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VILLAGE OF MARVIN

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VILLAGE COUNCIL REGULAR MEETING

April 12, 2016 – 6:30 p.m.

Banks Fellowship Hall

Agenda

1. **ADOPTION OF AGENDA**
- TS 1:19 2. **PLEDGE OF ALLEGIANCE**
- TS 1:48 3. **UPDATE FROM UC BOARD OF EDUCATION LIAISON JASON MARTON**
- TS 26:32 4. **PUBLIC COMMENT**
- TS 34:10 5. **ADMINISTRATOR'S REPORT**
- TS 51:00 6. **PLANNING BOARD UPDATE**
- TS 55:50 7. **CONSENT AGENDA**
 - a. Adopt the 3/8/2015 Regular Meeting Minutes
 - b. Adopt the 3/11/2016 Regular Retreat Minutes
 - c. Adopt the 3/12/2016 Regular Retreat Minutes
 - d. Adopt the 3/17/2016 Special Meeting Minutes
 - e. Adopt the 3/24/2016 Special Meeting Minutes
 - f. Adopt the March 2016 Treasury Report
 - g. Call for a Public Hearing to be held April 28, 2016 at 5 p.m. at the Village Hall for Temporary Use Permit 16-11643 for a Sales Office in a Model Home at The Courtyards At Marvin Subdivision
 - h. Call for a Public Hearing to be held April 28, 2016 at 5 p.m. at the Village Hall for Temporary Use Permit 16-11655 for a Sales Office in a Model Home at the Tullamore Subdivision
 - i. Affirm the DRB Approval of Amber Meadow Entry and Frontage Design Plans and Entry Concept Plan
 - j. Affirm the DRB Approval of The Courtyards at Marvin Plans
 1. Elevations and Architecture of Residential Homes
 2. Amenity Center/Clubhouse Construction Drawings
 3. Clubhouse Planting Plan
 4. Typical Unit Landscape Plans
 5. Recreation Equipment as part of the landscaping plan
 6. Signage Plan for Way-Finding
 7. Landscaping Plan for North boundary
 8. Entranceway Landscaping – Tree Planting Plan
 9. Entrance Sign Details as revised on Sheet L3.2
 10. Entranceway Vegetative Landscaping Details
 11. All vegetative landscaping in accordance with Ordinance provisions and/or conditions of the preliminary/construction plans and plan notes not specifically address previously
- TS 55:58 8. **PUBLIC HEARINGS**
 - a. Temporary Use Permit #16-11642 to allow the Village of Marvin's Spring Movie Night to be held Friday, May 13, 2016
 1. Discussion and Consideration of TUP #16-11642
- TS 101:02 9. ***DISCUSSION AND CONSIDERATION OF THE COURTYARDS OF MARVIN ENTRANCEWAY SIGN COPY AND THE ENTRANCEWAY DESIGN DETAILS (HARDSCAPE) FOR THE DRB APPROVAL PROCESS***
- ** 10. **UNFINISHED BUSINESS**
 - TS 129:37 a. Discussion of Amending the Village Charter to Change the Term of Office for the Mayor
 - TS 134:38 b. Discussion of Engineering Fees
 - TS 152:03 c. Discussion of Vision Statement and Mission Statement
 - TS 159:37 d. Discussion of Council Goals
 - ** e. Discussion of Amending the Meeting Schedule to Add Joint Meetings with the Planning Board
 - ** f. ~~Discussion of Village Hall Project~~

11. NEW BUSINESS

a. ~~Discussion and Consideration of The Courtyards of Marvin Entranceway Sign Copy and the Entranceway Design Details (Hardscape) for the DRB Approval Process~~

TS 206:48 a. Discussion and Consideration of Appointment to the Planning Board for Two Seats with Terms Expiring 3/1/2016 (Mary Shkut and Rich Holzberg)

TS 207:34 b. *Discussion and Consideration of Appointment to Planning Board for Vacant Seat Expiring 3/1/2018*

TS 209:20 c. Discussion of Firethorne HoA Decision on Marvin Loop

d. ~~Update on Greenway Planning~~

TS 214:18 d. Park Update

1. ~~Discussion of Amending CUP~~

2. Tree Issue

TS 218:35 **11. REVIEW ACTION ITEMS**

TS 221:25 **12. COUNCIL COMMENTS**

TS 228:00 **13. ADJOURNMENT**

** *Revised at meeting.*

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Mayor Pollino called the meeting to order at 6:30 p.m.

Quorum was determined with the following members in attendance: Mayor Joe Pollino, Councilman Nick Dispenziere, Councilman Robert Epps and Councilman Ron Salimao.

Mayor Pro Tem Brian Beaty was absent.

The following staff was present:

Lisa Thompson, Administrator/Senior Planner

Melody Graham, Clerk

Melanie Cox, Attorney

ADOPTION OF AGENDA

Councilman Salimao added a new item 10.c (*Discussion and Consideration of Appointment to the Planning Board*). He removed item 10.f.1 (*Discussion of Amending Park CUP*).

Councilman Dispenziere removed item 10.d (*Update on Greenway Planning*).

TS 1:11 **Motion:** Councilman Salimao moved to adopt the agenda as amended.
Vote: The motion passed with a unanimous vote.

TS 1:19 **PLEDGE OF ALLEGIANCE**

TS 1:48 **UPDATE FROM UC BOARD OF EDUCATION LIAISON JASON MARTON**

Jason Marton, UC Board of Education Liaison to Marvin, gave an update on the UCPS. He reported:

This is a busy time for the Union County Board of Education. The Board is working on the 2016-2017 Budget for the school system, we have passed a resolution requesting that a bond be placed on the November 2016 ballot for the voters of Union County and we are in the process of a superintendent search. One item to note from the April Board Meeting is that the Board of Education voted to award a one-time teacher bonus using \$2.5 million dollars from our current operating budget.

A couple of items to note:

- 1) The Finance Committee asked that the Superintendent put a line item in the budget for Curriculum and Instructional Materials, both traditional and digital. We believe it is critical that we continue to ask for the materials we need in the classroom.
- 2) We continue to work to increase teacher pay through a county supplement. We received \$2.5 million dollars last year and want to work with the county to get our teachers on par with the districts near UCPS.
- 3) Capital will remain an important part of the overall budget. Whereas the bond, which I will discuss in a moment, is aligned to the larger brick and mortar construction CCEP projects; the annual capital budget is needed for our school improvement projects, roofing, and unplanned maintenance (the items that just crop up that you can't plan for - a chiller or boiler that breaks for example).

The Board of Education passed a resolution at the April Board Meeting asking the County Commissioners to place a bond before the voters of Union County in November 2016. This bond is for \$231 million dollars and covers major construction projects at 27 schools across Union County as well as system wide projects. These projects include:

- Additions and renovations at: New Town Elementary, Western Union Elementary, Piedmont Middle, Porter Ridge Middle, Monroe High, Porter Ridge High, Rocky River Elementary, Rock Rest Elementary, Wingate Elementary, South Providence, Benton Heights Elementary, East Elementary, Union Elementary, Sardis Elementary, Parkwood Middle, Sun Valley Middle, Weddington Elementary, Weddington Middle, Piedmont Middle, Cuthbertson Middle, Monroe Middle, Prospect Elementary, Marshville Elementary, Indian Trail Elementary, and Hemby Bridge Elementary.
- A new facility for Sun Valley High School with the addition of an Advanced Technical Center (Sun Valley hybrid). This will provide the Sun Valley community the updates they need at Sun Valley High as well as providing additional Career and Technical Education opportunities for students across Union County Public Schools. The academies available at the Center will include: Aviation, Construction, Engineering, Health, Information Technology, Media, Public Safety, Transportation and Human Services. What an amazing way to continue to provide students in Union County the educational opportunities they are requesting.
- A new stadium at CATA.
- Updates to the Professional Development Center so that we can continue to invest in those that invest in our students.
- A new Transportation Facility.

As you can see, these projects span the county and seek to address MCRs, stability and equity. Dr. McKibben reviewed the updated construction plan and stated that it was "a strong plan" and he also stated that he endorsed the Sun Valley High School hybrid plan. As you may remember, Dr. McKibben is the demographer who provides forecasts to both UCPS and Union County on growth. The County Commissioners must now decide if they will place the bond before the voters in November.

With the retirement of Dr. Ellis the Board of Education must also focus on finding the right person to lead UCPS and ensure we continue to lead the state. Michele Morris and Dr. John Jones have stepped up to take interim positions during the search process. Their knowledge of UCPS will provide stability and allow us to focus on finding the perfect new superintendent instead of having to also focus on an interim search. The Board of Education has enlisted the help of the NC School Board Association for the search process. We are in the midst of the application process now as well as gathering community and employee feedback on what people want to see in the new superintendent. Everyone is encouraged to take the survey to provide feedback. Visit <https://www.surveymonkey.com/r/N352GBM> to participate.

Dr. Ellis and her staff have continued on a legacy of greatness for UCPS and as a system we were lucky to have her. It is now time to move forward and find that new leader that will both continue what she and her predecessors started but also put their own stamp on UCPS. UCPS rank 7th in the State for School districts with the highest graduation rate in the state at 93.1%.

The Council thanked Mr. Marton for the update. Mr. Marton departed the meeting at 6:55 p.m.

PUBLIC COMMENT

TS 26:32 Gary Palmerson, 301 Appomattox Dr.

Mr. Palmerson stated: He attended a Council meeting three years ago where the public spoke against taking over Marvin roads. There were approximately 20-30 people who spoke out against this. Since that time, the Council withdrew from the Powell Bill program and the state has changed the rules. This Council has now decided to get back into the program. It's not a good idea. The Village doesn't have the knowledge for taking over roads and street repair is expensive. The Village is going to need additional staff to participate in the program and attorney costs are going to increase, as will engineering fees. You will receive Powell Bill money, but it won't be enough to cover the cost. It doesn't make sense for the Village to be in

the program. The Council is going to have to raise taxes in order to take over roads. This will impact people for years to come. The Council is taking on right-of-way improvements, snow removal, and stormwater issues. This is the worse idea ever heard. He recommends that the Council not re-enter the Powell Bill program. The Village needs more answers and the decision should be put to a referendum for voters.

TS 34:10 ADMINISTRATOR'S REPORT

Ms. Thompson reviewed the Administrator's Report.

Deputy Report

- Staff created a report showing the number of events by month per Council's request. This report and the March Deputy report are attached (*See Attached: The Deputy Report is hereby incorporated by reference and made a part of these minutes*).

PRG Board

- The PRG Board held their regular monthly meeting on April 5. They made a recommendation on the Broadmoor Subdivision pertaining to parks and greenways. They discussed the current year budget and made recommendations on items to be completed this year. They began a discussion on next year's projects and asked staff to prepare a budget for their review. They discussed the status of the Village greenway system and are planning a site walk of the Preserve easement that connects Marvin School Rd to Marvin Rd. The PRG proposed the idea of constructing a pavilion at Marvin Efirid Park and would like Village Council's input.

Planning Board

- The Planning Board will be considering the following items in April; Broadmoor Subdivision Sketch Plan, elevations for the Amber Meadow's Subdivision (DRB), a sign monument for the Preserve phase 4, and a final plat for Epcon phase 2. They will also begin reviewing development standards, and conditional zoning/design review board processes.

Complaints/Violations

- Staff constructed a violation/complaint status report per Council's request.
- Staff has drafted a response letter to the resident with the drainage issues per a request from Mayor Pollino. Staff would like Council approval to send the letter, following Attorney review.

Transportation

- A 32-day call for new STP-DA projects was approved by the TCC on 4/7/2016. The TCC also approved a subsequent call for STP-DA projects following the release and review of the DRAFT 2017-2027 TIP scheduled for December of 2016. The project call will end on Monday, May 9.
- Staff will work with NCDOT to apply for funding for the Marvin/New Town road roundabout project. Additional resources are available on NCDOT's local programs management webpage
- The Village Engineer's pavement analysis is complete. Staff will add this to the work session agenda for discussion.

Board Vacancies

- Planning Board – 2 vacancies
- PRG Board – 1 vacancy
- BoA – 1 vacancy (alternate seat), 1 member who would like to step down (Terri Patton)

The Council directed staff to have the Attorney review the response letter and once approved to have the Mayor sign it and mail it to the resident.

TS 51:00 PLANNING BOARD UPDATE

Mary Shkut, Planning Board Chair, updated the Council on the DRB process. She explained: The Consent Agenda items received approval from the Planning Board performing the functions of the DRB. There were two items that the Board did not recommend, so these items are under New Business for Council discussion. She will remain available for any questions during that discussion.

- TS 55:11** **Motion:** Councilman Epps moved to amend the agenda to move item 10.a
(*Discussion and Consideration of The Courtyards of Marvin Entranceway Sign Copy and the Entranceway Design Details [Hardscape] for the DRB Approval Process*) to proceed the *Discussion of Amending the Village Charter*.
- Vote:** The motion passed with a unanimous vote.

TS 55:50 CONSENT AGENDA

- TS 55:52** **Motion:** Councilman Salimao moved to adopt the Consent Agenda as presented.
- Vote:** The motion passed with a unanimous vote.

The following actions were taken:

- Adopted the 3/8/2015 Regular Meeting Minutes
- Adopted the 3/11/2016 Regular Retreat Minutes
- Adopted the 3/12/2016 Regular Retreat Minutes
- Adopted the 3/17/2016 Special Meeting Minutes
- Adopted the 3/24/2016 Special Meeting Minutes
- Adopted the March 2016 Treasury Report (*See Attached: The Staff Report is hereby incorporated by reference and made a part of these minutes*).
- Called for a Public Hearing to be held April 28, 2016 at 5 p.m. at the Village Hall for Temporary Use Permit 16-11643 for a Sales Office in a Model Home at The Courtyards At Marvin Subdivision
- Called for a Public Hearing to be held April 28, 2016 at 5 p.m. at the Village Hall for Temporary Use Permit 16-11655 for a Sales Office in a Model Home at the Tullamore Subdivision
- Affirm the DRB Approval of Amber Meadow Entry and Frontage Design Plans and Entry Concept Plan
- Affirm the DRB Approval of The Courtyards at Marvin Plans
 1. Elevations and Architecture of Residential Homes
 2. Amenity Center/Clubhouse Construction Drawings
 3. Clubhouse Planting Plan
 4. Typical Unit Landscape Plans
 5. Recreation Equipment as part of the landscaping plan
 6. Signage Plan for Way-Finding
 7. Landscaping Plan for North boundary
 8. Entranceway Landscaping – Tree Planting Plan
 9. Entrance Sign Details as revised on Sheet L3.2
 10. Entranceway Vegetative Landscaping Details
 11. All vegetative landscaping in accordance with Ordinance provisions and/or conditions of the preliminary/construction plans and plan notes not specifically address previously

TS 55:58 **PUBLIC HEARINGS ON TEMPORARY USE PERMIT #16-11642 TO ALLOW THE VILLAGE OF MARVIN'S SPRING MOVIE NIGHT TO BE HELD FRIDAY, MAY 13, 2016**

- TS 56:15 **Motion:** Councilman Salimao moved to open the public hearing on Temporary Use Permit #16-11642 to allow the Village of Marvin's Spring Movie Night to be held Friday, May 13, 2016.
- Vote:** The motion passed with a unanimous vote.

No one signed up to speak.

- TS 56:22 **Motion:** Councilman Dispenziere moved to close the public hearing.
- Vote:** The motion passed with a unanimous vote.

DISCUSSION AND CONSIDERATION OF TUP #16-11642

Ms. Thompson presented the staff report.

Staff Report

The Marvin Village Council is to consider a request for Temporary Use Permit #16-11642 to allow the Spring Movie Night to be held at Marvin Efird Park on Friday, May 13, 2016 from 6 pm to 10 pm.

Spring Movie Night will be held Friday, May 13, 2015 from 6 pm to 10 pm. Pre-movie activities will begin at 6 pm and the movie will be presented at dusk, approximately 8:15 p.m. There will be set up prior to the event and clean up after the event. The event will feature the Disney movie "Inside Out" and movie themed entertainment.

- Nature hike or scavenger hunt around Marvin Efird Park.
- Craft – in the barn.
- Color Sheets – in the barn.

There will be a snack served during the movie.

Marvin Zoning Ordinance

Per the Marvin Zoning Ordinance §151.051, the Village Council may issue a temporary use permit for public events such as festivals, concerts, carnivals, circuses, fireworks displays, etc. only after a public hearing has been conducted. Before issuing the temporary use permit, the Village Council shall make the following determinations:

1. The proposed temporary use will not materially endanger the public health, welfare and safety.
2. The proposed temporary use will not have a substantial negative effect on adjoining properties.
3. The proposed temporary use is in harmony with the general purpose and intent of the ordinance and preserves its spirit.

In addition, the Village Council may authorize conditions regarding duration of the use, hours of operation, signage, lighting, temporary structures, etc. and such conditions shall be made part of the temporary use permit issued. The applicant shall be responsible for acquiring any permits required by other local, state, or federal agencies prior to the issuance of the temporary use permit by the Village of Marvin. Violations of such conditions shall be considered a violation of this Ordinance.

Marvin Noise Ordinance

The Marvin Noise Ordinance exempts noise resulting from any event held in recognition of a community celebration, or national, state, or county events or public festivals or parades and noise created by any public recreational activity.

Parking

As most guests will arrive in groups, sufficient parking will be available on site in designated parking areas. Additional parking is available across from the rear parking area, if needed.

Outside Agencies

The Marvin Deputy will provide security and traffic control during the event. Union County Environmental Health has reviewed the event.

Staff recommends approval of Temporary Use Permit #16-11642 to allow the Marvin Movie Night to be held at Marvin Efird Park on Friday, May 13, 2016 from 6 pm to 10 pm.

TS 56:45 **Motion:** Councilman Salimao moved to approve Temporary Use Permit #16-11642 for the Village of Marvin Movie Night to be held Friday, May 13, 2016 from 6-10 p.m. at Marvin Efird Park.

Mayor Pollino recommended that staff look into renting lights for the parking areas as these are very dark at the end of the event. The Council agreed and directed staff to move forward with renting the additional lights.

Vote: The motion passed with a unanimous vote.

TS 101:02 **DISCUSSION AND CONSIDERATION OF THE COURTYARDS AT MARVIN ENTRANCEWAY SIGN COPY AND THE ENTRANCEWAY DESIGN DETAILS (HARDSCAPE) FOR THE DRB APPROVAL PROCESS**

Ms. Thompson reviewed the staff report.

Staff Report

At the March 15, 2016 regular meeting of the Planning Board, the Board performed the functions of the Design Review Board in regard to the review of the Courtyards at Marvin subdivision. The Board approved the majority of the plans, but had concerns over two topics that the Village Council shall consider:

- 1) The Board approved the subdivision sign copy 'Courtyards at Marvin' with the condition that the sign only read 'The Courtyards at Marvin. The applicant requests that they be permitted to include the developers name on the sign.
- 2) The Board found that the entrance way hardscape plan to be significantly different from the conceptual plan (L0.1-0.2) approved during the rezoning. The new plan (L3.1) does not have the gatehouse, additional stone columns within the median, the colored paving, and the arbor gateway. The board requested the applicant to describe the differences and reasoning for the changes. The applicant reported back that he wasn't present during the rezoning process and therefore couldn't fully explain the difference between the concept plan that was submitted under rezoning verses what they have now. His assumption is that NCDOT wouldn't allow nor want the responsibility of maintaining the colored tiles in the road and they won't allow structures within a certain distance of the roadway.

The Council discussed the Courtyards at Marvin entranceway sign and design details in depth.

TS 105:55 **Motion:** Councilman Salimao moved to approve the entrance sign details as shown on plan L3.2 (*See Attached: This document is hereby incorporated by reference and made a part of these minutes*) affirming the DRB decision to not allow the developer's name (An Epcon Community) to be included on the Courtyards at Marvin subdivision entrance sign.

Vote: The motion passed with a unanimous vote.

Ms. Thompson reviewed the submittals for the entranceway, L0.1 – entrance concept, L0.2 Entrance Concept and L3.1 – entrance planting plan (*See Attached: These plans are hereby incorporated by reference and made a part of these minutes*). She explained: The Planning Board found that the entranceway plan significantly different from the concept plan which was approved during the rezoning. The new plan is missing the colored textured paving, the additional columns in the median, the arbor/gateway, the gatehouse and the extension of the black metal fencing. She spoke with NCDOT and they will permit these items, but they will not maintain the road with the textured pavers, so that will have to be included in the maintenance agreement. She believes the Council at the time of the rezoning did not want a gatehouse due to issues with other neighborhoods at that time. It was also decided that any gates or fencing should be anchored and be for decorative purposes only.

The Council discussed the Courtyards at Marvin entranceway design details in depth. The Council agreed that the applicant has substantially changed the approved plan without approval from the Village. They agreed to the following:

Textured Pavers

The Council agreed that the development plan should include the colored textured pavers. They agreed that they need to approve the color of the pavers prior to installation.

Median

The Council agreed that they would like the median developed as originally submitted on the L.01 concept plan to include the gatehouse and three columns. They agreed that this is important to break up the view of the high density housing and to improve the terminal vista. They agreed that the columns should be constructed of stone, not brick, and that all maintenance should be done by the HoA.

TS 127:01 **Motion:** Councilman Salimao moved to require that the developer construct the Courtyards at Marvin entranceway as shown on the original Entrance Concept Plan L0.1 and Entrance Concept Plan L0.2 as approved during the rezoning and to require that the applicant obtain approval of the color of the textured pavers prior to installation

Vote: The motion passed with a unanimous vote.

Mayor Pollino called for a brief recess at 8 p.m.
Mayor Pollino reconvened the meeting at 8:05 p.m.

TS 129:37 **DISCUSSION OF AMENDING THE VILLAGE CHARTER TO CHANGE THE TERM OF OFFICE FOR THE MAYOR**

Ms. Graham reviewed the staff report.

Staff Report

The Village Council discussed the possibility of amending the Village Charter at the Council Retreat and directed staff to gather information on the process. The NCGS allow for a city to change the terms of office for the Mayor and/or Council members by Ordinance. It does not have to occur by vote of the General Assembly.

The Council must first adopt a resolution of intent to consider an ordinance amending the charter. At the same time the resolution of intent is adopted, the Council calls for a public hearing on the proposed charter amendments. A notice of public hearing shall be published at least 10 days prior to the public hearing. Following the public hearing, but not earlier than the next regular meeting of the Council and not later than 60 days from the date of the hearing, the Council may adopt the ordinance. Following the adoption of the ordinance, the Council shall publish a notice stating that an ordinance amending the charter has been adopted and summarizing its contents and effect. The public then has 30 days to file a referendum petition. If no petition is filed, then the ordinance becomes effective. If a petition is filed, then the matter must be subject to a vote of the people.

- TS 134:21** **Motion:** Councilman Epps moved to begin the process for amending the Village Charter to change the term of office for the Mayor from two years to four years.
- Vote:** The motion carried with a unanimous vote.

TS 134:38 **DISCUSSION OF ENGINEERING FEES**

Ms. Thompson reported: She has heard that the Council is concerned with the increase in engineering fees. What we've been charging back to the developer is for site plan review, preliminary plat/construction plan review, final plat review and bond reduction review. This is what the Ordinance allows the Village to charge back. We also charge back consultations where we are reviewing plans and issues arise that require site visits/meetings. We've had a number of big projects requiring Engineer time with cost estimates for trails and parking lots and general inspections of special projects or complaint driven issues. The biggest increase in fees is with general inspections. Basically the engineer is coming out one day a week and going through all the subdivisions under construction, meeting with construction managers and review what's going on throughout the Village. This costs the Village approximately \$75/hour, which is \$3000/month and \$36,000/year. There is no way to charge this back to the developer. However, our fees are high enough to cover these costs, however, we don't have a process in place to directly associate the engineering costs back to that fee in the budget. She would like Council input on if this is something the Village should continue to do.

The Council discussed the engineering fees in depth. Councilman Salimao asked if the fees should be included under zoning instead of the professional category. Ms. Thompson agreed.

The Council discussed a possible stormwater surcharge fee for inspections. Ms. Thompson agreed to check on this.

The Council directed staff to review the fee schedule and build in engineering costs. Staff agreed to do perform a study on review times and estimate fees.

Councilman Epps asked if the Village could expand on the reimbursement of engineering fees in the Ordinance. Ms. Cox stated that she believes this would require legislation from the General Assembly. She does not believe the Council could create a new fee without authority from the state.

Councilman Epps would like to see a penalty schedule created for engineering violations. Ms. Thompson explained that the Village holds bonds which are not released until the development is built as approved.

The Council agreed that the Village Engineer should continue with the weekly general inspections and that staff should review the fee schedule and build in engineering costs.

The Council agreed to continue the discussion during the budget discussions.

TS 152:03 **DISCUSSION OF VISION STATEMENT AND MISSION STATEMENT**

Ms. Graham presented the staff report.

Staff Report

The Village Council discussed the mission statement, vision statement and Council goals at the Planning Retreat. Council directed staff to make suggested changes, email the revised documents to the Council and to add this as an agenda item for additional discussion and consideration.

Vision Statement

We envision the Village of Marvin to be a place that attracts residents by providing well-planned residential neighborhoods, open space for recreation, and promoting our historical roots while maintaining our small town community atmosphere. We also want to grow responsibly within the Village's sphere of influence while maintaining community identity.

Mission Statement

We will strive to build strong relationships with all of our citizens and always remember that the role of government is to serve the people. We will be open and transparent at all times.

We will cultivate our relationships with our constituency by embracing our core values: respect, integrity, tolerance and commitment to excellence. With these core values in mind, we envision a government that is respectful to all citizens.

We envision a government that recognizes that the integrity of its reputation is paramount, that is tolerant, but will not tolerate disrespect or dishonorable actions.

Council Goals

- **Ordinances**
 - Clarify
 - Improve consistency
 - Ensure Compliance
- **Village Hall Construction**
 - Confirm site location
 - Determine financial planning
 - Identity anchor for Village Center
 - Historic Village Center
- **Greenway Planning and Development**
 - Prioritize greenway and loop development
 - Identify funding
 - Construction
 - Determine and plan for on-going maintenance needs
- **Land Use Plan**
 - Explain what LUP is
 - Finalize updating plan
- **Communication**
 - Dynamic website
 - Information push to community
 - Weekly Council hours
 - Meetings with Homeowners Associations

- **Branding**
 - Recognizing Village Limits
 - Establishing Identity
- **Service to Residents**
 - Subdivision road safety
 - Intersection road improvements – partnering with NCDOT
- **Land Acquisition**
 - Protect open space where possible
 - Negotiate easements for connectivity where possible
- **Resources**
 - Determine what is needed to accomplish goals
 - Consider personnel

TS 158:56 **Motion:** Councilman Salimao moved to approve the Mission Statement and Vision Statement as presented.

Vote: The motion passed with a unanimous vote.

TS 152:58 **DISCUSSION OF COUNCIL GOALS**

The Council reviewed the goals as outlined in the previous staff report.

Councilman Salimao recommended adding the following to the ‘Service to Residents’ goal: *In light NCDOTs limited maintenance to subdivision streets and roads, the Village shall develop a plan to assume maintenance of subdivision streets and roads in order to protect homeowner’s values.*

The Council agreed to have staff add the recommended goal and to forward the revised goals via email. Council will contact staff with any additional thoughts/concerns and then staff will post the goals to the website.

TS 159:37 **DISCUSSION OF AMENDING THE MEETING SCHEDULE TO ADD JOINT MEETINGS WITH THE PLANNING BOARD**

Ms. Graham reviewed the staff report.

Staff Report

The Village Council and a few members of the Planning Board held a discussion at the Planning Retreat about scheduling joint meetings. The Council agreed that two joint meetings should be scheduled. Staff would like input from the Council on possible dates for these joint meetings to occur. Would Council prefer to hold the joint meetings on scheduled work session days or on scheduled Planning Board meeting days? Staff would like additional direction in order to schedule the joint meetings.

The Council discussed possible joint meetings with the Planning Board. They agreed that one meeting should occur during a regular Council meeting and one meeting should occur during a regular Planning Board meeting. The Council agreed to June 30 at 6:30 p.m. and October 18 at 6:30 p.m. They directed staff to check these dates with the Planning Board and if acceptable, to add an amendment to the meeting schedule at the May meeting.

TS 205:59 DISCUSSION OF VILLAGE HALL PROJECT

The Council agreed to table this topic. Councilman Salimao requested that this item and Powell Bill be added to every agenda for any updates.

TS 206:48 DISCUSSION AND CONSIDERATION OF APPOINTMENT TO THE PLANNING BOARD FOR TWO SEATS WITH TERMS EXPIRING 3/1/2016 (MARY SHKUT AND RICH HOLZBERG)

- TS 207:01** **Motion:** Councilman Salimao moved to re-appoint Mary Shkut and Rich Holzberg to the Planning Board with terms expiring 3/1/2019.
- Vote:** The motion passed with a unanimous vote.

TS 207:34 DISCUSSION AND CONSIDERATION OF APPOINTMENT TO PLANNING BOARD FOR VACANT SEAT EXPIRING 3/1/2018

- TS 207:42** **Motion:** Councilman Salimao moved to appoint Jennifer Slotten to a vacant seat on the Planning Board with a term expiring 3/1/2018 (*See Attached: Ms. Slotten's Oath of Office is hereby incorporated and made a part of these minutes*).
- Vote:** The motion passed with a unanimous vote.

TS 209:20 DISCUSSION OF FIRETHORNE HOA DECISION ON MARVIN LOOP

Mayor Pollino explained: He received a letter from the FCC new HoA president concerning the easement for the Marvin Loop. The HoA has decided that they do not want to move forward with allowing an easement on their property to place the loop. He would like to meet with the HoA Board to explain the purpose of the Loop and to update the HoA on the process. He would like to confirm who owns the land under consideration for the Loop as he isn't sure if it is the HoA or the Country Club. He will confirm this and report back to the Council.

TS 214:18 PARK UPDATE

Ms. Graham reviewed the staff report.

Staff Report

As Council knows, a member of the Walden Pond HoA contacted Village Staff with information about a large tree falling from the park property into the pond. The HoA requested that the Village pay to have the tree removed from the pond. Staff had an arborist investigate the tree to determine if the Village was liable for removing it and to receive an estimate on the cost to remove it. In addition, staff researched the issue with the School of Government staff. Both reported that the NC common law does not hold property owners liable for natural conditions that might cross a boundary unless the condition was caused by an unreasonable use. The tree fell from natural causes. The arborist estimated the cost to remove the tree at approximately \$3000. Staff also had the Union County Urban Forester look at the tree. He agreed with the previous determination that the responsibility for removing the tree falls to the property owner. He added that it would be a good idea to leave the tree in the pond as it is a great habitat for wildlife, both above and below the water.

Staff would like direction from Council in order to respond to the Walden Pond HoA in regards to either partnering with the HoA on the cost of the tree removal or leaving the cost solely with the property owner.

Council discussed the tree issue in depth. They agreed that they would like to see the downed tree remain as a natural habitat for wildlife, but if the Walden Pond HoA wants the tree removed, it should be at the HoA cost per NC law.

TS 218:35 **REVIEW ACTION ITEMS**

Ms. Graham reviewed the action items:

- Amend the agenda as adopted
- Add 'Road Condition Analysis' to work session agenda
- Forward response letter to resident complaint about erosion to Village Attorney for review; have Mayor sign final copy; mail letter
- Post the Deputy Report to the website
- Staff to obtain cost estimate for light rental for Movie Night
- Adopted minutes – sign, seal, add attachments, scan, post to web, file
- Notify Epcon (Courtyards at Marvin) of Affirmation of DRB Approvals
- Notify Epcon (Courtyards at Marvin) of Affirmation of DRB requirement to not allow developer name on entrance sign
- Notify Epcon (Courtyards at Marvin) of Council decision to develop entranceway according to original entranceway concept and that columns should consist of stone
- Notify Pulte (Amber Meadow) of Affirmation of DRB Approvals
- Public Hearings – complete legal requirements, add to April work session agenda
- Draft Resolution of Intent to Amend Charter for Mayor's term of office – begin process for amendment, add to May regular agenda
- Staff to review fee schedule to build in engineering costs
- Post Mission Statement and Vision Statement to website
- Revise Council goals as discussed, email to Council for any additional suggestions, post to website
- Schedule joint meetings with Planning Board; confirm dates with PB; amend meeting schedules to add meetings
- Add Village Hall project to April work session agenda
- Mayor Pollino to confirm ownership of Firethorne Country Club property for possible Loop easement
- Planning Board appointments – update contact sheets, website, board history with reappointments and new appointment
- Staff to draft letter to Walden Pond HoA concerning tree issues

COUNCIL COMMENTS

TS 221:25 Councilman Dispenziere welcomed Ms. Slotten to the Planning Board and thanked her for her willingness to serve. He thanked staff for all their hard work. He added: We need to be more diligent with our planning projects to ensure that developers are doing what they have been

approved to do. It seems like some developers are looking to bend the rules where they can. We need to make sure we are following projects very closely from start to finish.

TS 223:17 Councilman Epps stated: He agrees with Councilman Dispenziere's comments on developers actions. The Council expects fairness from developers and we need to hold them to what they've been approved to construct. Thanks to staff for all their hard work. He is glad that Ms. Thompson is back after her leave. He firmly believes that the Council is going down the right path with the decision to re-enter the Powell Bill program.

TS 224:20 Councilman Salimao welcomed Ms. Slotten to the Planning Board and thanked her for her willingness to serve. He added: Mr. Burman will be missed on the Board. He appreciates all the years of service that Mr. Burman gave to the Village. The Village needs to get information out to residents on the Powell Bill program. Residents need the facts, not misinformation.

TS 225:27 Mayor Pollino added his thanks to Ms. Slotten for her willingness to serve on the Planning Board. He added: He is glad Ms. Slotten is involved with the Village. It's people like her who make the Village what it is. He agrees with Councilman Dispenziere on ensuring that developers are following through on their approved plans. The Village needs to be consistent with our process. He thanked everyone for reaching out during his families difficult time with his mother-in-law's passing, thanking everyone for their thoughts and prayers. This weekend is Marvin Ridge HS prom and he is hopeful that students will be smart and safe and have a good time. He has been enjoying his pass from the UCPS for sporting events and offered his thanks to the School Board for the pass.

ADJOURNMENT

Ts 228:00 **Motion:** Councilman Salimao moved to adjourn the meeting at 9:03 p.m.
 Vote: The motion passed with a unanimous vote.

Adopted: _____

Joseph E. Pollino Jr., Mayor

Melody A. Graham, Clerk