects a lot of things. It affects the size of the board room and things like that when you skinny that down. One day y'all may go to districts or something and if you decide to have 12 or 13, all of that when you start to skinny things down makes a world of difference. We looked at those kind of things in the building across there and at that time we were settling with a three-story building over there. The board at that time said it was about all they could stomach. It took us to get just from 2018 we're talking to 2021 just to get little bubble diagrams that we had.

Commissioner Hunt said can you explain how moving forward with the financing will impact taxpayers when the bond is issued?

Mr. Brigulio said we had looked at this as part of the planning for this project in the GO bond referendum and looking at the Town's existing budget kind of very conservative estimates on the interest rates decline in your existing debt service. The way it all comes together it was a 2.8 cent impact for the entire GO bond program plus town hall.

Ms. Huffman said Davenport & Company did a debt affordability analysis and that debt affordability analysis my interpretation is if the voters in November 2023 approved the referendum, if we did town hall and the \$58 million in debt, if you implemented a tax increase of 2.8 cents in FY25, regardless of when you issue the \$58 million in debt.....you might issue part of it in FY25, you might issue part of it in FY28, you might issue it later. You would need to increase the tax rate 2.8 cents in FY25. A debt affordability analysis, in my opinion, looks at debt in a vacuum. It doesn't look at your personnel cost and what you might add in head count and what the ongoing cost with your existing staff might be and it doesn't look at your operating cost and it doesn't look at other things you might do related to adding capital related, to adding police officers and when you might need to buy police vehicles. It's debt affordability and it does not look at other items, so if for instance you wanted to add police officers or planners or firefighters, it does not take that into consideration. If you were going to add those things, you might need a different tax increase other than 2.8.

Commissioner Bergsman said I feel like this is a conversation that's been happening in Huntersville for definitely half a decade, probably a little bit longer, and we have yet to have a new town hall that we can use. I know in one of the previous years, I think it was September 2022, or maybe one of the meetings before that, the very original plan and please correct me if I'm wrong, the scheduled completion date that was shown in the presentation was Fall 2023. Is that correct?

Mr. Roberts said probably.....I'd have to look back. I think I've seen something that was '23.

Commissioner Bergsman said so it's possible that if the first plan had moved forward we would be sitting in that new town hall now, which I'm not saying and I'm not going to give an opinion one way or the other of designs or locations, because I feel that is something that has been decided by previous boards and I am going to get to my question. I just wanted to say that.....I'm not going to sit up and say I want this one or I want that one. I'm not a fan of either option, but I also know that it's our duty to sit here

and do what's best for the community regardless of our personal opinions. I was wondering.....the parking deck that's across the street. Has that had any repairs needed and what's the lifetime expectancy of that?

Mr. Roberts said it has had some ongoing maintenance. I know we continue to do ongoing maintenance on that. I think it's roughly, depending on who you ask, it's 293-294 spaces, depending on whether you count some of the bike spaces. Ongoing maintenance every year. Life expectancy on that, I know we talked about that, I'm just trying to remember, was it 50 years.....I think it's 40-50 years.

Commissioner Bergsman said how many visitors has Discovery Place Kids had in the last year or so?

Mr. Roberts said in 2023 it was 197,444, which didn't include birthday parties and something else. If you add those in, it's maybe 202,000 in 2023. Even in the Covid year when everything shut down, don't hold me to an exact number, I've got the paper over there, I think it was a little over 43,000 and those came from DPK. I think back even in.....they have since beginning of time those numbers, but the Covid year was the worst year, and it still met the minimum threshold of the first year. If I recall in the lease agreement it talked about 30,000 in the initial year.....they did that even in the Covid year.

Commissioner Bergsman said so would you say in your opinion that Discovery Place Kids is continuing to be an asset to our downtown and bringing in business to our downtown area.

Mr. Roberts said 197,000 to 200,000 people, I'd said yes. If I owned a restaurant, that's exactly what I want to see. I imagine I could get Slice House and Neighborhood Café over here that would probably give you a whole lot better answer than me, but I would say yes.

Commissioner Bergsman said there's this conversation about a 50 year town hall versus a 20 or 30 year town hall. Can you just refresh my memory if a town hall was built on the sliver, three floors, no shell space, but Discovery Place Kids stayed and was not used, what would the lifetime expectancy.....is that a 50 year solution?

Mr. Roberts said you are saying build a three-story building which is 36,000 sq. ft., use the existing 18,000 that is the third floor already which equals 54 in two buildings. That at the time they were talking about 20 to 30 year sort of life of expectancy from the standpoint of before it's full. No one in this room can guess and tell me how many people we're going to have 30 years from now. They do an analysis. They talk to department heads, they look at growth, those kind of things, and do an analysis on that. The 54, if you built a four-story, exact same as that over there, plus you have the additional 18, that's what takes you to that 50 year sort of timeframe. And if you told me is that rocket science and that's what the number is going to be, I couldn't tell you. They do an analysis on that, but I can't tell you.....there's no way those numbers are rock solid. It's just like estimates. You are making estimates based on what you know, no different than these estimates up here on town hall. Until you get to that point, like a GMP, that's when I can give you real numbers.

Commissioner Bergsman said I get that they are estimates, but it does sound like no matter what the estimates are the current plan meets the capacity for a longer period of time if DPK is not used.

Mr. Roberts said that's why I think.....it may be what Commissioner Walsh said. They looked at putting them in one building, but also to allow for that future growth. They didn't want to be in this room discussing you can see what.....I don't know why and previous boards probably didn't project that Huntersville was going to grow like it has grown and so what do we do in this building.....boom move

over to that building. Where we are at now, literally next year I got no room. I assume they just didn't want to be in the same predicament all over again and let's do something that lasts a much longer time.

Commissioner Dumas said it's been mentioned that this has been in the works since 2018 and I've noticed a lot of these numbers, the estimates over the years, have inched up over the years. I personally quoted a construction job in 2019 and decided to wait and then 2020 happened and then decided to wait a little longer and every quote I've gotten has like almost doubled in price, so it's safe to say the longer we go.....we've already spent \$2 million.....the longer we go, the more it costs us.

Mr. Roberts said it's been going up the whole time. It continues to go up. The same thing with any construction project at a house. Just look at your house price, what they've done, even though it has nothing to do with construction, how it's increased. It's going to increase, it's not going to go down.

Commissioner Quarles said currently we can lock in at a 3.4 percent interest rate. We have a GMP and have already spent \$2.2 million on this current project. If we decide to wait for further study, we could spend another +/- \$600,000. That would be a lot of waste, so it's our duty to be good stewards of our taxpayers' dollars. The cheapest time to build will be now. The most expensive time to build will be tomorrow. Since we've discussed this town hall project in 2018, there's been 2,566 tomorrows. We can't afford to wait and waste the taxpayers' dollars. Anyone can make numbers fit to what you want them to do, but building a larger facility with a 50 year lifespan will be saving the taxpayers money down the road.

Mayor Clark called for public comments.

Amber Kovacs, 207 Greenway Street, (Frank Gammon, 8912 Deerland Court and Johnny Campbell, 104 Interlaken Place, deferred their time), said I am here tonight to talk about town hall, obviously, but not its funding. I'm here to talk about the facts surrounding it because in the past few weeks, I've seen individuals provide a lot of false claims and missing facts. This false information is shared by individuals and provided by a scorned board member. Some people are just now tuning into town information for the first time and are not realizing this project has spanned over three boards and that much of what they are reading is false or lacking all the details.

Two boards ago, town hall was determined to be necessary and provided with no public input and no board study period, despite public outcry. The poor location choice was the sliver, the grassy area in front of Discovery Place Kids. The project was touted as a low price point that meets all of the needs, but it didn't.

First, the \$14 million price tag is false. The construction cost for this three-story unfinished building was \$19 million, but touted as only being \$14 million because of the insistence on selling the opposite corner where current town hall is for \$5 million. The intention was to then sell the corner where current town hall is to a specific developer, which is why the \$5 million for that property is taken out of their final, out-of-pocket math. The board did not look into other options or locations and was set on that one idea although many community members expressed concerns.

Town hall in front of DPK would've been built three stories tall but would've only had two floors actually finished with the third being a shell space, only framing. It would've also required our town staff to continue to occupy the third floor of the DPK building, and our staff would've continued to be in two separate buildings. A breezeway does not count as one building. Still on Day 1 this configuration did not

take into account any future staff nor needs. It was a 15-20 year point-in-time solution only. This is why it was a huge election point in 2021.

To add to this, there would've been zero additional parking spaces, and the final cost didn't include any soft costs such as furnishings. Adding that would've brought the actual total to around \$16.5 million plus the \$5 million they assumed they'd get for selling current town hall. Remember a deal had already been agreed upon for that sale... \$21.5 million in 2021, but no one said that number out loud.

When the next board was sworn in in 2021, we discussed this option not meeting our town staff's needs and having no growth ability for expansion on the same site based on numbers and information and actual support provided by staff laying out their needs and what they were asking us for. In fact, on Day 1, that sliver building would already be too small, with no room to grow. DPK is locked into its lease. It will be at least 2040 before DPK completes its allowable terms in their ironclad lease. No, we can't get out of it. They often made the argument that once DPK left you could use the entire DPK plus the sliver building for a total of 90,000 sq. ft., still in two buildings, but not until 2040 and not counting what it cost to upfit a children's museum to real office space, not to mention the loss of something that draws around 200,000 guests per year. That would be a terrible idea for our downtown.

Unfortunately, our town has shown that we are shortsighted when we build facilities that barely meet current needs and don't think through future needs. It appears the board was not considering the future when pushing the sliver option, just what they wanted at the time.

The last town board, when I served, wanted to avoid having to make yet another decision on yet another town hall in 10 to 15 years, so that way it was available when it was fully outgrown. The sliver never had enough room. Putting the town hall on the sliver should account for having to build an additional town hall in 20 years because the sliver site works only for 15 to 20 at best. The current project lasts at least 50, and maybe even 100 if we are lucky. Our board did not make this decision lightly, and frankly it pained those of us who voted for it to even fathom that cost, but we knew it was saving money in the long run and the right thing to do.

We made the decision to purchase the land next to the town-owned land to allow for more space for town hall that can meet the needs for at least the next 50 years. It was important to be fiscally responsible. Fiscally responsible does not mean the cheaper price tag. Building town hall on the current corner allows for a new town hall and revamping of the current town hall to allow for more space for parks and rec and programming and an additional parking lot with about 120 spaces that can also provide spaces for downtown events and businesses that our residents were crying out for. If future boards value an additional parking deck to ease downtown parking in general for Veterans Park and the greenway, this parking lot will be its base.

Now I will take a page from the book of Lance Munger and give you some actual apples to apples numbers, not the ones that you are reading on the internet. The town is already \$2.15 million into the current town hall option. To change that would be a loss of at least \$1.8 million of that, that we couldn't transfer over to the new site and we would need to, again, be figured into the new location cost. To finish all three floors equaling 36,000 sq. ft. it would be around \$19 million, but again that's without soft costs. That project also does not consider the potential of NCDOT requiring a turn lane which could potentially squash the entire project as is or it would require it to be a four-story building. If you were to do that 36,000 sq. ft. building today, it would be around \$22.5 million and you need to add in the \$1.8ish million out of the \$2.3 million that we cannot recoup, so we're actually all in at \$24.3 million. With recent reports showing overall construction input prices are 4.9 percent higher than a year ago and

that's the lowest annual increase, the price to finish the third floor at a later point in time could also put all the costs in and put it above the current town hall option that was chosen.

Looking at current town hall site at \$30 million, the all-in price includes soft costs, a complete four-story 54,000 building, 120 additional downtown parking spaces, and a revamp of the current 8,000 sq. ft. town hall that allows Parks & Rec to have more space and places that the community has been crying out for as places that were also identified by the Downtown Master Plan. Being able to include the refurbishment of current town hall is an added bonus, but it doesn't have to be done and it could save the town \$1.5 million if they wanted.

Option A - \$22.5 million plus \$1.8 million that couldn't be recouped for current town hall equaling \$24.3 million for a 36,000 sq. ft. space requiring staff to be in two different buildings for maybe a 20-year fix and nothing else. With these figures, this cost would be around \$662 per sq. ft. or Option B - \$30 million plus the \$775,000 we did spend to purchase new land. It's just under \$31 million for a 54,000 sq. ft. space that is a 50 to 100 year fix, refurbishment of the current town hall and 120 additional spaces. With these figures it would be around \$492 per sq. ft. if you included the 8,000 sq. ft. of the refurbished building. If you would compare \$662 and \$492, I know what I'd like to pay.

Being fiscally responsible does not always mean that it's the lowest price tag. As we all know the construction costs, as well as everything else, continues to go up and what we do today can save us a lot of money in the future.

It's a shame that all of the details are not being shared and fuzzy math is given. A breezeway constructing buildings making it all one roof is a stretch. When people are trying to intimidate this current board to stop a project that is already \$2.15 million down the road, it's pretty sad. This current town board is not responsible for this project, and it would be frankly irresponsible and fiscally detrimental to stop it now. They stepped into this and are just continuing along the road that was set before them by a board that believed in this project. They are being set up by their own people, but that was expected. The call is coming from inside the house. Residents, please, stay involved, provide your input, but put your pitchforks away, and look at the whole picture and not just what someone is telling you.

Amy Hallman, 100 Cambridge Road, said the new town hall on this property is a forward thinking, fiscally responsible investment in our town. The town hall is not an expense. Line it up on the correct side of the ledger, it will increase in value. It is not a car. It will connect the greenway and Veterans Park. It will house the entire staff and it will eventually provide downtown public parking and will be available for growth for 50ish years, you know since we are the hottest zip code in the area now.

Let me remind you that a new town hall on this location will increase in value. Our children and maybe even our grandchildren will not have to think about building another one. In my lifetime I remember four.....it could have been five since I've been alive, town halls. It's time to just do one and let it last a while. It doesn't matter that construction costs have gone up since mid-2021 and some folks want to blame the previous board about moving from the sliver. That was the right decision. We are trying to build a downtown and this location makes the most sense. It ties the greenway to Veterans Park. It is a destination not only for civic engagement and office space, but for programs such as Parks & Rec, history, veterans care, state and federal officials that can visit NC residents. It could house recitals and celebrations and it could provide respite and resident care. It could return the senior citizen programs back to downtown and relieve the Dellwood Center from having to become the preschool and storage. That allows the facility to be used for more appropriate educational and community outreach programs.

We keep talking about Huntersville is a world class, up and coming town and we have to look forward to that. We can't have the largest building in our downtown be an apartment building. The size of the new town hall is appropriate for a town of 64 square miles and nearly 70,000 people. Please put this discussion to bed. Huntersville is not a bedroom community of Charlotte. Mayor Clark, many of us find you important and trustworthy and I appreciate that you do speak to the residents where they are.

Lee Hallman, 100 Cambridge Road, said I'm here tonight to speak to you as an engaged citizen and the Vice Chair of the previous Downtown Steering Committee. I find that it's odd and a little embarrassing on agenda item 10.C that we are discussing something that financing was long ago approved and last year designed and bid for the town hall. There is an effort to halt the process, waste \$2 million of upfront costs and start anew at a less optimal and more costly per square foot location. I believe that 6/7 of you consider this decided business. I just wanted to offer how decided business this really is.

This is the old Downtown Master Plan. As you may recall, this was passed in February 2005 with such notable commissioners as Sarah McAulay and Jill Swain. This calls for the town hall to be in the currently planned location as shown on the very cover. This is the 2040 Community Plan and under DT-4 Expand Town Hall, approved and adopted on December 21, 2020. This is the Downtown Master Plan adopted on April 17, 2023. All members agreed that the town hall should be on the site currently planned. Again, settled business.

I can go on to list a bunch of statistics and data that support the current site as I did September 2021 with that Board. I'll spare you that and just remind you that not unlike your decision to spend big on the full-time fire positions, this will show a commitment to retain and seek the best staff. Workplace quality is a component of overall compensation and if we ensure our staff that we are committed to providing enough space to do the job and a roof that doesn't leak, then we'll come out ahead. Unlike the big spend fire positions, however, this is an investment. We're building our balance sheet, so why settle on a 20 year solution when you can have a 50.

Lastly to address the editorial in the Herald Citizen of a couple of weeks ago that a parking deck is required for the proposed town hall, it is not. There's plenty of planned parking spaces for the staff. As you know the majority of the Huntersville citizens support the project as currently designed from all the numerous Downtown Steering Committee public input meetings to the comments from Edifice work sessions, it has tons of support. The opposition that you may hear is 100 percent politically generated. If we are going to change the site for the new town hall with every board, then maybe we should just put wheels on it.

Teresa Julian, 110 N. Maxwell Street (Ron Julian, 110 N. Maxwell Street deferred his time), said Anthony, you kind of took the wind out of my sail. Let me say that I guess that the thing that I would ask the board to look at is \$30-32 million versus updated numbers, not numbers in the wind, \$22 million. That's still \$10 million and I just wanted to say this board has inherited a forced tax increase because the previous board kicked too many cans down the road. Now this board has to cover these commitments and actions that they chose not to address as funding town staffing, the fire department, police, etc. This board has the ability to save taxpayer money and keep municipal buildings contained within one corner of Huntersville.

We talk about the value of a town hall. I agree, real estate is important. The value is going to go up whether it's sitting here or sitting on the sliver. What concerns me is that since this is now brought back up as a conversation and it's not a done deal, it's before this board, right now we have one corner of Town Center that is municipal, Discovery Place for Kids. We have one that's an old building. One that's

an old gas station/grocery store, whatever you want to call the Cashion's, and then now we're going to take up another square of Huntersville, valuable land, to have another municipal building. Huntersville will be known for two municipal buildings on the corners. Is that really what you want your downtown to look like. Is that what you think people are going to come to Huntersville for is to visit what will be two municipal buildings.

I would question if we could have sold the sliver of land, the previous board would have done it. I do believe that this land is marketable. Bring in private developers that put town stipulations on this property just like they did for 760, the old police department. That option would recoup as was said \$3 million, bring restaurants and retail opportunities down to Huntersville. That's what people are going to want to come to, not another municipal building.

I know that many of you campaigned on addressing the downtown center that's been ignored for years. As Commissioner Bergsman said if the original plan had been followed through by the last board, we'd be sitting in a brand new town hall tonight. We wouldn't be talking about the process that started in 2018, now we are in 2024. Previous boards had promised an enhanced farmers market with a shelter and year-round options as part of Veterans Park. This project was delayed to save money. It's never been revisited. I bring this up to say there's more hurdles that are going to be in Huntersville other than this town hall and how we are going to fund those things.

Currently the Veterans Park could cancel their parking, the agreement with the Town of Huntersville on parking, can cancel it in less than 5 years. They pay a prorated penalty and I've given Janet as part of the record that lease agreement that's recorded. *Refer to Exhibit No. 8.* In 5 years the American Legion can not allow us to have any parking at our Veterans Park, so you say well if we build a town hall here we'll have parking, but 120 spots is not enough, which means we'd have to go with a parking deck. So now you're talking about a \$44 million project.

Discovery Place for Kids.....I know Anthony talked about next year's 15 year lease coming up. They have three optional 5-year terms. I agree 200,000 visitors a year that's something we need to bring people to Huntersville, but we also need to bring what are they going to do when they get here. The building across the street that currently houses Slice House Pizza is not a well kept building. We need more restaurants for downtown to.....was that nine minutes.

Mayor Clark said yes ma'am.

Robert McCluskey, 9008 Golden Rock Lane (Noelle Burton, 12940 Cadgwith Cove Drive and Violet Clarke deferred their time), said I'm not going to spend any time talking about what you should do or shouldn't do, I'm just going to talk to you about what doing one of them will do to the budget and what you are going to have to sell to the citizens of Huntersville.

The gentleman who's not here anymore was able to represent the debt of \$30 million at only 2.8 cents. What a deal. What percentage of the current assessment in Huntersville is 2.8 cents. If you don't know the answer, you're not doing your job. It's 15 percent. If you take a look at page 208, it's the third page I handed out to you. *Hand-out attached hereto as Exhibit No. 9.*

Look at the Column 1 that I put with the green marker. You can see a progression of the assessed values in Huntersville started the year at \$10.5 billion and ended the year at \$5.2 billion, as a result of 2 percent growth and an enormous increase in valuation of the property. The prior board was able to move the assessed value from 24 cents per \$100 down to 17.6 percent. But if you look to the next year which

doesn't contain a dime for this property, the plan calls for 19.6 percent. That's an 11 percent increase, so you go back to the first page and you can see that that coming year, the year that you will be in charge of, at the 19.6 cents will still cause you to spend \$9 million more than you bring in.

You have also on that page I've identified existing debt and new debt and in next year and I don't know why, but I know you're going to be working with staff at a retreat and they will know this stuff to the penny because they are very good. New debt starting next year \$5.2 million. Year after that \$5.1 million. Year after that \$4.9 million. Year after that \$7.988 million of new debt so that by the year '28 you're looking at \$10.1 million of debt repayment per year. That's not what you owe, that's what you have to pay back every year. In that year your total revenue will be \$72 million. Ten of it is to repay debt and that's before this.

I estimate.....I wish the bond freak was here, he would tell us very quickly that that 2.8 cents roughly comes out to \$2 million a year. So, I've got you at \$11 million plus another 2, \$13 million. It's a reality. You're going to have to raise money. That's what I'm here to tell you. You're going to have to raise money or you're going to have to stop doing some of the other projects.

When you go through the retreat process the staff will present to you a document much like they've posted on the internet that I found. It's essentially I guess, Mr. Roberts, I'd call it the budget.....it's on the website, it says I believe an approved budget, just so you know what you're looking at. It's over 200 pages long, so it's not light reading and in order to avoid by my calculation an 11 percent increase that's embedded in this already going from 17.6 cents to 19.6 cents adding the 2.4 or 2.5 cents, you're talking about a 25 percent increase in the Huntersville portion of what Mecklenburg County will bill the residents of Huntersville. You swept into office in the last election, you're likely to get swept out with those kind numbers.

The existing new debt and I was referring so you'll see to the review of the capital projects, it's basically from Pages 140 to 187. Some of these will call for new debt. There are a substantial amount of projects that are on the board that are not budgeted. They are good plans, but they are not budgeted, so in addition to the ones that are in process that need to be paid for into the future, new ones to be started that are on the plan to be started and those that are not in the budget through 2028. I believe the total done in process or at least proposed to be in process and future projects is \$234 million. These are big, big numbers in a town even of 65,000 and yes, it's going to grow. Clearly, it's going to grow. I'm going to guess 24 years it'll double at 3 percent a year.....3 percent a year it'll double in 24 years. If you think it's more than 3 percent, then take the percentage you think it's going to grow and divide it into 72 and it will give you the number of years it takes to double.

Those are the realities of what you're looking at. Neither option is free. Neither option is cheap, but you're going to be looking at this project and you're going to be looking at other projects and you're either going to embrace them all and go to the polls with a 25 percent increase in the property tax or you're going to have to choose a different way to do this or eliminate other projects. In numbers that everybody understands I think the debt service on the \$30 million plan is roughly \$2 million a year. You can do the math to figure out what a lesser problem is and you can do all the thinking about what the better way is.

In the presentation it was shown, I've got to throw this in because I've got to piss everybody off, it was shown that the parking deck at the Discovery Place generates \$30,000 a year. Does everybody know how much you get for the rest of the building - \$1. You should have put that on there.....30 bucks -

\$30,000 to park, \$1 a year for 30 years. I don't know if you can buy them out or not. I'd consider buying them out.

There being no further comments or questions, Mayor Clark closed the public hearing.

OTHER BUSINESS

GMP – New Town Hall. Bobby Williams, Assistant Town Manager, said this item is for the Board to consider adoption of a guaranteed maximum price. Anthony spoke about it before. Ultimately, we've gone through the schematic design process, the development design, construction documents and the budget, as well as permitting and bidding. They have pre-qualified contractors, publicly bid every aspect of this job and then we've got members of the team here. You guys being new have not met some of the folks here from the Edifice/Creech team. They've got a quick presentation just to kind of update you on everything we've gone through. Brent Green and Rusty Miller with Creech and then Tim Bender who you heard from a little bit earlier with Edifice. I'm going to step out and let them do this and then certainly we are here for questions.

Brent Green said I'm going to take a moment to run through a refresher on the design and of course we'll take any questions as you would have them. *PowerPoint attached hereto as Exhibit No. 10.*

We'll start with the site plan. There's been a good bit of discussion about this this evening, so I don't think there's anything on here that you're not familiar with. Again, we're talking about a building that's fronting Old Statesville Road. It is in proximity to this building that we're in and the idea being that we can create a courtyard between the two facilities that will facilitate their connectivity. You can see drive isle entrances both on Maxwell and on Old Statesville. There's also a connection to the parking lot here and as mentioned somewhere between 110 and 115 spaces in the lot to the rear surface parking. It was also mentioned, and I'll confirm, that a parking deck footprint would fit on top of said lot in the future if that is so desired.

This is your site plan as it currently exists. Again, you will see some of those characteristics that Anthony mentioned regarding the location of the building footprint and proximity to the street so that we are allowing for some of those future considerations relative to road widening.

I'm going to run you through the floorplans quickly just so that we are aware of what lives on each floor. One of the primary characteristics the previous board was interested in was having transparency and the ability to flow through the facility from the front to the back. This plan is oriented as if Old Statesville Road was at the bottom of the page. We will have a monumental stair sort of highlighting the main entrance, but we will also have an accessible entrance which filters in from the righthand side through that colonnade that you see sort of articulated there on the front of the building. When one enters from the front or the rear, they will have sort of a view through that facility to the lobby space. There are stairs that will lead you up to the second floor. If one walks into this building from the Old Statesville Road entrance and turns to the left, you will be offered an opportunity to walk into the Chamber.

The Chamber itself is designed for 11 seats at the dais with about 4-1/2' between each of you as opposed to the proximity in which you are sitting in currently. As Anthony mentioned earlier, that would also allow for two additional seats at the dais in the future should other districts or other positions be brought on. That seating capacity I think shown there is 220. We could get to 250 in a pinch and I think on evenings like this evening when you see people spilling out into the hallway and ancillary spaces you can understand why that was considered by a previous board.

The real tenant on the lower level is Parks & Recreation. They will serve as sort of the face of the organization as people come to the facility. There are also other flexible meeting spaces on the first floor as well.

The second floor is primarily Planning which occupies the left side of the plan in green. We also have the Legal Department which lives in the lower right-hand corner of the second floor. You can see there that stairwell that comes up, the lobby space below. The restrooms and elevators stack in this facility as part of an efficient way of design work. And then you will see throughout the plan several flex spaces. Those are those future spaces beyond the 20-year growth that are being upfit 100 percent as part of this facility. Those are those areas that take us from that 20 to 30 year model to a 50-year model. When you see this one here on the screen, I'll go ahead and tell you this entire square should be represented in blue as well – it's a graphic error I just caught this evening, so there's a significant amount of flex space on the second floor that is also occupied by Planning and Legal.

We move to the third floor, you have Engineering/Public Works and IT as your primary tenants. Obviously, those core spaces that I mentioned still stack and you can see that there is flexible build-out area on this floor as well, the idea being that you don't want to congregate future space in one area. That facilitates departments to have to relocate. If we disburse that throughout the building, departments can grow and you are not forced with repurposing and spending additional money on renovations as things need to change in the future. Did I skip a floor? There's a fourth floor. It's on the version I have right here. I'm not exactly sure what happened. It looks very similar to the third floor and living on that floor is Administration, Finance and Human Resources, so we'll use our imagination and squint over the third floor. It is a very similar layout.

Anthony Roberts, Town Manager, said just a comment on that. I know when you go back to your pictures a lot of times you say is that the only space you have in the flex blue. No, there's a bunch of built-in offices within each department, so all these different shade colors you see like for Engineering is built-in extra space in there, not just the flex space.

Mr. Green said that's a great point. In the spaces in this plan here that are slotted for Engineering includes the 20-year growth in what you're already seeing, so again that's already built into this and then the flex spaces offer that growth in addition to the 20-year horizon. Again, fourth floor is Administration, Finance and Human Resources, which balances out the program elements that are under one roof in this facility.

One of the things that the previous board was interested in is having a facility that aligned with this civic campus that we've talked about, but it didn't want to match this building specifically. And so that was really sort of the aesthetic driver. I'll go ahead and tell you in advance that our machine and screens render brick colors differently. We will certainly select those as a group at the time when we have samples in front of us, but I don't want you to get too hung up on that brick is orangy or peachy, because the monitors tend to do a few things to distort those. Our intent is that we will be in a brick family somewhat similar to the context that we have here. Again, you see this is that sort of symmetrical façade that presents itself to the main entrance. You have the entrance canopy. This is a transitional architectural style and traditional design and brick detailing, but it has more openings, more windows, more glazing, which allows for that lighter open area or feeling on the interior. You can see that arcade feature on the right that I had mentioned earlier which is allowing accessible means of entrance from the sidewalk in and along the building into the main front door.

This is a view sort of coming down and turning the corner. This is the side entrance and really is a view of the plaza between what the new proposed building is and this is the back of the existing building here. There's a significant grade change between those two, but we were able to work in a series of terraced walls that allow for accessible movement from one facility to the other.

It's sort of an elevated view looking from the other directions headed south down 115. You can see there again the symmetrical façade, sort of the civic presence that the building commands on the site and again the four stories with the three-story bump outs on either end try to give the massing some relief as it moves to the fourth floor.

Another view from the parking lot giving you that scale of space between the existing facility and new and sort of how that ramping and activity and landscaping can work to connect those two spaces. And then as we begin to move inside, I think another one of the primary drivers was lights and airy interior and so you begin to see sort of what that would be like as you are coming in that front door and moving through the space, there's that entrance that's highlighted over there to move into the council chamber and then of course you can go up that stairwell up to Planning and so there's other functions on the second floor.

This is a view from the lobby of the second floor above there. This is where the Planning kind of primary interaction will happen, so there's some tables and some open seating out there available for informal meeting spaces and then last, but not least, the new chamber and we've already talked about its seating capacity. You can see in here some of the detailing and the accent of acoustical treatments, audio/visual, all the things that make this space function as it should to serve you all for many years to come.

That is the end of my portion of the presentation.

Mr. Bender said a lot of numbers have been discussed today. Honestly, probably more than I expected to go back to 2018. But this number in front of you now is the only number that doesn't have hypotheticals or well we think. This is your guaranteed maximum price. The Board, staff, they asked the Edifice team to go out build a 54,000 sq. ft. building under \$30 million all in. That's what we are presenting today. Our team worked over 18 months with subcontractors that got prequalified to give us the best bang for the buck. I can go into any number details if you need to, but right now we are presenting Edifice Construction value of \$26,150,029, when you add the owner's soft costs and the design fees and the preconstruction fees that you've already paid, it gets you right under.

We talked a little bit about the schedule earlier. I'm only here today to talk to you about the construction schedule that we have built with a third party schedule. This is what we are going to hold our subcontractors accountable for and this is what will be in our contract as far as timeframe. We are looking, if all permits in hand, approvals are done, mobilize on the site in March. We have a 18-1/2 month schedule. We'll be looking to substantially complete October 2025 with a final completion move in at the end of November 2025. We can discuss what happens in this building....if you have any questions about it, staff's direction to us was we want everyone in this building to get into the new building and then we would revisit what can happen with the \$1.5 million. We have not put anything together because we just don't know enough yet. I know we're going to have some design questions, we're going to have some number questions, but we will open it up.

Mr. Williams said I was just going to add one thing. We also had a 10 percent minority women business enterprise participation goal on this project and we have more than exceeded that.

Commissioner Bergsman said I just have a few questions. The first one and it has to do with the slide you just had up, there's a line item that's approximately \$3.6 million for site work and courtyard. Can you talk about what is included under that? What does that encompass?

Mr. Bender said yes, we had a scope package that would include all earth moving, it would include demo, it would include utilities, storm water management, ponds, and then turning to sand filters later, paving, curb and gutter, striping, topsoil, then the planting and landscaping would be a secondary subpackage of....below that, so they don't have that. It does include the taps for utilities. It does not include system impact fees. The owner or developer usually pays those, the end user to Mecklenburg County.

Mr. Williams said the storm water going under the road and over here adjacent to Holbrook Park, we are pushing it across the road so it didn't wind up right in the middle of the entrance.

Mr. Bender said we do have two bores under 115 – one for storm and one for sanitary. That cost is associated in their number.

Commissioner Bergsman said the line items that are kind of marked as allowances, what would happen if the amounts were exceeded in all of those for the allowances, like if the costs were higher than the allowance.

Mr. Bender said if the cost goes over an allowance, it would be a change to the contract.

Commissioner Bergsman said so that's not very likely to happen.

Mr. Bender said correct. We set allowances based on what we have seen in a building like this or what the geo report says on how much unsuitable soil is onsite, so we take that, we quantify it, we put a number to it that the subcontractors give us. We feel that those numbers are in line with what we should expect.

Mr. Williams said there is an owner contingency as well.

Commissioner Bergsman said during the pandemic there was a big increase in backlogs and supply issues, labor shortages, all of that. Where do things currently stand on that front?

Mr. Bender said labor shortage is still down. I think you can see through reports, I think this summer there was a report out that 800,000 open construction employment jobs across the country. We are seeing material escalation and long lead times come back. We do have some longer lead times like generators and transformers that we work up front early to procure. We've already started doing that. We are seeing things level. I can't say anything is getting cheaper or anything is getting done faster, but that's just kind of my opinion, but having these subs locked in ready to go to work knowing that they are going to get the subcontract is very exciting as they've allotted their manpower and time to do this project and we have them locked in currently.

Commissioner Walsh said I just have a couple of them, one of them is to follow-up on the allowances. If this is supposed to be a guaranteed maximum price, why aren't the allowances just locked in as some amount?

Mr. Bender said for the safety of just the unknown. It's that open idea of putting a number together that we've all sat around for 18 months and talked about, that we feel comfortable on where it's going to be. If someone was going to lock in an exact price but we don't know all the information yet, I feel like it would be irresponsible of us to put a higher number or a lower number in it. These are just our plug numbers that we've seen work day in and day out and that we've always tracked from the very beginning. As everything progressed, we just tracked those numbers the same way – permit allowances, unsuitable allowances. I don't think irrigation is an allowance. I think landscape and irrigation is locked in. DBA system, it's an allowance because you can't decide if you have to do that system until the building is up. We take what a square foot cost usually is, if it has to be one and the survey doesn't get there but again we can't even price that right now until we do the study. The study can't be done until the building is up. Signage allowance is just internally for us. Bobby has soft costs for signage for inside the building he's covering. If they don't get it or if there's something not ready, we put up temporary signage to get you moved in. If we don't use that, it goes back to the owner and then the only other allowance.....and then the town hall allowance.

Commissioner Walsh said some of them are fairly small, but it does seem if you are saying it's a guarantee whatever, so two years from now it could be \$2 million, \$3 million to do whatever here. And this is just a random one, I was looking at Attachment 3 and it looks like five things were or four things were rejected and one is pending. The one I just happen to look at is Alternate 4 add prefabricated sound panels at elevator surrounds. Is there some reason, like what does that mean?

Mr. Bender said there was a design for an alternate from the very beginning inside the elevators. There was additional acoustical panels around the elevator and we always separated that out as an alternate to find out what those are worth and if staff and the owners wanted to purchase those if they had the money for it. We broke it out. At that time we did not have the money for it. We decided to reject those.

Commissioner Walsh said so it's a money thing, so we're not going to have.....

Mr. Bender said it was an alternate – elevated finish that they wanted to know what that cost was.

Commissioner Hunt said can someone explain the discrepancy in the tax increase predicted by the town versus what the residents shared a while ago.

Ms. Huffman said when you say tax increase projected by the town, we're talking about the budget document that has the 5-year financial forecast in it. We do the financial forecast in Excel format and distribute that and I would say that 5-year forecast suggest that the 2 cent tax increase is ineffective and it effectively vets out that 2.8 cent tax increase recommended because if you look at the fund balance line item, off the top of my head fund balance would go from about a total of \$60 million over the next 5 years to about \$21 million. I would suggest that tells you that fund balance would be too low because you didn't raise the tax increase the recommended amount of 2.8 cents.

Mr. Roberts said I think what you are getting at is ultimately on the 5-year financial forecast we have all these projects in there. There's a whole wishlist that goes out. I think he even talked about \$235 million worth of projects. We're not going to do \$235 million worth of projects. A lot of those are out in future years, so what you'll see in this 5-year financial forecast are some of the projects that we're already funding. There may be projects in there we think we may fund, but that's a Board decision and also what comes up, too, is in that model we make assumption, but I don't know what a new reval will do. Look what a reval did this year. What'd we do, we lowered the tax rate and of course obviously if you

had kept the tax rate the same it would have been a whole different picture, so when we are looking at those models we make some predictions, but once you get to these years where you have a new reveal it's a whole new gamechanger.

Ms. Huffman said I discourage you from thinking of that 5-year forecast as five future balanced budgets because you are going to look at the budget every year and decide what you want to fund and maybe there will be some things you don't want to fund and so I would not bet 50 cents on that ending up being the total budget amount for that year. Facts and circumstances will change, interest rates will change. That will change our interest earnings estimate. Other entities will make property tax rate changes that will affect how much sales tax you receive, so that is a valuable tool, but I wouldn't necessarily take that as exactly what you should do and for the next five years it's what you could do.

Mr. Roberts said remember you have Jackie and Pattie, they're going to lowball the estimates on revenue. Revenue is hopefully going to go a lot higher than they project. You are going to spend less, that's typically what happens. That's why I know Jackie and them will choke me out after this meeting, but that's why we do so well. That's why they are good at what they do. There's no assumptions in there. I don't know what grants we're going to get next year and the following year, etc. We look at costs going up, we look at revenues, all that, so every year we refine that model, so it's just a tool that we use to look out in the future and continue to adjust each year depending on if the Board wants to hire more police officers, more firemen, do we build this road, that road, build this park, that park, etc.

Ms. Huffman said even when you fund a project in a future year, there are very few projects that you will complete in one year and so if it's a \$2 million or \$3 million project and it takes three years to complete, we'll show that funding in one year but it's not going to all come out in one year.

Commissioner Quarles made a motion to adopt the guaranteed maximum price proposal for the new Town Hall.

Commissioner Dumas seconded the motion.

Commissioner Walsh said I won't be voting for it obviously. I'm not against a new town hall nor am I against funding, but I think it's the wrong place and too much.

Commissioner Bergsman said I am supporting it in part because there have been multiple meetings in past years with public input and a chance for that. In my opinion, as I said earlier, it's just too far along in the process that the benefits of continuing to move forward outweigh the negatives of not moving forward.

Commissioner Dumas said I am in support of moving forward and adopting the guaranteed maximum price. I think in looking at both projects I prefer the first option and I would have gone with that if I had been in this seat prior. However, where we are at today and the money that has been spent and the hours and hours and hours that our amazing team has spent on it over the years, the rising cost in estimates, the space needed in order to grow for the future, I think that it's the right decision to move forward right now.

Commissioner Hunt said to reiterate this conversation has taken six years and we have the opportunity to bring closure tonight. If we want others to take us seriously and help us build a thriving downtown, then we need to show that we take ourselves seriously and make this decision and put it to bed. When we think about spending millions of dollars we don't think about the present, we think about the future

and which one of these plans is going to best suit our future needs, I would say it's the path that we are on currently. I think the choice is clear we need to continue on this path for prosperity sake.

Commissioner Quarles said I salute you all who are voting for this and we cannot govern by fear tactics. We cannot govern by threats. The voters spoke loudly in November. I thank you all for moving forward. I truly believe this will save taxpayers' dollars down the road and again as Mayor Pro Tem said we must take it seriously and want the residents to know that we take it seriously. This is a tough decision, but it should have been decided years ago. We were put in a situation that we must govern and again I'm not the politician on the board. When I ran, I said I was a normal citizen. I will not talk like a politician or act like a politician, but one thing I will say is we will not be intimidated to make tough decisions.

Mayor Clark called for the vote to adopt the guaranteed maximum price proposal for the new town hall.

Motion carried 5 to 1, with Commissioner Walsh opposed.

Resolution – Town Hall Financing. Jackie Huffman, Deputy Town Manager, said the item you have before you tonight is consideration of a Resolution that will authorize staff to move forward with an application for debt in the form of a LOBs financing and limited obligation bond. That application will go to the LGC. We cannot issue debt without you authorizing an application to the Local Government Commission and that's what this represents. It does specify maximum amount of debt of \$32 million. As Mitch explained earlier based on discount or premium, the market right now would be a premium such that we would be issuing less than \$30 million in debt. Markets will shift based on international events and national events and things beyond your control that you never thought about. It'll shift. Hopefully it won't shift much from where it is. We expect a couple of items on the February 19 agenda. One would be terms that you will need to approve to send to the LGC in addition to the Edifice contract.

Commissioner Bergsman made a motion to adopt the preliminary findings resolution for the new town hall financing.

Commissioner Rivers seconded the motion.

Mayor Clark called for the vote.

Motion carried 5 to 1, with Commissioner Walsh opposed.

Resolution attached hereto as Exhibit No. 11.

Personnel Policy Updates. Lara Cagle, Human Resources Director, said you have in the agenda packet a draft of the Personnel Policy proposed revision. Generally, when we make changes to the Personnel Policy it's because of potentially a legal change, an organizational change or organizational shift and then what I call are kind of evolutionary changes. What we have in here, the first one is an organizational change. Bringing on the Fire Department requires that we make some updates to the policy to address their work period, their overtime thresholds, vacation, sick, holiday accruals, those kinds of things. The others are more evolutionary changes in my mind. There are items that we have in the policy now that just need a little more detail. Maybe we've grown, maybe we've had questions, we just need to go back and revisit some of those. I'm happy to go through all 60 pages or I'm happy if you have any questions to address those questions.

Commissioner Walsh made a motion to adopt the updates to the Town of Huntersville Personnel Policy. Commissioner Quarles seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Updated Personnel Policy attached hereto as Exhibit No. 12.

Resolution – Environmental Sustainability Committee. Emily Sloop, Town Attorney, said as directed by the Town Board, the Legal Department created a resolution to create the Environmental Sustainability Committee. I'm happy to answer any questions if there are any.

Commissioner Bergsman said the advisory committees are generally non-binding.....the recommendations that I make, I mean. Would this be the same, that all recommendations would come to the Town Board for approval.

Ms. Sloop said correct.

Commissioner Hunt made a motion to adopt the Resolution to create the Environmental Sustainability Committee.

Commissioner Walsh seconded the motion.

Commissioner Bergsman said I want to thank Mayor Pro Tem Hunt for all of her hard work on this and for staff's hard work. This is really important to me. Having the town put more time and energy into sustainability initiatives was one of the reasons that I wanted to run to begin with, so I am quite happy about this agenda item today.

Mayor Clark called for the vote.

Motion carried unanimously.

Resolution attached hereto as Exhibit No. 13.

Rules of Procedure – Environmental Sustainability Committee. Emily Sloop, Town Attorney, said similar to the resolution, as directed by the Town Board the Legal Department did draft Rules of Procedure for the Environmental Sustainability Committee. Understand that there are some potential changes that the Town Board may decide to include in these Rules of Procedure including adding 3-year staggered terms and having three of the seats come up for reappointment at a time. Those are all changes that we can make as long as they are included in the motion.

Commissioner Bergsman said not a question, but I did have a suggestion to add to Article 1 in the priority bullet points to include an equity priority as well.

Ms. Sloop said correct, and I wasn't sure which version of that bullet that you all decided on, so I was going to leave that to you, but I believe that some proposed motion language did go out.

Commissioner Bergsman said the language that I was suggesting was to put an Option E to say addressing environmental inequities and community resilience.

Commissioner Hunt made a motion to approve the Rules of Procedure for the Environmental Sustainability Committee with the following changes to be made by staff: (1) Update the membership composition to reflect 3-year staggered terms of service with three of the initial appointment terms expiring at a time; (2) Update Article 1, Section 1, to add Subsection E to include the additional priority of addressing environmental inequities and community resilience.

Commissioner Rivers seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Rules of Procedure attached hereto as Exhibit No. 14.

Public Comment Protocol Discussion. Commissioner Quarles said I just wanted to discuss the protocol for public speaking. We have these forms that the residents or citizens fill out when they come and want to speak before the members and right now the information that's captured on here is the name and complete address and we want to address or change it to where they do not have to speak their complete address once they get to the podium because the information is already captured and it's a public record that if someone wanted a copy or get their address, they can request that from staff. I must add there is no state statute stating that we must have them give their complete address.

Commissioner Bergsman said I've spoken to a few residents not necessarily since I've been sworn in but just over the years and there are folks out there who aren't comfortable speaking during public comments because we require them to provide a personal address and when we are looking to, at least I personally am always looking for ways to increase citizen engagement and civic engagement, and it seems like a small little change that we can make. It doesn't cause any harm, If we want to know where someone lives in relation to a project, we can refer to the paper that they fill out, so that was my reason for supporting Commissioner Quarles on this one.

Commissioner Walsh said you are saying no address. Would it be possible to say I'm Nick Walsh and I live in Huntersville?

Commissioner Quarles said that is correct, you could say Nick Walsh, I'm from Huntersville, but you don't have to say I'm Nick Walsh from 101.....

Commissioner Walsh said correct, but they would still identify at least the town.

Commissioner Quarles said absolutely.

Commissioner Walsh said what do our fellow municipalities do around here?

Commissioner Quarles said Cornelius, Davidson and Mecklenburg County Commissioners do not require that information.

Mayor Clark said I can add that the Lake Wylie Marine Commission and Lake Norman Marine Commission also do not require that information.

Commissioner Dumas said I just was going to add that over the 11 years that I've lived here there have been times where I had considered speaking, but was intimidated by the idea of publicly stating my address. I didn't realize it was an option that we could change that and I'm definitely in favor.

Emily Sloop, Town Attorney, said you all can take a straw vote to direct staff to update the Public Comment and Public Hearing Policy. We will have to update that policy and bring it back for an official Town Board vote.

Mayor Clark called for a straw vote on updating the Public Comment protocol.

The consensus was to direct staff to update the Public Comment and Public Hearing Policy and bring back to a future meeting for a formal vote.

CLOSING COMMENTS

None

There being no further business, Commissioner Quarles made a motion to adjourn. Commissioner Rivers seconded the motion. Motion carried unanimously.

Commissioner Dumas Second.

Approved this the 4th day of March, 2024.