



VILLAGE OF MARVIN

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10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

VILLAGE COUNCIL REGULAR MEETING

November 8, 2016 – 6:30 p.m.

Banks Fellowship Hall

Agenda

1. ADOPTION OF AGENDA

TS 2:36 2. PLEDGE OF ALLEGIANCE

TS 2:57 3. PUBLIC COMMENT

TS 3:11 4. PRESENTATION BY ANDREW WOODWARD ON BOY SCOUT EAGLE SCOUT PROJECT

TS 16:00 5. ADMINISTRATOR'S REPORT

TS 18:44 6. PLANNING BOARD UPDATE

TS 102:57 7. CONSENT AGENDA

- * a. Call for Public Hearing to be held Tuesday, December 13, 2016 at 6:30 p.m. at ~~Banks Fellowship Village~~ Hall for Proposed Text Amendments to Section 150.073 Slopes and to Add Section 151.067 Titled Lot Grading and Retaining Structures for Individual Lots of Record
- * b. Call for a Public Hearing to be held Tuesday, December 13, 2016 at 6:30 p.m. at ~~Banks Fellowship Village~~ Hall for Proposed Text Amendments to Chapter 97 PARK AND RECREATION: Section 97.07 Prohibited Activities
- * c. *Amend the Regular Meeting Schedule to Move the Location of the December 13, 2016 Meeting to Village Hall*

** 8. NEW BUSINESS

- TS 103:05 a. Discussion and Consideration of Barcroft Subdivision Sketch Plan
- TS 142:11* b. *Information Discussion with Oakbrook Subdivision HoA Representatives on Roads*
- TS 201:18 c. Discussion and Consideration of SR 2 Resolution to Abandon Roads in Providence Downs
- TS 225:37* d. *Discussion on Meeting Protocol*

** 9. UNFINISHED BUSINESS

- TS 230:48 a. Discussion and Consideration of Proposed Text Amendments to Title XI: Business Regulations, Adding a New Chapter 110 Panhandling, Begging, Solicitation and Canvassing
- TS 231:26 b. Update on Village Hall Project

TS 256:12 10. REVIEW ACTION ITEMS

TS 259:14 11. MOVE INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (A)(1)(6) TO ADOPT THE CLOSED SESSION MINUTES OF 9/8/2015, 12/8/2015 AND 3/24/2016 AND TO DISCUSS PERSONNEL MATTERS

12. COUNCIL COMMENTS

13. ADJOURNMENT

* *Revised at meeting.*

** *Order revised at meeting.*

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

Mayor Pollino immediately recessed the meeting to Village Hall.
Mayor Pollino reconvened the meeting at 6:32 p.m. at Village Hall.

Quorum was determined with the following members in attendance: Mayor Joe Pollino, Mayor Pro Tem Brian Beaty, Councilman Nick Dispenziere and Councilman Ron Salimao.

Councilman Robert Epps was absent.

The following staff was present:
Lisa Thompson, Administrator/Senior Planner
Melody Graham, Clerk
Melanie Cox, Attorney

ADOPTION OF AGENDA

Mayor Pro Tem Beaty amended the Consent Agenda, adding a new item 7.c (*Amend the Regular Meeting Schedule to Change the Location of the 12/13/2016 Regular Meeting to Village Hall*) and changing the location of the public hearings in 7.a and 7.b to Village Hall.

Councilman Salimao added a new item 9.c (*Informal Discussion with Oakbrook Subdivision HoA Representatives on Roads*). He moved New Business to proceed Unfinished Business.

Mayor Pollino added a new item 8.d (*Discussion of Meeting Protocol*).

TS 2:29 **Motion:** Councilman Dispenziere moved to adopt the agenda as amended.
 Vote: The motion passed with a unanimous vote.

TS 2:36 **PLEDGE OF ALLEGIANCE**

TS 2:57 **PUBLIC COMMENT**

No one signed up for public comment.

TS 3:11 **PRESENTATION BY ANDREW WOODWARD ON BOY SCOUT EAGLE SCOUT PROJECT**

Andrew Woodward, Boy Scout Troop #101, presented a possible Eagle Scout project for Council review. He explained: He would like to build a fire pit at Marvin Ebird Park in the old corral area. The fire pit would be centered and surrounded with four benches. He would add gravel around the pit and benches for additional safety and burn protection. The fire pit will be constructed with keystone wall blocks with a firestone insert. The benches will be constructed of wood and set into the ground with concrete.

The Council discussed the Eagle Scout project in depth.

- TS 14:19 **Motion:** Councilman Salimao moved to approve the proposed Eagle Scout project presented by Andrew Woodward.
- Vote:** The motion passed with a unanimous vote.

TS 16:00 **ADMINISTRATOR'S REPORT**

Ms. Thompson presented the staff report. She stated: We are pleased to report that the FY16 audit was completed and submitted to the LGC last week. The auditor did not identify any misstatements in the financial statements or material weaknesses in internal controls, and noted that areas for improvement identified in the prior year's audit have been addressed.

She reviewed the following highlights from FY16:

- At June 30, 2016, we have Capital Assets of \$3.3 million with only \$178,000 in outstanding debt. This debt will be fully repaid in February 2018.
- We also have a \$1.1 million capital projects budget in process which is funded totally by savings (fund balance) and current year net revenue (i.e., no new debt will be incurred for these projects).
- During FY 16, Council paid \$700,000 to NCDOT for the New Town Road roundabout project. \$200,000 was from Fund Balance (savings) and \$500,000 was from Toll Brothers.
- Toll Brothers donated 3.55 acres of land valued at approximately \$156,000 to the Village which will be the site of the new Village Hall.
- Current Year Net Revenue increased the Fund Balance by \$122,558, which was made up of \$90,104 fee-in-lieu received from a developer, and \$32,454 remaining from current operations after using \$340,000 for the capital projects budget previously mentioned.
- At June 30, 2016, the ending Fund Balance was \$2.2 million – which was comprised of \$1.1 million in the General Fund and \$1.1 million in the Capital Projects Fund.

Councilman Salimao pointed out that in 2009 when he first came into office, there was only \$72,000 in net assets. He added that the Council has made a lot of changes to accumulate the funds that we have today – 3.3 million in net assets.

Ms. Thompson added her thanks to Ms. Graham for helping the Council to organize the dedication of the Lanny Openshaw Cornhole Court. She added that the event was very well attended and was very nice. She thanked the Council for their participation in the event.

TS 18:44 **PLANNING BOARD UPDATE**

Ms. Shkut reported:

- Barcroft Subdivision - The Planning Board was generally pleased with the Barcroft Subdivision plans, especially with the preservation of trees around the perimeter and the

reconfiguration of the entrance. It may not be optimal, but it is better than where it was. The staff report covers the Planning Board's main concerns.

- Regency Center/Marvin Gardens – There is a lot going on with planning projects, so she is pleased that the Marvin Gardens project has been finalized and approved. It was a good meeting.
- Land Use Plan/Small Scale District/Master Plan – There have been several meetings on this topic, including a joint meeting. The Planning Board took a field trip and met with Shook Kelley. There has been a lot of input on this topic, as well as a lot of confusion. She would like to clarify Council direction for the Planning Board.

Ms. Shkut continued: She would like to gather input from the Council and report back to the Planning Board. This should answer some of the questions that the Board has. The Board will then be able to chart a clear path forward in this project. She'll start with the Shook Kelley meeting. The Planning Board had a good, preliminary meeting with Shook Kelley representatives. There was very good dialogue and the meeting was very useful. The take-aways were that there is a definite difference between a Land Use Plan and a Master Plan and the importance of involving the public stakeholders. She believes a Master Plan project will be a longer process of involvement, with the necessary input needed from key stakeholders.

She added: The other item that has come up in conversations lately is the Land Use Plan survey that was completed in 2013. She has heard from a few people that it might be helpful to complete a new survey. She reviewed the 2013 survey process and results with the Council and asked if the Council feels it is worthwhile to complete a new survey.

The Council discussed the LUP survey and agreed that the 2013 survey is still relevant and that there is no need to update the survey at this time.

Ms. Shkut added: The way she understands these projects is that project 1 is essentially the Land Use Plan and creating district standards, which involves Conditional Use Permits for uses. This is the first task that the Council has asked the Planning Board to look at and deliver. The hope was to have this at least drafted by the end of the year. The question then becomes where the master plan project fits in. She proposes that the Planning Board continue to work on the Land Use Plan and update the district standards for conditional uses and then the Master Plan will continue to be pursued but there isn't necessarily the same timeline on this project. The Council might consider bringing in consultants. At that point, the Land Use Plan will be completed, so you'll have something to base the Master Plan on. She sees the Master Plan as a process that will take a longer amount of time to complete.

The Council discussed the Land Use Plan and Master Plan projects in depth. The Council agreed that the Planning Board should focus on the Land Use Plan project first, then work on the Master Plan project. The Council discussed the possibility of holding a joint meeting with the Planning Board at the Board's December meeting. They agreed to determine if there is a need to do so at the regular December Council meeting.

TS 102:55 **CONSENT AGENDA**

- TS 102:58 **Motion:** Councilman Salimao moved to adopt the Consent Agenda as previously amended.
- Vote:** The motion passed with a unanimous vote.

The following actions were taken:

- Called for a public hearing to be held Tuesday, December 13, 2016 at 6:30 p.m. at Village Hall for proposed text amendments to Section 150.073 Slopes and to add Section 151.067 titled Lot Grading and Retaining Structures for Individual Lots of Record
- Called for a Public Hearing to be held Tuesday, December 13, 2016 at 6:30 p.m. at Village Hall for proposed text amendments to Chapter 97 PARK AND RECREATION: Section 97.07 Prohibited Activities
- Amended the regular meeting schedule to move the location of the December 13, 2016 meeting to Village Hall

TS 103:05 **DISCUSSION AND CONSIDERATION OF BARCROFT SUBDIVISION SKETCH PLAN**

Ms. Thompson presented the staff report.

Staff Report

The applicant, Essex Homes, is seeking Sketch Plan approval for 27 residential lots on 41.31 acres, located at 8517 Bonds Grove Church Road (Parcel 06-186-017).

	Existing Land Use	Zoning Designations
Subject Property	Residential	R-Marvin Residential
North	Belle Grove Subdivision	R-Marvin Residential
South	Valhalla Subdivision	R-Marvin Residential
East	Barrington	Waxhaw CU R-3
West	Residential	Union County R-40

The Barcroft subdivision sketch plan consists of 27 lots on 41.31 acres. The overall density is .65 units per acre which is well below the maximum density of .86 units per acre. The average lot size is 33,633 square feet. The minimum lot size is 30,000 except up to 20% of the lots can have a minimum of 25,000 square feet. All lots under 30,000 square feet are required to abut conservation land. All lots meet the minimum lot widths and front, side and rear yard setbacks.

The applicant has more than 38% conservation land - which includes BMP's, a 100' stream buffer, recreation land, interior and exterior tree preservation, a 285' viewshed buffer along Bonds Grove Church Road, and open space. The applicant has provided a landscape/tree preservation plan. Two street trees and two rear yard trees are required per lot. Tree mitigation has been provided within the exterior tree buffer and viewshed buffer until 90 trees per acre is achieved. Screening along existing residential lots has also been provided.

Staff has completed the initial review and finds all comments to be addressed. Staff has also received letters from UCPW, NCDEQ and NCDOT. The maintenance plan/agreement has been provided and is going through a formal review by all parties.

The applicant held two required PIMs on September 12, 2016. One meeting was conducted on-site and the other meeting was held at Village Hall. Notices were mailed to all property owners within 1300 feet. Approximately thirteen residents attended the PIM. Concerns from the residents included: lighting, greenway location/trespassing, traffic, overcrowding schools, ecosystem, tree save, wetlands, buffers, and sewer capacity.

The Parks, Recreation and Greenways Board (PRG) reviewed the plans on October 11, 2016 and made recommendations with the emphasis on greenways, conservation land, and open space. The applicant is required to provide 6.19 acres of conservation land and is providing 15.87 acres. In addition, the applicant is required to dedicate and construct 33,615 square feet (.77 ac) public trail/open space based on the number of homes proposed or pay a fee-in-lieu of approximately \$19,727. The decision to accept the dedication or fee-in-lieu shall rest with the Council after PRG's recommendation. The PRG Board agreed that a connection between Barcroft and the multi-use trail along the Belle Grove Subdivision on the other side of Bonds Grove Church Road would be beneficial, especially in attempting to connect to the powerline easement. The Board recommended that Village Council accept a negotiated fee-in-lieu and to have staff and the developer determine the best location for a safe crossing to allow residents to access the paved trail on the opposite side of Bonds Grove Church Rd.

The Planning Board reviewed the sketch plan on October 18, 2016. The Board unanimously recommended approval with the following conditions: that the development be subject to the Village Engineering Standards and Procedures Manual upon adoption; all references made to NCDOT acceptance shall be changed to the Village of Marvin; that the tree mitigation plan and notes be amended to reflect the tree mitigation plan of one tree per 500 sq. ft. as required by Chapter 93 Tree Ordinance and trees shall be preserved to the greatest extent possible or practical between adjoining lot lines 8 and 11 and 7 to 12. The Planning Board further requested that the applicant consider a right-hand turn lane into the subdivision or other alternative that might facilitate safer ingress.

Since the meeting, the applicant has updated the plans to reflect that the roads will have to meet the Village of Marvin Engineering Standards and Procedures Manual, and all references to NCDOT were changed to Village of Marvin, and the tree preservation required by code has been depicted. The applicant agreed to look into alternatives for the subdivision entrance, but are not prepared at this time to make any commitments.

Following Planning Board recommendation, the Sketch Plan will proceed to Village Council. Once the Sketch Plan is approved, a Preliminary/Construction Plat shall be submitted within one year before it becomes null and void. After Staff review, Planning Board and Council will review the Preliminary/Construction Plat. Approval of the Preliminary/Construction Plat shall not authorize the installation of improvements. The applicant is to obtain a Land Development Permit. The Land Development Permit shall not be issued until all conditions, if any, on the approved preliminary/construction plat are satisfied. Prior to final plat approval, all performance bonds for improvements will be required. Recommendation Staff recommends approval of the Barcroft Subdivision Sketch Plan with the condition that trees shall be preserved to the greatest extent possible or practical between adjoining lot lines 8 and 11 and 7, 12 and 13.

Ms. Thompson introduced Brian Iagnemma and Tracy McCormick, applicant representatives. Mr. Iagnemma reviewed the site plans, building product, layout, and development plans. He explained that they have met and in many cases, exceeded the Village's development requirements.

The Council discussed the Barcroft Subdivision Sketch Plan in depth.

Councilman Salimao stated: He sat in on the PRG meeting presentation. They have made good changes to the plans since that meeting. He is overall pleased with the plan and especially likes the 38% conservation land. He expressed concern with the entrance into the neighborhood. He is hopeful that the applicant will reconsider the addition of a right hand turn lane into the subdivision for safety. Mr. Iagnemma explained: They did have a conversation with NCDOT. They are not a proponent of having a right-hand turning lane coming into the neighborhood. NCDOT is the governing body of Bonds Grove Church Rd., so we feel we have to adhere to what they propose.

Mayor Pro Tem Beaty asked what the percentage of the 38 % conservation land is unbuildable/floodplain. Ms. McCormick explained that she did not have that number with her but that she would forward the information to staff.

Mayor Pro Tem Beaty asked about the original entrance that aligned with Belle Grove and if it is possible to move the entrance back to that location. Ms. McCormick explained: That would not pass the site distance requirements for NCDOT.

Mayor Pro Tem Beaty stated: The problem is that the road that you are aligning to is a single-family residence. He understands that this is where the original driveway is for the existing single-family residence is located, but it's a big difference when you change it to a subdivision entrance. This will be very disruptive to a pre-existing homeowner. He would like to see the entrance moved back to the original proposed location. He is not in favor of having traffic from a subdivision exiting into someone's existing estate home. It's obvious to anyone who drives by that estate home that it will not be subdivided and developed in the foreseeable future. Mr. Iagnemma explained: Going back to the Public Involvement Meetings, there was more opposition to having the neighborhood entrance at the original location than to where they are proposing it today. They have heard zero concern about the proposed location. The original entrance location is an environmental mess that they want to avoid, especially as the new location is just as safe, if not safer than the original proposed location.

Mayor Pro Tem Beaty added: He would like to see NCDOT improve this road. He thinks it's important to have a collective meeting with DOT about road improvements. It's time to invest in improving this road instead of pushing the problem to the future. The meeting should include representatives from Marvin, Waxhaw, Union County and developers. The path of least resistance is not the right answer here. This is not all on the applicant, but should be a collective process. Mr. Iagnemma stated: He is trying to sell the fact that he believes his proposed entrance is better for all, including their future residents and those traveling on Bonds Grove Church Rd. He believes that the diagrams that have been provided to Council show why this is the better location for the entrance, considering the site distance.

Mayor Pro Tem Beaty stated: He is being transparent and letting everyone know that he is not in favor of the current plan. He believes this warrants some additional investigation and discussion with DOT. He believes that DOT needs to pitch in here. He thinks the applicant has done a great job with the development, but the one fly in the ointment is the entrance. He is making this decision for safety. He will take proactive measures and communicate with DOT. He believes the better overall solution is to get the road, the site line and the elevation fixed.

The Council discussed Bonds Grove Church Rd. issues and the neighborhood entrance in depth.

Mr. Iagnemma asked the Council what the next step will be. He stated: This sounds great. We can all work together. But what if it takes five years? He has a plan that has met and exceeded all of the Village Ordinances and we don't have a solution from NCDOT. This is a by-right submittal. Ms. Thompson stated: Legally, the Council will be judging if the plan meets the Ordinance. What she hears from Council is the desire to have a larger conversation with DOT on road improvements. In the meantime, considering those road improvements, is this the best location for the access drive. The take-away seems to be a needed conversation with DOT, so the project could be tabled until the December meeting, allowing us to gather additional information.

- TS 140:08** **Motion:** Councilman Salimao moved to table the *Discussion and Consideration of the Barcroft Subdivision Sketch Plan* to the December 13, 2016 Council meeting.
- Vote:** The motion passed with a unanimous vote.

The Council agreed to amend the agenda to move the Oakbrook Subdivision discussion to the current topic of discussion.

TS 142:11 **INFORMATION DISCUSSION WITH OAKBROOK SUBDIVISION HOA REPRESENTATIVES ON ROADS**

Ms. Thompson introduced Wendy Weeks, the Oakbrook Subdivision HoA president.

Ms. Weeks explained: The neighborhood is preparing for the annual HoA meeting. One of the topics that the neighborhood would like to discuss is roads. They are an older neighborhood and are 100% built out. Their roads are 15-18 years old and are greatly in need of maintenance. All but one of their residents are Marvin taxpayers and he is willing to contribute to the road maintenance. They are not on the 5-Year Plan and would like information on how they can move up on the Village's road acceptance plan in order to get the subdivision roads accepted and maintained.

Councilman Salimao gave the background on the Powell Bill and why the Council decided to take on road maintenance within subdivisions. He explained the process for road acceptance, detailing the process of how the Village Engineer reviewed all Marvin subdivision roads to rate the roads and rank them for acceptance.

The Council discussed the roads plan and the Oakbrook roads in depth. Councilman Salimao explained: The cost of the road improvements for the entire subdivision would be divided equally among the property owners. The Village will cover the cost for the property owners and the non-taxpayer would be assessed the same amount.

Council directed staff to forward the road information to the Oakbrook Subdivision representatives.

TS 204:18 **DISCUSSION AND CONSIDERATION OF SR 2 RESOLUTION TO ABANDON ROADS IN PROVIDENCE DOWNS**

Ms. Cox explained: She has spoken with Lee Ainsworth, Division Engineer with NCDOT following last month's meeting about the abandonment of roads in the Providence Downs subdivision. DOT requires the Village and the County to adopt a resolution approving the abandonment of the subdivision roads. She has not found anything in the State Statutes requiring this, but it is a DOT policy. She has prepared four resolutions for the Council to consider. The first approves the abandonment; the second explains that the Village has no language in our ordinances to support this, but that the Council finds the abandonment acceptable; the third takes no position for or against the abandonment and the fourth opposes the abandonment.

Ms. Cox added: Mr. Ainsworth explained that because these are secondary roads, the Homeowners Association has the authority through the by-laws and CCRs, to take this action with a required amount of resident support, not 100%. If these were main roads it would take 100% of the property owners to approve.

Councilman Salimao stated: This is contrary to what the Village was previously told. We were told in recent years that a subdivision required 100% of homeowners to support the privatization of roads.

Mayor Pro Tem Beaty stated: This has not been changed. He looked at the statutes after the last meeting when we first discussed this issue. The subdivision has not been re-platted showing that the roads have gone from public to private. This is the first requirement as part of the condemnation process. These roads are currently deeded public right-of-way. In order to gate the roads, they must go private and be re-platted. The changed plat needs to be recorded with the UC Register of Deeds prior to conveyance to the HoA or a private body. He wants to ensure that all of the Marvin residents followed this process. His concern is if the Village is complicit in doing something that a resident is opposed to, allowing a lawsuit for the taking of property. There is a lot of case law pertaining to this. He would like every Marvin homeowner to give a letter of indemnification to hold the Village harmless for privatizing the roads.

The Council discussed the Providence Downs roads in depth.

Councilman Dispenziere stated that he would like to see the Village ordinances changed to allow private roads. The Council agreed.

The Council discussed a possible indemnification letter for the residents to sign. Ms. Cox stated: She doesn't see anywhere in the Statutes that require the Council to be a part of this process. This is a DOT policy. She does not see a legal requirement for this. The Council could do nothing and this still could happen.

The Council directed staff to draft an indemnification waiver for the Marvin residents in Providence Downs subdivision to sign.

TS 223:50

Motion: Mayor Pro Tem Beaty moved to have staff put together a list that enumerates all of the effected or identified landowners in this particular matter and track the status of receipt of those indemnification letters and that the HoA facilitate the solicitation for the required signatures on the indemnification letter.

Vote: The motion passed with a unanimous vote.

TS 225:37 **DISCUSSION ON MEETING PROTOCOL**

Mayor Pollino explained: At the last Council meeting, he did not realize that Ms. Shkut would be a participant in the meeting. It was fine that she was, but he thinks it's important to have a protocol in place when the Council has guest speakers who are not listed on the agenda, especially for the public to understand what's going on. He appreciates the relaxed nature of Council meetings, but thinks speakers should be identified or called upon to participate in public

meetings. All Council members should know about guest speakers in advance, if possible. This is especially important for the ‘optics’ of meetings for the public. He also sees it as a courtesy for the Council, and allows him to announce the guest speaker as part of the meeting.

The Council discussed meeting protocol. No action was taken.

TS 230:48 DISCUSSION AND CONSIDERATION OF PROPOSED TEXT AMENDMENTS TO TITLE XI: BUSINESS REGULATIONS, ADDING A NEW CHAPTER 110 PANHANDLING, BEGGING, SOLICITATION AND CANVASSING

TS 231:01 Motion: Mayor Pro Tem Beaty moved to table this discussion to the December 13, 2016 regular meeting.
Vote: The motion passed with a unanimous vote.

TS 231:26 UPDATE ON VILLAGE HALL PROJECT

Ms. Thompson provided an update on the Village Hall project. She explained: Staff has received the draft preliminary site plan for the project (*See Attached: The Village Hall draft site plan is hereby incorporated by reference and made a part of these minutes*). The Council previously discussed a corner setting for the Village Hall, so it would be visible from both New Town and Marvin School roads as well as pedestrian connectivity. The plan incorporates that discussion. There is a large, paved, circular area next to the building that is planned for emergency vehicle turn-around. This is required by the Fire Marshal. The Village will be required to stormwater detention and erosion control.

The Council discussed the preliminary site plan in depth.

Council directed staff to investigate the possibility of creating an area for emergency vehicles to use for 3-point turns or an emergency vehicle secondary access point, instead of the round-about area and report back to Council and to include on-going maintenance costs.

Ms. Thompson added: The Marvin Loop currently ends at The Preserve subdivision entrance. The developer will continue the loop across their property. The adjoining property owner, Mr. Vasireddy, has agreed to grant the Village an easement across the front of his property to allow us to connect the loop to the Village Hall property. The trail will then connect behind The Preserve and go out to Marvin Rd. This will be a natural trail at this point and will require a bridge, which has been budgeted. She anticipates that we will break ground in April. The New Town, Waxhaw Marvin & Marvin roads round-about should go to bid in March.

TS 256:12 REVIEW ACTION ITEMS

Ms. Graham reviewed the action items.

- Amend the agenda as adopted
- Notice for change in location for December regular meeting
- Public Hearings – legal notices with new location

- Eagle Scout project – mark area for firepit and notify park staff and PRG
- Forward Barcroft Subdivision floodplain/conservation land information to Council – how much of this area is unbuildable
- Add Barcroft sketch plan to December meeting agenda – staff to check with NCDOT about road improvements for Bonds Grove Church Rd.
- Staff to forward road engineering information to Oakbrook Subdivision HoA
- Providence Downs road abandonment project – staff to create indemnification waiver and create a table for tracking Marvin residents’ responses
- Peddling Ordinance – add to December agenda
- Investigate possible second entrance for Village Hall site/check with Fire Department about possible area for 3-point turn instead of full turn around

TS 259:14 MOVE INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (A)(1)(6) TO ADOPT THE CLOSED SESSION MINUTES OF 9/8/2015, 12/8/2015 AND 3/24/2016 AND TO DISCUSS PERSONNEL MATTERS

Motion: Mayor Pro Tem Beaty moved to go into closed session at 9:30 p.m. pursuant to NCGS 143-318.11 (a)(1)(6) to adopt the closed session minutes of 9/8/2015, 12/8/2015 and 3/24/2016 and to discuss personnel matters.

Vote: The motion passed with a unanimous vote.

Mayor Pollino called for a brief recess at 9:30 p.m.
Ms. Graham departed the meeting at 9:30 p.m.
Mayor Pollino reconvened the meeting at 9:38 p.m.

RECONVENE INTO OPEN SESSION

Motion: Mayor Pro Tem Beaty moved to reconvene into open session at 10:33 p.m.

Vote: The motion passed with a unanimous vote.

COUNCIL COMMENTS

Councilman Dispenziere had no additional comments.

Councilman Salimao had no additional comments.

Mayor Pro Tem Beaty thanked everyone for their time. He added: He sees the need to collectively collaborate with NCDOT on subdivision projects. There is strength in numbers. The more people and groups we have working to improve roads, the better the outcome will be. This is especially important for Bonds Grove Church Road corridor, which impacts multiple neighborhoods and jurisdictions including Marvin, Waxhaw and Union County.

Mayor Pollino stated: He was very pleased with the turnout for the dedication ceremony for Lanny Openshaw at Marvin Efird Park. It was very well attended and was very special. Staff did a great job in putting the event together and it is appreciated. Everyone has a story about Lanny and how much he worked to make the park the special place that it is. He attended the auction at the Howard property. While there, he looked around at the remaining vacant land. He hopes this can be developed into something special, not just another subdivision. He really enjoyed the Planning Board meeting with the Shook Kelley representatives and hopes that we might be able to bring them in for a public presentation.

ADJOURNMENT

Motion: Councilman Salimao moved to adjourn the meeting at 10:38 p.m.
Vote: The motion passed with a unanimous vote.