



TOWN OF CORNELIUS

Cornelius Town Hall

BOARD OF COMMISSIONERS

September 3, 2019

Agenda

PRE-MEETING - 5:45 PM

- Closed Session - Contractual Matter

TOWN BOARD - 7:00 PM

1. CALL TO ORDER
2. DETERMINATION OF QUORUM
3. APPROVAL OF AGENDA
4. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
5. MAYOR/COMMISSIONERS/MANAGER REPORTS
6. CITIZEN CONCERNS/COMMENTS
7. MAYORAL PROCLAMATIONS
 - A. Constitution Week 2019
8. PRESENTATIONS
 - A. Robbins Park Master Plan Update
9. CONSIDERATION OF APPROVAL
 - A. LDCAB Chair Appointment
10. CONSENT AGENDA
 - A. Approve Minutes - Closed Session
 - B. Approve Minutes - Regular Meeting
11. COMMISSIONER CONCERNS
12. ADJOURNMENT

Please note that to speak during **CITIZENS CONCERNS/COMMENTS** or **PUBLIC COMMENT**, please use the signup sheet provided before the Board meeting and list your name, address and topic. Each speaker will be allowed 3 minutes to speak. A "hard stop" will occur after 3 minutes for each speaker. Any information displayed must be submitted to the Town Clerk within 48 hours prior meeting.

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: September 3, 2019

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager

Action Requested:

Discuss a contractual matter under attorney-client privilege

Manager's Recommendation:

Hold a Closed Session.

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: September 3, 2019

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager


Action Requested:

Recognize the 232nd anniversary of the framing of the Constitution of the United States of America.

Manager's Recommendation:

Proclaim the week of Sept. 17th thru 23rd as Constitution Week.

ATTACHMENTS:

Name:	Description:	Type:
 Constitution_Week_2019.pdf	Proclamation	Backup Material

Mayoral Proclamation Constitution Week 2019

WHEREAS, September 17, 2019 marks the 232nd anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, the U.S. Constitution defined two axioms for our nation: the first basic human equality and the second for the right to life, liberty and the pursuit of happiness; and

WHEREAS, the U.S. Constitution declared that governing would be upheld by three branches: the executive, the legislative, and the judicial branch; and

WHEREAS, through all of its changes, the Constitution's foundation has endured and adapted; and

WHEREAS, Constitution Week is an opportunity to acknowledge the work of our Founding Fathers and to honor the U.S. Constitution.

NOW, THEREFORE, I, Woody Washam, Jr., Mayor of the Town of Cornelius do hereby recognize September 17-23, 2019 as **CONSTITUTION WEEK** in the Town of Cornelius, and call this observance to the attention of all our citizens.

Woody Washam, Jr.
Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Cornelius on this 3rd day of September, 2019.

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: September 3, 2019

To: Mayor and Board of Commissioners

From: Troy Fitzsimmons, PARC Director


Action Requested:

Receive a report regarding the Robbins Park Master Plan update. The draft plan was developed by staff and consultant, ViZ PLLC, upon gathering input from citizens via two public meetings and two online surveys. The final recommended master plan should be presented to the Town Board for consideration of approval by year's end.

Manager's Recommendation:

Hear update on the Robbins Park Master Plan

ATTACHMENTS:

Name:	Description:	Type:
 2019.9.3.Robbins_Park_Master_Plan_Update.pdf	Robbins Park Master Plan Update	Presentation

Robbins Park Master Plan Update



Cornelius Town Board
September 3, 2019

**Master Plan
Robbins Park
Community Park**

The Town of Cornelius, North Carolina
in partnership with Mecklenburg County Parks and Recreation Department
March 13, 2008

Revised: April 1, 2008
Revised: June 2, 2008
Revised: July 2, 2008
Revised: August 5, 2008

Robbins Park Master Plan Bubble Diagram

February 19, 2019



VIZ

VIZ, PLLC
10000 S. 10th Ave., Suite 100, Aurora, CO 80015
303.733.1100
www.vizpllc.com



1st Public Workshop & Online Survey

Public Workshop at Town Hall

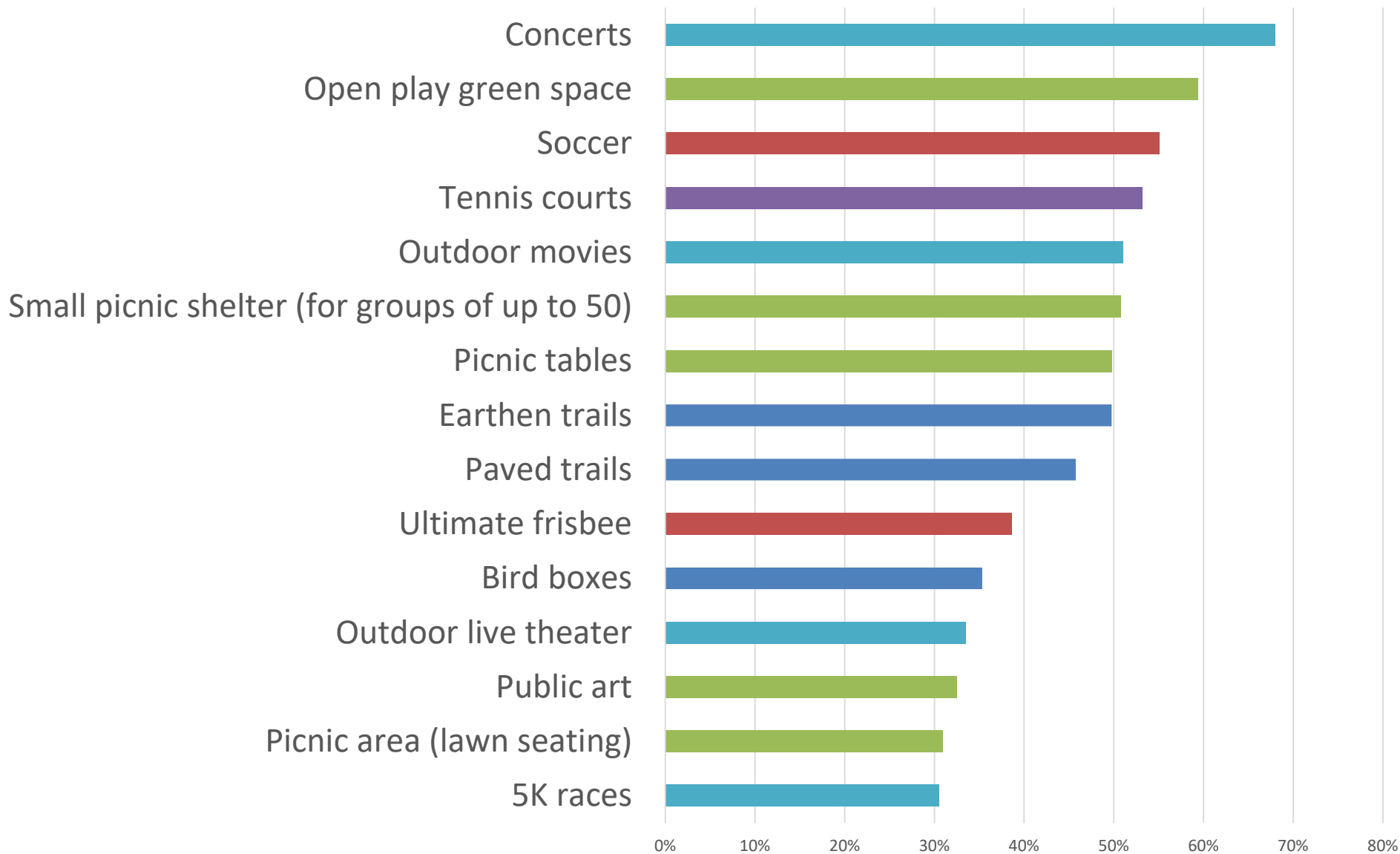
- Tuesday, February 19
- Approx. 20 participants

Public survey

- Open online February 19-March 19
- 212 participants



1st Survey Results: The TOP 15



Robbins Park

Master Plan

Concept Plan

July 10, 2019



VIZ

VIZ, PLLC
1000 S. 10th St. Suite 100
Greensboro, NC 27401
(336) 785-1111
viz@viznc.com



2nd Public Workshop & Online Survey

Public Workshop at Town Hall

- Tuesday, August 6
- Approx. 35 participants

Public survey

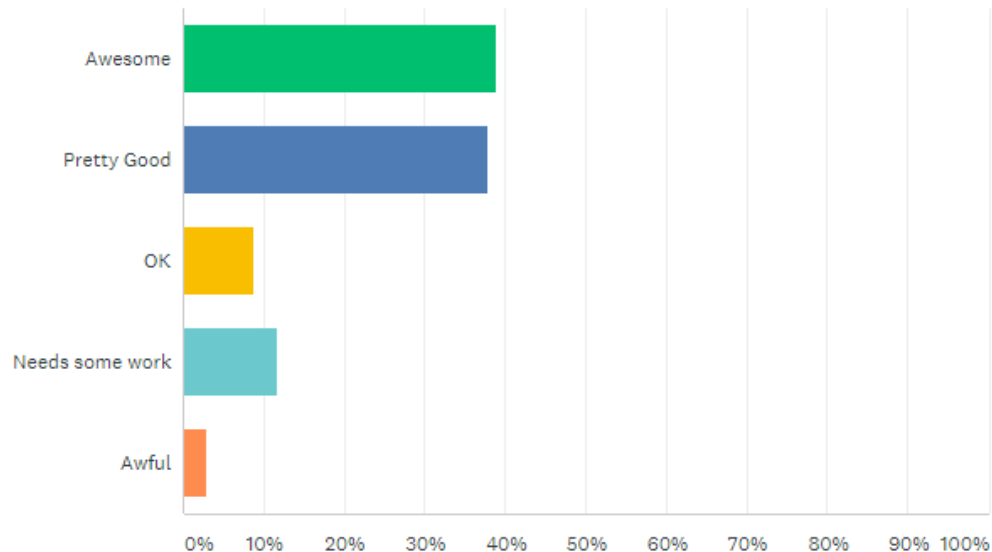
- Open online July 15-August 22
- 103 participants



2nd Survey Results

Overall, the proposed Robbins Park master plan looks:

Answered: 103 Skipped: 0



85%

ANSWER CHOICES	RESPONSES	
▼ Awesome	38.83%	40
▼ Pretty Good	37.86%	39
▼ OK	8.74%	9
▼ Needs some work	11.65%	12
▼ Awful	2.91%	3
TOTAL		103

Robbins Park

Master Plan

Concept Plan

July 10, 2019



VIZ

VIZ, PLLC
 1400 S. 1st St. Suite 100
 Cary, NC 27513
 (919) 236-1111
 viz@viznc.com



REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: September 3, 2019

To: Mayor and Board of Commissioners

From: Becky Partin

Senior Planner

Action Requested:

At the August 26, 2019 Land Development Code Advisory Board (LDCAB) meeting, LDCAB members unanimously voted to recommend Cheryl Crawford continue her role as Chair. Ms. Crawford has been a member of LDCAB since 2010 and has served as Chair since 2012.

Manager's Recommendation:

Reappoint Cheryl Crawford as LDCAB Chair.

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: September 3, 2019

To: Mayor and Board of Commissioners

From: Lori Harrell, Town Clerk

Action Requested:

Review the minutes from the Aug. 19th Closed Session meeting.

Manager's Recommendation:

Approve minutes.

ATTACHMENTS:

Name:	Description:	Type:
 08-19-19_Closed_Session.docx	Closed Session Minutes	Backup Material

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: September 3, 2019

To: Mayor and Board of Commissioners

From: Lori Harrell, Town Clerk

Action Requested:

Review the minutes from the Aug. 19th Regular Meeting.

Manager's Recommendation:

Approve minutes.

ATTACHMENTS:

Name:	Description:	Type:
 08-19-19_Regular_Meeting_draft.docx	Regular Meeting Minutes	Backup Material



BOARD OF COMMISSIONERS

August 19, 2019
MINUTES

PRE-MEETING – 5:45PM

❖ Continuum Sale Update

Mark McDowell, the Cornelius liaison on the Continuum Board, gave the Board a brief update on the sale to pending new owner TDS. He outlined the process/timeline, a summary of key terms of the purchase and stated that Cornelius is ~40% of Continuum's customers. He explained that the Continuum sale will be a referendum on the November 5th ballot for Davidson and Mooresville voters to approve the sale to TDS.

Commissioner Gilroy asked how the new ownership will impact Cornelius customers. Mr. McDowell stated that he was not sure as it was not part of the negotiations. Mayor Washam asked if Cornelius has an exclusive deal with Continuum. Mr. McDowell stated it does not, as Cornelius is over built and competitive in the market.

❖ Closed Session

Mayor Washam called for a motion to go into Closed Session to consult and discuss a litigation matter, contractual matter under attorney-client privilege, and economic development matters.

*Commissioner Miltich made a motion to go into Closed Session at 6:08PM.
Commissioner Naas seconded the motion and it passed unanimously, 4-0.*

Upon return to the Pre-meeting, Mayor Washam dismissed everyone to go downstairs for the 7:00PM Regular meeting.

REGULAR MEETING – 7:00PM

1. CALL TO ORDER

Mayor Washam called the meeting to order at 7:01PM.

2. DETERMINATION OF QUORUM

All commissioners were present with the exception of Commissioner Ross who was out of town.

3. APPROVAL OF AGENDA

*Commissioner Miltich made a motion to approve the agenda as presented.
Commissioner Naas seconded the motion and it passed unanimously, 4-0.*

4. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

David Hodson led the pledge after a moment of silence was observed.

5. MAYOR/COMMISSIONERS/MANAGER REPORTS

Commissioner Bilodeau reported on the following:

- Robbins Park Master Plan online survey will close out on Aug. 22nd
- Bailey Road Master Plan drop-in session will be held on Aug. 21st (6:30PM-8:00PM) at Town Hall and the online survey will close on Aug. 22nd
- Back to School Bash and movie Spiderman into the Spiderverse will be held at Robbins Park on Aug. 24th (6:30PM)
- Homegrown Sprouts art exhibit will be held on Aug. 22nd (5:00PM-7:00PM) to meet the summer camp artists (ages 4-16)

Commissioner Miltich reported on the following:

- Attended the TAB meeting on Aug. 6th
- Attended the Robbins Park Master Plan public meeting
- Attended the NMA meeting on Aug. 8th
- Attended the Chamber Focus Friday event
- Next Cornelius Conversation will be held on Aug. 29th

Commissioner Naas reported on the following:

- CEOSC cancelled both teacher roundtable events due to zero participation
- CEOSC will hold a Town Hall meeting on Aug. 21st in the Assembly Room at Town Hall (7:00PM)

Manager Grant reported on the following:

- Cornelius Police Department has been approved by Buckle Up NC to be a permanent child passenger seat checking station that will be held on the 1st & 3rd Wednesdays of the month at Fire Station 1
- On Aug. 8th PARC staff noticed an algae bloom forming on the surface of the Robbins Park southern pond. A pond management company was hired to treat the algae with a product that is EPA approved and will not negatively affect any wildlife or native vegetation.
- The next Connecting Cornelius will be held on Tuesday, Sept. 3rd at Harvey's (8:30AM-9:30AM)
- Nannie Potts Lane construction will begin next week and is projected to be complete by June, 2020

Mayor Washam reported on the following:

- EDC – there are 47 projects in the region and 9 in Cornelius

6. CITIZEN CONCERNS/COMMENTS

No concerns or comments were expressed.

7. PRESENTATIONS

A. Top Deck Foundation

Mayor Washam introduced the Top Deck founders Don & Bridget Rainey and Mark & Kim Sailor who founded the non-profit organization to support the morale and mission of the Cornelius Police Department in 2015. Since 2015, Top Deck has donated approximately \$48K to cover various equipment needs within the

department, including the most recent donation of a Suzuki motorcycle that will be utilized to police the Town's greenway system.

Mr. Rainey invited the Top Deck volunteers and board members to join in on presenting the motorcycle to the Town.

8. PUBLIC HEARING

A. REZ 05-19 Leaf Spring School

Mayor Washam called for a motion to open public hearing #1 on rezoning case REZ 05-19 LeafSpring School.

Commissioner Miltich made a motion to open the public hearing. Commissioner Bilodeau seconded the motion and it passed unanimously, 4-0.

Asst. Planning Director Aaron Tucker gave the staff presentation on the applicant's request to rezone 4.1 acres located off of Statesville and Washam Potts Roads. The Conditional Zoning request is to construct a 13,000sqft. preschool building along with a 10,000sqft. afterschool building. He displayed the proposed site plan layout that will have access from both Statesville and Washam Potts Roads.

Commissioner Naas questioned the narrowing at the Washam Potts access point and if a left turn lane is being proposed to mitigate the traffic. Mr. Tucker stated that both roads are NCDOT roads, therefore, they will be reviewing plans and determine what road improvements will be necessary.

Commissioner Miltich stated that he learned during the PDRC review that the proposed project has a unique feature in that it will allow for sick children to be dropped off and cared for by an on-staff nurse.

Mayor Washam invited the applicant to speak.

Parks Hunter, owner of the two LeafSpring Schools located in Matthews and Ballantyne, explained that drop-off (6:30AM-9:00AM) and pick-up (4:00PM-6:30PM) traffic is very steady and should not have a major impact on traffic.

Commissioner Miltich asked how many students each facility will hold. Mr. Hunter stated that the pre-school enrollment will be 160 and the afterschool enrollment will be 180.

Commissioner Gilroy questioned if the drop-off area allows for children to be dropped at the door. Mr. Hunter stated that for liability reasons, his schools require that the parent walk the child into the building, check them in, walk them to the classroom and physically hand them over to the teacher. He finished by stating the projects are state-of-the-art programs with a spectacular curriculum offered.

Mayor Washam invited the public to speak and the following comments were made:

Phil Howard – 9530 Washam Potts Road, expressed his concerns with the additional traffic that will be added to Washam Potts Road, buffers and the curve on Washam Potts close to the proposed entrance to the project.

There being no further public comment, Mayor Washam called for a motion to close public hearing #1.

Commissioner Miltich made a motion to close the public hearing. Commissioner Naas seconded the motion and it passed unanimously, 4-0.

9. CONSIDER OF APPROVAL

A. Planning Board Chairman Appointment

Mr. Tucker explained that the Planning Board wishes for Keith Eicher to remain as chairman for another year.

Commissioner Miltich made a motion to appoint Keith Eicher to serve as the Planning Board Chairman for another year. Commissioner Bilodeau seconded the motion and it passed unanimously, 4-0.

B. Cain Center for the Arts – Management Services Agreement, Amend #2

Manager Grant explained the second amendment to the management services agreement for the Cain Center for the Arts project.

Commissioner Miltich made a motion to approve amendment #2 to the Management Services Agreement. Commissioner Bilodeau seconded the motion and it passed unanimously, 4-0.

C. Cain Center for the Arts – Architectural Services Contract, Amend #1

Manager Grant explained the contract amendment for the architectural services on the Cain Center for the Arts project.

Commissioner Miltich made a motion to approve amendment #1 to the Architectural Services Contract. Commissioner Bilodeau seconded the motion and it passed unanimously, 4-0.

D. Cain Center for the Arts – Construction Manager at Risk Contract, Amend #1

Manager Grant explained the contract amendment for the construction manager at risk on the Cain Center for the Arts project.

Commissioner Bilodeau made a motion to approve amendment #1 to the Construction Manager at Risk Contract. Commissioner Miltich seconded the motion and it passed unanimously, 4-0.

E. Capital Project Ordinance Amendment – Cain Center for the Arts

Manager Grant explained the amendment to the Capital Project Ordinance for the Cain Center for the Arts.

Commissioner Miltich made a motion approve Ordinance #2019-00713 to increase the Capital Project Ordinance for the Cain Center for the Arts by \$218,997. Commissioner Bilodeau seconded the motion and it passed unanimously, 4-0.

Ordinance #2019-00713 is now hereby made part of the minutes by reference.

10. CONSENT AGENDA

- A. Approve Minutes – Regular Meeting (August 5th) (Approved 4-0)
Commissioner Miltich made a motion to approve the Consent Agenda as presented. Commissioner Gilroy seconded the motion and it passed unanimously, 4-0.

11. COMMISSIONER CONCERNS

- A. Torrence Chapel Park
Commissioner Gilroy asked that the trash cans at the park be emptied.

12. ADJOURNMENT

There being no further business to discuss, Commissioner Miltich made a motion to adjourn at 7:50PM. Commissioner Gilroy seconded the motion and it passed unanimously, 4-0.

Approved this 3rd day of September, 2019.

ATTEST:

Lori A Harrell, Town Clerk

Woody Washam, Mayor