



# **TOWN OF CORNELIUS**

Cornelius Town Hall

## **BOARD OF COMMISSIONERS**

March 16, 2020

Agenda

### **PRE-MEETING - 5:45 PM**

- Ada Jenkins Update
- Cain Center Design Development Drawings and Commencing Construction Drawings
- Agenda Review
- Closed Session pursuant to NCGS 143-318.11(a)(3) - Consult with Attorney and 143-318.11(a)(5.i) Real Estate

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### **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. Town of Cornelius Proclamation of a State of Emergency
8. PUBLIC HEARING AND CONSIDERATION OF APPROVAL
  - A. Town Center Redevelopment Bond Extension
9. CONSIDERATION OF APPROVAL
  - A. Cain Center Design Development Drawings and Commencing Construction Drawings
  - B. Cain Center for the Arts-Architectural Services Contract-Amend #2
  - C. Cain Center for the Arts-Management Services Agreement-Amend #3
  - D. Capital Project Ordinance Amendment-Cain Center for the Arts
  - E. Capital Project Ordinance Amendment-Park Bonds
  - F. FY20 Operating Budget Amendment
10. CONSENT AGENDA
  - A. Approve Minutes - Regular Meeting
  - B. Approve Minutes - Closed Session
  - C. Tax Refunds
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: March 16, 2020

**To:** Mayor and Board of Commissioners

**From:** Andrew Grant, Town Manager


**Action Requested:**

Diane Means with the Ada Jenkins Center will give an update on the center and their proposed funding request for FY21.

**Manager's Recommendation:**

Hear update.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">Ada_Jenkins_Center_FY19_Overview_20200316.pdf</a>	Ada Jenkins Update	Presentation

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# Overview

March 16, 2020

Diane Means  
Director of Impact & Engagement

[Diane.means@Adajenkins.org](mailto:Diane.means@Adajenkins.org)



## Our Mission

We exist to help people  
create lasting solutions for  
economic stability.



# Our Services

- Free medical clinic
- Mobile dental clinic
- Food pantry
- Workforce development
- Child and adult education
- Social work case management





# Options for Service

- “Access” Pathway – access to *one* service for a year
- “Investment Pathway” – long-term commitment to successful health, education and economic outcomes



## Our Service Area

- Cornelius 40%
- Davidson 20%
- Huntersville 35%
- Other 5%





# Our Impact

During 2018-2019:

- 2,651 neighbors were served with nearly 13,000 visits to the Center
- 262 uninsured patients were served at the free Medical Clinic
- 234 patients were served through our local dental clinics
- 57 students were served in our youth education program, LEARN Works, over 142 days



# Our Volunteers

850 in 2018-2019!

- Tutor children
- Organize school supplies
- Restock the food pantry
- Assist with health clinics
- Clean/prep classrooms
- “Spread the word” at area events
- Help plan fundraisers
- Beautify our campus
- ... so much more!





# Questions?

## Ada Jenkins Center

212 Gamble Street  
Davidson, NC 28036

704/896-0471

[Diane.means@adajenkins.org](mailto:Diane.means@adajenkins.org)

## REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: March 16, 2020

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager


**Action Requested:**

Review the design development drawings for the Cain Center for the Arts and discuss commencing construction drawings.

**Manager's Recommendation:**

Review drawings and discuss next steps.

**ATTACHMENTS:**

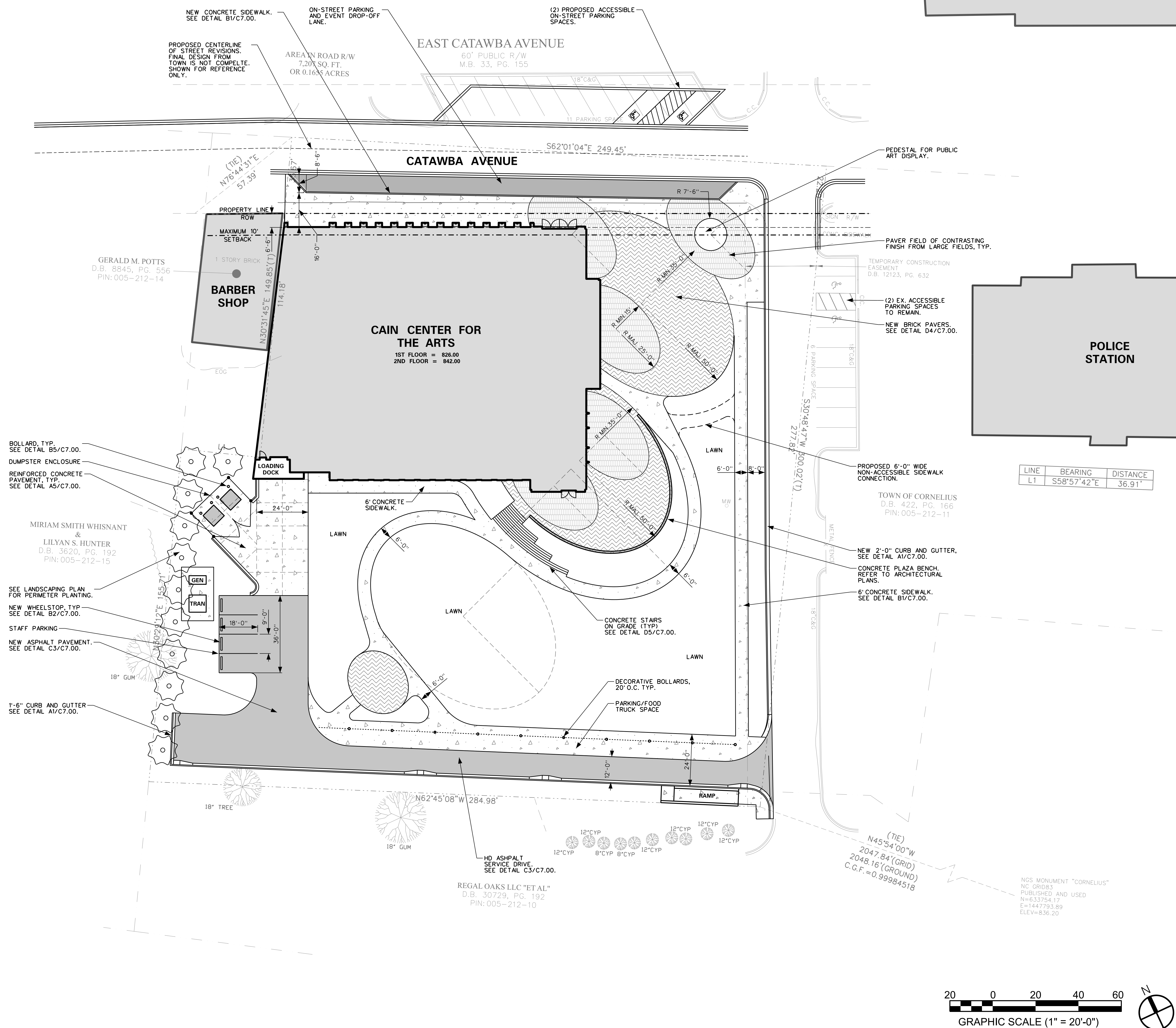
Name:	Description:	Type:
 <a href="#">DD_Drawings_Board_Meeting.pdf</a>	Design Development	Presentation

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**LAYOUT NOTES:**

1. ALL EXPANSION JOINTS ARE TO BE SEALED, REFER TO SPECIFICATIONS.
2. ALL DIMENSIONS ARE TO FACE OF CURB OR TO FINISHED FACE OF BUILDING UNLESS OTHERWISE NOTED.
3. ALL CURB RADIUS SHALL BE 2'-0" UNLESS OTHERWISE NOTED.
4. ALL CURB SLOPES SHALL BE 2% MINIMUM TO 5% MAXIMUM TO FACE OF 0.5% SLOPE ON THE CURB.
5. ANY BUILDING DIMENSIONS SHOWN ARE NOMINAL. CONSULT ARCHITECTURAL PLANS FOR DIMENSIONS.
6. ALL SIDEWALKS, RAMPS AND ACCESSIBLE ROUTES SHALL HAVE A 1.5% MAXIMUM CROSS SLOPE TO THE CURB. IN NO INSTANCE SHALL THE MAXIMUM CROSS SLOPE BE GREATER THAN 2%.
7. ALL CURB SLOPES SHALL BE REMOVED AND REINSTEALLED AT NO ADDITIONAL COST TO THE CONTRACTOR.
8. MAXIMUM ELEVATION CHANGE AT HANDICAP ACCESSIBLE DOORS SHALL NOT EXCEED 1/2".
9. ALL CURB, SIDEWALKS, RAMPS AND ACCESSIBLE ROUTES SHALL BE 48" MINIMUM WIDE.
10. ALL HANDICAP PARKING SPACES AND ACCESS AISLES SHALL MAINTAIN A MAXIMUM SLOPE OF 1/4" PER 1' IN ANY DIRECTION PER THE NC ACCESSIBILITY CODE. CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL DIMENSIONS AND SLOPES. EXCESSIVE SLOPES SHALL BE REMOVED AND REPLACED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE CONTRACTOR.





2/19/2020 1:30:16 PM

OCCUPANCY LOAD CALCULATION 1ST FLOOR

ROOM NUMBER	ROOM NAME	USE GROUP CATEGORY	AREA	AREA PER OCCUPANT	OCCUPANCY LOAD
-------------	-----------	--------------------	------	-------------------	----------------

154	REAR ORCHESTRA		542 SF		
ASSEMBLY			542 SF		0.00
100	CORRIDOR	ASSEMBLY	428 SF	0	
101	ENTRY	ASSEMBLY	228 SF	15 NET	15.21
102	LOBBY	ASSEMBLY	2778 SF	15 NET	185.20
103	BOX OFFICE	ASSEMBLY	67 SF	100 GROSS	0.67
104	CONCESSIONS	ASSEMBLY	Not Placed	100 GROSS	
105	ENTRY	ASSEMBLY	238 SF	15 NET	15.87
110	GALLERY	ASSEMBLY	638 SF	30 NET	21.26
115	MEETING/ CLASSROOM	ASSEMBLY	1173 SF	50 NET	23.46
120	VESTIBULE	ASSEMBLY	32 SF	0	
121	WOMENS RESTROOM	ASSEMBLY	257 SF	0	
123	ELEVATOR	ASSEMBLY	105 SF	0	
124	VESTIBULE	ASSEMBLY	34 SF	0	
125	MENS RESTROOM	ASSEMBLY	222 SF	0	
130	CORRIDOR	ASSEMBLY	786 SF	0	
133	GREEN ROOM	ASSEMBLY	189 SF	15 NET	12.63
134	WARDROBE ROOM	ASSEMBLY	104 SF	15 NET	6.92
135	6-PERSON DRESSING ROOM	ASSEMBLY	203 SF	20 NET	10.14
136	DRESSING ROOM	ASSEMBLY	63 SF	0	
137	6-PERSON DRESSING ROOM	ASSEMBLY	223 SF	20 NET	11.16
138	DRESSING ROOM	ASSEMBLY	58 SF	0	
140	S&LL	ASSEMBLY	59 SF	0	
145	STAGE	ASSEMBLY	2676 SF	15 NET	178.38
150	S&LL	ASSEMBLY	68 SF	0	
153	ORCHESTRA	ASSEMBLY	1971 SF	FIXED	210.81
156	S&LL	ASSEMBLY	65 SF	0	
158	SOUND MIX	ASSEMBLY	46 SF	15 NET	3.06
160	S&LL	ASSEMBLY	68 SF	0	
161	STAIR	ASSEMBLY	67 SF	0	
161A	STAIR	ASSEMBLY	23 SF	0	
162	CONTROL BOOTH	ASSEMBLY	132 SF	100 GROSS	1.32
163	LIFT	ASSEMBLY	69 SF	0	
163A	LIFT	ASSEMBLY	20 SF	0	
			13090 SF		696.11

STORAGE / UTILITY				
111	GALLERY STORAGE	STORAGE / UTILITY	168 SF	300 GROSS 0.56
112	FOH STORAGE	STORAGE / UTILITY	173 SF	300 GROSS 0.58
113	PUMP ROOM	STORAGE / UTILITY	140 SF	300 GROSS 0.47
114	CUSTODIAL	STORAGE / UTILITY	69 SF	300 GROSS 0.23
116	CLASSROOM STORAGE	STORAGE / UTILITY	152 SF	300 GROSS 0.51
122	ELEVATOR CONTROL	STORAGE / UTILITY	7 SF	300 GROSS 0.02
132	ELECTRICAL ROOM	STORAGE / UTILITY	61 SF	300 GROSS 0.20
139	STAGING AREA	STORAGE / UTILITY	385 SF	300 GROSS 1.28
147	STORAGE	STORAGE / UTILITY	92 SF	300 GROSS 0.31
151	STORAGE	STORAGE / UTILITY	374 SF	300 GROSS 1.25
157	STORAGE	STORAGE / UTILITY	207 SF	300 GROSS 0.69
			1829 SF	6.10
			15460 SF	702.21

161	STAIR	ASSEMBLY	67 SF	0	
B1	STAIR	ASSEMBLY	260 SF	0	
C1	STAIR	ASSEMBLY	142 SF	0	
			470 SF		0.00
			470 SF		0.00

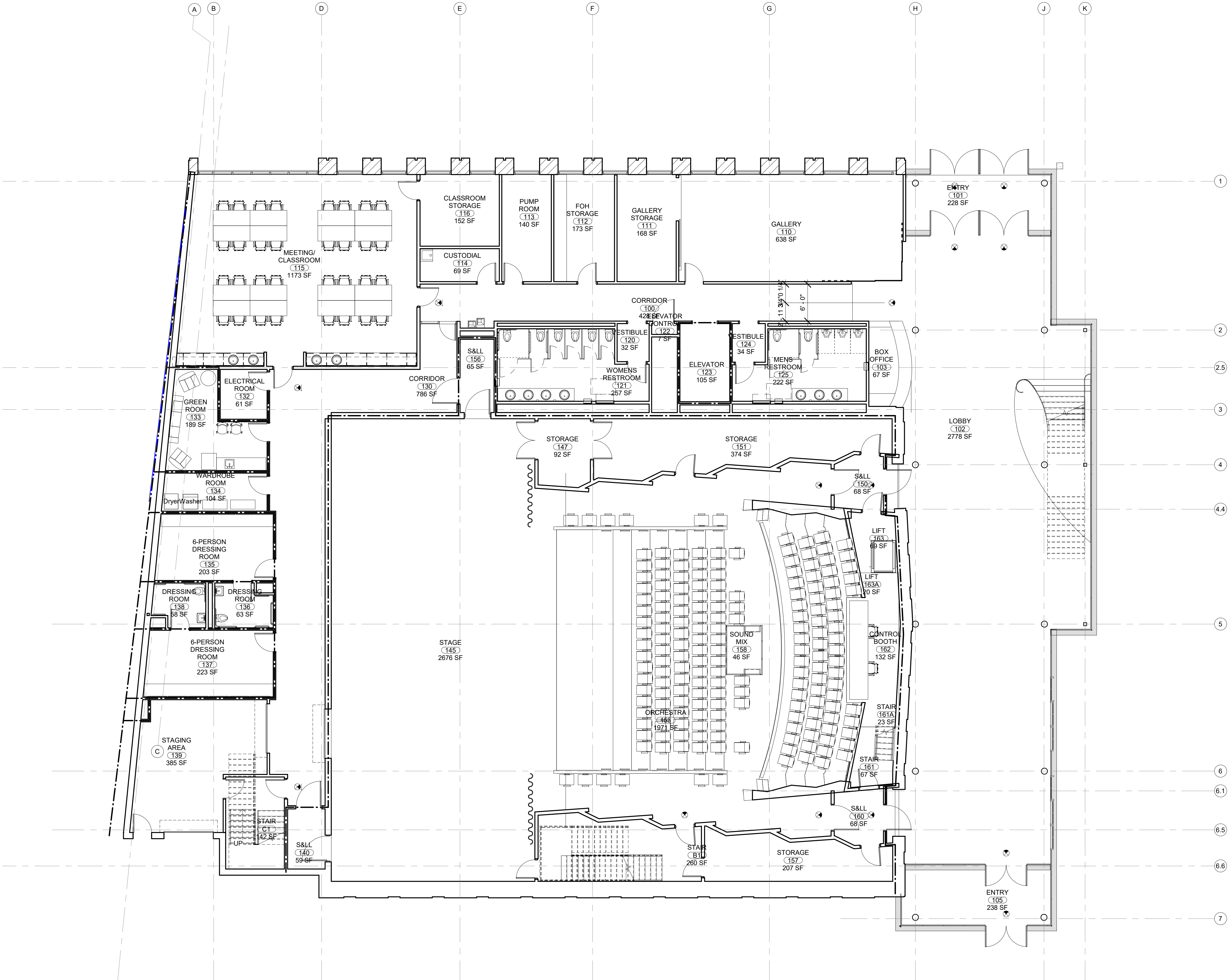
06 NTS OCCUPANCY ANALYSIS

- TOTAL FLOOR OCCUPANT LOAD = XXX.
- FURNITURE LAYOUT SHOWN IS PRELIMINARY. ACTUAL LAYOUT TO BE DETERMINED BY OWNER.

ROOM (101) 100 SF	ROOM NAME ROOM NUMBER ROOM SQUARE FOOTAGE
XXX XXX XXX	OCC. EXIT ACTUAL/EXIT WIDTH/OCC. EXIT CAPACITY
X X	OCCUPANT COUNT OCCUPANT TYPE
↑	EXIT FROM SPACE OR FLOOR
0'-0"	MOST REMOTE PATH OF EGRESS WITH DISTANCE
0'-0"	LONGEST COMMON PATH OF EGRESS TRAVEL
FE	SURFACE MOUNTED FIRE EXTINGUISHER
FEC-R	FIRE EXTINGUISHER CABINET - RECESSED
FEC-SR	FIRE EXTINGUISHER CABINET - SEMI-RECESSED
EL	EXIT LIGHT
F.A.C.	FIRE ALARM CONTROL PANEL
---	1 HOUR RATED PARTITION

19 NTS LIFE SAFETY NOTES

20 NTS LIFE SAFETY LEGEND



02 1/8" = 1'-0" FIRST FLOOR - LIFE SAFETY PLAN



OCCUPANCY LOAD CALCULATION 2ND FLOOR

ROOM NUMBER	ROOM NAME	USE GROUP CATEGORY	AREA	AREA PER OCCUPANT	OCCUPANCY LOAD
-------------	-----------	--------------------	------	-------------------	----------------

213	Room		Not Placed		
243	REAR BALCONY		629 SF		0.00

ASSEMBLY					
201	LOBBY	ASSEMBLY	2754 SF	15 NET	183.59
207	DANCE STUDIO	ASSEMBLY	1329 SF	35 NET	37.96
208	FAMILY TOILET	ASSEMBLY	55 SF	0	
210	VESTIBULE	ASSEMBLY	28 SF	0	
211	MENS RESTROOM	ASSEMBLY	178 SF	0	
212	S&LL	ASSEMBLY	86 SF	0	
214	VESTIBULE	ASSEMBLY	28 SF	0	
215	WOMENS RESTROOM	ASSEMBLY	213 SF	0	
232	SMALL CLASSROOM	ASSEMBLY	595 SF	20 NET	29.73
240	S&LL	ASSEMBLY	68 SF	0	
242	BALCONY	ASSEMBLY	806 SF	FIXED	75.13
244	S&LL	ASSEMBLY	55 SF	0	
248	S&LL	ASSEMBLY	68 SF	0	
			6261 SF		326.42

BUSINESS					
200	CORRIDOR	BUSINESS	402 SF	100 GROSS	4.02
202	BOARD ROOM	BUSINESS	659 SF	15 NET	43.92
204	EXECUTIVE DIRECTOR'S OFFICE	BUSINESS	235 SF	100 GROSS	2.35
205	OPEN OFFICE	BUSINESS	491 SF	100 GROSS	4.91
206	BREAKROOM	BUSINESS	226 SF	15 NET	15.08
230	CORRIDOR	BUSINESS	688 SF	100 GROSS	6.88
236	PRODUCTION OFFICE	BUSINESS	159 SF	100 GROSS	1.59
			2859 SF		78.74

STORAGE / UTILITY					
203	CLOSET	STORAGE / UTILITY	8 SF	300 GROSS	0.03
209	CUSTODIAL	STORAGE / UTILITY	40 SF	300 GROSS	0.13
216	SPECIAL EVENT STORAGE	STORAGE / UTILITY	65 SF	300 GROSS	0.22
231	DANCE STORAGE	STORAGE / UTILITY	210 SF	300 GROSS	0.70
233	CLASSROOM STORAGE	STORAGE / UTILITY	50 SF	300 GROSS	0.17
234	IT/ SERVER/ TELECOM	STORAGE / UTILITY	129 SF	300 GROSS	0.43
235	MAIN ELECTRICAL ROOM	STORAGE / UTILITY	382 SF	300 GROSS	1.27
241	DIMMER ROOM	STORAGE / UTILITY	Not Placed	300 GROSS	
245	SOUND RACK ROOM	STORAGE / UTILITY	214 SF	300 GROSS	0.71
246	SOUND/ LIGHTING SHOP AND STORAGE	STORAGE / UTILITY	158 SF	300 GROSS	0.53
247	STORAGE	STORAGE / UTILITY	172 SF	300 GROSS	0.57
B2	STAIR	ASSEMBLY	260 SF	0	4.76
C2	STAIR	ASSEMBLY	136 SF	0	409.92
			397 SF		0.00
			397 SF		0.00

06 NTS OCCUPANCY ANALYSIS

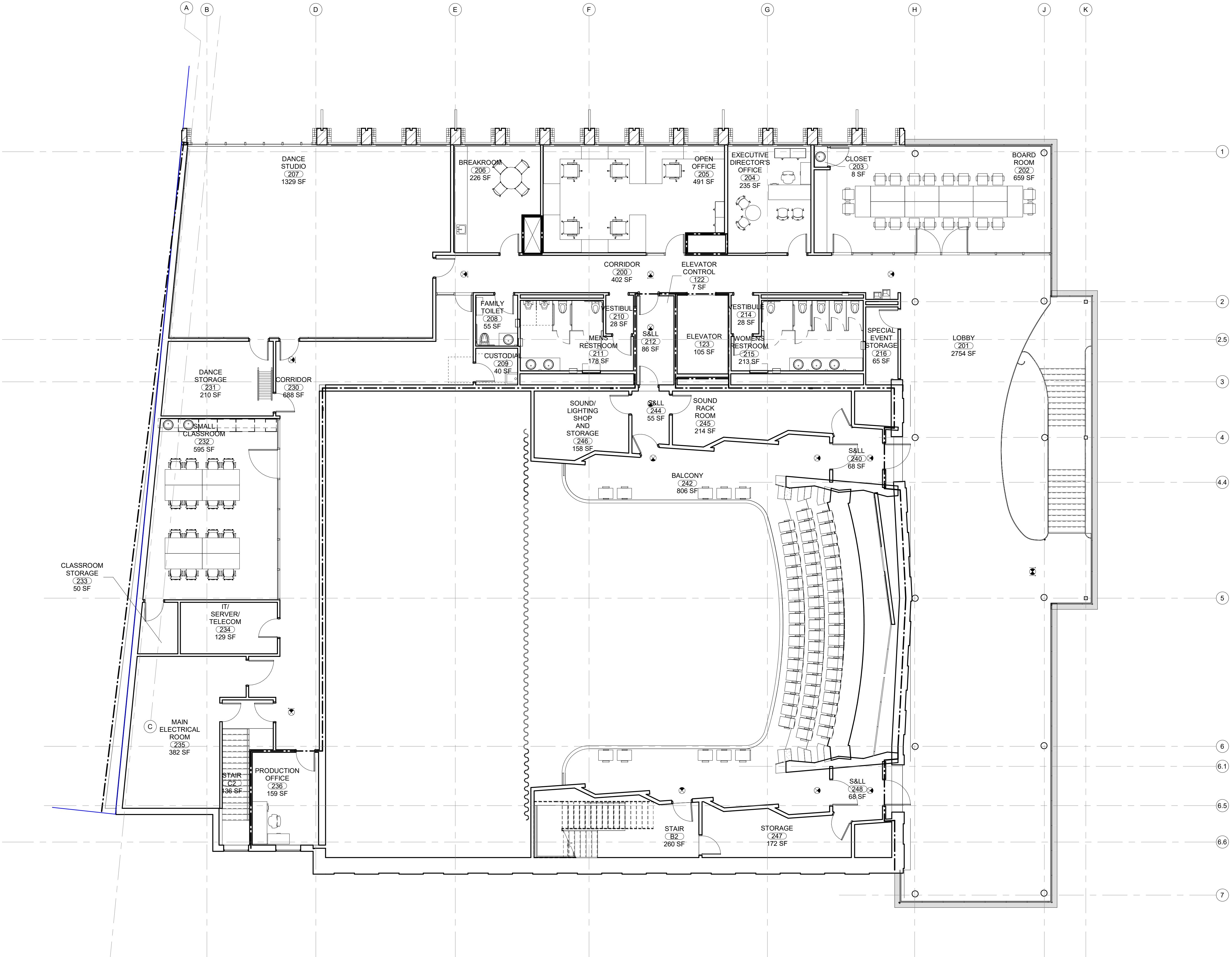
02 1/8" = 1'-0" SECOND FLOOR - LIFE SAFETY PLAN

- TOTAL FLOOR OCCUPANT LOAD = XXX.
- FURNITURE LAYOUT SHOWN IS PRELIMINARY. ACTUAL LAYOUT TO BE DETERMINED BY OWNER.

- ROOM  
(101)  
100 SF
- ROOM NAME  
ROOM NUMBER  
ROOM SQUARE FOOTAGE
- XXX XXX XXX
- OCC. EXIT ACTUAL/EXIT WIDTH/OCC. EXIT CAPACITY
- X  
X
- OCCUPANT COUNT  
OCCUPANT TYPE
- EXIT FROM SPACE OR FLOOR
- 0'-0"
- MOST REMOTE PATH OF EGRESS WITH DISTANCE
- 0'-0"
- CPE 0'-0"
- LONGEST COMMON PATH OF EGRESS TRAVEL
- FE
- SURFACE MOUNTED FIRE EXTINGUISHER
- FEC-R
- FIRE EXTINGUISHER CABINET - RECESSED
- FEC-SR
- FIRE EXTINGUISHER CABINET - SEMI-RECESSED
- EXIT LIGHT
- F.A.C.
- FIRE ALARM CONTROL PANEL
- 1 HOUR RATED PARTITION

19 NTS LIFE SAFETY NOTES

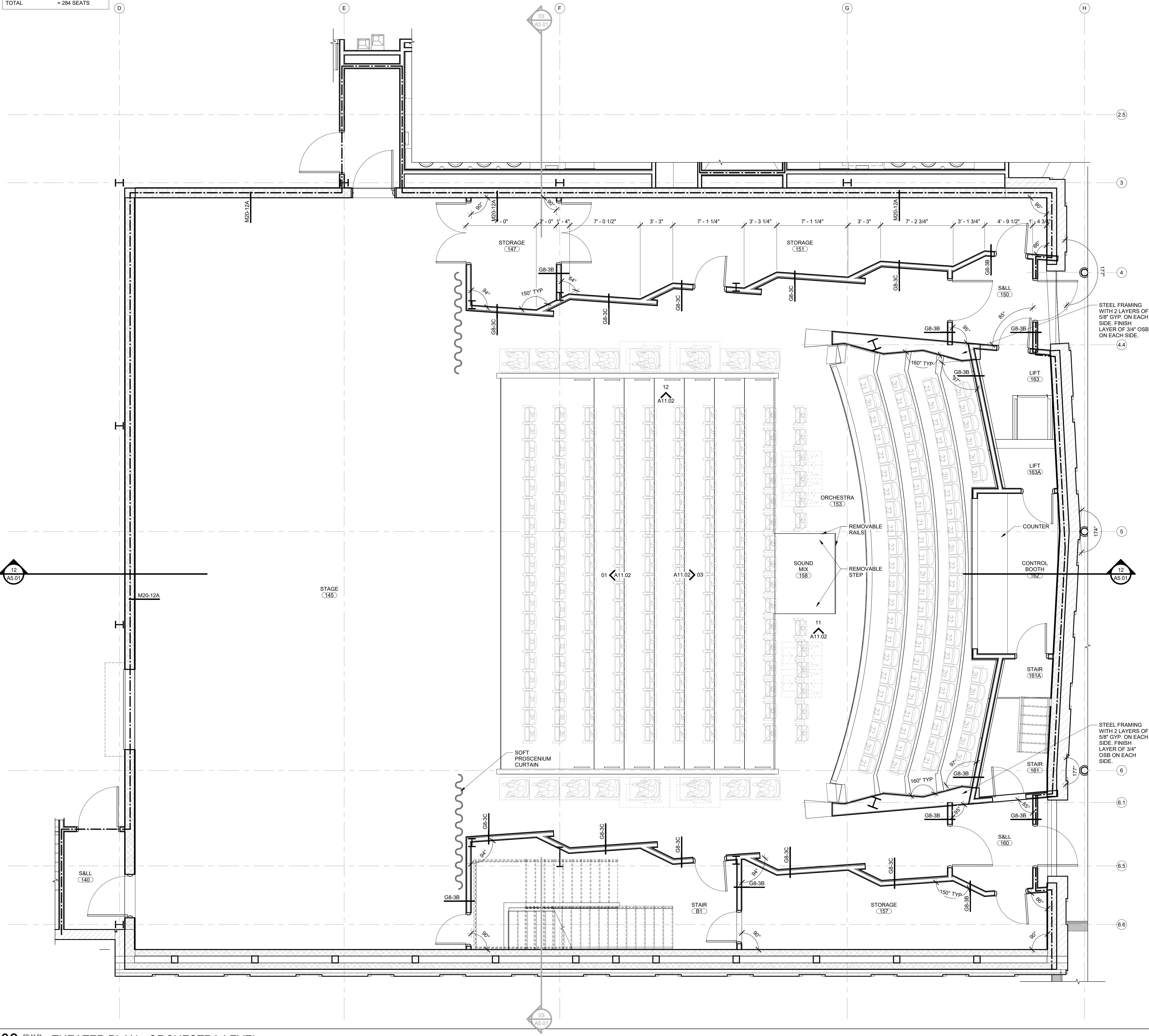
20 NTS LIFE SAFETY LEGEND





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THEATER SEATING:  
ORCHESTRA = 176 SEATS  
PARTERRE = 79 SEATS  
SIDE PARTERRES = 16 SEATS  
BALCONY = 109 SEATS  
SIDE BALCONIES = 20 SEATS  
TOTAL = 400 SEATS  
  
BANQUET SEATING:  
26 6-PERSON TABLES = 156 SEATS  
  
CABERET SEATING:  
10 6-PERSON TABLES = 60 SEATS  
THEATER SEATING = 224 SEATS  
TOTAL = 284 SEATS



02 02/ A1.01 THEATER PLAN - ORCHESTRA LEVEL  
1/4" = 1'-0"

CDESIGN

C DESIGN INC.  
704.333.0093  
www.cdesigninc.com

HOLZMAN MOSS BOTTINO  
ARCHITECTURE

90 Broad Street  
Suite 1803  
New York, NY 10004  
t 212.465.0808  
www.holzmanmossbottino.com

CAIN  
CENTER  
FOR THE ARTS

TOWN OF CORNELIUS  
CAIN CENTER FOR THE  
ARTS

21348 Catawba Ave, Cornelius, NC 28031

Andrew Grant  
704.892.6031 x 172

NOT FOR  
CONSTRUCTION

copyright 2020, C DESIGN INC.

PLAN NORTH

PROJECT NUMBER  
DATE

0604-0422  
02.19.2020

THEATER PLAN -  
ORCHESTRA

A3.01

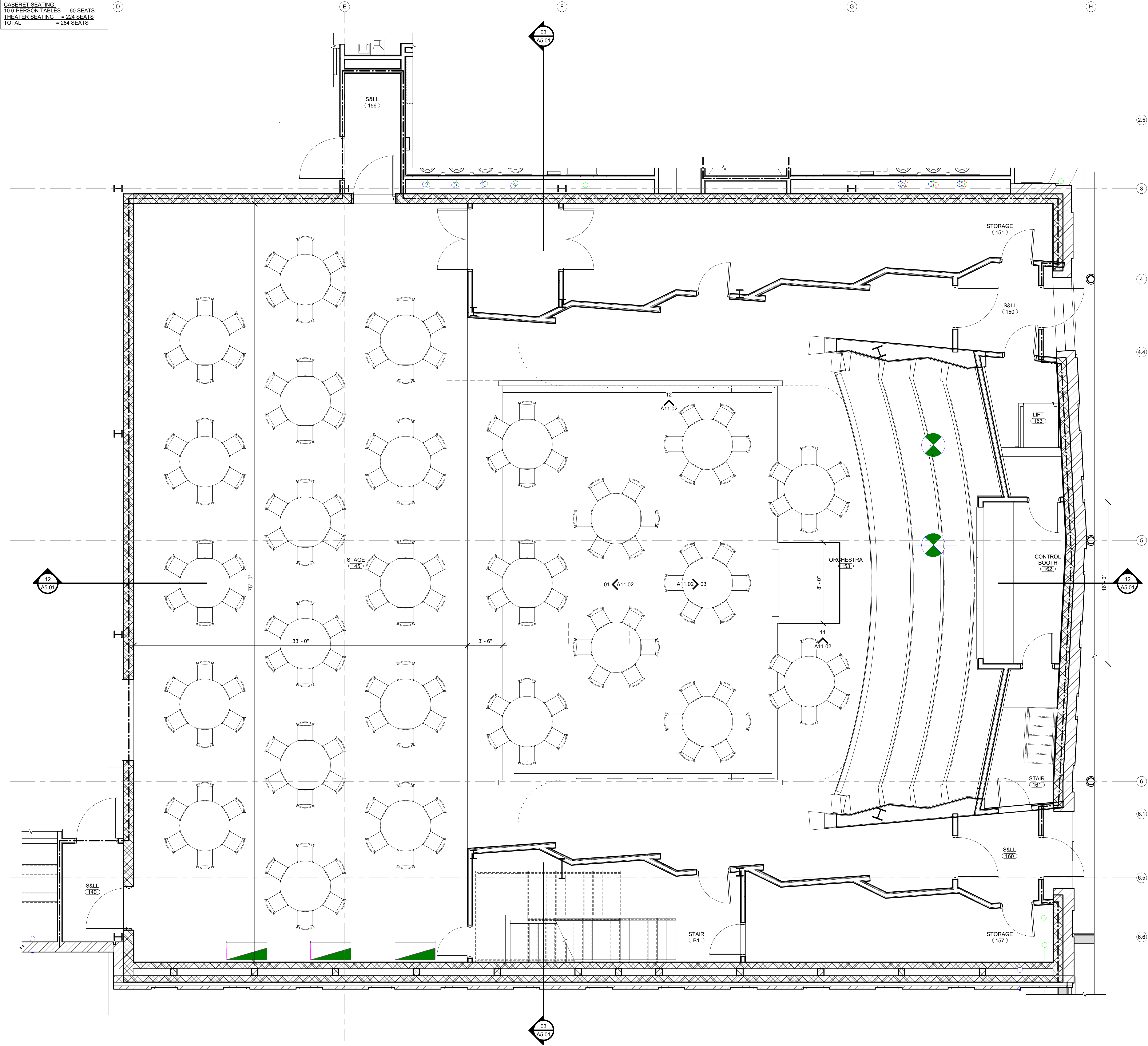


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THEATER SEATING:  
ORCHESTRA = 176 SEATS  
PARTERRE = 79 SEATS  
SIDE PARTERRES = 16 SEATS  
BALCONY = 109 SEATS  
SIDE BALCONIES = 20 SEATS  
TOTAL = 400 SEATS

BANQUET SEATING:  
26 6-PERSON TABLES = 156 SEATS

CABERET SEATING:  
10 6-PERSON TABLES = 60 SEATS  
THEATER SEATING = 224 SEATS  
TOTAL = 284 SEATS



02 1/4" = 1'-0" THEATER PLAN - BANQUET

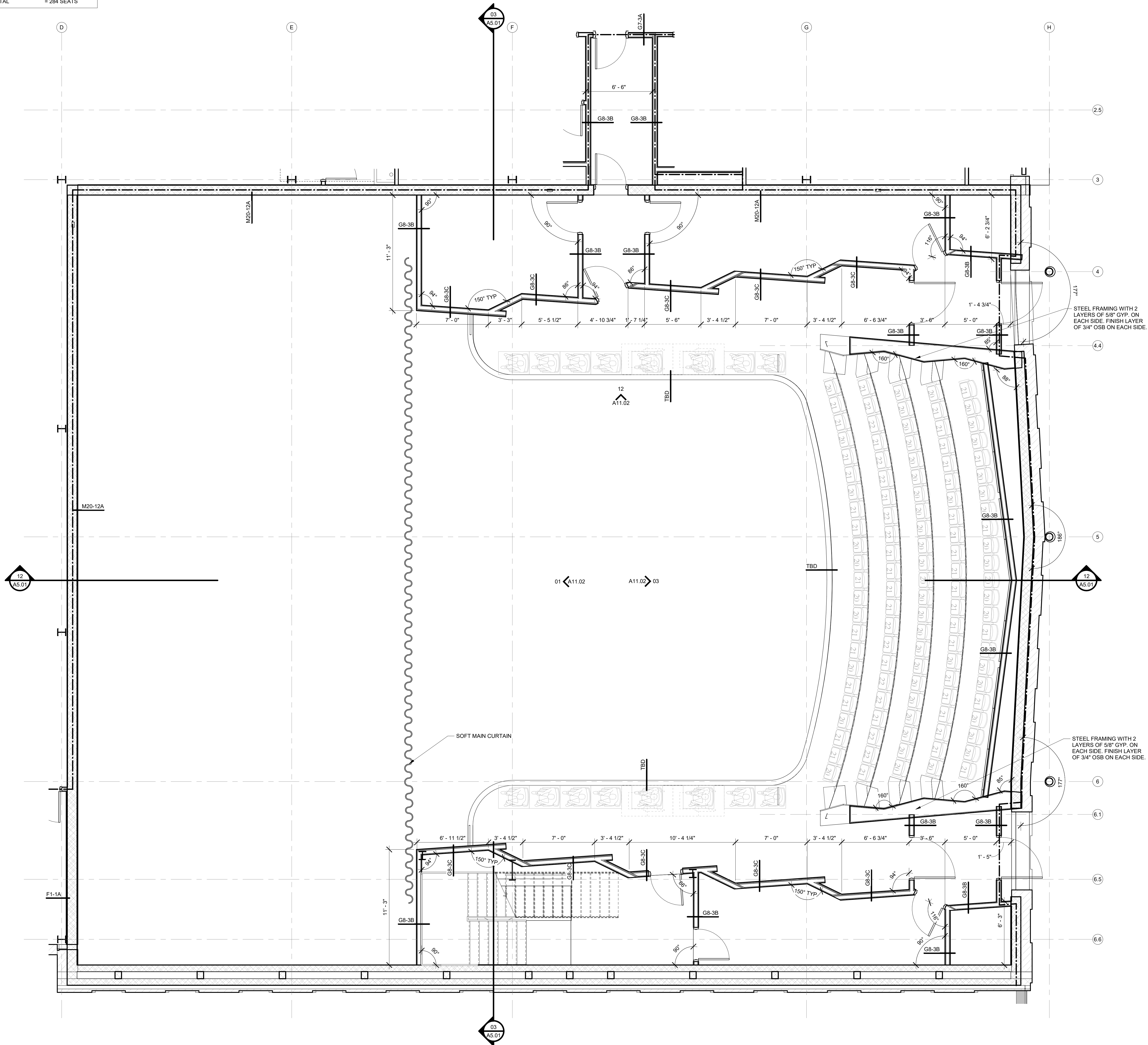


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BANQUET SEATING:  
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CABERET SEATING:  
10 6-PERSON TABLES = 60 SEATS  
THEATER SEATING = 224 SEATS  
TOTAL = 284 SEATS



02 02/ A1.02 THEATER PLAN - BALCONY LEVEL  
1/4\"/>

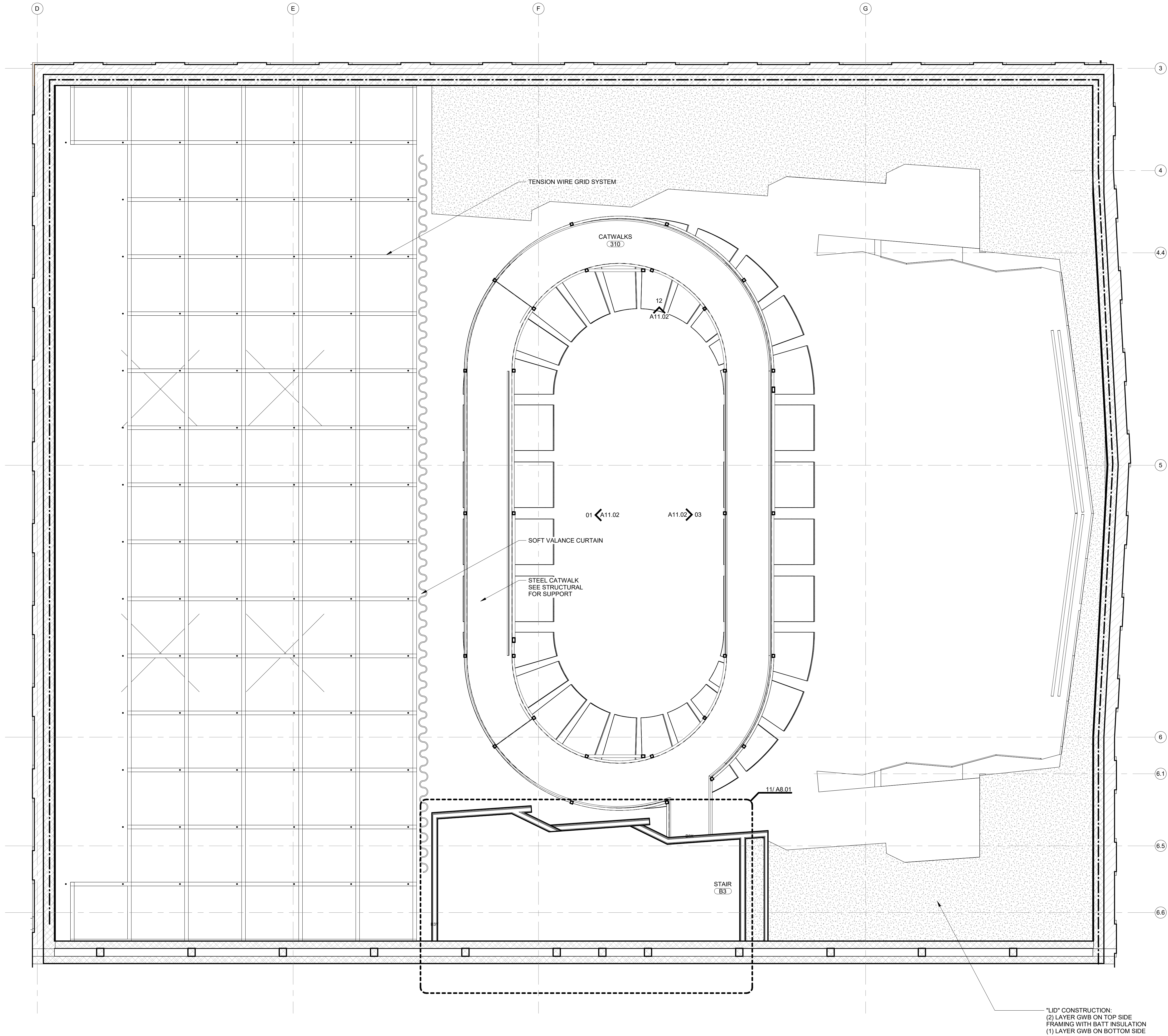


2/19/2020 12:12:17 PM

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BALCONY = 109 SEATS  
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TOTAL = 400 SEATS

BANQUET SEATING:  
26 6-PERSON TABLES = 156 SEATS

CABERET SEATING:  
10 6-PERSON TABLES = 60 SEATS  
THEATER SEATING = 224 SEATS  
TOTAL = 284 SEATS



02 04/ A0.03 1/4" = 1'-0" CATWALK LEVEL

## REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: March 16, 2020

**To:** Mayor and Board of Commissioners

**From:** Andrew Grant, Town Manager

**Action Requested:**

Board enters closed session pursuant to NCGS 143-318.11(a)(3) - Consult with Attorney and 143-318.11(a)(5.i) - Real Estate.

**Manager's Recommendation:**

Hold a Closed Session.

**ATTACHMENTS:**

Name:	Description:	Type:
No Attachments Available		

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## REQUEST FOR BOARD ACTION

 **Print**

**Date of Meeting:** March 16, 2020

**To:** Mayor and Board of Commissioners

**From:** Andrew Grant, Town Manager


**Action Requested:**

Due to the COVID-19 pandemic, consider adopting a Proclamation of a State of Emergency for the Town of Cornelius.

**Manager's Recommendation:**

Approve a Proclamation of a State of Emergency for the Town of Cornelius.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">State_of_Emergency.pdf</a>	State of Emergency Proclamation	Backup Material

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**TOWN OF CORNELIUS  
PROCLAMATION OF A STATE OF EMERGENCY  
BY THE MAYOR OF THE TOWN OF CORNELIUS**

**WHEREAS**, the Coronavirus (COVID – 19) pandemic has created a state of emergency in the Town of Cornelius; and

**WHEREAS**, the Governor has declared a state of emergency on behalf of the state on March 10, 2020; and

**WHEREAS**, Mecklenburg County and the City of Charlotte have declared a state of emergency on behalf of the County and City on March 13, 2020 which proclamation is in effect for the Town of Cornelius by request of the Town’s chief elected official (see Exhibit “A” attached, the “County Declaration”); and

**WHEREAS**, the North Carolina General Assembly has adopted Article 1A of Chapter 166A entitled “North Carolina Emergency Management Act”; and

**WHEREAS**, G.S. 166A-19.22 authorizes a municipality by ordinance to delegate to the mayor of a municipality the authority to declare a state of emergency pursuant to the procedures of G.S. 166A; and

**WHEREAS**, the Town of Cornelius Code of Ordinances Section 33.15 (B) authorizes and empowers the Mayor to issue a public proclamation declaring to all persons the existence of a state of emergency, and in order to effectively protect the lives and property of people within the town, to place into effect restrictions authorize by ordinance.

**NOW, THEREFORE**, pursuant to the authority contained in Article 1 of N.C.G.S § 166A, and Cornelius Code of Ordinances Section 33.15, I, Woody Washam, Jr., the Mayor of the Town of Cornelius proclaim the existence of a State of Emergency in the Town of Cornelius.

I further proclaim that the restrictions set forth below are necessary to maintain public order and protect lives and property during this emergency, and that the same shall be in effect within the incorporated limits of the Town of Cornelius until this Proclamation is rescinded.

I further proclaim that the restrictions set forth below are in addition to those which have been imposed by the County Declaration and I hereby order all town employees and all other emergency management personnel subject to my control to cooperate in the enforcement and implementation of the County Declaration and the Town of Cornelius emergency ordinances.

I further proclaim that the following additional public safety measures are in effect:

*Cancellation, postponement or modification of Town of Cornelius gatherings, meetings, travel and events:* Pursuant to Section 33.15 (E)(6) of the Code of Ordinances, non-essential Town of Cornelius gatherings, meetings, travel and events may be cancelled, postponed, or modified to promote efforts being made to overcome or prevent further aggravation of the emergency.



*Public Attendance at Town of Cornelius gatherings, meetings and events:* Pursuant to Section 33.15 (E)(6) of the Code of Ordinances, public attendance at Town of Cornelius gatherings, meetings and events is hereby reasonably and necessarily prohibited, restricted or modified to promote efforts being made to overcome or prevent further aggravation of the emergency, except in areas or times designated by the Town of Cornelius or the Mecklenburg County Health department in conjunction with County Emergency Management.

*Restricted access to Town Facilities, parks and greenways:* Pursuant to Section 33.15(E)(5), access to Town Facilities, parks and greenways is reasonably and necessarily prohibited or restricted to promote efforts being made to overcome or prevent further aggravation of the emergency, except in areas or times designated by the Town of Cornelius or the Mecklenburg County Health Department in conjunction of with County Emergency Management.

*Authority to those Town Officials imposing Restrictions:* Pursuant to G.S. § 166A-19.31(b), the Town Manager and/or his delegee is hereby authorized to determine and impose the public safety prohibitions or restrictions deemed reasonable and necessary to overcome or prevent aggravation of the emergency as set-forth in this Proclamation.

This Proclamation shall become effective immediately and shall remain in effect until rescinded.

---

Woody Washam, Jr., Mayor

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Seal of the Town of Cornelius on this 16<sup>th</sup> day of March, 2020.



## Mecklenburg County and City of Charlotte Joint Proclamation of a State of Emergency



CHARLOTTE.

**By the Chairperson of the Board of Commissioners of Mecklenburg County and the Mayor  
of the City of Charlotte**

**WHEREAS** the Coronavirus (COVID-19) pandemic has created a state of emergency in the County of Mecklenburg and the City of Charlotte; and whereas the Governor has declared a state of emergency on behalf of the state on March 10, 2020; and whereas the North Carolina General assembly has adopted Article 1A of Chapter 166A entitled "North Carolina Emergency Management Act" and whereas G.S. 166A-19.22 authorizes counties to declare a state of emergency under conditions and following procedures contained in G.S. 166A.

**NOW, THEREFORE**, pursuant to the authority contained in Article 1 of N.C.G.S. Chapter 166A, Article 36A of N.C.G.S. Chapter 14, the Mecklenburg County resolution adopted February 21, 2017 entitled "An Ordinance Authorizing the Declaration of a State of Emergency and the Imposition of Prohibitions and Restrictions During a State of Emergency," and Section 15-20 of the City of Charlotte Municipal Code, we, the Chairperson of the Mecklenburg County Board of Commissioners and the Mayor of the City of Charlotte, proclaim the existence of a State of Emergency in the City of Charlotte and the County of Mecklenburg.

We further proclaim that the ordinances set forth below are necessary to maintain public order and protect lives and property during this emergency, and that the same shall be in effect within the unincorporated area of the County of Mecklenburg and incorporated limits of the City of Charlotte and, by request of the chief elected officials, within the incorporated limits of the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville until this Proclamation is rescinded. We hereby order all county employees and all other emergency management personnel subject to my control to cooperate in the enforcement and implementation of the emergency ordinances set forth below.

We further proclaim that Charlotte-Mecklenburg Emergency Operations Plan (EOP) and all applicable supporting plans, mutual assistance compacts, and agreements are in effect and shall remain in effect until this proclamation expires or is rescinded. All city and county employees subject to our control are hereby ordered to cooperate in the implementation of the provisions of the Emergency Operation Plan and all applicable supporting plans, mutual assistance compacts, and agreements, and to furnish assistance thereunder.

We further proclaim that the following public safety measures are in effect:

1. *Excessive Price Prohibitions:* It is hereby unlawful to sell or rent or offer to sell or rent any goods or services which are consumed or used as a direct result of an emergency or which are consumed or used to preserve, protect, or sustain life, health, safety, or economic well-being of persons or their property with the knowledge and intent to charge



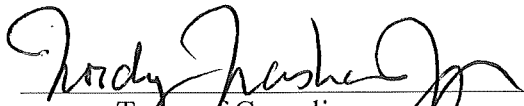
a price that is unreasonably excessive under the circumstances or engage in any price gouging practices as defined by N.C.G.S. 166A-19.23, N.C.G.S.75-37, or N.C.G.S.75-38.

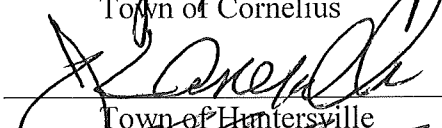
2. *Restricted Access.* Travel upon any public street, alley, or roadway or upon any other public property, within the area(s) or times as designated by the Mecklenburg County Public Health Department in conjunction with County Emergency Management is prohibited except by those in search of medical assistance, food or other commodity or service necessary to sustain the well-being of themselves or their families or some member thereof.
3. *Restricting Business and Congregation:* Pursuant to Section 8 of the Mecklenburg County Emergency Ordinance, movement of people in public places is restricted; the operation of business activity, entertainment, events, or other places of public mass gatherings, is reasonably and necessarily prohibited or restricted to promote efforts being made to overcome or prevent further aggravation of the emergency, except in areas or times designated by the Mecklenburg County Health Department in conjunction with County Emergency Management.
4. Any other activities or conditions whereby the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency.


This proclamation shall become effective immediately and shall remain in effect until rescinded by the issuing authorities. Proclaimed this the 13<sup>th</sup> day of March 2020, at 1800 hours.

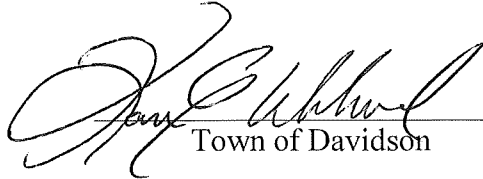
  
CHAIRPERSON, BOARD OF COMMISSIONERS  
OF MECKLENBURG COUNTY

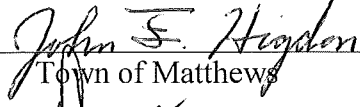
  
MAYOR, CITY OF CHARLOTTE

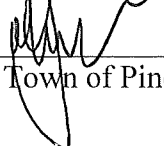
  
Town of Cornelius

  
Town of Huntersville

  
Town of Mint Hill

  
Town of Davidson

  
Town of Matthews

  
Town of Pineville



## REQUEST FOR BOARD ACTION

 **Print**

**Date of Meeting:** March 16, 2020

**To:** Mayor and Board of Commissioners

**From:** Julie Niswonger, Finance Director

**Action Requested:**

The Bond order for the Town Center Redevelopment Bonds was approved by the voters on November 5, 2013 and is currently effective until November 5, 2020. The Local Government Commission has entered an order approving a proposed extension of the maximum time period for issuing bonds under the bond order described above. It is necessary, as a condition to the consideration and adoption of an extension of such bond order, to hold a public hearing on the extension of the bond order in the manner required by the Local Government Bond Act.

The Board will hold a public hearing on March 16, 2020 on the question of whether the maximum time period for issuing bonds under the Bond Order should be extended from seven years to 10 years after November 5, 2013. This order will take effect 30 days after its publication.

**Manager's Recommendation:**

Open public hearing, allow public comment, close public hearing and approve extension of the Bond order.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">Extension Orders for Cornelius GO extension (3_16_20_action).pdf</a>	Bond Extension Orders	Cover Memo

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**EXTENSION OF  
BOND ORDER AUTHORIZING THE ISSUANCE OF \$4,000,000  
GENERAL OBLIGATION TOWN CENTER REDEVELOPMENT BONDS  
OF THE TOWN OF CORNELIUS, NORTH CAROLINA**

*WHEREAS*, on August 19, 2013 the Board of Commissioners of the Town of Cornelius, North Carolina (the “*Board*”) adopted a bond order (the “*Bond Order*”) authorizing \$4,000,000 General Obligation Town Redevelopment Bonds of the Town of Cornelius, North Carolina (the “*Town*”) to pay the costs of public facilities and infrastructure improvements for the purpose of revitalizing the historic Cornelius area (within one mile radius of the intersection of Catawba Avenue and Main Street), including the acquisition, renovation, construction, reconstruction, improving, providing, furnishing and equipping of community activity and arts centers, outdoor water park, outdoor amphitheater, public gathering spaces, and related amenities, streetscape improvements and beautification of public areas, and the acquisition of any necessary land, rights-of-way and easements; and

*WHEREAS*, the Bond Order took effect upon its approval by the voters of the Town at a referendum on November 5, 2013;

*WHEREAS*, as permitted by the Local Government Bond Act, the Town applied to the Local Government Commission to extend the Bond Order from seven years to 10 years after November 5, 2013;

*WHEREAS*, the Local Government Commission formally entered an order approving the Town’s request for a three-year extension of the Bond Order on February 4, 2020; and

*WHEREAS*, the Board held a public hearing on March 16, 2020 on the question of whether the maximum time period for issuing bonds under the Bond Order should be extended from seven years to 10 years after November 5, 2013;

***NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF CORNELIUS, NORTH CAROLINA, AS FOLLOWS:***

*Section 1.*       The maximum time period for issuing bonds under the Bond Order has been extended from seven years to 10 years after November 5, 2013.

*Section 2.*       This order will take effect 30 days after its publication.

STATE OF NORTH CAROLINA                 )  
  )         SS:  
COUNTY OF MECKLENBURG                 )

I, *Lori Harrell*, Town Clerk of the Town of Cornelius, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of the order titled “**EXTENSION OF BOND ORDER AUTHORIZING THE ISSUANCE OF \$4,000,000 GENERAL OBLIGATION TOWN CENTER REDEVELOPMENT BONDS OF THE TOWN OF CORNELIUS, NORTH CAROLINA**” adopted by the Board of Commissioners of the Town of Cornelius, North Carolina at a regular meeting held on the 16th day of March, 2020.

***IN WITNESS WHEREOF***, I have hereunto set my hand and affixed the seal of said Town, this the \_\_\_\_ day of March, 2020.

(SEAL)

Town Clerk  
Town of Cornelius, North Carolina

## REQUEST FOR BOARD ACTION

 [Print](#)

**Date of Meeting:** March 16, 2020

**To:** Mayor and Board of Commissioners

**From:** Andrew Grant, Town Manager

**Action Requested:**

Town Staff and Cain Center for the Arts Construction Committee have been working with the design team that C-Design assembled to further develop the architectural drawings. This design development phase includes a more detailed version of the floor plans and the site plan.

The design includes a 400 seat theater, 3 classrooms (2 visual arts, 1 dance), art gallery, boardroom, dressing rooms, office space, and 2 outdoor plaza areas. The total square footage is 29,720.

**Manager's Recommendation:**

Approve the 100% Design Development plans and approve moving forward with Construction Drawings.

**ATTACHMENTS:**

Name:	Description:	Type:
No Attachments Available		

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## REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: March 16, 2020

**To:** Mayor and Board of Commissioners  
**From:** Tyler Beardsley, Assistant Town Manager

**Action Requested:**

On March 4, 2019, the Town Board approved a design contract with C-Design for the design, bidding and construction administration for the Cain Center for the Arts. At the current phase of Design Development, Rodgers Builders conducted a construction estimating exercise. This exercise indicated the construction costs are \$19,600,000 which is different than the \$18,888,140 that was estimated after Schematic Design. Town staff and Cain Center for the Arts eliminated items and value engineered, as well as adjusted the overall construction budget. These cost increases have been approved by the Cain Center for the Arts Board. Due to the increased construction costs, the architect contract was adjusted to reflect these adjustments. Approval of this amendment is contingent upon the Cain Center for the Arts board approval.

**Manager's Recommendation:**

Approve amendment #2 to the Architectural Services Contract, pending approval by the Cain Center for the Arts board.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">CCA_Add_Service_No_2.pdf</a>	C-Design Add Service #2	Cover Memo

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March 11, 2020

Andrew Grant, ICMA-CM  
Town Manager  
Town of Cornelius  
21445 Catawba Avenue  
PO Box 399  
Cornelius, NC 28031

Reference: **ADDITIONAL SERVICES NO. 2**  
**BASIC ARCHITECTURAL AND SUPPLEMENTAL SERVICES PROPOSAL**  
**Cain Center For The Arts**  
**Cornelius, North Carolina**

Dear Mr. Grant:

We understand the value of the Construction Cost for the Cain Arts Center was increased by the client this week. The increased budget, \$19,600,000, will better accommodate the functional, aesthetic and programmatic needs of the project. The professional fee in the executed March 4, 2019 contract was based on a Construction Cost Budget of \$16,848,140. The Construction cost Budget was updated in accordance with Additional service No.1, dated July 3, 2019 to the amount of \$18,848,140.

We request an Additional Services Contract Amendment to reflect this increase in the Construction Cost. The Amendment fee is based on the same percentage as that used to originally determine the Contract fee, 10.696%. To illustrate the fee modification, the following chart shows the additional fee calculation.

#### **ADDITIONAL SERVICES NO. 2**

##### **Construction Budget and Fee as contracted March 4, 2019**

- A. Contracted Construction Cost Budget = \$16,848,140
- B. Contracted Total Design Fee w/ Reimbursables = \$1,802,000
- C. Contracted Total Fee is 10.696% of the Construction Cost Budget
- D. Restated: \$16,848,140 X 10.696 ~ \$1,802,000 fee

##### **Construction Budget and Fee as amended July 3, 2019**

- A. Increased Construction Cost Budget = \$18,848,140
- B. Increased fee amount based on increased Construction Cost and the original fee percentage, 10.696 = \$2,015,997
- C. Restated Increased fee amount = \$213,997

##### **Increase Construction Budget and additional fee**

- A. Increased Construction Cost Budget = \$19,600,000
- B. Increased fee amount based on increased Construction Cost and the original fee percentage, 10.696 = \$2,096,416
- C. Restated Increased fee amount = \$80,419

<b>ADDITIONAL DESIGN FEE =</b>	<b>\$78,089</b>
<b>ADDITIONAL REIMBURSABLES EXPENSES =</b>	<b>\$ 2,330</b>
<b>TOTAL ADDITIONAL SERVICES FEE =</b>	<b>\$80,419</b>

Contract Amendment No. 2 - Additional Services will be provided by the Architect for a fee of \$80,419. All services shall follow the procedures and conditions outlined in the signed contract, AIA B101-2017, dated March 4, 2019. It is noted that the that the Owner Design Fee Contingency of **\$120,000.00** will be utilized for Additional Service #1 and #2.

The opportunity to work with you on this exciting project is appreciated.

Respectfully,

**C DESIGN**



3/11/20

\_\_\_\_\_  
Robert C. Crane, Jr, AIA (Date)  
Managing Principal

Approved by:

**TOWN OF CORNELIUS**

\_\_\_\_\_  
Andrew Grant, ICMA-CM (Date)  
Town Manager

CDI Project Number: 0604-0422/101



## REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: March 16, 2020

**To:** Mayor and Board of Commissioners  
**From:** Tyler Beardsley, Asst. Town Manager

**Action Requested:**


In 2017, the Town and the Cain Center for the Arts entered into a Management Services Agreement (MSA). On March 4, 2019, the MSA was amended to further define the relationship and financial obligations of both parties as design started. On August 19, 2019, the MSA was amended again to account for the increase in construction and design cost based on the schematic design cost estimate.

This third amendment adjusts the overall budget and modifies the financial obligations based on the updated construction budget and architect's contract amendment. The revised project budget has increased by \$200,000 to \$22,900,000. This includes an revised construction cost of \$19,600,000 and increase to the design budget of \$80,419. The Cain Center board has approved the project cost increases. This approval is contingent upon the Cain Center for the Arts board approval.

**Manager's Recommendation:**

Approve amendment #3 to the Management Services Agreement as presented, pending approval by the Cain Center for the Arts board.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">MANAGEMENT_SERVICES_AGREEMENT_Amend__3_Increased_Construction_budget.docx</a>	Management Services Agreement-Amendment #3	Cover Memo

## AMENDMENT #3 to Management Services Agreement

This Amendment #3 (this "Third Amendment") is dated \_\_\_\_\_, 2020 [after CACC Board and Town Board approval] and is by and between the **Town of Cornelius** ("Town") and **Cornelius Arts & Community Center, Inc.** ("CACC") This Amendment amends the Management Services Contract dated **April 3, 2017 ("Original Agreement")**, as amended by that certain Amendment # 1 dated March 4, 2019 ("First Amendment") and Amendment #2 dated August 19, 2019 ("Second Amendment") (collectively, the "Existing Agreement").

### Background.

Town and CACC have agreed to increase the budget for the construction cost of the Center to \$19,600,000. The parties are entering into this Third Amendment to confirm this agreed upon increase in the budget and to make corresponding changes to the Existing Agreement.

### Agreement.

In consideration of the mutual covenants and conditions contained herein, the receipt and sufficiency of which are hereby acknowledged, Town and CACC hereby agree as follows:

1. **Budget Amount.** The budget for the construction cost of the Center is \$19,600,000.

Accordingly:

- Exhibit A to the Original Agreement is revised to read as follows:

*Work with Town to design the Center so that it can be constructed within the budget of available Town Bond funding [\$4,000,000] and the reasonably achievable fundraising goals determined after the fundraising study [currently \$19,600,000, for a total design and construction budget of \$22,900,000]*

- Exhibit D to the First Amendment, is revised as set forth on Exhibit D attached hereto.

2. Miscellaneous. This Third Amendment is limited as specified and does not constitute a modification, acceptance or waiver of any other provision of the Existing Agreement. As expressly amended by this Second Amendment, the Existing Agreement will continue in full force and effect in accordance with its provisions. This Amendment may be executed in counterparts, each of which is an original and all of which together are deemed one and the same instrument. All capitalized terms not otherwise defined in this Amendment have the meanings assigned to them in the Agreement.

**CORNELIUS ARTS & COMMUNITY  
CENTER, INC.**

**TOWN OF CORNELIUS**

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: Town Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

For reference:

Approved by CACC Board: \_\_\_\_\_, 2020

Approved by Town of Cornelius Board of Commissioners: \_\_\_\_\_, 2020

**EXHIBIT D**

## Payment Schedule – CACC to Town

<b>Milestone (estimated phases, subject to change)</b>	<b>Estimated duration until next phase</b>	<b>Estimated Amount from CACC that is to be transferred from CACC to Town prior to the associated Milestone occurring (subject to change based on actual amounts, inclusive of any agreed upon contingency funding and reimbursable expenses)</b>	<b>Comment</b>
Signing Architect Contract (Architect)/Commencement of Schematic Design	13 weeks (March 4, 2019)- COMPLETE	[Schematic Design phase(\$270,300 + 1/3 of design contingency (\$40,000)] \$310,300 additional \$32,100 for C-Design Additional Service #1	Note: Town will have to encumber full amount of architect contract transferring fund balance to capital project budget
Signing of CM@R Pre- Construction Construction (CM@R)/Commencement of Schematic Design		[Amount of preconstruction services for schematic design phase(\$10,000 +1/3 of CM estimated reimbursable (\$1,667)] \$11,667.	Note: Town will have to encumber full amount of CM@R contract transferring fund balance to capital project budget
Commencement of Design Development Drawings(Architect & CM@R)	17 weeks (September 17, 2019) COMPLETE	[Design Development phase (\$403,200) + CM@R Pre- Construction Fee (\$15,000 includes additional \$5,000) + 1/3 design contingency (\$40,000) + 1/3 of CM estimated	

		reimbursable (1,667] (Architect & CM@R) \$459,866.	
Commencement of Construction Drawings(Architect & CM@R)	22 weeks (March 16, 2020)	[Construction Drawing phase (\$806,400 + CM@R Pre-Construction Fee (\$20,000) + 1/3 design contingency(40,000) + 1/3 of estimated CM reimbursable(\$1,666) ] (Architect & CM@R) + \$9,289 (Apex Environmental Soil Samples = \$877,354	
Permitting and Bidding (Architect)	16 weeks (June 23, 2020)	Permitting & Bidding (Architect only \$100,800) \$100,800	
Construction Administration (Architect)	72 weeks (October 13, 2020)	Construction Administration (Architect only \$403,200)\$403,200	
Commencement of Construction; site work and building construction		[80% of estimated amount of Construction, including contingency less \$4,000,000 Town contribution] \$13,363,771	Note: Town funds its \$4,000,000 during this phase (upon LGC approval with 85% of estimated amount of construction costs provided by CACC work less \$4,000,000 Town contribution=\$14,199,007) ; Town will also have to encumber 20% estimated amount of construction costs work less \$4,000,000 Town contribution

Additional fundraising post-signing of GMP contract by Town in order to complete fundraising goals.		[20% estimated amount of construction work less \$4,000,000 Town contribution] \$3,340,943.	Note: CACC to pay to Town as fundraising dollars collected.
<b>Other Contracts</b>			
Environmental sampling (Apex Environmental)	Complete Jan 2020	\$9,289	Paid as part of Commencement of Construction Drawings

## REQUEST FOR BOARD ACTION

 **Print**

**Date of Meeting:** March 16, 2020

**To:** Mayor and Board of Commissioners

**From:** Julie Niswonger, Finance Director


**Action Requested:**

In another item on tonight's agenda, the Town Board is being asked to amend the contract with the Architect for the design of the Cain Center for the Arts. The attached capital project ordinance provides the amended budget necessary to continue the design and preconstruction of the building for the Cain Center for the Arts with the revenue source identified as a transfer from general fund balance to the Cain Center for the Arts Capital Project Fund for \$9,289. Please keep in mind, at the beginning of each phase of design, the Cain Center for the Arts will pay the Town the contract amounts set forth in the Management Services Agreement.

**Manager's Recommendation:**

Approve an amendment to the Cain Center for the Arts Capital Project Ordinance.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">Cain_Center_for_the_Arts_CPO_Amendment_2.pdf</a>	Capital Project Ordinance Cain Center	Cover Memo

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**A CAPITAL PROJECT ORDINANCE TO AMEND THE FUNDING OF THE  
CAIN CENTER FOR THE ARTS**

**WHEREAS**, it has been determined by the Board of Commissioners that in order to meet the demands of our growing community, it is necessary to provide performing arts and artistic educational facilities while remaining vigilant in their duty to control costs with such a facility; and

**WHEREAS**, the Cain Center for the Arts has been identified to provide performing arts and artistic educational facilities; and

**WHEREAS**, the Cain Center for the Arts will provide key theater and performing arts experiences to the Town of Cornelius; and

**WHEREAS**, in accordance with North Carolina General Statute §159-13.2, the Town is authorized to establish a balanced project ordinance for projects involving the construction/acquisition of a capital asset.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Town of Cornelius that a Project Ordinance is hereby established for the Cain Center for the Arts with the following schedule of appropriations and expenditures:

**REVENUES**

	<u>ORIGINAL</u>	<u>PREVIOUS AMEND</u>	<u>CURRENT AMEND</u>	<u>CHANGE</u>
Transfer from General Fund	\$1,967,000	\$2,185,997	\$2,195,286	\$9,289
<b><i>Total</i></b>	<b><u>\$1,967,000</u></b>	<b><u>\$2,185,997</u></b>	<b><u>\$2,195,286</u></b>	<b><u>\$9,289</u></b>

**EXPENDITURES**

	<u>ORIGINAL</u>	<u>PREVIOUS AMEND</u>	<u>CURRENT AMEND</u>	<u>CHANGE</u>
Cain Center for the Arts Design/Pre-construction	\$1,967,000	\$2,185,997	\$2,195,286	\$9,289
<b><i>Total</i></b>	<b><u>\$1,967,000</u></b>	<b><u>\$2,185,997</u></b>	<b><u>\$2,195,286</u></b>	<b><u>\$9,289</u></b>

**BE IT FURTHER ORDAINED** that the Town Manager is authorized to transfer amounts among the aforementioned line items at his discretion as he deems necessary necessitating further action by the Board only to change the total amount of the budget.

The Town Manager or his designee is hereby authorized to expend funds in accordance with this Project Ordinance necessary to complete the project. Town Manager is hereby authorized to approve design services contract(s) scope changes that are less than \$35,000 and construction contract(s) scope changes that are less than \$75,000. Contract(s) scope changes that exceed these thresholds must be approved by the Board of Commissioners of the Town of Cornelius.

Adopted this 16th day of March, 2020.

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Woodrow T. Washam Jr., Mayor

SEAL

ATTEST:

APPROVED AS TO FORM:

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Lori A. Harrell  
Town Clerk

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Karen Wolter  
Town Attorney



## REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: March 16, 2020

To: Mayor and Board of Commissioners

From: Julie Niswonger, Finance Director

**Action Requested:**


The Town received a NCDOT supplemental grant in the amount of \$721,000 to fund construction costs associated with the Antiquity Greenway. This Capital Project Ordinance Amendment simply recognizes this revenue into the Capital Project Fund. With the recognition of this grant revenue, there is no impact to fund balance.

The Town also received \$83,634 payment in lieu of funds to fund the South Bailey Greenway/Plum Creek Greenway. This recognizes those funds in this Park Bond Capital Project Ordinance.

**Manager's Recommendation:**

Approve a Capital Project Ordinance amendment.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">ORD-CPO_Park_Bond_Amendment.pdf</a>	Park Bonds CPO	Ordinance

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**A CAPITAL PROJECT ORDINANCE TO AMENDING THE FUNDING OF  
PARK BONDS CAPITAL**

**WHEREAS**, it has been determined that G.S. 159-45 and related chapters allow local governments to finance capital projects through the use of General Obligation Bonds; and

**WHEREAS**, the citizens of Cornelius voted on November 5, 2013 and approved Park Bonds voting 72.09% in favor; and

**WHEREAS**, the Cornelius Town Board of Commissioners determined on August 18, 2014 to move forward with issuance of Park Bonds to fund greenways and additional capital renovations and expansions including planning, design, engineering, land purchase, right-of-way, and construction; and

**WHEREAS**, in accordance with North Carolina General Statute §159-13.2, the Town is authorized to establish a balanced project ordinance for projects involving the construction or acquisition of a capital asset.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Town of Cornelius that a Project Ordinance is hereby amended for the 2015 Park Bonds with the following schedule of appropriations and expenditures:

<b><u>REVENUES</u></b>	<b><u>ORIGINAL</u></b>	<b><u>PREVIOUS AMEND</u></b>	<b><u>CURRENT AMEND</u></b>	<b><u>CHANGE</u></b>
Proceeds from GO Bond Issue	\$3,400,000	\$4,200,000	\$4,200,000	\$ - 0 -
Carolina Thread Trail Grant	- 0 -	\$ 60,000	\$ 60,000	\$ - 0 -
NCDOT Grant revenue	- 0 -	\$ 747,000	\$1,468,000	\$ 721,000
Transfer from General Fund	- 0 -	\$ - 0 -	\$ 83,634	\$ 83,634
Interest Earnings	- 0 -	\$ 2,000	\$ 2,000	\$ - 0 -
<b>Total</b>	<b><u>\$3,400,000</u></b>	<b><u>\$5,009,000</u></b>	<b><u>\$5,813,634</u></b>	<b><u>\$ 804,634</u></b>

**EXPENDITURES**

Design, Land Purchase, and Construction	\$3,400,000	\$5,009,000	\$5,813,634	\$ 804,634
<b>Total</b>	<b><u>\$3,400,000</u></b>	<b><u>\$5,009,000</u></b>	<b><u>\$5,813,634</u></b>	<b><u>\$ 804,634</u></b>

**BE IT FURTHER ORDAINED** that the Town Manager is authorized to transfer amounts among line items at his discretion as he deems necessary necessitating further action by the Board only to change the total amount of the budget. The Town Manager or his designee is hereby authorized to expend funds in accordance with this Project Ordinance necessary to complete the project.

Adopted this 16<sup>th</sup> day of March, 2020.

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Woody T. Washam Jr., Mayor

SEAL

ATTEST:

APPROVED AS TO FORM:

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Lori A. Harrell Town Clerk

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Town Attorney

## REQUEST FOR BOARD ACTION

 **Print**

**Date of Meeting:** March 16, 2020

**To:** Mayor and Board of Commissioners

**From:** Julie Niswonger, Finance Director

**Action Requested:**

On tonight's budget amendment we have a couple of house keeping items that need to be taken care of prior to the end of the fiscal year.

The first item is to recognize some payment in lieu of funds in the amount of \$83,634 to for the design phase of the South Bailey Greenway/Plum Creek Greenway. Since the design phase has been completed, the funds will need to transfer from the general fund to the 2015 Park Bond Fund.

The second item is also another transfer from the general fund to the Cain Center Capital Project Fund in the amount of \$228,286. The \$218,997 CPO amendment to the Cain Center was approved in August and the remainder is \$9,289 for this evening's CPO amendment for the Apex environmental study and this action simply makes the transfer.

**Manager's Recommendation:**

Approve an Ordinance to amend the FY20 operating budget as presented.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">Amend FY20 # 5.pdf</a>	Budget Amendment 3-16-2020	Cover Memo

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**TOWN OF CORNELIUS**  
**AN ORDINANCE AMENDING**  
**THE OPERATING BUDGET FOR**  
**FISCAL YEAR 2019-2020**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF  
COMMISSIONERS OF THE TOWN OF CORNELIUS:**

**SECTION 1.** The following amounts are hereby authorized for all appropriations, expenditures and inter-fund transfers necessary for the administration and operation of the Town of Cornelius for the fiscal year beginning July 1, 2019 and ending June 30, 2020 in accordance with the following schedule of accounts heretofore established for this Town:

SCHEDULE A: GENERAL FUND

	Original Budget	Previous Amendment 3/2/2020	This Amendment 3/16/2020	Change
<b>General Fund Revenues</b>				
Ad Valorem Taxes	\$ 16,090,128	\$ 16,090,128	\$ 16,090,128	
Local Option Sales Tax	3,841,700	\$ 3,841,700	\$ 3,841,700	
Utility Franchise Tax	1,905,280	\$ 1,905,280	\$ 1,905,280	
Powell Bill Allocation	777,233	\$ 777,233	\$ 777,233	
Other Taxes and Licenses	554,333	\$ 554,333	\$ 554,333	
Unrestricted Intergovernmental	1,269,370	\$ 1,269,370	\$ 1,269,370	
Restricted Intergovernmental	731,108	\$ 731,108	\$ 731,108	
Permits and Fees	828,100	\$ 828,100	\$ 828,100	
Sales and Services	186,460	\$ 186,460	\$ 186,460	
Investment earnings	250,500	\$ 250,500	\$ 250,500	
Donations	20,000	\$ 20,000	\$ 20,000	
Micellaneous	19,300	\$ 51,286	\$ 51,286	
Debt Issued	1,000,000	\$ 1,000,000	\$ 1,000,000	
Appropriated Fund Balance	(1,381,129)	\$ (518,970)	\$ (207,050)	\$ 311,920
<b>Total General Fund Revenues</b>	<b>\$26,092,383</b>	<b>\$26,986,528</b>	<b>\$27,298,448</b>	<b>\$311,920</b>
<b>General Fund Expenditures</b>				
Governing Board	\$ 77,931	\$ 77,931	\$ 77,931	
General Government	1,804,186	\$ 2,075,586	\$ 2,075,586	
General Services	650,506	\$ 650,506	\$ 962,426	\$ 311,920
Police	7,119,938	\$ 7,424,324	\$ 7,424,324	
Communications	693,463	\$ 693,463	\$ 693,463	
Fire Operations	1,759,241	\$ 1,759,241	\$ 1,759,241	
Animal Control	194,627	\$ 194,627	\$ 194,627	
Public Works	1,358,085	\$ 1,458,085	\$ 1,458,085	
Powell Bill	970,500	\$ 1,188,859	\$ 1,188,859	
Solid Waste/Recycling	2,099,390	\$ 2,099,390	\$ 2,099,390	
Stormwater	336,000	\$ 336,000	\$ 336,000	
Planning / Land Development	627,660	\$ 627,660	\$ 627,660	
Tourism	444,064	\$ 444,064	\$ 444,064	
Art Center	620,505	\$ 620,505	\$ 620,505	
Parks, Arts, Recreation, and Culture	3,066,800	\$ 3,066,800	\$ 3,066,800	
Transfer to Capital Project Funds/ 911 Fund	1,072,874	\$ 1,072,874	\$ 1,072,874	
Debt Service	3,196,613	\$ 3,196,613	\$ 3,196,613	
<b>Total General Fund Expenditures</b>	<b>\$26,092,383</b>	<b>\$26,986,528</b>	<b>\$27,298,448</b>	<b>\$311,920</b>

SCHEDULE B: ELECTRIC FUND

**Electric Fund Revenues**

	Original Budget	Previous Amendment 3/2/2020	This Amendment 3/16/2020	Change
Sales and Services	\$ 6,692,359	\$ 6,692,359	\$ 6,692,359	
Fund Balance	-	\$ -	\$ -	
Miscellaneous	10,000	\$ 15,055	\$ 15,055	
<b>Total Electric Fund Revenues</b>	<b>\$ 6,702,359</b>	<b>\$ 6,707,414</b>	<b>\$ 6,707,414</b>	<b>\$ -</b>

**Electric Fund Expenditures**

Electric Department	\$6,702,359	\$6,707,414	\$6,707,414	
<b>Total Electric Fund Expenditures</b>	<b>\$ 6,702,359</b>	<b>\$ 6,707,414</b>	<b>\$ 6,707,414</b>	<b>\$ -</b>

SCHEDULE C: 911 FUND

**911 Fund Revenues:**

911 Fee Revenue	\$115,182	\$115,182	\$115,182	
Fund Interest Earnings	\$1,650	\$1,650	\$1,650	
911 Appropriated Fund Balance	\$0	\$0	\$0	
<b>Total 911 Fund Revenues</b>	<b>\$ 116,832</b>	<b>\$ 116,832</b>	<b>\$ 116,832</b>	<b>\$ -</b>

**911 Fund Expenditures:**

911 Department	\$116,832	\$116,832	\$116,832	
<b>Total 911 Fund Expenditures</b>	<b>\$ 116,832</b>	<b>\$ 116,832</b>	<b>\$ 116,832</b>	<b>\$ -</b>

**SECTION 2.** An ad valorem tax rate of \$.222 per \$100 of assessed valuation is hereby established as the official tax rate for the Town of Cornelius for the fiscal year 2019-20. This rate is based on an estimated valuation of \$7,156,768,213 and an estimated 98.5% percent collection rate, which is at least the collection rate expected during the 2018-19 fiscal year.

**SECTION 3.** In accordance with G.S. §159-9 and G.S. §159-15, the Town Manager shall serve as the budget officer and is hereby authorized to reallocate appropriations among the objects of expenditure under the following conditions:

- a. The Town Manager may transfer amounts between line-item expenditures even among departments as believed to be necessary and prudent.
- b. He may not transfer any amounts between funds, except as approved by the Board of Commissioners in the Budget Ordinance as amended.

Adopted this the 16<sup>th</sup> day of March, 2020.

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Woody T. Washam Jr., Mayor

SEAL

ATTEST:

APPROVED AS TO FORM:

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Lori A. Harrell, Town Clerk

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Karen Wolter, Town Attorney



## REQUEST FOR BOARD ACTION

 [Print](#)

**Date of Meeting:** March 16, 2020

**To:** Mayor and Board of Commissioners

**From:** Lori Harrell, Town Clerk

**Action Requested:**

Review the minutes from Mar. 2nd - Regular Meeting.

**Manager's Recommendation:**

Approve minutes.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">03-02-20_Regular_Meeting_draft.pdf</a>	Regular Minutes	Cover Memo

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## BOARD OF COMMISSIONERS

March 2, 2020  
MINUTES

### PRE-MEETING – 5:45PM

❖ Safe Alliance/Victims Advocate Update

Safe Alliance representatives Malinda Meyers and Cori Goldstein gave an update on the Victims Advocacy program and requested \$15K in funding for FY21.

❖ Legislative Agenda

Manager Grant presented the list of 2020 legislative priorities to be presented to the NC General Assembly delegation and the following changes were made by consensus of the Board:

- Support a future Westmoreland Interstate Interchange (Exit 27) for regional economic development.
- Support continued Ocular Melanoma research and funding ~~to support this research and subsequent education and mitigation~~ in response to the unusual frequency of cancers in the Lake Norman Region.

Manager Grant stated that the revised Resolution will be on the 7PM agenda for consideration of approval.

❖ Agenda Review

Manager Grant gave an overview of the 7PM meeting agenda.

### REGULAR MEETING – 7:00PM

1. CALL TO ORDER

Mayor Washam called the meeting to order at 7:06PM.

2. DETERMINATION OF QUORUM

All commissioners were present for the meeting.

3. APPROVAL OF AGENDA

*Commissioner Miltich made a motion to approve the agenda as presented.  
Commissioner Ross seconded the motion and it passed unanimously, 5-0.*

4. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Commissioner Miltich introduced BSA Troop 72 scouts that were attending the meeting as part of the requirements for the Eagle required “Citizenship in Community” merit badge. He stated that they had also interviewed him as part of that merit badge. Troop 72, is sponsored by Bethel Presbyterian Church and was founded just over 50 years ago by Tommy Knox, whom the Town honored with a Mayoral Proclamation on their 50th Anniversary.

Jimmy Kinsella, Senior Patrol Leader of BSA Troop 72, led the pledge after a moment of silence was observed.

## 5. MAYOR/COMMISSIONERS/MANAGER REPORTS

Commissioner Duke reported on the following:

- Attended the Newsmaker breakfast on Feb. 28<sup>th</sup> featuring affordable housing as the topic. The turnout was significant but no clear answers developed.
- Participated in the Big Day at the Lake kickoff held at the home of Joy Evans. The event is scheduled for July 14<sup>th</sup> at the Duke Energy Explorium. Reported pledges to date are at \$96,272. Donations will support Big Brothers/Big Sisters of the Central Carolinas and is strongly supported by the Town each year.
- Attended the PARC Commission meeting Feb. 13<sup>th</sup>.
- Attended the Connecting Cornelius morning event at Harvey's this morning. It was of high quality and substantially attended.
- Discussed Budget Worksheet development done with the help of Town staff. Reported major requests at \$ 7,519,000 above normal funding levels for departments.

Commissioner Ross reported on the following:

- VLN – Crown Lacrosse Classic will be held at Hough High School on Mar. 8<sup>th</sup>; and the Lake Norman Youth Basketball tournaments will be held in local gyms this weekend.

Commissioner Bilodeau reported on the following:

- Attended the Charlotte Regional Transportation Planning meeting on Feb. 19<sup>th</sup> with Commissioner Miltich.
- Attended the Lake Norman Chamber luncheon on Feb. 20<sup>th</sup> with keynote speaker Mark Johnson the NC Superintendent of Public Instruction and educators of the year awards were presented.
- Attended the ASC North and West Advisory Committee meeting on Feb. 26<sup>th</sup>. The meeting was held at Renaissance West.
- Attended the North Regional Rec. Center public art “Meet the Artist” on Feb. 28<sup>th</sup>. The land is being cleared and the ground breaking date will be Apr. 22<sup>nd</sup>. Another opportunity to meet the commissioned artists will be held on June 10<sup>th</sup> at Bailey Middle School.
- Attended the Connecting Cornelius morning event this morning.
- East side Coffee Chat will be held at OTPH on Mar. 13<sup>th</sup> (9AM).

Commissioner Miltich reported on the following:

- The NC Turnpike Authority gave an update on Feb. 19<sup>th</sup> to the CRTPO leadership. There will be 5 separate express lane projects in Mecklenburg County (Monroe Bypass, I-77 Express Lane, I-485-Independence Blvd. to I-77, Independence Blvd. Express Lanes, I-77 to the SC border) and all projects will have different rules for use. The Turnpike Authority is working on creating a nationwide standard for transponders including car manufacturers adding transponders automatically. Cars are currently live streaming a tremendous amount data.
- CRTPO meeting was well attended and Mr. Herron proposed the latest funding for the discretionary fund projects. Some of the bonus allocation projects are

nearing their deadlines, therefore, funding swaps made by NCDOT have secured the funds for those projects.

- Attended the Chamber's Power Luncheon which honored the area educators.
- Attended the Big Day at the Lake kickoff.
- Attended the Chamber's Focus Friday on Feb. 21<sup>st</sup> featuring the Chamber's 2020 Legislative Agenda
- Attended a kickoff event called Connect Beyond on Feb. 24<sup>th</sup>. This will be an integrated regional transit plan that will take approximately 3 years to be developed by 12 counties and 20 transit agencies. He spoke with CATS Executive Director John Lewis about a pilot program of On Demand Transit that uses small scale vans to pick you up and take you where you want to go. Rep. John Torbett stated that there are some discussions between the state and Norfolk Southern regarding the use of their railways. Other conversations were held on drone taxi use in the future and selling airspace above transit stops to developers to help fund the transit lines.
- Attended the LDCAB meeting featuring discussion about standard major subdivisions.
- Charlotte Region Area for Transportation (CRAFT) made up of 4 MPOs and 2 RPOs meeting was held on Feb. 25<sup>th</sup> and the Pennies for Progress funding mechanism for road projects was discussed.
- Attended the CMS budget workshop.
- Visited the Town of Indian Trail and the Town of Stallings on Feb. 26<sup>th</sup> to see their traffic concerns.
- Attended the MEAC meeting on Feb. 26<sup>th</sup>.
- Attended the Newsmaker Breakfast on Feb. 28<sup>th</sup> featuring affordable housing as the topic.
- Attended the Connecting Cornelius morning event this morning.

Commissioner Sisson reported on the following:

- Attended the Chamber Power Luncheon on Feb. 20<sup>th</sup>
- Participated in the Chamber's Focus Friday on Feb. 21<sup>st</sup> to discuss the Chamber's 2020 Legislative Agenda priorities.
- Attended her daughter's wedding that was held at Sweet Magnolia on Feb. 22<sup>nd</sup>.
- Attended the LDCAB meeting on Feb. 24<sup>th</sup>.
- Chamber events – Business Works will be held on Mar. 3<sup>rd</sup> with guest speakers Katy and Greg Law of Sweet Dreams Mattress and Furniture (12:00PM-1:15PM); March Mixer will be held on Mar. 4<sup>th</sup> at Randy Marion Cadillac (5:30PM); Lake Norman Young Professionals will be participating in a philanthropy event on Mar. 7<sup>th</sup> at Ada Jenkins Center; Aquesta Bank will be hosting the Aquesta Challenge Kickoff on Mar. 5<sup>th</sup> (5:30PM-7:00PM); Lake Norman WINS meeting will be held at Brick Row on Mar. 10<sup>th</sup> (8:30AM-10:00AM).

Manager Grant on the following:

- PARC – Summer Camp registration started this morning.
- Town Hall is a polling location for Super Tuesday voting that will take place tomorrow (6:30AM-7:30PM).

- PARC – Walk with a Doc event will be held on Mar. 7<sup>th</sup> on the Antiquity Greenway (9:00AM).
- A blood drive by One Blood will be held at Town Hall on Mar. 10<sup>th</sup> (10:30AM-3:30PM).
- Shred It event hosted by CPD will be held at Town Hall on Mar. 21<sup>st</sup> (9:00AM-12:00PM).
- Annual budget workshop will be held on Mar. 25<sup>th</sup> & 26<sup>th</sup> at Graylyn International Conference Center in Winston-Salem.
- 2020 Census Day kickoff will be held on Apr. 1<sup>st</sup>. For more information please visit MeckCounts2020.com.

Deputy Manager Herron reported on the following:

- Thanked Cornelius Today and Dave Yochum for hosting the Newsmaker Breakfast.

Mayor Washam reported on the following:

- Connecting Cornelius morning event featuring a transportation update by Deputy Manager Herron and Asst. Manager Beardsley. The next scheduled coffee chat featuring park updates by PARC Director Troy Fitzsimmons will be held on Apr. 6<sup>th</sup> at Harvey's in Cornelius (8:30AM).
- Attended the Metropolitan Transit Commission (MTC) monthly meeting on Feb. 26<sup>th</sup> where the main topic discussed was budget. The three northern towns are pushing for area bus stop improvements.
- EDC update – the Bailey Road Master Plan is being completed; a small area plan is nearing completion; EDC staff will be conducting a “windshield” tour of the Lake Norman area with the business development team from the Charlotte Regional Business Alliance.

## 6. CITIZEN CONCERNS/COMMENTS

No concerns or comments were expressed.

## 7. PUBLIC HEARING

### A. REZ 01-20 The Forest at Bailey's Glen PH3V2 Public Hearing #1

Mayor Washam called for a motion to open public hearing #1 for rezoning case REZ 01-20 The Forest at Bailey's Glen, Phase 3 Version 2.

*Commissioner Miltich made a motion to open public hearing #1 for REZ 01-20. Commissioner Sisson seconded the motion and it passed unanimously, 5-0.*

Planning Director Aaron Tucker explained that the rezoning request located at 18375 Barnhardt Road was approved with conditions by the Town Board on June 17, 2019, but due to ongoing litigation it was decided to rehear the case. With that said, Mr. Tucker gave the staff presentation for the proposed 11 single-family homes and amenity center to be built on 13.5 acres located at 18375 Barnhardt Road. He displayed zoning maps and proposed elevations of the amenity center. The community meeting was held on Feb. 27<sup>th</sup>, the Planning Board will review the project on Apr. 13<sup>th</sup> and the Town Board public hearing #2 is scheduled for Apr. 20<sup>th</sup>.

Jake Palillo representing Blue Stream Partners stated that a court reporter was present to capture the hearing due to accusations made in the lawsuit filed by Mr. Violette. He requested that the staff condition for the existing trees along Barnhardt Road to remain unless NCDOT requires the removal be deleted from the approval conditions as he plans to remove the trees that impact site lines when exiting the property. Mr. Palillo explained that he has spent countless hours trying to work with Mr. Violette but has not been successful.

Commissioner Miltich asked if the staff condition requiring the second row of trees was still part of the proposed conditions. Mr. Palillo stated that the berm outside of the NCDOT right-of-way will be planted as required by the Code but the trees in the NCDOT right-of-way will be removed. All other conditions are still agreed to; however, he will not concede to any more ridiculous conditions made by Mr. Violette unless the Board requests it (e.g., there will be no bridge over the pond, no road around the pond, or lots removed to provide internal connectivity).

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

Kevin Violette explained that he does object to the project being built across the street from his 33 acres that his family lives on. He expressed his concerns with building a clubhouse that does not connect to the neighborhood of which it serves. If the project is approved he requested that the driveway located directly across from his son's house be relocated to the neighborhood that it serves (e.g., build a bridge above the pond, a road around the pond, remove a proposed lot and make the cul-de-sac a throughway drive). He asked the Board not to approve a 350 person pavilion across the road from his property or in concession flip the wedding pavilion and build it on the south side.

Attorney Ken Davies, representing Kevin Violette stated that the process has been very difficult, in that originally Mr. Violette had asked for 12 conditions to be attached to the rezoning to which Mr. Palillo had agreed to 6 of the 12. He suggested that if Mr. Palillo would relocate one of the driveways down to Barnhardt Road and Bailey Road, he would not have to cut down any of the existing trees. Attorney Davies pressed the issue for internal connectivity to better serve its residents.

There being no further public comments, Mayor Washam called for a motion to close public hearing #1 on REZ 01-20.

*Commissioner Miltich made a motion to close public hearing #1. Commissioner Sisson seconded the motion and it passed unanimously, 5-0.*

## 8. CONSIDERATION OF APPROVAL

### A. FY20 Operating Budget Amendment

Manager Grant gave an overview of the upgrades needed to address the Town's critical IT support, software and system checks. He stated that the \$271,400 will come from fund balance.

*Commissioner Miltich made a motion to approve Ordinance #2020-00729 to amend the FY20 operating budget allocating \$271,400 to fund the IT updates from the general fund balance. Commissioner Ross seconded the motion and it passed unanimously, 5-0.*

**Ordinance #2020-00729 is hereby made part of the minutes by reference.**

### B. 2020 Legislative Agenda Priorities

Manager Grant gave an overview of the legislative agenda priorities for Cornelius.

Commissioner Sisson stated for the record that she believes the following should reference “**regional**” rather than “Cornelius specific” so that Cornelius businesses are not negatively impacted.

- Enact a local bill that provides for a ~~Cornelius-specific~~ sales tax (up to a ½ cent), subject to a voter-approved referendum to fund road construction and maintenance. Tax shall have a seven year sunset, and can be renewed by voter-approved referendum only.

*Commissioner Ross made a motion to approve Resolution #2020-00958 as presented by staff for the NC General Assembly to advocate and support the Cornelius priorities of 2020 State Legislative Agenda. Commissioner Bilodeau seconded the motion and it passed unanimously, 5-0.*

**Resolution #2020-00958 is hereby made part of the minutes by reference.**

### C. NC 115/Potts Street Roundabout (U-5873) – NCDOT Municipal Agreement

Deputy Manager Herron gave an overview of the NCDOT Municipal Agreement for project U-5873 and stated that NCDOT is proposing to cover the current project costs 100%; however, if the costs exceed the available funds, the Town will be responsible for 100% of the overage costs. Commissioner Duke asked how old the cost estimate was. Deputy Manager Herron stated that the estimate is very current.

*Commissioner Miltich made motion to approve NCDOT Municipal Agreement for the NC115/Potts Street roundabout project (U-5873). Commissioner Sisson seconded the motion and it passed unanimously, 5-0.*

### D. Torrence Chapel Triple Roundabouts (U-5906) – NCDOT Supplemental Agreement

Deputy Manager Herron explained that the Supplemental Agreement for project U-5906 is due to a project funding increase since the Town entered into a Municipal Agreement in June, 2017. He stated that NCDOT is proposing to cover the current project costs 100% utilizing federal CMAQ funds and state matching funds; however,

if the costs exceed the available funds, the Town will be responsible for 100% of the overage costs.

*Commissioner Ross made a motion to approve NCDOT Supplemental Agreement for the Torrence Chapel triple roundabouts project (U-5906). Commissioner Sisson seconded the motion and it passed unanimously, 5-0.*

E. Old Public Works Building – Offer to Purchase

Asst. Manager Beardsley gave an overview of the upset bid results for the old Public Works building and stated that Michael Crum was the highest bidder at \$671,050. Commissioner Duke asked if the sale proceeds were earmarked for anything. Manager Grant stated that he is recommending that the funds be used for an “existing building maintenance reserve fund” that was proposed at the Feb. 6<sup>th</sup> strategic planning session.

*Commissioner Miltich made a motion to approve the \$671,050 offer to purchase and contract with Michael Crum for the old Public Works building and authorize the Town Manager and Town Attorney to finalize and execute it. Commissioner Sisson seconded the motion and it passed unanimously, 5-0.*

F. Move Town Center Redevelopment Bond Extension Public Hearing to Mar. 16<sup>th</sup>

Finance Director Julie Niswonger explained that at the Feb. 17<sup>th</sup> meeting the public hearing was set for Mar. 2<sup>nd</sup>; however, due to advertising deadlines the bond extension hearing needs to be rescheduled to Mar. 16<sup>th</sup>.

*Commissioner Bilodeau made a motion to reschedule the Town Center Redevelopment extension public hearing for Mar. 16<sup>th</sup>. Commissioner Miltich seconded the motion and it passed unanimously, 5-0.*

9. CONSENT AGENDA

- |  |                |
|--|----------------|
| A. <u>Approve Minutes – Special Meeting Feb. 6<sup>th</sup></u>  | (Approved 5-0) |
| B. <u>Approve Minutes – Regular Meeting Feb. 17<sup>th</sup></u> | (Approved 5-0) |
| C. <u>Approve Minutes – Closed Session Feb. 17<sup>th</sup></u>  | (Approved 5-0) |

*Commissioner Ross made a motion to approve the Consent Agenda as presented. Commissioner Miltich seconded the motion and it passed unanimously, 5-0.*

10. COMMISSIONER CONCERNS

A. Affordable Housing in Cornelius

Commissioner Bilodeau stated that he would like to see a task force created in an effort to come up with an affordable housing plan for the town.

B. Third Party Website Resources on the Town’s Website

Commissioner Miltich inquired about the third party websites being available on Cornelius.org as additional resources for new residents. Manager Grant stated that the Town’s website does allow third party websites as a resource and if any new organization would like to have their link added, they must meet certain criteria that was adopted by the Board.



11. CLOSED SESSION

A. Advice of Legal Counsel to Discuss Active Litigation and to Receive Board Direction on Contract Negotiations

Mayor Washam called for a motion to go into Closed Session pursuant to NCGS 143-318.11(a)(3) consult with Attorney and NCGS-143.11(a)(5) receive board direction on contract negotiations.

*Commissioner Miltich made a motion to go into Closed Session at 8:06PM.  
Commissioner Sisson seconded the motion and it passed unanimously, 5-0.*

12. ADJOURNMENT

*Upon return from Closed Session and there being no further business to discuss,  
Commissioner Miltich made a motion to adjourn at 9:18PM. Commissioner Sisson  
seconded the motion and it passed unanimously, 5-0.*

Approved this 16<sup>th</sup> day of March, 2020.

ATTEST:

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Lori A Harrell, Town Clerk

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Woody Washam, Mayor

## REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: March 16, 2020

To: Mayor and Board of Commissioners

From: Lori Harrell, Town Clerk

**Action Requested:**

Review the minutes from Mar. 2nd - Closed Session.

**Manager's Recommendation:**

Approve minutes.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">03-02-20_Closed_Session.docx</a>	Closed Session Minutes	Backup Material

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## REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: March 16, 2020

To: Mayor and Board of Commissioners

From: Julie Niswonger, Finance Director

**Action Requested:**

Please find the attached list of proposed refunds based upon the information received from the County Assessor. The list is necessary as a result of value adjustments as performed by the Mecklenburg County Assessor and/or Board of Equalization and Review and corrections as determined by the Mecklenburg County Assessor. Those refunds total = \$24,335.84 (tax) + \$851.75 (interest) = \$25,187.59. The refunds range in value from \$9.10 to \$10,456.87. As required by Statute, please approve refunds.

There are no Board member refunds in this group.

**Manager's Recommendation:**

Approve tax refunds.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">31820T1_Cornelius_Refunds_with_interest_2020_02_11.pdf</a>	County List #1	Cover Memo

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**CORNELIUS Refunds**

Vendor	Bill Number	Parcel #	Adj #	Adj Reason	Refund Recipient Name	Additional Owners	Refund	Interest	Total
	0001445865-2019-2019-0000-00	00538419	582460	BER Decision	AMH NC PROPERTIES, LP		\$ 13.98	\$ 0.49	\$ 14.47
	0001441898-2019-2019-0000-00	00528206	583333	BER Decision	CORNELIUS VILLAGE		\$ 9.10	\$ 0.32	\$ 9.42
	0001441899-2019-2019-0000-00	00528207	583337	BER Decision	CORNELIUS VILLAGE		\$ 125.65	\$ 4.40	\$ 130.05
	0001441900-2019-2019-0000-00	00528208	583341	BER Decision	CORNELIUS VILLAGE		\$ 86.58	\$ 3.03	\$ 89.61
	0001449116-2019-2019-0000-00	00705417	583303	BER Decision	HELMS INVESTMENTS, LLC		\$ 423.35	\$ 14.82	\$ 438.17
	0001412555-2019-2019-0000-00	00147119	583379	BER Decision	HULL-CORNELIUS LLC	C/O MARKETPLACE MANAGEMENT INC	\$ 467.53	\$ 16.36	\$ 483.89
	0001438651-2019-2019-0000-00	00512105	583345	BER Decision	K S PROPERTY HOLDINGS LLC		\$ 503.72	\$ 17.63	\$ 521.35
	0001407405-2019-2019-0000-00	00114407	583304	BER Decision	KAVI LODGING LLC		\$ 2,784.54	\$ 97.46	\$ 2,882.00
	0001438747-2019-2019-0000-00	00512202	583274	BER Decision	LUCKY REALTY		\$ 10,456.87	\$ 365.99	\$ 10,822.86
	0001436413-2019-2019-0000-00	00506135	583353	BER Decision	P AND C KENTON PLACE LLC		\$ 1,154.62	\$ 40.41	\$ 1,195.03
	0001438776-2019-2019-0000-00	00512312	583357	BER Decision	PLEUR-RICK-STEPH LLC	C/O THE STEPHENS COMPANY	\$ 2,217.56	\$ 77.61	\$ 2,295.17
	0001438686-2019-2019-0000-00	00512145	583384	BER Decision	SCGVII-ST ANDREWS LLC		\$ 473.52	\$ 16.57	\$ 490.09
	0001441568-2019-2019-0000-00	00527202	583387	BER Decision	SOUTH CENTRAL OIL CO INC		\$ 5,618.82	\$ 196.66	\$ 5,815.48
							<b>\$ 24,335.84</b>	<b>\$ 851.75</b>	<b>\$ 25,187.59</b>