

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**February 18, 2025
6:00 p.m. – Huntersville Town Hall
101 Huntersville-Concord Road**

PRE-MEETING

The Huntersville Board of Commissioners held a Pre-meeting at Huntersville Town Hall, 101 Huntersville-Concord Road, at 5:15 p.m. on February 18, 2025.

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

Commissioner Walsh made a motion to go into closed session pursuant to N.C.G.S. § 143-318.11(a)(5) to instruct staff on negotiating the price and other material terms of a proposed contract for the acquisition of real property.

Commissioner Dumas seconded the motion.

Motion carried unanimously.

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

**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 18, 2025.

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

Mayor Clark called for a moment of silence.

Mayor Clark led the Pledge of Allegiance.

ANNOUNCEMENTS

- Recap of Board Annual Planning Workshop held January 30 and 31, 2025.
- Upcoming HPD events.

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

PUBLIC COMMENTS

Melissa Easley, Charlotte-Mecklenburg Schools District 1, provided update to the Board. The top legislative priority for me is to advocate for an 8 percent raise for teachers and staff. Items that carried over from last year include calendar flexibility to allow school to start earlier in August and end in May. New things include wanting to know more about the state direction of AI and how that's going to be used in education, as well as creating new license designation that would be more tailored to bus drivers.

School achievement results have improved. Nineteen schools were removed from the low performing schools. Approximately 83 percent of the schools met or exceeded growth from the state.

The district is up 2 percent in multi-language learner project, which is outpacing neighborhood districts.

Bond update. North Meck has already been designed and is finishing up permit issues. The middle school for this area is being worked on. Huntersville Elementary will open in 2028. Cornelius Elementary is projected to open in 2030.

Concerning the NDO that is on agenda, CMS prides itself on our diversity among our schools, our students and our staff.

Dr. Nikki Hill, Chief Learning Officer, provided update on Discovery Place Kids Huntersville. *Refer to PowerPoint attached hereto as Exhibit No. 1.*

Dr. Hill requested the Board consider allowing Discovery Place Kids Huntersville to utilize vacant space on the third floor of the Town Center building once no longer occupied by the Town.

Commissioner Rivers said you mentioned expanding. Are you seeking funding or just space?

Dr. Hill said we are currently seeking space. We're not seeking funding. We are only asking for the opportunity for us to utilize the space that is very valuable to us.

Commissioner Quarles said I personally think that your growth and expansion would do wonders and have a huge economic impact to our downtown as we revitalize our downtown. You mentioned something about you've raised \$3.1 million for your build out. Will that be from reserves or part of your capital campaign?

Catherine Horne, Discovery Place President and CEO, said we have been fortunate even with Covid to be able to reserve funds that were first generated from the economic investment of our visitors and members here so that we have working capital to begin to invest in these new exhibits and to expand the age that we serve.

Commissioner Bergsman said I believe you said 97 percent of exhibits will be touched by this renovation. Can you expand on that a little bit more of what's going to change or be different about the current exhibits other than the Town Center section?

Dr. Hill said we are going through concept drawings right now and understanding what the town wants from our community conversations. We are looking at expanding the grocery store. That is one of the

most loved exhibits in our space. The cafe will get a new look about it. We want it to resemble something here in Huntersville, so I'm not going to give out all the secrets. When we say that we want to pay homage to the community, that's exactly what we want to do with inside that museum. It becomes a place where our younger audience can have a town of their own and when they walk in, that's what it's going to feel like. The new Town Center, very welcoming to all ages and a lot of developmental milestone areas. The toddler area will be removed from the front of the museum and put in a different space to utilize space a little bit better. You will see I'm trying not to give away too much here. There'll be a new exhibit area in there about transportation. The bank will go away. I can just tell you it's going to be impressive.

Commissioner Bergsman said my only other question was do you have a timeline in mind already of how the expansion and possible expansion would progress?

Dr. Hill said as we know, construction has its own schedule, but we're looking at late 2026, early 2027.

Ms. Horne said one of the things that we've done is to really pay attention to when the museum's visitation demand is the greatest and tried to avoid that. We have four museums and so we really understand what happens between Thanksgiving and Christmas, not unlike what retail is doing as well, but in our case it's the early fall where everyone is sort of getting back into school, they're getting back into their rhythm and things do slow down a little bit for us and so it's when we do a lot of training and exhibit repair. In this case we will be taking that period of time in the fall of 2026. It's hard to work in the future sometimes in 2026 to be able to make those modifications and to do it in the shortest possible time.

Commissioner Dumas said you mentioned that you are moving your offices upstairs. How much space do you anticipate needing?

Dr. Hill said I'm not going to answer that because I don't know and I don't know what the needs are of the Town either. Right now, we don't have enough office space to support the actual staff that support this museum here. We would need to look at it and just see what makes sense to help us get up there.

Commissioner Dumas said I think that would be really helpful for us to know when making this decision.

Commissioner Walsh said people who know me know I'm a monies person. I know that part of the second floor you guys don't currently have, so you're asking for the space there also, right?

Dr. Hill said the second floor we currently have.

Commissioner Walsh said the storage area?

Dr. Hill said no, we do not have that space.

Commissioner Walsh said then you're asking for some additional space on the third floor. Right now, our debt service on that building is \$564,000 a year. Adding in utilities that's another \$112,000, so roughly about \$700,000 it costs us to operate that. Are you asking us for more space and not wanting to partner to pay for any of that space? I'm just trying to understand.

Ms. Horne said I think that's a discussion that just needs to be had to understand what the needs of the Town are for that space because I'm sure you want to have it be used at the highest and best purpose,

but also recognize that as a non-profit we are here providing services for the community, particularly with our Welcome program and the programs that we're doing with schools and teachers at the lowest possible cost or no cost at all. I think we'd love to be in a conversation to understand how to best accomplish all of our aims.

Commissioner Walsh said I appreciate that. We're suffering with space needs, too.

Ms. Horne said hopefully it's going to get a lot better.

Commissioner Walsh said for part of it, but we are looking at it for an expansion for police.

Commissioner Quarles said I do have a comment concerning what Commissioner Walsh said. Sometimes we get locked in on what it costs to run the facility, but I do not think you could put a cost or value on education. Our children, as well as the economic impact that you all will bring.....you'll bring more business to this town, you'll bring an audience that we currently don't have. You're increasing your customer base. So again, that's something that our Board will discuss. Please don't get locked in on how much it costs to run the business or the building. I think we should look at what's most important to our town and how do we partner with Discovery Place Kids because you have been tremendous for us as a partner.

Commissioner Walsh said just one follow-up, and I know you won't know this right now, but also as a part of those discussions, a lot of times you talk about number of visitors, but typically we're looking at what is the economic.....what are we getting back in taxes so to speak for that investment and stuff. It might be something to look into.

Commissioner Hunt said can you tell us a little bit more about the STEM section? It looked like maybe robotics, but can you explain what that will look like?

Dr. Hill said we're hoping that on the second floor we will bring in all of the STEM components, so robotics, technology, engineering ideas. There will be opportunities for kids to create things on their own, makerspace that has real tools, opportunities for kids to really understand what the standards are in the classroom because any programs that we do, we also go to the standards to make sure that they're matching that opportunity. It will allow us to support the older elementary, middle school students within their context. There's not a lot of things that are offered around the STEM area, especially here in Huntersville. That was something that we were told over and over again that would be really important in this space. You will see a lot of robots, technology, a lot of activities.

Commissioner Hunt said would you be willing to partner with our Environmental Sustainability Committee to provide events and educational opportunities in town outside of the museum?

Dr. Hill said we already met with her. We met with her about a month ago. Yes, we have an environmental sustainability initiative for Discovery Place and we look to expand that out here to Huntersville.

Commissioner Hunt said like an event in the community or in the museum?

Dr. Hill said either one.....both.

Ms. Horne said thank you so much for the great partnership that we've had for the last 11 years.

Leslie Wilson said I'm the Director of Educational Partnerships at the ADA Jenkins Center. At Ada Jenkins, my team and I are dedicated to ensuring that elementary students and their families have access to the educational support they need to thrive. Our overarching Learn Works program, which stands for Linking Everyone to Achievement Resources Now Works is a comprehensive enrichment initiative that provides critical literacy support through evidence-based instruction, hands-on learning inspired by literature and essential enrichment activities including financial literacy, career exploration, and social emotional learning. Our mission is not only to help students catch up, but to empower them to excel both academically and personally. I'm here tonight to speak on behalf of one of our most valued partners, Discovery Place Kids Huntersville, whose commitment to hands-on education has transformed the lives of countless children and families in our community, in the Huntersville community. For the past 15 years, Discovery Place Kids Huntersville has enriched the lives of our kindergarten through second grade students through engaging field trips that foster curiosity, creativity, and learning.

This year our partnership expanded to include social emotional learning and career exploration for our kindergarten through second grade students. With our most recent field trip this past December providing invaluable opportunities for family engagement, parents and guardians left not only with cherished memories, but also with the practical strategies to support their children, their wellbeing and interest at home. At Learn Works we serve kindergarten through fifth grade. We keep asking Discovery Place Kids Huntersville for more content experiences for older students and Discovery Place kids Huntersville listened. They understand the critical need for older children to have access to enriching educational experiences that ignite their passions and shape their futures. We are thrilled about their expansion to include such opportunities for multi-generational connections. This is more than a request for space. It's an investment in our children, in our families, in our community's future.

John Foster said I'm a resident of Huntersville. After everything we've heard this evening, it's going to be tough on trying to decide on what direction I want to go with my 3 minutes. I can remember back when Discovery Place Kids was first mentioned about possibly wanting to explore coming to Huntersville. Many residents at that time said that it would not work, didn't need it and everything else. Well, it has done more than just work. It's been an extreme success. Any town in our region would be tickled to death to have DKP. We need to make sure that DKP continues to grow and to expand. Anything that we can do to help them, do it. Nick, how you talk about the financial side of it. When people move to Huntersville, they ask what's there for me. Well, when we look at downtown, the only thing that we have here is DKP, other than Foster's Frame and Art Gallery. Other than restaurants, that's it. We need to be looking and seeing how can we find two or three other cultural facilities like DKP to put in our downtown area. When people move here, they help pay taxes, resident homeowner taxes. Part of the tax dollars help cover the cost of DKP. We need to do whatever it takes to let them expand to the third floor so they can continue to grow and make sure that our kids continue to grow along with the Town of Huntersville.

I'm going to go off script for a second. You all have done a great job the last year and a half. We need you here for another two years. I ask you tonight, let's leave NDO on the table until after this election. Sometimes you need to walk away from some things and I'm asking you all to walk away from it tonight. Make sure you get back in office. There's too much going on in our town for us to lose the team that we have up here now.

Dr. Elise Demeter said I work at UNC Charlotte as a scientist and a researcher. I'm a resident of Huntersville and most importantly for tonight, I am a mom to two boys, 7 and 10 years of age. We have been members at Discovery Place Kids for years. We used to drive from Harrisburg here. They're not

kidding when people say they come from all over. When we moved to Huntersville in 2020, we've continued to be members of Discovery Place Kids. My children have also gone to their summer camps and in 2023, my youngest was 6, he had a birthday party at Discovery Place Kids and when we got to the party room, the staff who greeted us said we saw Daniel's name on the list and we recognized it from his time in our summer camp programs. This was months before, and they said we pulled our personal funds and we bought him a Lego set because we remember what a sweet and kind camper he was and we just want to make sure that he has the best birthday here with us today possible. I think that shows you how much above and beyond they go. Their customer service is unparalleled.

I was really excited when I heard that they were interested in expanding their offerings for upper elementary, middle, and even high schoolers. I told you my boys are 7 and 10. This is for them and I cannot be more thrilled. My youngest, he's a future engineer. He's going to love that robotics exhibit. We want to go to Discovery Place Kids. We want to walk across the street, have pizza at Slice House. We want to hit up the grower's market on Saturday mornings and then come over to Discovery Place Kids. We want to go see John at your frame shop. My kids love your store. This is the way that we can enhance our downtown and enhance our offerings. If you don't have young children, you might not know that place is slammed. I'm all too aware that while we're serving our young children so well, expanding the age range is extremely powerful. We would love to continue to go to Discovery Place Kids for many more years to come and so I really hope that this gets passed.

Jacqueline Jewel said I'm currently an experienced Facilitator at Discovery Place Kids Huntersville. While I'm here with a number of my colleagues and as a paid employee, all opinions and experiences I share with the Board today are my own.

When my family and I moved together to the Charlotte area, we spent our first few weeks in a hotel. I was a young and very rambunctious child. I loved to learn and was well on my way to become the ferocious reader I am today, which meant that I desperately needed something to occupy the time that would've been held by school before I was integrated into the CMS school system. In all of her wisdom, my mother who is here this evening, thought it would be the best course of action to take me to Discovery Place a couple blocks away on North Tryon.

I remember the joy of making shoes out of found objects and duct tape. I remember building skyscrapers out of Jenga blocks and a very dear memory is me and dozens of other local Girl Scouts having a sleepover inside of the museum. Note to the wise, don't take a very long rest on the wooden planks going into the Rainforest exhibit. It's not very comfortable for your back, even as an 8-year-old.

When Discovery Place Kids Huntersville opened 15 years ago, I was a little bit beyond our intended range for attendees and for many years I was frankly a little bummed that I didn't know what was inside. So last November I saw a job listing and I jumped at the opportunity. For the last few months, I have been working with an incredibly hardworking staff to deliver the kind of experiences and joy that so many residents of Huntersville experience.

When it was brought to my attention we were looking to expand the footprint of our museum to better serve kids in middle and high school, I was immediately on board because I was that middle schooler. I was that high schooler. The interest in STEM, I was looking for a place that was non-judgmental and local to nurture those passions. In preparation for addressing the Board today, I wandered over to the Discovery Place website for some inspiration. Navigating to our history page I found something that struck a chord with me. We continue to be a destination for families to enjoy fun-filled, interactive experiences that encourage curiosity, creativity, and a lifelong love of learning.

I want to draw your attention to destination. We're a member of the Association of Science and Technology Centers Passport Program. It is a robust initiative that incentivizes free reciprocal general admission for members that travel over a radius of 90 miles to attend our museums. We see lots of families from out of town visiting grandparents and vice versa. And we have a very loyal base of customers that travel from every single bordering state of North Carolina to attend our museum. Earlier this week, I greeted a family that confided in me that they drove from Georgia very early that morning just to hang out with us that morning. Discovery Place Kids is a major draw for Huntersville. I can't tell you how many times I have cleaned up pizza boxes from the Slice House in the comfort corner.

BeeJay Caldwell said my comments tonight are regarding Huntersville Rosenwald School #2 for black children. As you know, it's the Dellwood Center. I'm concerned about the length of time these restoration repairs are requiring. This facility was much used and needed by residents in the Pottstown and East Huntersville communities and it has not been available since February 2024. At that time, the date for our ability to use it was May 2024. A new date of September 2024 was given and that was moved to March 2025. When I called last month, the new date is May 2025. Now groundbreaking for the new town hall and its progress has moved faster than the restoration work at Dellwood Center. A question on the minds of some is why and how can the erection of a new building make more progress than a water restoration project on a small building.

Bill Fountain said a while back the Charlotte Observer interviewed three CMS teachers on how to retain teachers. One of the teachers asked what I thought was a great question, should our public schools be the social net of last resort. The teachers noted that they were not trained to be social workers, police, nurses, psychotherapists or counselors, yet they were expected to fill these roles. They wanted to just teach their subject area in orderly classrooms. Schools should be sites where intellectual workers, i.e. teachers, create a dynamic learning environment which supplement, but not replace, the family in helping young people discover question and create. Yes, to learn how to think but not what to think. I'm not saying that social net isn't necessary, but why place this burden on teachers' shoulders. It appears that the previous school boards lost sight of the main purpose and that is to prepare students to be career and college ready. Now, could it be that they focus a little bit too much on social engineering.

Also, according to the US Department of Education, the school district administrative positions have grown from 2000 to 2019 to a whopping 87 percent while the teacher population grew at 7.6 and the student population by around 8 percent. With all of these added administrative positions, it's no wonder that CMS doesn't have the funds to be able to help pay teachers an extra supplement, as Mrs. Easley was speaking about.

Now, also to another point is that speaking of social engineering, it looks like the town commissioners want to impose an NDO, a non-discriminatory ordinance, on small businesses. Now these NDO's are really DACO's, which is Discrimination Against Christians Ordinance because they promote the LGBTQ mindset, which is a mental disorder. Yes, it's chosen behavior rather than a physical impairment because like hearing or sight, the NDO's are justified based on compassion, yet real compassion is to help someone follow their God-given natural nature, like natural law and biology. Remember that the NDO's are really DACO's Discrimination Against Christian Ordinance. But I do want to close with one thing. I want to say an attaboy to Discovery Place.

Robert Peter Paul Jakaitis said I'm here to expose a disturbing web of corruption involving Lowe's Home Improvement in Huntersville and corporate all the way up to the CEO Marvin Ellison. On July 23, 2022, a Lowe's manager in Huntersville assaulted Terecita Plasencia causing documented injuries. When we

reported this to Huntersville Officer Earl Gordon, he told us to investigate it ourselves. Then on December 21, in what appears to be an orchestrated retaliation, Gordon arrested Ms. Plasencia. That morning I reported her missing to Cornelius Police. They made me wait two hours before revealing she had been arrested by the same officer who refused to investigate her assault. Even more troubling we've discovered Cornelius' Police Sergeant Matthew Ferrucci was simultaneously working as a Lowe's HR investigator during this period. They call that a conflict of interest with a police officer. Consider this pattern and we have more. It has been time to come out. We've been dealing with this ourselves, but no more. I'm not going to deal with the lies anymore, the manipulation by their attorneys and they're shaming us publicly with false reporting, false reports to the Huntersville Police, making up reports.

Terecita Dejesus Plasencia said if you visited the Huntersville Lowe's, you would know me as Terry. I assisted as an employee in the Home Decor department after being a head cashier, manager, supervisor at the front end. Never a conflict, never a problem. When they say see something, say something, you shouldn't face retaliation criminalization for doing so. That's why people don't speak up. I'm old. I'm old today. First time I stood before you was October 15, 2024, my 63rd birthday. And I briefly let you know that I do not have a criminal history. I've had two driving tickets in almost 50 years of driving. I'm a 40 year paralegal. I have always worked on my own, funded myself to help people who couldn't help themselves from a domestic violence court advocate giving abused women orders of protection. I translate English, Spanish, Italian for individuals who cannot defend themselves enough. I've always represented the people who cannot defend themselves today, that is me. In retirement that's something anyone would expect. But it is my reality and I will fight for the people who don't have a voice. The ones that are abused by a corporate system that controls the people who don't have the education, the funds or the support. I turn to the public. The government officials know it from Iredell, Mecklenburg and all the towns in between. I am not a threatening person. I never have been. And everyone that raises their voice does not do it as a threat. But the first line of defense of a human being when their life or someone else's life is in jeopardy is to yell for help.

Jennifer Roberts said I was a county commissioner when Discovery Place Kids opened and I remember coming up and just having a wonderful time and it's great to hear all the things going on in Huntersville. I did a lot of speaking about parks and recreation and libraries and Discovery Place is great. I've been a county commissioner. I also was mayor of Charlotte and I'm here tonight just for a few minutes to stand up for the LGBTQ community. I'm a straight ally and I know a lot of my friends, I have service providers, I have doctors who are gay and what I know is that they feel very threatened and harassed and bullied. We did an NDO in Charlotte. We did a survey and found there were gay couples who were actually turned away from hotels because they walked in holding hands, same sex couple, and the hotel didn't believe in them and turned them away.

We did a survey. We had almost 200 responses. We heard people who were refused service at restaurants. Now, this was years ago. It still happens and it's not an imposition to say just treat people with dignity and respect. Just let them use your public accommodation. Don't judge them because you don't like their hairstyle because discrimination on hairstyle is part of it, too. But we're a welcoming community. We are compassion, we love our neighbor. That's what makes people love North Carolina. There are 21 other communities who've already done this, including little Wendell, which is 9,700 residents. So even small communities can make a difference, and that's all the difference that we know. I know you're not voting on it tonight. You're going to discuss it. That's great. Let's embrace those who are being targeted, those who are being left behind. Some of our children are part of that. They know that they're gay. They were born that way. They can't do anything about it. We should love them for who they are and embrace that. And that's all, I'm just here to speak on behalf of that community. I have friends in that community. You have colleagues in that community. We all have family members

and neighbors. They may not be out to us because they're afraid. Let's just be welcoming. And you know what, Jesus never said anything about homosexuality. I know my Bible, too.

Braxton Becoats said I serve as the president of the African American Caucus of the Mecklenburg County Democratic Party. My organization proudly signed onto the joint statement between the LGBTQ Dems of Mecklenburg, the Mecklenburg County Chapter of the Jewish Caucus, as well as the Young Dems of Mecklenburg in support of the proposed non-discrimination ordinance.

I want to take a few minutes here to paint a picture. Imagine a world where people are discriminated against daily. Imagine a world where black women can't wear their hair in natural styles. Imagine a world where LGBTQIA+ children go to school, a supposed safe space, and can't be safe or comfortable. Imagine a world where the president of the United States is working daily to dismantle diversity, equity, and inclusion practice. Imagine a world where people are literally scared to walk out of their houses and express themselves.

But wait, I think I just confused myself. I told you to imagine this world, but I need you to do me a favor. Raise your hand if you have heard of a story like this. Raise your hand if you've seen a news story recently along these lines, because it's the world. So to this end this evening, I am going to ask the Huntersville Town Board of Commissioners to support the non-discrimination ordinance before you.

Although this ordinance will not completely stop discrimination in Huntersville, it does make a statement. What is that statement you ask. Huntersville is an affirming and accepting community. I'm certain that this statement is not a controversial statement. In my years of living, I have yet to find someone that doesn't want to live in an affirming community. Unfortunately, where national and state leaders lack the courage, it is up to our local leaders to pick up the slack. Remember that as you consider your position this evening for this reason, again, I am asking this Board to not only talk about it, but be about it.

Please vote in favor of the non-discrimination ordinance and showcase to the residents of Huntersville that you are willing to put bold policy statements behind the aspirational beliefs for Huntersville that I am sure we all have.

Pamela Schmitz said I know you have a lot of things to weigh with the non-discrimination ordinance, lots of things to consider. I just want to thank you for considering this in the first place. In our world right now there's so much anger, hurtful things being said to members of our community. I thank you for standing up and saying we need to discuss providing, recognizing all the members of our community. I want to remind you that our kids are watching what you're doing. I know you have lots of considerations in this, but thank you for considering the end deal.

Lance Munger said I'm speaking tonight on behalf of the NDO. I consider myself to be an ally of it. Given our current political environment and the discussion we are having tonight my thoughts turn to a particular poem written by a Pastor Martin Niemoeller that unfortunately I believe needs to be brought up once again. First, they came for the communist and I did not speak out because I was not a communist. Then they came for the socialist and I did not speak out because I was not a socialist. Then they came for the trade unionist and I did not speak out because I was not a trade unionist. Then they came for the Jews and I did not speak out because I was not a Jew. Then they came for me and there was no one left to speak for me.

I do realize that as an elected official, you're pulled in many different directions and you do your best to listen to the people and when the majority of the people demand something, you'll be inclined to follow their directive, but you also need to make sure that the minority voices are being heard as well so that their hopes, dreams, and basic rights are not being trampled. One of the most important jobs that you all have is to lift people up and help level the playing field for all your constituents. I'm asking you to please support the NDO. If you do not like it in its current form, work with your colleagues to find a compromise as compromise is the true nature of a functioning government.

Scott Coronet said I've lived in Huntersville for about 10 years. We love it here. I'm here to discuss about the NDO and I just want to give you a little story. When we first moved here, we have a daughter and we were scared to death every time we went to bring her to daycare. We didn't know if that daycare would actually accept us because we were a gay couple. We would start out when we interviewed them saying, hey, we are gay, if this is a problem, just say you're full. And we had to look through quite a few before we actually found one because they said they were religious institutions, so we weren't sure if we'd be accepted. From what I have read from this, this has nothing to do with doing anything to a church or any religious institutions. I do say I wholeheartedly support this. I thank you so much for putting yourself out there and supporting the minorities. I know myself, I feel kind of scared in this environment and I think you guys stepping up, taking charge and showing us that you care really means a lot. I voted for many of you, so I really appreciate everything you've done for us. Thank you and I'll be right with you in the next election.

Briana Rinaldo said thank you for taking the time to discuss the important topic this evening of the non-discrimination ordinance. I'm incredibly grateful for the work that you're doing to put forward an initiative like this. I'm a Huntersville resident, active community member. I serve on the board of the Carolina Raptor Center. I'm an active member of a multi-cultural arts collective that brings education and performances to North Carolina. Professionally though I've worked in corporate and inclusion and culture for more than half of my career, and so far I've done extensive work in corporate inclusion and how to build strong sustainable company cultures. However, I've learned through that work that words matter, spoken, written, sign language are important because our intentions and values matter. An ordinance like this may seem like just a piece of paper, but it demonstrates a commitment to inclusion I believe our community already possesses and saying that, why do we need to formalize it.

I'm going to give you a little bit of the perspective from the data from my corporate experience. Given that experience I've seen that businesses and a business in social cases for non-discrimination policy and inclusive policy are incredibly strong. Data shows that the more inclusive a company is and the more willing they are to hear opinions from people of all backgrounds, the more successful they are. Additionally, employees at companies with embedded policies around inclusion report a higher likelihood to remain at that company as well as higher satisfaction rates on their annual company surveys, so Huntersville incorporating policies that have been successful and profitable at corporate entities is not only the right thing to do, but a smart thing to do.

On a personal level, I'm black, I'm a woman, I'm queer, and in about six months I'll be a mother. I know what it means and I know what it feels like to be marginalized. I know what it means to be underestimated to be a minority, and I want my children to know that the town they're born into does care about their identity, not so that they can be excluded, but so that they can be honored and seen as valued for their background and perspective like I think all of us should be.

I also have a great amount of privilege. I was raised in a white family. I'm in a straight passing relationship and I by no means am socioeconomically disadvantaged and I'm currently able-bodied and

that makes me even more compelled to support initiatives like this one because so many people I share identities with will never have the chance to speak up for it and I'll speak up for it every time. With that, I truly hope the non-discrimination order passes, and I think it's the right thing to do for my family and for Huntersville.

Samantha Bocook said I'm a native Charlottean, though I don't sound like it. I've been in Huntersville for about 15 years. Graduated from North Meck. I am the Director of Operations for a progressive voter mobilization firm, which is a lot, but there's a big reason of why I do what I do. I have a really wonderful black grandmother and she taught me the importance of giving back to our community and advocating. As a black woman in the sixties and seventies, she canvassed in Myers Park, which is probably a very scary feat. I can't personally imagine that. Additionally, I'm also inspired to do what I do by a man by the name of Bob Culbertson. He was a school board member in the seventies as well. He was extremely passionate about education, equality and protecting and lifting the most vulnerable of us. It matters to me especially because I am a queer Jewish woman and I think it's important to do the bare minimum for all of your constituents. I do think that the NDO embodies integrity, which I define as the consciousness and morality in the absence of others, so no matter what it looks like you do the right thing no matter what.

I would like to end with two things. One is a quote. Throughout history it has been the inaction of those who could have acted; the indifference of those who should have known better; the silence of the voice of justice when it mattered most; that has made it possible for evil to triumph. That was Haile Selassie. I also think it's quite interesting that there are qualms about the NDO. I understand that it's not face level, I get that, but I think it's very interesting that you literally on the screen, you have an NDO, essentially, like this is a safe place. Nobody can be discriminated against here. I just don't think it makes sense to not include the entire community of Huntersville.

Hope Wiley said I come tonight to ask you why you feel it's necessary to pass a non-discriminatory ordinance when you're the most discriminatory, non-transparent and contradictory board that Huntersville has ever had. Two of the commissioners sat there during the SB49 public hearing and heard my mom say a little about what happened to me. Neither of you have stepped up to the plate to help me, nor will you help me get the answer to my question I've asked now four times. Why are the girls who have been hurt by boys at school punished, yet nothing happens to the boys who hurt us. Why is it okay for us to be hurt and no consequences are given to them. Why can't my mom get a call back from the Huntersville police officer who should have done a report about this, yet only did a call for service and did he even write anything, who knows. Why do I, a little girl, keep getting consequences, yet the captain of the Huntersville Criminal investigation Division yells at my mom without wearing a body camera and lies about another cop.

If you want to protect anyone, why can't you protect little girls instead of secretly planning whatever new ordinance this will be about with a school board member who told another woman until people like you no longer have a voice. Is this what the new ordinance is all about, silencing citizens who have been hurt and not caring enough to help anyone other than a political cause. Shame on you. We've lost all representation with this board and wish our former board members were still here. They cared. To them the town and the people mattered. They would've helped a little girl and not silenced the people. In closing, I would normally say thank you, but there's really no point.

Ashley Wiley said to further go on to what my daughter said, you guys want to pass a non-discrimination ordinance. I've sat up here how many times telling you I was yelled at, lied to by Latza, he didn't wear a body camera. My daughter, I still can't even get a copy of the police report. She was told when boys like

little girls, they hurt them, next time don't make such a big fuss and it was her fault because she shouldn't have ran from him, yet I can't even make a police report. There's something very wrong here. You guys want to sit here and say about non-discrimination, yet you guys have literally allowed it to happen. You want to sit here and talk about justice. She's been denied justice. I've had to fight for this now for three years and I still can't make a police report.

Think about that one. You want to sit up here and pick pet causes and political idealizations. Why can't you guys just show every single citizen in this town that they matter, listen to them and actually care about them. Care for more than just whatever their race, religion, gender or creed may be. Care because they're hurting. Care because this is literally why you guys sit up here. You guys are supposed to make the town better for all of us, not some. Until that can get through your heads, I don't know what will. Again, three years and I still can't even make a police report, be it she's now diagnosed with a TBI, has headaches that would blind you. Her head hurts constantly and she's asked this question and they're called personnel files and then you really want to talk about CMS. Let's go there because they haven't made gains.

Their former COO deleted a financial oversight document that has \$1.1 billion on it. They know, yet they still can't provide the document. We aren't going to be able to get the schools because they won't have the money for it. And as far as the bus drivers and everything else goes, why in God's name would you guys want to give them less restrictive trainings and licensure to drive our most precious thing that we have, which is our children. The only thing that I've heard everybody up here say tonight is that they want to make sure that they are seen, valued and heard, but when are we going to make our children, especially a little girl, feel seen, valued, and heard. I feel she deserves that answer.

Sophia Sumatka said I'm a senior from North Mecklenburg High School and to be honest, I don't really have a speech for today. I do want to talk about why diversity is important though. I had the great honor of attending an International Baccalaureate middle school and International Baccalaureate high school, North Meck. The main thing that these schools have taught me is the importance of differing perspectives. Since sixth grade, we have read books and we have learned history that represent everyone and that have especially represented marginalized voices. That is why the NDO is so important because we need to make sure that these people are able to get jobs so that they are able to support themselves so they are able to keep using their voices.

It is my honor to speak for people who are not able to come here tonight and speak because they're simply not able and I think it is very important that in order for all of us to truly be equal in our society, we need to start creating laws like this. This might just be a piece of paper, but it is a commitment to what will come for the future. First, we'll have this and then we'll have so much more and that is why it is essential for us to show that we need.....it is important for us to show that diversity is important, that inclusion is important, that equity is important because until we show that is important, we're not going to go anywhere.

Danny Decker said I am asking you to pass the non-discrimination ordinance. I live in Huntersville. I own a business in Huntersville with offices here and also in Charlotte, and I want to share two points from a business perspective.

First, as a small business owner, hiring talent is really hard. It's really freaking hard to find people who want to work in your business these days. In particular, young talent. They're looking to live and work in inclusive forward thinking communities. Passing this NDO will absolutely help us attract more businesses

and more employees to Huntersville. We need this if we want to build a town that is more than a bedroom community for Charlotte.

Second point is around our brand as a town. If I recall correctly, there was a brand study done last year that led to some updates to our logo and our tagline. Well, I just want to make the point that our brand as a town is a lot more than a logo and a tagline. It's who we are and it's what we stand for, so who are we as a town and what do we stand for. I want to live in a town that is inclusive, that is a place where everyone feels welcomed and valued for who they are as humans. So please pass this non-discrimination ordinance.

John Kosir (Leif Stormo deferred time) said I stand before you today in support of the non-discrimination ordinance for Huntersville. One that ensures fairness, equality, and dignity for every person who calls or will call this town home. Huntersville is a growing, vibrant community built on values of respect, opportunity, and hard work. But as we grow, we must ask ourselves are we doing enough to ensure all our neighbors, regardless of race, religion, gender, sexual orientation, disability or background are treated fairly and equally under the law. Unfortunately, without clear protections in place, many in our community still face discrimination in employment, housing, and public accommodations. That is not who we are.

A non-discrimination ordinance is not about giving special rights to any one group. It's about ensuring equal rights for everyone. It's about guaranteeing that no one in Huntersville loses a job, a home, or access to public services simply because of who they are. Beyond being that this is the right thing to do, this type of ordinance is also good for business.

Cities and towns embrace inclusivity, attract top talent, encourage economic growth, and create environments where businesses thrive. Companies want to invest in communities where all employees feel safe and valued. By passing a non-discrimination ordinance, we send a clear message. Huntersville is open for business and open to all. Some may argue that such protections are unnecessary or they infringe on personal beliefs. But fairness and equality are not political or partisan issues. They are American values. Protecting the rights of others does not take away your own. In fact, it strengthens us as a community ensuring that everyone is treated with the respect they deserve.

With the non-discrimination ordinance, we have the opportunity to take a stand for fairness, for dignity, and for the town future of Huntersville. Let's make sure that our town remains a place where everyone, no matter who they are, can live, work and contribute without fear of discrimination. It is great to hear that we have a coalition from the African American Caucus of Mecklenburg County Democratic Party, Jewish Caucus of Mecklenburg County Democratic Party, Young Democrats of Mecklenburg County and the LGBTQ+ Democrats of Mecklenburg County. They have all expressed their support for this passage of this non-discrimination ordinance here in Huntersville. I urge you to support a non-discrimination ordinance and to make Huntersville a model of inclusivity and respect.

Samantha Nevills said I'm here today as a student of North Mecklenburg High School in support of the NDO. Before we begin, we'd like to thank you all for taking the time to be here today. Your presence indicates your commitment to the rights of every person in this city and we are very grateful for that.

Esteemed members of the audience, I stand before you today to advocate for the rights of individuals who have been silenced, excluded, and discriminated against. These people are not strangers. They are our neighbors, our friends, and our family members. They are hardworking, kind, and deserve to live with dignity and equality. Yet in North Carolina, many are denied these fundamental rights simply

because of who they are or what they believe. Discrimination is not just a word. It is a harmful reality that affects real people. It divides us, it hurts us, and it tells people that their value is determined by factors which they cannot control – their gender, their race, their sexual orientation, and even their disabilities.

We know that no one else should have to live with this kind of injustice. As a state, we have made progress. We've taken important steps towards civil rights and equality. Twenty-two municipalities have already passed an NDO, but we cannot say we have truly moved forward until every person, regardless of the identity is fully protected under the law until no one is left behind. Some may argue that expanding protections is unnecessary. We ask why should anyone be subjected to discrimination simply for being who they are. Why should anyone live in fear of losing their job, their home, or their dignity because of their identity.

This is not a question of politics, it is a question of human morals and principles. Imagine if you will, the pain and humiliation of being turned away from a job, a home or a place in the community just because of who you are. Imagine living in constant fear that you will be judged and rejected. These are the daily realities faced by too many in our state and they deserve our support, our empathy, and our protection.

International studies of LGBT anti-discrimination protections by country have found that legal rights for LGBT individuals reinforces economic growth and improvements in health and labor markets as LGBT individuals are able to participate more fully in economies. In fact, a 2019 study found that for every additional right for sexual minority persons in a country, there was a \$320 increase in GDP per capita or about 3 percent of the average GDP per capita for the countries studied.

It's time for action. It's time for change. We have the opportunity to make a difference to protect the rights of those who have long been left behind. Together we can ensure that North Carolina and Huntersville stands as a state where every person, no matter their background, is treated with respect, dignity, and the equality they deserve.

Inchara Gopinath said I'm here to speak in support of passing an NDO. The NDO is a crucial step forward in shaping the growth and character of our town. Discrimination is not just a word, it's a harmful reality that affects real people. It divides us. As previously mentioned by Samantha Nevills, 22 municipalities have already passed an NDO. As we continue to experience expansion, it's vital that we ensure the development occurs in a way that respects our community's values and preserves the quality of life of current and future residents. As a student at North Mecklenburg High School, I think it's important for us to view other perspectives and recognize that as societal members and residents that we should be able to recognize each other as humans and equal people.

Rakesh Patel (Mary Hindsman and Hitesh Patel deferred time) said I'm going to be speaking on a different topic about the Birkdale Rezoning and a concern we have about this rezoning request. Over the past few weeks we've been sending everyone here some emails regarding those concerns. We just found out this while we were sitting back there that those emails have not been going through, so we're going to work on getting those through to you. My goal is not to oppose growth but to ensure decisions are made with transparency and consistency and through an evaluation of their long-term impact on the community.

In 2023, the Planning staff denied a rezoning request stating the proposal was inconsistent with the 2040 Community Plan. Their reasoning was clear, the requested height substantially exceeded ordinance limits and was not reasonable. It was not in the public interest and in their own words it was

not in the spirit of the regulations. However, in 2024 of May, the Town Board approved the removal of the words “spirit of the regulations” from the language, leaving any height adjustments strictly in the hands of the Town Board and their judgment. That being said, let me remind everyone, the current regulations only allow up to 48’, which the applicant’s request drastically exceeds on at least three structures. The Town Board must consider past precedent when evaluating such deviations, ensuring that any adjustments are justified within reason and take into account community interests, infrastructure and capacity, and the overall impact on Huntersville.

Next, I want to speak on the traffic of all this. Birkdale Village is already a highly congested area with narrow streets and this project would add substantial strain on the surrounding infrastructure. Any new development of this scale or a scaled down version should not receive a certificate of occupancy until necessary road improvements are completed including the widening of NC 73, which is Sam Furr, to accommodate increased traffic volume, construction of the Townley bridge, a vital component of local traffic mitigation, and the pedestrian bridge over NC 73 to improve safety and access. Additionally, emergency response times must be taken into account. The narrow streets, one-way lanes and parallel parking in Birkdale Village already make it difficult for large emergency vehicles to maneuver, especially during peak traffic and community events. A firetruck attempting to navigate these conditions could face significant delays putting public safety at risk. The Town Board must ensure that emergency access is a priority before approving further development.

Approving this rezoning without addressing these infrastructure needs will create severe disruptions for residents and businesses. We just found out a while back that people are actually parking in the neighborhoods in front of residential buildings, which I don't even know how that's possible.

Next, I want to speak on the oversaturation of hotels in the market. As someone with experience with hospitality industry, I must emphasize that Huntersville is not a destination market. It is a regional suburban market with finite lodging demand. We do not have year-round tourism draw like Charlotte and Charleston. We actually get overflow and have some corporate. Our hotels primarily rely on local corporate travelers, regional events and pass through traffic.

New hotel supply does not create new demand, it only redistributes what's already there. That would reduce occupancy rates and profitability. Currently three hotels have been approved to be built in Huntersville, including a full-service Hilton at Birkdale Place. The proposed autograph collection hotel will compete directly within the Marriott reservation system, further diluting the market. Approving another full-service hotel in close proximity will lead to increased competition that forces properties to lower rates, reducing revenue for all the hotels. It can lead to declining service quality and upkeep as properties struggle to remain profitable, and potential failures of existing and planned hotels due to oversaturation.

Beyond market saturation, the proposed hotel’s location in Outparcel 7B will eliminate crucial parking spaces used by businesses operating in that area. The loss of accessibility will reduce foot traffic, harming existing tenants and the building's owner, all while putting their livelihoods at risk. Another issue that needs to be addressed is the lack of specifics in the applicant's exterior design plans. When we went through the rezoning process for our hotel, we were required to provide detailed exterior elevations down to the specific colors and the materials being used. In contrast, this applicant has only submitted conceptual renderings which leave too many unknowns about the final product. Honestly, I saw those renderings, it looked like something I could pull off the internet. How is the applicant meeting the same level of scrutiny that was required of other projects including ours. Why is the Board willing to

accept what ifs renderings and offered services instead of fully detailed plans. Ensuring consistency in design review standards is essential to maintaining fairness in the approval process.

Finally, rezoning decisions should not be made in isolation. They must align with community needs, infrastructure readiness and economic feasibility. I urge the Board to ensure that all necessary road improvements are completed before issuing certificate of occupancy; regardless of the final scope and size of this project, evaluate the true market demand for another full-service hotel before approving further oversaturation; protect existing businesses by preserving critical parking and accessibility; uphold past precedent when considering drastic height deviations; and make adjustments based on community needs and long-term viability. We actually wanted to go four floors, but you guys brought us down to three Floors. Last, require the applicant to submit fully detailed exterior elevations just as previous applicants were required to do. Trust the Planning Board and Town Board will apply the same level of scrutiny to this project as they have to others.

Wendy Dunaway said I am here on behalf of Visionworks, which is located at 8830 Lindholm Drive Suite 105 in Birkdale Village and we provide eyecare services to the community. I am joining the many other tenants and citizens that you heard from at the meeting on February 4 with respect to Jamestown Development's Petition R24-11 to rezone approximately 12.36 acres to Highway Commercial Conditional District in Birkdale Village.

The current application as it stands would severely and negatively impact our business, if not kill it all together. We would be left with just a handful of parking spaces that are directly in front of our store and are shared with our adjacent neighbors Chase Bank, Nothing Bundt Cakes and Chipotle. We have all been vibrant and good neighbors and citizens of the community for many years.

At the February 4 meeting, the developer's attorney shared that our parking would be replaced with parking spaces under the proposed boutique hotel consisting of 125 rooms along with 3,000 sq. ft. restaurant/bar, meeting space, and event space. Additionally, the installation of the proposed median would eliminate immediate access into our building and would cause our customers to have to drive past our business, turn left onto Townsley Drive, proceed past the hotel and turn at the hotel entrance or continue driving in an attempt to utilize one of the available parking spaces shared with our neighbors, located directly in front of the store. Customers and patients will be deterred from visiting our store in the future due to the general congestion, hotel activity, and inconvenience of enclosed parking, which is definitely not what we negotiated for in our lease. With the lack of access, reduced parking spaces and storefront visibility, our store survival along with our neighbors will be very much at risk if the zoning application is approved. We respectfully ask that you vote to deny Petition R24-11 on March 18. Furthermore, our lawyers have advised that this development clearly violates our rights under recorded and enforceable parking and access agreements agreed to with Jamestown's predecessors many years ago that are still in effect.

Errol Genois said I'm a resident of Birkdale Village for 23 years. I'm here tonight to ask to reject the rezoning for Birkdale Village, the Greens. Please maintain our charming village. These are my reactions that follow concerning an essay on charm and romance by Ms. Coco August 31, 2019. What we think about charm reflects our own taste. The essential ingredient of charm is that a village must radiate different feelings than your own neighborhood, especially if you reside in a large city or an urban area. Next, a visitor must receive vibes of romance from the village atmosphere, quietness, simply beauty, serenity, moreover water in ponds, fountains, streams increase the inherent beauty of a place. Very importantly, the village gives us the feeling of being away from the hustle and bustle of a city. On the order of age, the village needs to show signs of slight decay. Villages that appear as sparkling clean, lose

their concept of time worn without turning into rough objects of concrete. Remaining natural a village maintains its simply charming appeal. Everything about the village must tell us that the village is small with curving roads, houses of different sizes and alleys. Anything grandiose will ruin the charm of the village. In addition, trees, vegetation will remind people of their own delicate nature. New modern structures in the original village will tarnish the village charm. For example, the Louvre Museum is magnificent, not charming. Furthermore, the color theme is essential. The structures must be either monochromatic or professionally emit the rainbow effect. In all cases, the village requires a dominant theme to keep its charm. Basically, a charming village theme says that I am quaint, pretty and attractive. In closing, the village charm is no doubt a personal viewpoint.

Cynthia Mitchell said I'm a resident of Huntersville. I've lived in the Birkdale golf community for 20 years now and I've lived in Huntersville overall for about 27 years. I wanted to speak tonight, but I wasn't sure at first what I was going to say. Folks are talking about parking places, dollars, taxes, heights, and other numbers, but I wanted to talk about that more nebulous concept, quality of life, just like our friends from Discovery Place were talking about quality of life earlier.

Discovery Place adds quality of life to Huntersville. The potential rezoning at Birkdale Place will not add to quality of life. From Northcross Shopping Center down to Gilead Road to Birkdale's village, greens and golf community, it is nothing but congestion – traffic congestion, parking congestion, and in the village and on the golf course, pedestrian congestion. Many people that live in the apartments around Birkdale think that the golf course is a public park. They ride their bikes, walk their dogs, roller blade, roller skate. This is the kind of congestion we're getting in Birkdale. The feelings of frustration invoked by the gridlock of all three kinds of congestion that I mentioned, parking, traffic, and pedestrian, have severely negatively impacted the quality of life in Huntersville in general, and Birkdale specifically.

The commissioners that have taken the time to speak with me one-on-one have all asked me what would I be willing to compromise on to allow this rezoning to go forward. And the honest answer is I have nothing to compromise on. I don't hold any cards in this game. The only people that can compromise are the developer and they've made it pretty clear at the last meeting that they're unwilling to compromise at all.

I don't want to be Atlanta or Charlotte or San Francisco or even Mooresville or Concord. I've heard how non-existent businesses and renters and the developers will benefit in the future. I've heard how the town coffers will benefit. What I've not heard is how the current residents will benefit. I ask the Town of Huntersville Board, most of whom ran on a responsible growth platform, to vote no to the Birkdale rezoning. Please do not further diminish the quality of life in Huntersville.

Rose Hamilton said I'm a proud resident of the Birkdale area, and I will be brief tonight. I echo all the sentiments that were so well said earlier. I don't think that I could repeat them any better. I am here to ask you to think very carefully about this rezoning of Birkdale. I've already shared with you this story that I moved here six months ago and I love this community. I love it. It is my home and I just moved from a very similar community and I just spent the last eight years watching the same sort of project happen and I know what those eight years were like and I know what it was like to live through that. And I left for a reason, because it became highly populated and the foundation wasn't there.

The last thing I'll leave with you is that professionally my job is to help scale and grow companies and to turn them around. I'm a problem solver by day, by night and in my sleep, and I truly believe that there's more diligence that needs to be done here and I don't believe we've necessarily seen all of the options. And I think moving forward, because we've been told there is no other option, I would really encourage

you to think through what are all the options. How do we compromise. And I want to thank everyone who's been so thoughtful to listen and to hear me, and I look forward to being a part of helping in any way that I can. I believe in this community and I appreciate the work that you're doing.

Chip Bowles said I also live in Birkdale and I emailed all of the members of the board and I appreciate those that responded. Thank you very much. I think I might've mentioned before that five years ago, my wife and I moved here from Florida and it was the village that was the influence of us buying in Birkdale. She said we have to find a place close to this. It has changed a little bit. It's not the influence it would've been back then.

The proposal that is before the board for the rezoning would change it dramatically and so we're a little bit worried about that. We're not a little bit, we're very worried about that. My wife loved it when we moved here, the shopping at Chico's and also at Talbot's. She loved taking the grandchildren to Nina's. They really loved that place. Those are gone. Now sure, we have some new things – Lululemon, we've got the Anthropology and those are high end places. It's nice to have a choice though. Now my wife, when she wants to shop, she's going up to Hickory to go shopping. That's a shame.

The thing that concerns me is if the rezoning is approved and all this construction begins, what happens to the businesses that are there either established or new. Can they survive two to three years of construction disruption, because that's what it's going to be. And we might see a lot of vacancies during this two to three year period. Also, I think about the residents who are in the apartments there in the village, they're going to have a living hell listening to all the construction for two or three years. We can keep that in consideration.

There's one thing that bugs me about the village now is those temporary looking structures that they put in and plus eliminating parking along the park. I know that if I submitted a plan like the kiosk that they put in the park to the HOA in Birkdale for a storage unit behind my house, they would refuse it because it just doesn't fit the character of the neighborhood. I want to think that it is obvious to me that North American Properties wants to completely abandon the village. Look, that's not what they want. They want to do something like Avalon in Alpharetta, Georgia and which loses completely the village feel. I would really appreciate it if the board would vote no on the rezoning by North American Properties that they're asking.

Julia Kiewit said I'm here to talk about the Birkdale rezoning project, but I want to start with a story. It's the story of Dressler's, a locally owned restaurant which first opened in Birkdale Village in 2003. Since then, the Rare Roots Hospitality Group of which Dressler's is a part, has expanded. The original Dressler's has now become one of their Fin and Fino locations and it is my favorite place to take friends and family in Birkdale whenever they visit me. Rare Roots Hospitality has been quite successful. And what do they do with their success, they reward their employees for every hour they donate to non-profits in our community and additionally, Atrium, Novant and CMS employees get 10 percent off their tab at any of their restaurants.

Why am I telling you this story. I promise this isn't an infomercial for Fin and Fino, although I would happily and easily do that. I'm using this to illustrate that growth and development are good and Dressler's is a perfect example of the kind that we want, development that serves the people of the community and doesn't line the pockets of international developers. We can grow organically and the right way. Dressler's is proof that you can care about neighbors, community growth and profit all at the same time.

The heartbeat of local community is the trust that each of us has in our neighbors. The problem is we can't trust the current proposal. Even if Jamestown builds out their own parking decks, putting office space on top of the parking lot intended for shared use by non-developer owned businesses in Birkdale could end them by taking away their parking. You've heard others speak about that tonight.

I know many of you ran on responsible development. The current Jamestown proposal is just not that. Responsible development wouldn't prioritize profit over community, although back to the Rare Roots Hospitality example, the two don't have to be in conflict. You can do well and do good at the same time. Responsible development prioritizes organic growth responding to local demand over a top down corporate driven blueprint. And part of organic growth means maintaining an environment where our local businesses can thrive. Please lean into your role as our elected officials and work for us. Let's have growth, but not on someone else's terms. What's the rush. Let the hotel, apartments and office space across the road and elsewhere across Huntersville come online and let's see Sam Furr widened first so that we can have the infrastructure that would make this growth successful. Please help us write a better local story for Birkdale Village.

Suzanne Villar said I'd like to talk a little bit about the objectives, approaches, and opportunities of the different parties involved in the Birkdale Village rezoning situation. I think it's pretty clear Jamestown's objective is to maximize their profits. As far as that goes, there's nothing wrong. The Town's objective appears to be, and I heard this directly from a commissioner, not missing out on an opportunity with this rezoning. While the taxpayers and residents who've been in front of you so many times with emails and in person and on the phone, our objective is to mitigate the damage that's already been done to Birkdale and to prevent any future damage.

Jamestown's approach seems to have been to put minimal skin in the game. They haven't invested in any legitimate specific elevations. They haven't given detailed plans. They haven't given any sort of a cost benefit analysis. They're putting as little into this as they possibly can and they want their rezoning. But the fact that Jamestown has not necessarily done its due diligence and isn't really prepared to develop this project properly is their issue and doesn't create an obligation by the Town or the taxpayers or the residents to bail them out of an ill-conceived investment.

The Town's approach seems to be to just accept all claims and statistics provided by Jamestown at face value, not verifying any details or double checking any statistics. In fact, those of us who have been in opposition to this have been spending inordinate amounts of time doing what the Town should have done. We're checking the numbers that they're giving us. We're looking at the inconsistencies that are rampant in not only the site plans but the application, their public relations presentations and what they say in front of the commission itself and in front of us.

There is no consistency to the story they tell and quite frankly, we do not trust them and with good reason. The taxpayers and residents' approach is to avoid the pitfalls and hard lessons learned from the 2022 rezoning project. We're not willing to take anything on face value or trust any representation on this project from this petitioner. We're questioning everything and demanding accountability from the Town to provide the rigorous review demanded of such a large project. This is a \$200 million project and these people have submitted less information on it than a homeowner would if they wanted to get approval to build a house. The Town should have caught many of the inconsistencies we have brought to their attention and we're still not even getting responses on the inconsistencies other than to say the petitioner's changing it. That's not acceptable. That's not sufficient.

Dawn Snow (Kitty Giese deferred time) said I live in Birkdale Village. One of the Planning Board members just recently suggested that even though I live in Birkdale Village, my input doesn't matter as much because I pay taxes to Cornelius. But the reality is that the voice of every single resident, customer and visitor matters.

One of the unique things about the Birkdale Village neighborhood is that land-wise only about a third of it is in Huntersville, but about 50 percent of the residents are in Huntersville. Also, when it was originally planned, the entire retail area along with all the residential areas in both municipalities were part of an award-winning design by Terry Shook. Huntersville should not lose sight of this important fact. Birkdale needs to be considered as a whole. The decisions regarding this rezoning, which are solely made by the Huntersville Town Board, affect the entire neighborhood and for that matter, anyone who visits the village or even travels through the area.

Everybody agrees that parking at Birkdale Village is a problem. The residents, visitors, the Town, even the developer who ironically created the problem with the removal of the 78 parking spaces during Phase 1 RTAP. Incidentally, that RTA approval took place two boards ago on October 18, 2021. Since most of you were not on the board then, I'm sure you don't remember that, but you can ask Mr. Walsh about it because he was on that board.

Jamestown has stated that they are not willing to add parking without having all the other structures approved, which is yet another example of how they are not good neighbors. Let's look at how this is a bait and switch. The promise of more parking is the bait and the switch is the gross oversights and miscalculations that are not being carefully considered by the people who are paid to do so. One oversight involves the square footage of the office building as there is a material miscalculation of over 50,000 sq. ft. that understates the parking requirement by almost 100 spaces.

Another flaw is that employee parking is not considered in the calculations. Since most full-service hotels have an employee to room ratio of at least 0.5:1, this means there should be at least 60 parking spaces for just the hotel employees. Also, it is really concerning that the developer wants to and the Town is considering letting them build a hotel on a much needed parking lot taking away over 100 parking spaces and taking all parking from adjacent non-developer owned businesses. Altogether over 120 surface parking spaces will be lost with the hotel plus many parallel parking spaces that are currently along Dick's Sporting Goods. If you study the site plan, you'll see this. When factoring in these oversights and miscalculations, the real requirements for the new development is 740 additional parking spaces versus the 469 noted in the site plan. I will follow up with an email so you can review these details.

If parking is a problem today, how is adding parking that is 270 spaces less than the real requirement going to fix the issue. Clearly the promise of more parking is a bait and switch to gain public acceptance. It will only benefit the developer and the Town in terms of tax dollars, but will neither solve the original parking problem or benefit the residents and visitors and it does not follow the 2040 Plan. If you approve this, not only will there be gridlock with the widening of Sam Furr Road and this project's construction happening at the same time, but the end result is that the parking and traffic situation will be made worse as people scramble to secure parking in the village with what will essentially be a net loss of over 250 parking spaces. Please deny this rezoning when the only gateway in and out of the neighborhood is by Birkdale Commons Parkway to Sam Furr Road. It really doesn't matter where myself or any of my neighbors pay taxes.

David Krug (Frank Gammon deferred time) said I own the outparcel with eastern entrance to Birkdale Village, the four tenants people have been talking about JP Morgan/Chase, Visionworks, Nothing Bundt Cakes and Chipotle. I am opposing the hotel portion of this petition because aside from making an existing parking and traffic problem much worse, it's going to put my four tenants out of business.

There's also been a misconception about my parking. When those outparcels were sold, they were sold for enough area to build the building. I don't own any parking spaces. I paid for the right to use them in the purchase price of the land. And the declaration, which controls Birkdale, states that. It states, included in my deed, that I get 39 parking spaces that are exclusive to me and that I have the non-exclusive right to all of those spaces in that parking lot in front of my building.

Jamestown plans on eliminating over 100 spaces. If they do that, they're going to be in violation of the intent of that declaration. My lawyer has written to them and asked if they would meet with me and my lawyer to try to find some amicable solution. We got no response whatsoever. Nothing.

I've talked about the 124 spaces, now it'd be over 100 that are destroyed. You folks go there. Those spaces are full. I was there Sunday at 2:45 and there wasn't one space there. I've got pictures from Google Maps. Everybody's using the space. Where are Cheesecake Factory and Apple going to park. It's just crazy. I have heard commissioners say that maybe we can get Jamestown to patrol those spaces. That isn't the problem. That's the tip of the iceberg. Patrolling those 39 spaces won't save these tenants at all. They've already mentioned, and Anthony you told me, and so did Brian tell me that a median is going up and if a median goes up it's going to be an inconvenience. But it's plausible if that median goes up my tenants' employees will have to go past their entrance, drive up to Townley, turn left on Townley, go past the hotel, go back down to what is currently a parking lot that they plan to eliminate. They can't survive with the loss of access, the loss of parking spaces and the loss of visibility.

I guess the only thing I can say now is I don't know how anybody could vote for a plan that would destroy four people's businesses and ruin my building. I do have a little bit more time and I won't repeat what other people have said, but there are beyond my immediate concerns, there are problems about not just the hotel, everybody's talked about the current infrastructure. It's not adequate. The developers should provide what it takes to make it adequate for what's here today before they can start building more. And we've also heard that they said they would not do any improvements if this zoning was denied.

I heard 700 and some parking spaces. Everybody calculates it different. But I get 935 parking spaces, 120,000 sq. ft. building. We produce 420 cars plus 45 cars for the retail employees. That's 465 cars, 150 residences split one and two bedrooms would produce 225 cars plus 10,750 sq. ft. of retail would be 45 more employees, so that's 270 cars. The 125-room hotel at 80 percent occupancy, which is what they have to have to succeed, would produce 100 cars. I think they have allocated 91 spaces. You need 50 more for the employees. You need 50 more for the restaurant employees. And that doesn't even include the customers that are there. It is just not sustainable.

I agree there's three hotels that have been approved that haven't been built. Why not see if they can sustain more. I agree with the fact that all they're showing us are sketches. They tell us that they're going to do an autograph collection. That's a term I believe that the Bohemian uses. I don't think there's any connection. I don't believe that they have any relationship with a hotelier at this point. And do those plans require them to do an autograph collection. They should. I don't know what else to say. Please don't destroy my tenants' businesses and my property.

Kerry Edelstein said I live in Birkdale Greens. I want to start off by thanking you. I emailed all of the board and all of you wrote me back to offer your time to meet. I've already had a chance to meet with five of the six of you, and I'm meeting with the sixth next week and everybody gave me at least an hour of your time, if not closer to two hours. So, I really want to just go on the record saying I appreciate the time and the effort you're putting in to hearing the community and hearing me in particular.

I was sitting here listening to the comments. I did not know that I was walking into the NDO conversation today, and those of you who know me know that that's something that I very much stand behind. And those of you who are feeling left out, please know that I'm an ally and you can always come to me.

But the thing that struck me about the conversation was that it was about community and coming together. And I keep thinking about this Birkdale project, and it feels like the opposite of community. It's tearing us apart. It's the opposite of what a community is. And it occurs to me that of all the people in the room, none of them are from Jamestown. They're not part of our community, and they didn't even make it a priority to be here tonight when it would make sense that we would be speaking up about this.

I'm thinking about this conversation we had two weeks ago about skin in the game, and I was thinking to myself, what's the game. Is it a fun game like cornhole. Because it feels to me like we're playing the Hunger Games, we're fighting this. And I was listening to David Krug speak and I actually talked to him personally this morning to get some clarity on what he's going through. I actually read through his contract this morning, which he graciously sent to me, and he's not kidding. There are clear violations of this proposal as it relates to his contract. It's very evident to me when you read through the language of it and that sets this whole thing up for litigation exposure. Why would we even want to go down that path if it could hold things up. It could actually potentially put you guys in an exposure position if you vote for something that's against the current contract, but more to the point, it just feels unethical. Why would we want to do something that just feels fundamentally unethical and harmful to existing businesses of people who already live in our community and employ people in our community.

I've been trying to go through this exercise of the opposite of what I did last time, which was I talked about what instead, but I started thinking about what if, should they pay for the entire Townley Extension. Yeah, they should pay for the entire extension, not a portion of it because they're creating the need for it. But I keep coming back to this idea of I really want to see more local business in Birkdale. If we're going to have an office complex, let's bring down the height, but let's bring in something like Seventh Street Public Market where we can have local food entrepreneurs, where we can have local business booths, local artist booths, local musicians, things like that, that bring livelihood and positivity to the neighborhood. My take on this, I think we keep talking about this as if the only way to grow and innovate Birkdale is to literally raise the roof on Birkdale. But I believe we can grow and innovate and do new cool things without rezoning.

Nick O'Shaughnessy said my birthday is tomorrow. I'm one year older, one year wiser and a little bit more unfiltered because you've probably heard my reputation precedes me. I've had more than 45 years in the development business, primarily as an architect to begin with, then as a land planner, then as a developer.

I'm semi-retired because I still love the business. I do commercial real estate and a tiny bit of development. But over those 45 years, I've learned that there are principally two types of developers that come into communities, me being one of them. And I did rezoning for 15 years in this Lake Norman area until the Rubbermaid project, which was my last rezoning. It took me seven months to get that

approved and I gave up rezoning after that. I'm like I give up now. There's too many people against stuff. But I changed the project many, many times and I got it approved because I changed it.

These guys, Jamestown, NAPDDR, whoever the heck they are, they need to make up their minds who's making the application. They are not compromising one bit. If you want compromise, Mr. Walsh and Mr. Quarles and Alisia, they all said we want a win-win. The Town wants a win-win. You don't get a win-win with Jamestown because they're not backing off anything. They don't involve themselves in any form of dialogue with us. I don't know how much dialogue they have with Brian. Brian's done a 180 flip as far as I can see, and we've talked about that. And I'm telling you some truths because I need to. If you ever went in and you want Jamestown to be the benefactor of our town here, they need to take the hotel off, they need to drop the office building down to 70' and then I might be a proponent of their project, but I think there being ultra greedy.

If you read my emails, I didn't get anybody to reply to mine because I accused them of being Vikings. I'm a Yorkshireman and the Vikings came to Yorkshire and you know what Vikings do to the lands that they occupy. These guys are the development equivalent of Vikings. They don't assimilate. They don't come into your community and participate. They have Trojan horses, which they hire consultants and we know who those people are. They make their living out of this community, but they're representing people that are trying to damage our community. I don't need to say anymore. Please vote no.

AGENDA CHANGES

Commissioner Walsh made a motion to adopt the agenda. Commissioner Hunt seconded the motion. Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes. Commissioner Bergsman made a motion to approve the minutes of the January 30-31, 2025 Town Board Workshop. Commissioner Quarles seconded the motion. Motion carried unanimously.

Fourth Amendment to Capital Project Ordinance – Huntington Green Sidewalks. Commissioner Bergsman made a motion to adopt Fourth Amendment to the Capital Project Ordinance for Huntington Green Sidewalks. Commissioner Quarles seconded the motion. Motion carried unanimously.

Fourth Amendment to Capital Project Ordinance attached hereto as Exhibit No. 2.

Resolution – Acquire Right-of-way/Easements for Ferrelltown Parkway Extension. Commissioner Bergsman made a motion to adopt Resolution to acquire right-of-way and/or easements necessary for the construction of the Ferrelltown Parkway Extension project. Commissioner Quarles seconded the motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No 3.

Budget Amendment – Huntersville Recreation Center. Commissioner Bergsman made a motion to approve budget amendment appropriating Capital Reserve Revenue in the amount of \$44,000 to Repair and Maintenance to replace 12 skylights at Huntersville Recreation Center. Commissioner Quarles seconded the motion. Motion carried unanimously.

Budget Amendment – Huntersville Athletic Park. Commissioner Bergsman made a motion to approve budget amendment appropriating Capital Reserve Revenue in the amount of \$16,500 to Non-capitalized Equipment and \$12,500 to Contract Services for Huntersville Athletic Park. Commissioner Quarles seconded the motion. Motion carried unanimously.

Budget Amendment – Bud Henderson Sidewalks. Commissioner Bergsman made a motion to approve budget amendment appropriating Contributed Capital in the amount of \$175,390.24 for Bud Henderson sidewalk construction. Commissioner Quarles seconded the motion. Motion carried unanimously.

Audit Contract. Commissioner Bergsman made a motion to approve FY 2025 Audit Contract with Martin Starnes & Associates. Commissioner Quarles seconded the motion. Motion carried unanimously.

Contract attached hereto as Exhibit No. 4.

PUBLIC HEARINGS

None

OTHER BUSINESS

Non-discrimination Ordinance. Commissioner Dumas said I'm going to dive right in and I have a few slides to talk about a draft that I've worked on. *PowerPoint attached hereto as Exhibit No. 5.*

The background on this is in 2016, HB142 was passed by the NC General Assembly to limit, among other things, the ability of passing non-discrimination ordinances. In 2020 numerous pieces of that bill expired, which then led to a number of community non-discrimination ordinances. These are the 22 I found. I want to point out one thing. I've gotten the question about Mecklenburg County and why if Mecklenburg County passed one, why it doesn't impact Huntersville. Mecklenburg County covers anything in the ETJ. One thing about NDO's is that if Huntersville incorporates parts of the ETJ, they lose that benefit of having an NDO.

This is an example slide that shows you where federal law and state law currently protects our citizens and where the gaps are. You'll notice there's a few in the red under federal law that are protected in some states, but not ours. Protected hairstyles as well as familial status and marital status, I did include in my protected classes. I did not include political affiliation. This is something that I am willing to negotiate in some regards. Public accommodation is rarely covered in state and federal law and the NDO's in other states really do a job of helping fill those gaps, which is what I'm looking to do with my proposed draft.

Here's the list of protected classes I'm proposing that we cover. I received the question yesterday of whether or not I would be removing or consider removing from somebody who was looking at or interested in coming to today's meeting. They were asking about natural hairstyle. I want to point out that that is something that is really important to me and I think important to our community. If you Google unprofessional hairstyles, the only thing that comes up is images of black women. And that is something that society has pressured black women into spending hundreds of more dollars per week, per month, than me or any other class on their hair. And they shouldn't be hurt by that. So that is one area that I was asked about yesterday to remove that and that is not something I'm willing to negotiate on in the protected classes, but I would consider speaking about others, adding or removing. Well, not removing, but at least adding.

Enforcement, there's a number of options that we can do here. Some towns like Davidson have an interlocal agreement with Charlotte where they can use their Community Relations Committee to review and determine cases. Currently, as we have it drafted, I have this in-house with complaints being filed through our Manager's office and investigated and mediated within our Manager and Town Attorney's office. I'm willing to discuss options here. Right now, the complaint is if it's found validated and reconciliation fails, then there would be a fee to that person of \$250.

Commissioner Bergsman said thank you Commissioner Dumas for your dedication and work on the NDO. I really appreciate everything that you've done. And I also want to take a moment to thank some of the folks that are here, the LGBTQ community, the African American Caucus, the Jewish Caucus and their Social Justice and Coalition Partners who have dedicated countless hours advocating for equal rights across Mecklenburg County and across the great state of North Carolina. Your dedication and commitment to fairness and inclusion makes our community stronger.

As we begin this discussion, I believe that we all agree that a non-discrimination ordinance is essential to the wellbeing of our community. I look forward to a thoughtful debate on the details, but at its core, this is about ensuring that Huntersville is a welcoming and inclusive place to live, work, and play. By prohibiting discrimination based on protected characteristics like race, age, religion, disability, sexual orientation, gender identity, natural hairstyles and more, we help safeguard our residents from unfair treatment and employment in public spaces. This is how I believe we truly embody our Town's vision thrive here. And Mayor Clark, if it's okay, I have three considerations that I wanted to kick-off for the discussion. I'll just go through them and then interested in hearing feedback.

With the presentation in mind, there are probably three things that I wanted to focus on right now. The first is in regards to a filing deadline for complaints. I'm not sure where it currently stands in a draft, but I feel that there needs to be a reasonable timeframe for individuals to file complaints that's not too short, but also not so long that a timely resolution doesn't occur. My proposal for that is 180 days as a balanced window, so I wanted to make sure that was put out there.

Second consideration is enforcement. I do absolutely believe that there should be a meaningful enforcement without being overly punitive. I know mediation, restorative justice is often a primary goal, but I am also okay with leveraging the fine if that's the direction that this Board wants to go. I would like to hear more from staff about how that would be implemented, especially if we were keeping this in house.

The last thing that I wanted to bring up is in regards to small businesses in our town, because if the NDO applies to businesses with fewer than 15 employees, and I absolutely believe that it should, it will introduce new compliance requirements for these small businesses that currently are in that gap and not covered under federal regulations. I am curious if we can add in an education support process for businesses if it's passed to make sure that the information gets out there of what the requirements are and the expectations.

Commissioner Rivers said can we go to the slide about enforcement. I know, Commissioner Dumas, you talked about the interlocal agreement that Davidson has with Mecklenburg County. Is that something that is an option or that's up for discussion?

Commissioner Dumas said it's something I would definitely like to consider. It's something that we talked about over the last year or so. It was written based on comparisons to other towns and in a way I

thought that would help us feel more comfortable. It is dialed down. I want it to be more powerful. If we're willing to consider a little stronger of an ordinance and go with an interlocal agreement, I'm willing to research and see if it's possible.

Commissioner Rivers said if we do an interlocal agreement with Mecklenburg County, do we know the process of that or how does that work? Are we familiar with their processes?

Mayor Clark said clarifying question real quick. This is with the City of Charlotte, right? Not Mecklenburg County.

Commissioner Dumas said yes.

Emily Sloop, Town Attorney, said I know that this was looked into as a potential enforcement mechanism in the past. My understanding of how it would work is that the Town would be responsible for paying an investigation fee. I believe it was quoted at \$3,500 per investigation and there was no guarantee if we did pay the investigation fee that the parties would voluntarily submit to any sort of conciliatory efforts. That was one of the drawbacks of trying to implement enforcement through an interlocal with Charlotte is that we may be on the hook for the investigation fee, but we may not necessarily get the outcome that was desired as far as conciliatory efforts.

Commissioner Rivers said if we're looking to keep it inhouse to avoid the \$3,000 investigation fee, has there been any thought processes behind how the investigations will be covered or conducted? Do we have the expertise? As far as I know, when you're getting into civil rights and when you're getting into employment rights, do we have the expertise inhouse?

Ms. Sloop said Commissioner Dumas did ask about inhouse enforcement and what that would look like and one of the suggestions that I had discussed with her as a possibility was having language in the draft ordinance that would require that if there was a more applicable agency that the complaint should go to first, that the complaint would first be submitted to that agency and then if that agency took action, it would not necessarily move forward with the Town. If they did not take action, that it could then potentially come back to the Town and the Town Manager would look into it and determine whether or not it was something with merit that we needed to attempt to take action on. I don't want to speak for the Town Manager. I don't know that he has any experience or expertise in dealing with these types of complaints. I'll let Anthony speak to that.

Anthony Roberts, Town Manager, said Emily hit it on the head. We would first try to send it to an appropriate agency if there's an appropriate agency out there that can handle that. That would be our first step. After that, if they can't, then it would come back to my office. Am I an expert in everything? Absolutely not, but we would look to handle that. Obviously, it comes through the Manager's office but also with the assistance from the Town Attorney's office as you can see here, so I'll lean on the Town Attorney's office to help try to figure some of these things out.

Commissioner Dumas said [inaudible]

Ms. Sloop said we can't force them to drive to Charlotte to engage in any conciliatory efforts. It really depends on if they had filed any complaint or any other type of action with another entity. But if the effort can't be conciliated through the interlocal agreement, my understanding is we would still have to pay the fee if they did any sort of investigatory work, even if the parties did not engage in the efforts. I

don't know what their practice is as far as when they would call the line of stopping the investigation and dropping the case per se.

Mr. Roberts said I would say we haven't engaged with them in, I don't know, maybe a year. It may be longer. Maybe Emily's talked to them since, but it's been quite some time.

Ms. Sloop said it's been quite some time, probably 2 years at this point.

Mr. Roberts said if we move forward and we get to an ordinance standpoint, and that's a direction the Board wants to go, we would need to engage them again and kind of see is \$3,500 the amount or \$2,500 and how that would shake out. We would definitely need to follow back up with them.

Commissioner Quarles said since you were just answering the question, I'm going to ask you, do you have any experience in discovery because that may come to you as far as making a determining factor if someone was discriminated against.

Mr. Roberts said every day you have to make judgment calls on various things, but as far as have we had any situations come to us since I've been here in seven years, to me, my office, the answer is no. I've had no cases that if I got a phone call, email saying I've been discriminated against one of these various categories that were listed by Commissioner Dumas, I have not received that personally, if that's your question that you were asking me. Now, do I have expertise in every one of those, absolutely not.

Commissioner Quarles said you probably would do what the Board would vote on to say do. But if the question came to you in a hypothetical, would you support the NDO move forward with, what would your answer be on that.

Mr. Roberts said basically, it doesn't matter what Anthony says. If four people say we're rolling with this NDO, Anthony's going to make it happen. If four people say we're not rolling with this NDO, Anthony's going to make that happen, too. That's what will happen, either way. I don't care. To me, I'm here to represent what four of the Board members say do and we will enforce it if that's what the Board tells me to do. If they say go to Charlotte, we're going to work and try to make it happen in Charlotte. But in the 6-1/2 to 7 years that I've been here, I have not received any complaints. They may have gone to the Police Department, may have gone somewhere else, but not to me.

Commissioner Quarles said doing your research, we know when and why Charlotte-Mecklenburg, Wake County, all those did the NDO. Do you know how many complaints they've had in Mecklenburg County or Charlotte?

Commissioner Dumas I didn't check with Mecklenburg County. I did check with Charlotte. There's an average of about 10 complaints a year. I can get you specifics on that. In Charlotte there's around 10 since 2020 when they passed their most recent version of it, because they've had an NDO since 1968, but the most recent version has had roughly about 10 per year.

Commissioner Quarles said do you know how many blame was found of the 10?

Commissioner Dumas said I do have those numbers, not in front of me. I have shared them with you and I can reshare them with you.

Commissioner Quarles said I want to do a scenario because we haven't had any complaints in Huntersville, therefore we'll be moving on a hypothetical. I want to take a real situation into a hypothetical.

Commissioner Dumas said to be fair, just to point out before you do your hypothetical, we don't have a process of, or a reason, we don't have an ordinance to provide our public with reason to complain to our town. There's no process in place for that now. That doesn't mean there's no discrimination.

Commissioner Quarles said we have a 55-year-old white woman who just got divorced and her lifestyle changed for the worst. She embezzled money from her workplace, which is a small boutique and she gets caught. And again, I'm taking a real situation in Huntersville, but I'm turning it into a hypothetical. She files a complaint with the Town and says she was discriminated against because of her age. Mr. Roberts says there is nothing there. She gets upset at the Town of Huntersville. She then contacts an employment law attorney and says that she was discriminated against by the boutique as well as the Town of Huntersville because of her age. The attorney says I will take your case and if we win, my fee is 20 percent of the award. The small boutique, like most small businesses in our town, do not have an attorney on retainer, therefore they have to hire an attorney. The lady knows that she's not being truthful and doesn't care about the harm she's bringing upon the company or to the taxpayers. Is the financial burden to the company fair?

Commissioner Dumas I would say this is still a right to work state, so we have little control in that. But also, I don't know any of the details of this example and I'm not a lawyer.

Commissioner Quarles said I'm just asking if the financial burden on the company, if the person knows that she's lying, she embezzled money, but she's bringing harm and libel on this company, is it fair to that company, that small business?

Commissioner Dumas said I guess not. I don't know anything about the situation.

Commissioner Quarles said I'm just asking you hypothetical. Is a tarnished reputation that could bring great financial impact to the company fair?

Commissioner Dumas said I can see where you're going with this. So, you're saying in a case where somebody says something about a company that's wrong, false and they're trying to win a lawsuit, is that fair. Is one person's bad acting reason not to protect the rest of those people?

Commissioner Quarles said I'm not saying that. I'm just asking you is it fair because it could happen and it could very well happen to more than one small business.

Commissioner Dumas said these types of cases that I'm aware of, there have not been any lawsuits in the other 22 plus towns and communities that have moved forward with this. I don't believe it's worth not moving forward with a non-discrimination ordinance out of the risk of one bad actor.

Commissioner Quarles is there a reason we can't just do a resolution?

Commissioner Dumas said a resolution does nothing. It has no reason to track. Here's one thing that I think is beneficial to having a smaller \$250 fine. I agree it's weak. I would like it to be stronger, but what this does, it gives us an opportunity to track complaints and determine in a year, two, five, if it makes sense to expand that if Huntersville is an area that we need to do something more. Right now we have

no method of tracking complaints. There's no reason to file with our Town. We have heard from dozens of people today. We have received dozens of emails. We have heard from three doctors that have told us about all of their patients and how they feel like their patients could use something like this. And I believe that based on the voices that we're hearing from, it is needed and I'm not willing to risk that for bad actors. And that's the reason for mediation is to determine that. That's the reason for the investigation. And that happens regardless of having an NDO, people can say bad things about businesses.

Commissioner Quarles said you say the proclamation does nothing. Emily, do we have statutory authority over an NDO?

Ms. Sloop said I want to preface my comments before I respond to your question. I, as a female attorney under the age of 60, in a traditionally male dominated role and environment, am not paid to give the Town or the Town Board my advice based on personal experience, personal opinion, personal experiences that may include instances where I didn't feel that I was treated with the respect, dignity or equality that I deserved, nor am I paid to give my opinion based on political considerations. I'm paid to give the Town my unbiased, well-researched and thought-out legal advice. In my personal opinion, and attorneys do have differing opinions, I do not believe that we have clear cut authority to pass a non-discrimination ordinance. We most certainly do not have local legislation in place to pass it and I have not found a clear-cut source of general authority that is applicable within North Carolina to all jurisdictions.

Commissioner Quarles said my last comment back to Commissioner Dumas because this is your thing, as you know how this Board operates, we just don't take one side. We investigate and we talk to people, but I want you as well as others to know we've talked to other people as well and before we make a decision, we should hear from both sides because there's quite a few people who are not in favor of moving forward with an NDO, not that they don't support it, but there's a number of reasons and I think we should do the right thing and speak to more than just our base circle. That right there is when we can make the best decision. Again, you heard Mr. Foster, he mentioned tonight, don't do something with the NDO. There were other people and in my comment I'm going to make, I spoke to a 21-year-old young lady who gave a comment about an NDO because the word is spreading. So again, I think we should talk to more than just our base circle. I would love to speak to every person that's in charge of the various caucuses that say they support the NDO, because I do know up until a week ago Commissioner Rivers and myself asked that the supporters go out and bring us a caucus, a coalition of different caucuses, but up until a week ago we were told that no one would communicate with the spokesperson. I want to be fair and I don't want to mislead people or give them false hope. We should be able to speak with them, not have one person speak for the caucus, but speak to the group themselves. Again, I'm in favor of an NDO. I'll say it now and I'll say it again, but I'm going to have the tough questions, but I want to make sure that we do what's right to everyone.

Commissioner Bergsman said I do have a question for Emily, but I wanted to add on to what Commissioner Quarles has said, first this was on the agenda which was published, so anyone could have come tonight that saw the agenda, spoke out whether they supported it or not, and obviously lots of folks did come out and support. I'm kind of confused. I want clarification from you because the way that I've understood it, and for example, we will be talking about this at our next agenda item with our committees and I know our Town Manager sends out a spreadsheet of all the different things that we're working on with regular updates, so I've seen this as this was a topic that Commissioner Dumas was, correct me if I'm wrong, assigned by the Mayor to work on. I don't think there's ever been any trying to

leave others out of the conversation. I'm sorry if that's how you feel. I'd like to know more about it, but that's not how I viewed it.

Commissioner Quarles said in the conversation that you and Commissioner Dumas have had is based on all people who are in favor of the NDO. I have spoken with people who are in favor, as well as oppose it. So again, there is leaving someone out because if you haven't taken the time to speak with someone that's going to be honest with you and give you a true assessment of yes, and here's the why, then you are leaving people out.

Commissioner Dumas said Commissioner Quarles, you asked me to bring you examples of folks that were in favor and I did that. I have seen zero emails from people who have told me they're not in favor and I have seen and heard from two people tonight, three people tonight, that said they weren't in favor and I've forgotten the gentleman's name, I'm terrible with names. The gentleman you just referenced that said that he is in favor of waiting until the next term. Mr. Foster is in favor. He's not in favor of it now for election reasons. I'm only guaranteed this one term, as we all are, and I believe that it's the right thing to do for my town. If it's the right thing to do in November after the election, it's the right thing to do now. I have a deep respect for our lawyer and we have had so many conversations over the last year, Ms. Sloop, and I so appreciate your time over the last year and we are going to have to agree to disagree. Being a woman in this male dominated industry, I've been in a male dominated industry, I totally understand where you're coming from and I hate to challenge you from the dais, I truly do. That being said, I've spoken with a number of attorneys over the last year who disagree with our lawyer's perception of authority.

As stated earlier, Charlotte passed their first NDO in 1968. From my understanding and my research, the only thing that has really changed in regards to authority since 1968 was a lawsuit that happened in 2001 called Williams vs. Blue Cross and Blue Shield of North Carolina. That case lost because it gave the citizens subpoena power and the right to sue. We are not doing that with our NDO. I did not write that into the NDO. I have spoken with Bob Hagemann who has a public memo online. You can Google it. This is public information. He had been the City of Charlotte's attorney for 24 years before being recruited to the Chatham County Attorney's office.

He has a differing opinion than our lawyer and he has a very public debate here with Dan Bishop. He states here, protecting citizens from discrimination falls within the broad police power and the business regulation power granted to North Carolina cities. While no North Carolina court has ruled on the issue of whether a non-discrimination ordinance falls within the police power or the business regulation power of a city, federal courts and other state courts have for over 50 years routinely found that non-discrimination ordinances applicable to businesses providing public accommodations are permissible under the police power of a city.

Let me talk about the Charlotte 1968 ordinance for a second. That ordinance was among the first significant local efforts in the south to address discrimination and public accommodations. That ordinance outlawed discrimination with public accommodation based on race, color, religion and national origin. It expanded civil rights to address racial segregation. It was part of a broader push to promote civil rights at a local level and the passage of this ordinance was controversial, especially in the segregated south where local governments had been reluctant to challenge the racial status quo. The Charlotte NDO became a landmark moment in the civil rights movement setting a precedent for other cities and municipalities in the south to pass similar anti-discrimination laws. This ordinance was challenged and there was significant resistance, which I have heard none. If you have people who are resistant, why aren't they emailing us? Why aren't they here speaking? The ordinance was challenged

and there was a significant resistance. However, it was an important step toward greater equality and continued momentum of civil rights efforts at a local level. If we don't have the authority now, it would seem that Charlotte didn't have the authority then. And I wonder what history would look like without it.

Commissioner Quarles said you say 1968. Charlotte, Mecklenburg County, Wake, Durham County and Winston-Salem revised the NDO in 2021, so for you to sit here and say 1968 to a black man who has dealt with discrimination, what did an NDO do for the African Americans from 1968 to 1921?

Commissioner Dumas said I just bulleted what the Charlotte NDO did. It pushed for civil rights to address racial segregation. I can't speak on behalf of the black community. I am just saying that I believe that we have none of that here. Charlotte had that starting in 1968. We don't have any of that, so can we start with something?

Commissioner Quarles said they had that, but how did it protect minorities from 1968 to 1921 when they made the revisions and that came because of losing dollars?

Commissioner Dumas said are you trying to say that there's no benefits to the non-discrimination ordinance and the civil rights amendment?

Commissioner Quarles said I'm not saying that. I'm asking you questions so I can make a sound decision if we come to time to vote.

Commissioner Dumas said I don't feel comfortable speaking on behalf of a black man. I don't think that's a fair question.

Commissioner Bergsman said I have a question for staff, but I wasn't sure if we're ready to move on, and I guess probably for Emily. I am curious, so when I've been doing my research on NDO's, there are two state statutes and laws that are often referenced. One is a police power statute and the other one is GS 160A-194. I also looked, and from what I can tell, all the 22 plus municipalities that currently have NDO's have not had any challenges to those since the sunset of HB142 in 2021. I'm just curious what your perspective is on municipal authority in relation to the two state laws that are typically given as reasons for that authority.

Ms. Sloop said first off, as to the other 22 jurisdictions, I don't know exactly what their rationale was based on. They may or may not have local legislation in place that would allow for NDO's. I don't know. I don't have all of their charters memorized and their local legislation. Let me just state that first.

Secondly, 160A-174 is what's known as our general police power, what gives us the authority to make ordinances in general and that is the section of Chapter 160A that the Williams vs. Blue Cross Blue Shield's case that they stated that, when I say they, the court, felt that that particular subsection of Chapter 160A was not broad enough to utilize as an authority for passing an NDO. Again, I have discussed this with Commissioner Dumas. I know that not all attorneys share the same opinion or legal interpretation of that case.

I will say that I've also done my due diligence and spoken with other attorneys and there are multiple other attorneys that also agree on that interpretation that it is not broad enough, so there are differing opinions on both sides of whether or not we could utilize that particular subsection. I know that in the memo that Commissioner Dumas had referenced that there was also a reference to the other

subsection. I'm unaware as to whether or not that is something that the other jurisdictions were utilizing. I have not seen that particular subsection come up in searches that I've done as an underlying statutory reference as to why an NDO was passed. But again, I can't speak for the attorneys that represent those jurisdictions as to what they were relying on for their rationale, if that makes sense.

Commissioner Bergsman said it does. And then there was kind of a second question folded into that that you might have missed. Are you aware if there have been or are there any current lawsuits against any of the 22 plus municipalities that have passed an NDO?

Ms. Sloop said that I do not know. I have not looked into that to see whether or not any suits have been brought against the 22 jurisdictions. I believe Commissioner Dumas said that there had not been, but I can't vet that. I know that in some of the earlier passings a couple years ago when they were coming out that several advocacy groups did threaten to sue and pursue litigation, but I don't know whether they did or not.

Commissioner Bergsman said then I just have one more question, probably for Anthony or whichever staff member wants to chime in, because I personally in all of this have thought the interlocal agreement would be one of the best options to look into, and that's why I want to hear what staff would say if we did the enforcement inhouse and a complaint came against the Town of Huntersville by complainant, how would that be handled?

Ms. Sloop said we have personnel policies in place that would apply to Town of Huntersville employees, if that's the question.

Commissioner Bergsman said I'm thinking more public.

Ms. Sloop said that is something that could occur. For example, if you are stating in the provision of government services such as if we were to offer a parks and rec program and someone alleged that they were discriminated against, although I will say that we do have a policy in the Town of not discriminating in the provision of services.

Commissioner Hunt said I have a couple of questions for staff. This question is about enforcement. If we were to do it inhouse, what happens if a business refuses to pay or engage in that process?

Ms. Sloop said we cannot force them to engage in a conciliatory effort. If they do not pay, then we would have the option of attempting to essentially go to court and have the court issue an order mandating that they pay the civil penalty. It's called a civil action in the nature of debt, so we would be required to go to court and seek that payment.

Commissioner Hunt said on the other hand, if we utilize the interlocal agreement, how would we pay those fees? Where does that money come from?

Ms. Sloop said that would be an Anthony question.

Mr. Roberts said if that's the route we would go down, we would probably set some money aside in the budget for those types of issues. We'd have to guesstimate, maybe I'd use Charlotte and say it is 10 at \$3,500. We'd have to just look at something like that if that's what choice you went down. But I would hope we would not go to court to collect \$250 because I'll just be honest, that'd be stupid. It costs us a whole lot more to try to collect \$250, so that makes no sense to me to do that.

Commissioner Hunt said Commissioner Dumas also referenced the ability to track complaints and so I'm wondering where these complaints would be tracked. Would residents be able to search that information? Where does that live?

Ms. Sloop said my best guess, because we don't have a system in place as of now, is that we would have to create a case intake form or a case complaint form and they would submit the form to the Town Manager's office and the complaint form itself would be one method of tracking it. Maybe we would create some sort of spreadsheet, something like that as to the classification as to what type of complaint it was. Again, because this is new, I don't know that we necessarily have anticipated in these early beginning stages of these talks how it would be tracked per se.

Commissioner Hunt said so if that information was being tracked, would we just be tracking someone who was found to violate or who's discriminating against others or would we be tracking any complaints?

Ms. Sloop said again, that's not something that has been fleshed out. I would just remind the Board that any documents that we receive would be subject to public records requests, so keep that in mind as well.

Commissioner Hunt said when Jennifer Roberts was here, she talked about a survey and I know that the Town doesn't typically send out surveys for ordinances and soliciting content or opinions about that, but could we send out a survey to hear about residents' experiences and sentiments about this?

Commissioner Dumas said I'm going to jump in just because if that's how the Board is going to feel comfortable with moving forward, then I'm willing to talk about that. From my perspective, I don't know if that question was for me, but my thought is we've heard from people, we've heard specific examples from people in emails and tonight in public comment. I guess I'm not sure what a survey would prove in addition. Do we need it? Are we asking if marginalized communities and people actually need extra protection from discrimination? I think that history has proven that is the case and that we only don't need it if racism has ended, sexism has ended, homophobia, transphobia, that's no longer in existence. To me, I don't know what a survey proves.

Commissioner Hunt said I'm just viewing it as another form of due diligence maybe just to involve more voices in the community because not all folks are following along with the proceedings here. Just another way to gather information. I guess one of the concerns that I'm having based on what we've heard is that according to our attorney, the person that we pay to advise us, is saying that we don't have clear statutory authority. That's a concern. It's also a concern that if a business refuses to pay, then we can't really hold them accountable unless we take them to court at some point, which depending on the violations, that may not be worth it for \$250 as Anthony pointed out. I guess in some ways this feels like I'm writing someone a check and if they cash it, it might bounce. Or as a former teacher, I didn't create rules that I couldn't enforce. These are some of the concerns that I'm having about it.

Commissioner Dumas said I understand all those concerns. We heard from people earlier today that talked about this is largely a statement to the community that needs to hear the statement. And I wouldn't want to sue over \$250, but having public record and figuring out that a business in town has had multiple citations.....if we have a business that's had \$10,000 worth of citations and is clearly an issue, then maybe we would consider suing them. But I understand that concern and if it's something

that we want to increase the fine on to make it more of an enforceable offense, I'm absolutely willing to talk about that.

When it comes to statutory authority, the authority I've already talked about, you're right, we have a lawyer that we pay and we have different interpretations. I've read and reread 160A-174 a million times to understand it for myself. And one of the things that's listed in it is that the police authority would cover the public health, welfare, safety, or convenience of our residents. And to me, that gives the authority of an NDO. We're talking about the public health, the welfare, and the safety of our constituents. I feel like we've heard from the community, I've already talked about that. If we want to do a survey, if that's going to help everybody feel more comfortable, that's fine. If that's what's going to be what helps folks get to a yes, we can do a survey, but I don't want to do a survey if everybody's going to be a no anyway.

I want to talk over the next couple of weeks before a vote about levers that will actually help folks decide that they can support this. In 2016, the authority was taken away from towns to move forward with NDO's. If we didn't have the power, why did they take it away? If we didn't have the power, why did we pass one? Why did Charlotte pass one in 1968 if we didn't have the power? Why did we add on to that and amend that a million times since? I repeat in 2016, the NCGA took the power away and then the bill expired and they did nothing to reinforce it, allowing 22 plus towns to move forward. If we didn't have the power, why did that expire and why have no lawsuits happened with these other 22 plus towns?

Commissioner Hunt said I guess another concern that I have, as you were mentioning that it made me think of this, sometimes municipalities will pass ordinances or will create rules, whatever, and then Raleigh takes that power away and they take it away for everybody, like the plastic bag ban, for example. I think that's a real possibility as well.

Commissioner Dumas said you're absolutely right. I think that is the goal of showing how many towns are in favor of this. The strategy isn't just that Huntersville has a non-discrimination ordinance. It's that North Carolina has a non-discrimination ordinance. In order to send that message to North Carolina, the goal is to have towns such as ourselves show that it's important to them. That's how we get one for North Carolina. The more towns that move forward with it, the less authority they have to take it away. Could they? Yes. Our president could do that it seems lately. And if he does, if they do, at least we tried and we sent a message for now.

Commissioner Bergsman said there's a couple things I often hear, and not just tonight, but in general. The Town Attorney being described as our attorney. And I kind of just want to make it clear to whoever's listening that our Town Attorney, who does an excellent job, his role is to protect not myself, not Mayor Clark, not the Board. It's to look out and protect the Town. And Emily, you do a good job at that. You do a very good job at that and you're paid to be cautious. That is part of your job description and I understand that. But what I also think about is that when you look at history, and for example in my husband's family, he has family that only survived the Holocaust because they provided shelter when it was not allowed, when it was against the law. And there just are times where what's right and what's moral has to take precedence.

Mayor Clark said Commissioner Quarles, I was thinking about your question about the 1968 ordinance in Charlotte, and I'm not a historian, but I would imagine just from context clues that the impact of that kind of ordinance led to the desegregation of public schools. It led to the removal of that separate but equal policy because it made that illegal. That would've been one of the steps in making those things

possible. Now I have to go back and fact check myself on this, but that would be where I would put my mind if thinking about a 1968 ordinance and how it would've helped with the Civil Rights movement at the time. But that's something you and I can sit down and do some more research on. That's kind of where my brain was thinking about.

The next thing that's been on my mind a lot is Commissioner Bergsman and I went to a presentation by the Anti-Defamation League earlier this year, and I'm not sure I can get through this without getting choked up, but one element of that was the extreme impact of antisemitism in our country that's on the rise and the incidence of antisemitism and hate against Jews is second only to hate against people of color, of black and brown people. And so when I have been thinking about this NDO and what it means and what it does for us, it has become vitally important to me to make sure that the message is sent that people are safe in our community. And so whether a \$250 fine might not be enforceable or what other towns have done is not really something that weighs on me because what weighs on me more is making sure that the people that live in our community feel safe here. And this is one way for us to do that. And so that's something I just want us to think about as we continue to move forward with our discussions.

I do think all these things and suggestions and ideas are beneficial and that it kind of opens the conversation and that we can find a pathway forward if we continue to work together and have open lines of communication. That is our expertise up here at this dais is what we do to go really well together as we speak to each other and with respect and that we try to work together to resolve issues. I hope that we'll continue to do that and find a pathway for this so that we can get it on the agenda.

Commissioner Quarles said I thank you for that comment, but when we bring up the NDO, people should not shy away from critical conversations or the tough conversations. If you want to talk about the NDO, we need to be real about it. And you mentioned about what the NDO did in 1968, but also during that time we had redline in districts. Again, the NDO was there, but my point was how did it protect people 100 percent. How did it fully protect someone? Again, she mentioned that the proclamation serves no purpose. And if you want to bring back to the history, I would tell you that an NDO in the past, it served no purpose. When I say served no purpose, I have been discriminated against. I know others who have been discriminated against from employment opportunities, from housing opportunities. These are firsthand experiences. When I say served no purpose, it may serve a purpose for some people, but I know some who it didn't serve a purpose, too. By me saying these things, I respect every person that came here and spoke in favor of the NDO. I respect it and I understand where they're coming from, but I also ask people to respect where I come from, because as my notes, my comments I'm going to say, some people have never been discriminated against, so you don't know where I'm coming from when I make these comments.

If we can't have critical conversations, and that's part of leadership, that's a leadership course if we can't have critical conversations, then we need to scratch this because in discussing this, to move forward and move this town forward, we have to have the critical conversation. And it's uncomfortable to have these conversations. I know it's uncomfortable, but I'm bold enough to say these types of things because if we want to move forward, understand the path that someone else who's been discriminated against, understand the path and the shoes they've walked in. That's all I'm asking us to do. And again, I'll say it again, I'm in favor of the NDO, but we need to be able to, when we go out and talk to someone who's not in favor of it.....my friends, he's gone. He and his husband gone, dear friends of mine, I can help. We have those conversations, but because a black man makes these conversations, I know I'm making you uncomfortable. And that's the purpose of it because talking about the NDO makes me uncomfortable. So what makes you uncomfortable? Why can't I be uncomfortable?

Commissioner Dumas said I'm not uncomfortable. I don't know. I don't feel like.....

Commissioner Quarles said maybe the comment that came across, I don't want to seem like.....

Commissioner Dumas what is it about the NDO that makes you uncomfortable?

Commissioner Quarles it doesn't fully protect everyone. You have different municipalities, 22 out of 552 and the 22, all of them are different. Not one of them are identical. If it's for every person equally, whether it's Huntersville, whether it's Wake County, why shouldn't and why can't it be the same? Why can't we just take what Davidson has or what Charlotte has and copy the same thing.

Commissioner Dumas said I took.....

Commissioner Quarles said exactly. Why can't we copy.....

Commissioner Dumas said and Charlotte has, and I drafted it based on feedback in conversations.

Commissioner Quarles said we would not be having this discussion tonight if you would've taken the NDO that Charlotte has or Davidson or Mecklenburg County, if it's word for word. I don't think we.....

Commissioner Dumas said let's do that. Let's get the Charlotte ordinance. We'll copy and we'll move forward with that next week or the next meeting.

Mayor Clark said or we can look at the Davidson and Charlotte one and compare and contrast.

Commissioner Quarles said in addition to.....

Mayor Clark said but we have to make sure that we are accommodating our staff and what else that entails.

Commissioner Quarles said it also requires a lot more, Mayor Clark, because we just talked about it'll be a \$3,500 or \$25 burden. We need to discuss all these things. If we're going to move forward, are we going to stay what they have, but we also need other discussions. What burden or financial burden it's going to cost maybe a small business and/or our town. We have to be wise. We have to be good stewards.

Mayor Clark said of course, absolutely.

Mr. Roberts said I was just going to say we need clear direction of where we're going to go if we have a, I'm going to say a draft ordinance that folks have probably seen that we have. If it is to get on the agenda, two people need to add that to the agenda. We know that. And just to be very clear, if it gets on the agenda on the first reading, it has to have a super majority vote to pass the first reading. If it does not have a super majority, but it has enough, a majority, it has to go to a second reading to pass. I just want to be very clear with everybody. If we're going to change the ordinance to be Charlotte's or whatever, just make sure we have four people that say we want to do that, because what I don't want to do is go waste time doing this versus that and then four people tell me, we didn't tell you to do that, Anthony and three said did. I just want clear direction so that Emily and I can do whatever the majority of this Board wants to move forward with and we're good. That's all I need to hear. But until two Board

members say put it on the next agenda, it won't be on the next agenda unless two people say do it just like this made it tonight.

Mayor Clark said can I sort of say at this point, let's have staff provide to the Board the non-discrimination ordinance for Charlotte and Davidson for us to compare and contrast, and then we will either arrange meetings with you and/or Emily to discuss what elements that we feel are appropriate for Huntersville. Does that work for everybody?

Ms. Sloop said I'm happy to provide those documents to you all, but I do want to state that, just to clarify because I don't want any misunderstanding, my concerns about lack of statutory authority are not based on the enforcement mechanism utilized in the different ordinances, whether it was enforced by civil penalty, enforced by some sort of, it couldn't be mandated, but attempt at conciliatory reconciliation, whether it was enforced by trying to seek an order of abatement or an injunction, etc. Whatever's in our toolbox for enforcement.....that is not my concern. My concern is to pass the ordinance in the first place.

We need authority to do so. Not only do we need to figure out what enforcement mechanism would be appropriate for Huntersville and that would be something that the Board would have to consider. I just wanted to put it out there that it's not the method of enforcement, it's the lack of statutory authority in my opinion as to what my biggest concern is. I do agree with Anthony that enforcement is the second biggest concern, but I wanted to make it very clear that whichever way that we chose to enforce it, I still, from my own professional legal opinion, don't feel that we have clear cut authority.

Mayor Clark said back to that next step. Is the next step for each of us to have copies of the ordinances for Charlotte and Davidson and then we review them in small groups.

Mr. Roberts said that's easy. We can send you those two ordinances, but after that, four people need to tell us to move forward.

Mayor Clark said then after that, if we come to an agreement of whatever that is.

Mr. Roberts said whatever that looks like, just so that we're following the majority of the Board.

Mayor Clark said is that good with everybody?

Commissioner Bergsman said could we add in Apex or my concern, and I definitely want the Board to see all of Charlotte's, I'd hesitate that it's not, it's like an apple to oranges comparison. There's an amendment of an ordinance that's been existing for a while. It's in multiple, depending on whether it's in regards to public housing, employment or public accommodations and I know it's in different sections of the municipal code, so I just want to make sure that everybody would also have enough resources in addition to just that one.

Mayor Clark so you're requesting we also have Apex in the mix to have a set of three, is that what you're saying?

Mr. Roberts said we can send you tons of ordinances. I mean probably all 22 if I can find them. But that's just tell us what you want and we'll send those to you and then give us some direction.

Mayor Clark said alright, so that's our next step.

Commissioner Dumas said I'm more than willing to have conversations about tweaks and discussion about ways to get to a unanimous vote. Like I said, I took pieces, if not most, 99 percent of this from Apex and then feedback over the last year to get it to where it is now. I want to be moving towards a yes and I want to be looking at taking a vote in March. Next steps we'll have small groups and discussions and we'll look to have a vote on the March 4 meeting.

Commissioner Quarles said I'm not in favor of that, commissioner. The Mayor Pro Tem asked for a survey. Now you're strong arming us for a couple of weeks.

Mayor Clark said Commissioner Quarles, I forgot the survey. I'm sorry. That's my fault. We can work, these things can be done hand in hand in parallel. We can review things and also have a survey. Mr. Smith is nodding at me, yes, that we can do these two things at the same time. I'm sorry, that's my fault. I didn't mean to forget that part.

Commissioner Bergsman said before a survey goes out, would we be able to see what that's going to look like? I mean I am okay with a survey that's asking for stories or things like that, but any kind of survey that asks, would you like an NDO in Huntersville I am 100 percent not okay with, I mean my years of working in the human rights field, you don't ask a majority to give an opinion on the rights of a minority.

Mayor Clark said I think we would probably have to go back and look what Charlotte did and then see if we don't want to recreate the wheel.

Mr. Roberts said we would send whatever survey questions that the group came up with. We would make sure four people want to roll out with those, whatever those questions are. And that's what we roll with. But four people will decide at least what goes out. It won't be Anthony. It won't be Ethan.

Mayor Clark said so we have clear direction to the staff to assist us with sample ordinances to be sent to the Board and then discussions after that. And then also a survey that will be reflective somewhat of whatever Charlotte did that we'll all review and review the results of that. I think we can conclude our discussion on item 10 A.

Committee Assignments/Advisory Boards. Mayor Clark said we put this on the agenda because we as a Board have committee assignments over the course of this past year. Some of the committees that we have had or organizations where we've had liaisons assigned have been dissolved like the Lake Norman Economic Development Commission and then I have been assigned to other commissions. We're probably going to take a look at each of these different places where Board members are appointed as liaisons and also where staff has a commitment to take minutes to do recordings, etc. and kind of revamp and streamline based on our needs. What I would like for you to do is to get for us the attendance, how often these boards have met, how many staff are assigned to them to support them all. Basically, the nuts and bolts of what it takes to have all these advisory boards and committees so that we can make sure that we're using everyone's time wisely and making sure that we are equally represented as I have kind of taken on extra wards and other people on this dais don't have representation with committees, so we'll figure it out.

Anthony Roberts said like you said, LNTC is a new one. EDC we've done away with, so we'll just seek feedback from the Board on this to make some changes. As the Mayor said on the appointed boards, we'll get that information. I think what you said is gather that information, bring it back to the Board

because we've made some changes. Just like for instance on the Arts Committee they were not meeting, so I think we pushed those back to quarterly meetings. We'll get you that information by the next meeting so we can have some more discussion.

Mayor Clark thank you. I appreciate that.

CLOSING COMMENTS

None

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

Approved this the 1st day of April 2025.