

**CITY COUNCIL REGULAR MEETING
300 WEST CROWELL STREET
MONROE, NORTH CAROLINA 28112
JULY 12, 2022 – 6:00 P.M.
AGENDA
www.monroenc.org**

RECOGNITIONS

1. Invocation
2. Public Comment Period

PUBLIC HEARINGS

Please adhere to the following guidelines:

- Proceed to the podium, and state your name and address clearly;
 - Be concise; avoid repetition; limit comments to three (3) minutes or less;
 - Designate a spokesperson for large groups.
3. Code of Ordinances Text Amendment to Chapter 153 titled Minimum Housing Standards
 - A. Public Hearing
 - B. Action
 4. Rezoning and Water and Sewer Developer Agreement for Properties Located Along Olive Branch Road from Residential Medium Density to Conditional District Monroe Chase
 - A. Public Hearing
 - B. Action

CONSENT AGENDA

The City Council uses a Consent Agenda to consider items that are non-controversial and routine. The Consent Agenda is acted upon by one motion and vote of the Council. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Council Member or Citizen with consent of Council. The Consent Agenda contains the following items:

5. Annexation Request for 157.47 Acres Located at Intersection of E. East Avenue, N. Sutherland Avenue and Stafford Street Extension
 - A. Resolution Directing Clerk to Investigate Petition Received under G.S. §160A-31
 - B. Resolution Fixing Date of Public Hearing to be Held August 9, 2022 on Question of Annexation Pursuant to G.S. §160A-31
6. Award of Fire Helmet (Surplus Equipment) to Retiring Employee Phillip Chadley Burns
7. Budget Amendment for Monroe Aquatics and Fitness Center Treadmill Replacements

8. Call for Public Hearings to be Held August 9, 2022
 - A. Pronto Downtown Economic Incentive Grant for Seaboard Pizza Located at 217 and 219 N. Hayne Street
 - B. Rezoning Request for Properties Located Along Old Charlotte Highway from Neighborhood Business, Residential Medium Density and Residential Low-Density to Conditional District Regent Pines 2022
 - C. Rezoning Request for Properties Located Along W. Jefferson Street and W. Crowell Street from Residential Medium Density to Conditional District Jefferson and Crowell
9. Minutes of City Council Meetings of June 14, 2022
10. North Carolina Main Street Annual Agreements
11. Ordinance to Amend Code of Ordinances Chapter 76 titled Parking Schedules to add Both Sides of Corporate Center Drive from Goldmine Road to Western End to Schedule I titled Parking Prohibited at All Times and Schedule IV titled Tow-Away Zones
12. Phil Bazemore Active Adult Center Audio/Visual Equipment
 - A. Award of Contract to Inter Technologies Corporation
 - B. City Manager to Execute Documents
13. Resolution Supporting Implementation of Compliant National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Program
14. Transfer of Vehicles/Equipment to Monroe-Union County Economic Development Commission

REGULAR AGENDA

INFORMATIONAL COMMITTEE MINUTES, COMMITTEE STAFF NOTES AND REPORTS

15. Committee Minutes/Staff Notes
 - A. Minutes of Board of Adjustment Meetings of December 16, 2021, February 24, 2022 and March 24, 2022
 - B. Minutes of Charlotte-Monroe Executive Airport Commission Meeting of April 11, 2022
 - C. Minutes of Downtown Advisory Board Meeting of February 22, 2022
 - D. Minutes of General Services Committee Meeting of June 2, 2022
 - E. Minutes of Historic District Commission Meetings of March 14, 2022, April 11, 2022 and May 9, 2022
 - F. Minutes of Parks and Recreation Commission Meeting of April 5, 2022
 - G. Minutes of Planning Board Meetings of February 2, 2022 and March 2, 2022
16. Financial Reports for May 2022

17. Summary of Contracts Awarded, Change Orders Approved and City Manager's Settlement of Claims for June 2022

- **Agenda** is tentative and is subject to change up to and including the time of the Meeting.
- **Addressing Item on Agenda:** Prior to the Meeting, please complete the Sign-up Sheet located in the Lobby area. Each speaker will be limited to three minutes.
- **Addressing Item Added to Agenda during Meeting:** Please raise your hand during the item you wish to address. Each speaker will be limited to three minutes.
- **Cell Phones/Pagers:** As a courtesy, please turn off cell phones and pagers while Meeting is in progress.
- **Rules Governing Public Comment Period During City Council Regular Meetings** (*Resolution R-2019-23*):
 1. A Public Comment Period shall be placed on the agenda of each City Council Regular Meetings. Said agenda item shall occur following any recognitions such as Proclamations or recognitions of citizens and groups, but no later than before the start of the Consent Agenda considered by Council during the meeting.
 2. Each person desiring to speak during the Public Comment Period shall sign up to speak prior to the start of the meeting on the form provided by listing their name and topic on which he or she will speak.
 3. A total time of thirty (30) minutes will be allotted for the Public Comment Period at the end of which those who signed up to speak may be requested to hold their comment until the next regular Public Comment Period during which they will be given priority for comment. Council, in its discretion, may extend the time allotted for Public Comment.
 4. Each speaker shall be allotted up to three (3) minutes to speak which shall be strictly observed unless otherwise extended at the discretion of the Council.
 5. Speakers shall at all times maintain proper decorum and shall make their comments in a civil manner. Speakers shall remain at the podium to make comments and not approach Council or staff without the express invitation of the Mayor or presiding officer.
 6. At the request of Council, groups of persons supporting or opposing the same positions may be asked to designate a spokesperson to speak.
 7. Speakers shall not speak on any topic which is the subject of a public hearing on the same agenda.
 8. Council will refrain from engaging in a dialogue with speakers except to the extent necessary to clarify the speaker's position.
 9. No formal action will be taken by Council during the same meeting on any matter which was initially introduced during the Public Comment Period.
 10. Council shall not restrict the subject matter of any comment based on content in any way except as provided herein.



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, City Manager

DATE: July 12, 2022

FROM: Bridgette H. Robinson, City Clerk

PREPARED BY: Bridgette H. Robinson, City Clerk

SUBJECT: Public Comment Period

SUMMARY STATEMENT

The Public Comment Period is set aside to receive comment from the Public in accordance with North Carolina General Statutes.

REVIEW

RULES GOVERNING THE PUBLIC COMMENT PERIOD DURING CITY COUNCIL REGULAR MEETINGS

1. A Public Comment Period shall be placed on the agenda of each City Council Regular Meetings. Said agenda item shall occur following any recognitions such as Proclamations or recognitions of citizens and groups, but no later than before the start of the Consent Agenda considered by Council during the meeting.
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8. Council will refrain from engaging in a dialogue with speakers except to the extent necessary to clarify the speaker's position.
9. No formal action will be taken by Council during the same meeting on any matter which was initially introduced during the Public Comment Period.
10. Council shall not restrict the subject matter of any comment based on content in any way except as provided herein.

RECOMMENDATION

Receive public comment.



STAFF REPORT

TO: City Council

VIA: Brian Borne, City Manager

DATE: July 12, 2022

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Lisa Stiwinter, Planning and Development Director

SUBJECT: Code of Ordinances Text Amendment to Chapter 153 titled Minimum Housing Standards

SUMMARY STATEMENT

The City Council is requested to consider a text amendment to Title XV, Chapter 153 of the City Code of Ordinances (Land Usage-Minimum Housing Standards) to conform to new state law requirements in Chapter 160D, Article 12 titled Minimum Housing Codes of North Carolina General Statutes and update and modernize the City's existing Minimum Housing Standards Ordinance language.

REVIEW

The City's Minimum Housing Standard Ordinance dates back to 1992 and does not reflect state building, electrical, plumbing and mechanical code changes and new state law requirements in Chapter 160D of North Carolina General Statutes. The Minimum Housing Standard ordinance was adopted to establish minimum housing standards and requirements for the initial and continued occupancy of all buildings used for human habitation. The ordinance was a result of the City finding and declaring there exists dwellings within the City's jurisdiction that were unfit for human habitation due to dilapidation; defects increasing the hazards of fire and accidents; lack of ventilation, light and sanitary facilities; and other conditions rendering such dwellings unsafe or unsanitary, dangerous and detrimental to the welfare of the residents of the City.

The North Carolina General Assembly made changes to the Local Planning and Development Regulations that govern minimum housing codes/standards across the State. Those changes were incorporated in the new Chapter 160D of the North Carolina General Statutes, which was adopted in 2019. Changes to state law were effective on January 1, 2021. Originally, Chapter 160D would

require local governments to adopt changes to local ordinances effective January 1, 2021 in order to comply with Chapter 160D. However, with the Covid-19 pandemic, the General Assembly changed the effective date for local governments to make changes to local ordinances to July 1, 2021. While staff and the City's outside consultants worked to make sure changes from Chapter, 160D were reflected in the recently adopted Unified Development Ordinance (UDO) for planning, it became clear that the City's existing Minimum Housing Standards ordinance needed to be revised as well. City staff hired N-Focus Planning, an outside consulting firm to assist the City with an update to the Minimum Housing Standards Ordinance.

City Staff with the assistance of N-Focus Planning have been working to update the Minimum Housing Standards Ordinance that will incorporate changes from the new Chapter 160D, Article 12 titled "Minimum Codes" of the North Carolina General Statutes. The proposed text amendment request provided to you are non-controversial and are procedural in many ways. Not adopting these changes will mean that our Minimum Housing Standard Ordinance and any actions taken under it would be subject to legal challenges.

RECOMMENDATION

Staff recommends that Council adopt an Ordinance amending the City Code of Ordinances – Title XV: Land Usage, Chapter 153 titled Minimum Housing Standards to conform to Chapter 160D and update and modernize the Ordinance language.

Attachment: Ordinance O-2022-54

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USAGE
CHAPTER 153: MINIMUM HOUSING STANDARDS
O-2022-54

Preamble

WHEREAS, Article 8 of Chapter 160A of the North Carolina General Statutes, N.C.G.S. 160A-174, et seq., delegates to municipalities the authority to exercise the general police power; and

WHEREAS, Article 12 of Chapter 160D, the North Carolina General Statutes, authorizes municipalities to provide for the repair, closing or demolition of dwellings, buildings or structures used or intended for human habitation;

WHEREAS, N.C.G.S. 160A-193 authorizes municipalities to summarily remedy, abate or remove public health nuisances; and

WHEREAS, the City Council of the City of Monroe finds that it is in the public interest to amend the City's Ordinance to provide more specificity as to the requirements for regulating dwellings, buildings or structures used or intended for human habitation; and

WHEREAS, the City Council of the City of Monroe, after due notice, conducted a public hearing on the 12th day of July, upon the question of amending this ordinance in this respect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE, NORTH CAROLINA:

Section 1. That Chapter 153, Minimum Housing Standards, is hereby amended to read as follows:

MINIMUM HOUSING STANDARDS

§153.01 FINDINGS; PURPOSE; AUTHORITY.

- (A) Pursuant to G.S. §160D-1201 of the General Statutes of North Carolina, it is hereby found and declared that there exist in the City planning and development regulation jurisdiction dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities, and other conditions rendering such dwellings unsafe and unsanitary, and dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of the residents of the City planning and development regulation jurisdiction.

- (B) In order to protect the health, safety and welfare of the residents of the City planning and development regulation jurisdiction, as authorized by Chapter 160D, Article 12 of the General Statutes of North Carolina, it is the purpose of this Chapter to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, as expressly authorized by G.S. §160D-1201 and 160A-193.
- (C) In addition, it is hereby found and declared, under the authority of G.S. § 160A-174, that there exist in the City dwellings which, although not meeting the classification as unfit for human habitation, fail to fully comply with all the minimum standards for housing fitness as established herein and therefore have present one or more conditions which are inimical to the public health, safety and general welfare. Such conditions, if not corrected can lead to deterioration and dilapidation of dwellings which render them unfit for human habitation.
- (D) This Chapter is hereby declared to be remedial and shall be construed to secure the beneficial interests and purposes thereof, which are public health, safety, and general welfare, through structural strength, stability, sanitation, adequate light and ventilation and safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal, demolition, use and occupancy of dwellings, apartment houses, rooming houses or buildings, structures or premises used or intended for use as such.

§153.02 SCOPE.

- (A) The provisions of this Chapter shall apply to all dwellings or dwelling units within the city planning and development regulation jurisdiction regardless of when such units were constructed, altered, repaired or improved. Portable, mobile or demountable buildings or structures, including trailers, when used or intended for use for housing within the jurisdiction, shall be subject to the applicable provisions of this chapter. This chapter establishes minimum requirements for the initial and continued occupancy of all buildings used for human habitation and does not replace or modify requirements otherwise established for the construction, repair, alteration or use of buildings, equipment or facilities, except as provided in this chapter.
- (B) The provisions of this Chapter shall also apply, as authorized by G.S. §160D-1201(b), to abandoned structures which are found by the City to be a health or safety hazard as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children or frequent use by vagrants as living quarters in the absence of sanitary conditions.

§153.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning in the interpretation and enforcement of this chapter.

ABANDONED STRUCTURE. Any structure, whether designed and intended for residential or other uses, which is vacant or not in active use, regardless of purpose or reason, for the past two-year period and which is determined by the Code Enforcement Officer to be unfit for human habitation or occupancy based upon the standards as set forth in this chapter.

ALTERATION. As applied to a building or structure, shall mean a change or rearrangement in the structural parts or in the existing facilities; or an enlargement, whether by extending on a side or by increasing in height; or the moving from one location or position to another; and the term “alter” in its various moods and tenses and its participle, refer to the making of an alteration.

ACCESSORY BUILDING. A building or structure, the use of which is incidental to that of the main building or structure, and which is located on the same lot or on a contiguous lot.

APARTMENT. A room or suite of rooms occupied, or which is intended or designed to be occupied as the home or residence of one (1) individual, family, or household for housekeeping purposes.

APPROVED. As applied to a material, device, or mode of construction, shall mean approved by the Code Enforcement Officer under the provisions of this code, or by other authority designated by law to give approval in the matter in question.

AREA.

- (1) As applied to the dimension, shall mean the maximum horizontal projected area of the building.
- (2) As applied to the dimensions of a room, shall mean the total square footage of floor area between finished walls.

BASEMENT. A portion of a building which is located partly underground, having access to light and air from windows located above the level of the adjoining ground.

BUILDING. Any structure built for the support, shelter or enclosure of persons, which has enclosed walls for fifty (50) percent of its perimeter. The term “building” shall be construed as if followed by the words “or part thereof.”

CELLAR. A portion of a building located partly or wholly underground having an inadequate access to light and air from windows located partly or wholly below the level of the adjoining ground.

CLOSE. To secure the building so that unauthorized persons cannot gain entrance to the building.

CODE ENFORCEMENT OFFICER. The person who has been designated, in writing, by the City Manager or is otherwise authorized by ordinances adopted hereunder to administer and enforce the provisions of this chapter.

DEMOLISH. The demolition and removal of the entire building leaving the property free and clear of any debris and without holes or pockets that may retain water.

DETERIORATED. A dwelling that is unsafe or unfit for human habitation and can be repaired, altered or improved to comply with all of the minimum standards of fitness established by this chapter at a cost not in excess of fifty percent (50%) of its physical value, as determined by finding of the Code Enforcement Officer.

DILAPIDATED. A dwelling that is unsafe or unfit for human habitation and cannot be repaired, altered or improved to comply with all of the minimum standards of fitness established by this chapter at a cost not in excess of fifty percent (50%) of its physical value, as determined by a finding of the Code Enforcement Officer.

DWELLING. Any building, structure, manufactured home or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith, except that it does not include any manufactured home or mobile home that is used solely for a seasonal vacation purpose.

DWELLING UNIT. Any room or group of rooms located within a dwelling and forming a single habitable unit for one family with facilities that are used or intended to be used for living, sleeping, and bathroom, cooking or eating.

EXTERMINATION. The control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible, materials that may serve as their food by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods approved by the Code Enforcement Officer.

FAMILY.

- (1) An individual or two (2) or more natural persons related by blood to the third degree lineally or the fourth degree collaterally, by marriage, adoption

or guardianship living together in a dwelling unit as a single housekeeping unit; or a group of not more than two (2) natural persons not related to the other by blood to the third degree lineally, or by marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit; or a group of not more than four (4) natural persons none of whom are related to the other by blood to the third degree lineally or the fourth degree collaterally, by marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit. All degrees of kinship are computed as provided in North Carolina General Statute § 104A-1.

- (2) The following are not included in the determination of occupancy limits defined above:
- (a) Five or fewer foster children placed in a family foster home licensed by the State of North Carolina.
 - (b) A bona fide live-in health care provider providing medical and personal care services to a resident.
 - (c) A live-in nanny providing childcare services to a resident child.

GARBAGE. The animal and vegetable waste or by-product resulting from the handling, preparation, cooking and consumption of food or other matter which is subject to decomposition, decay, putrefaction or the generation of noxious or offensive gases or odors, or which during or after decay, may serve as breeding or feeding materials for flies, insects or animals.

HABITABLE ROOM. A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, heater rooms, foyers or communicating corridors, closets and storage spaces.

INFESTATION. The presence, within or around a dwelling, of any insects, rodents, or other pests in such number as to constitute a menace to the health, safety, or welfare of the occupants, or to the public.

MANUFACTURED HOME OR MOBILE HOME. A structure as defined in G.S. Section 143-145(7).

MULTIPLE DWELLING. Any dwelling containing two (2) or more dwelling units.

OCCUPANT. Any person over one year of age living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit or rooming unit.

OPERATOR. Any person who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are let.

OWNER. Any person who alone or jointly and severally with others:

- (1) Shall be the holder of the title in fee simple and every mortgagee of record to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- (2) Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall comply with the provisions of this chapter, and rules and regulations adopted pursuant thereto to the same extent as if he were the owner.

PARTIES IN INTEREST. All individuals, associations and corporations who have interests of record in a dwelling and any who are in possession thereof.

PIER. A masonry support extending from the ground and footing to and supporting the building or portion thereof. Pier sizes and spacing shall conform to the specifications of the North Carolina State Building Code.

PLUMBING. All of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, mechanical garbage disposal units (mechanical sink grinder), waste pipes, water closets, sinks, installed dishwasher, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basin, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

PUBLIC AUTHORITY. Any housing authority or any officer who is in charge of any department or branch of the government of the city, county, or state relating to health, fire, building regulations, or other activities concerning dwellings in the city.

PUBLIC SPACE. That space within any dwelling that is open to use by the general public.

ROOMING HOUSE. Any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not husband and wife, son or daughter, mother or father, or sister or brother of the owner or operator.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage and ashes. The term shall include, but not be limited to, paper, rags, cartons, boxes,

wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust.

SUPPLIED. Paid for, furnished or provided by, or under the control of, the owner or operator.

TEMPORARY HOUSING. Any tent, trailer, or other structure used for human shelter which: is designed to be transportable; which is not attached to the ground, to another structure, or to any utility system on the same premises for more than 30 consecutive days; and/or which does not have a permanent foundation (footings, piers and foundation wall).

TENANT. Any natural person or entity who is a named party or signatory to a lease or rental agreement, and who occupies, resides in, or has a legal right to possess and use an individual rental unit.

UNFIT FOR HUMAN HABITATION. Those conditions existing in a dwelling which violate or do not comply with one or more of the minimum standards of fitness, or with one or more of the responsibilities of owners and occupants established by this chapter.

§ 153.04 DWELLING UNFIT FOR HUMAN HABITATION; NUISANCE.

The Code Enforcement Officer shall determine that a dwelling is unfit for human habitation if he finds that a dwelling fails to fully comply with the following enumerated standards of dwelling fitness as set out in §153.15 through §153.39. All buildings or portions of buildings which are used or intended for use as dwellings and are, under the provisions of this chapter, unfit for human habitation, are hereby declared to be a public nuisance, and shall be repaired or rehabilitated to the standards of this chapter or demolished in accordance with the procedure set forth herein.

§153.15 STANDARDS OF DWELLINGS AND DWELLING UNITS FITNESS.

Every dwelling and dwelling unit used as a human habitation, or held out for use as a human habitation, shall comply with the minimum standards of fitness and the requirements of this chapter. No person shall occupy as owner, occupant, or let to another for occupancy or use as a human habitation, any dwellings or dwelling units which do not comply with the minimum standards of fitness for human habitation and the requirements of this chapter. All work shall be done in a workmanlike manner.

The Code Enforcement Officer shall determine that a dwelling is unfit for human habitation if he finds that any one (1) of the following conditions exist in such dwelling:

- (1) Interior walls or vertical studs, which seriously list, lean or buckle to such an extent as to render the dwelling unsafe.
- (2) Supporting member or members that show thirty-three (33) percent or more damage or deterioration, or non-supporting, enclosing or outside walls or covering that shows fifty (50) percent or more of damage or deterioration.
- (3) Floors or roofs which have improperly distributed loads, which are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.
- (4) Such damage by fire, wind or other causes as to render the dwelling unsafe.
- (5) Dilapidation, decay, unsanitary conditions or disrepair that is dangerous to the health, safety or welfare of the occupants or other people in the City.
- (6) Inadequate facilities for egress in case of fire or panic.
- (7) Defects significantly increasing the hazards of fire, accident or other calamities.
- (8) Lack of adequate ventilation, light, heating or sanitary facilities to such extent as to endanger the health, safety or general welfare of the occupants or other residents of the City.
- (9) Lack of proper electrical, heating or plumbing facilities required by this chapter, which constitutes a definite health or safety hazard.
- (10) Lack of connection to a potable water supply and/or to the public sewer or other approved sewage disposal system, the lack of either one of which renders a dwelling unfit for human habitation. For the purposes of this standard, a dwelling is not connected to a potable water supply if the water supply has been "cut off" because of nonpayment of the water bill or otherwise or if the system for any reason is not receiving a flow of potable water to the tap.

In addition to the ten (10) conditions stated above, any one of which renders a dwelling unfit for human habitation, the Code Enforcement Officer shall determine that a dwelling is unfit for human habitation if he finds that a dwelling fails to fully comply with seven (7) or more of the following enumerated standards of dwelling fitness:

§153.16 STRUCTURAL STANDARDS.

- (A) Foundation. Foundations shall conform to the following:
 - (1) Beneath the building there shall be firm ground that is reasonably dry, properly drained and no water running under the building.
 - (2) There shall be sound footings, adequate bearings.
 - (3) There shall be sound piers, no loose mortar or masonry.
 - (4) There shall be no piers in which the plumb line from the top center falls outside the middle one-third (1/3) of the pier base.
 - (5) There shall be no isolated solid masonry piers exceeding in height ten (10) times the least dimension of the pier.

- (6) There shall be no wood stiff-knee piers.
- (7) There shall be masonry underpinning on all dwelling units with ventilation as required by the North Carolina State Building Code.

(B) Floors. Floors shall conform to the following:

- (1) There shall be no decayed, termite damaged, fire-damaged, broken, overloaded or sagging sills.
- (2) Sills shall be properly supported and reasonably level.
- (3) Joists shall not be overloaded, sagging or broken, and shall be structurally sound and not likely to cause structural weakness in the future.
- (4) Maximum spans for floor joists and sills, providing they show no signs of being weak or overloaded, shall comply with the requirements of the North Carolina State Building Code.
- (5) Flooring shall be weather tight without holes or excessive cracks, which permit air to penetrate rooms.
- (6) Flooring shall be reasonably smooth and not decayed, fire damaged or worn through.
- (7) There shall be no loose flooring.
- (8) Floors shall be reasonably level.
- (9) There shall be no use of the ground for floors, or wood floors on the ground.
- (10) The flooring in each room shall consist of the same or similar material; and where covering or finishing is provided, such covering or finishing shall be reasonably smooth and not worn through.
- (11) Bath, kitchen and washer/dryer area floors shall have water resistant floor coverings.

(C) Walls, Exterior. Exterior walls shall conform to the following:

- (1) There shall be no wall in which the plumb line from the top center of studs falls outside the base plate at any point along the wall.
- (2) Maximum spacing for studding shall conform to the specifications of the North Carolina State Building Code, provided the spacing for studding shall not show signs of being weak or overloaded. Otherwise, lesser spacing for studding shall be required.
- (3) Studs shall be structurally sound and not likely to cause structural weakness in the future.
- (4) There shall be no broken or cracked structural members.
- (5) All siding shall be weather tight, with no holes or excessive cracks or decayed, rotted, deteriorated or damaged boards, which permit air to penetrate rooms or otherwise admit rodents.
- (6) There shall be no loose siding.
- (7) There shall be no deterioration because of lack of preventive maintenance consisting of painting, waterproofing, and repair.

(D) Walls, Interior. Interior walls shall conform to the following:

- (1) Interior finish shall be free of holes and excessive cracks, which permit air to penetrate rooms, and if painted or papered, shall be free of chips or excessive peeling.
- (2) There shall be no walls in which the plumb line from the top center of studs falls outside the base plate at any point along the wall.
- (3) There shall be no loose plaster, loose boards, or other loose wall materials.
- (4) There shall be no cardboard, newspaper or highly combustible or improper wall finish; and all wall materials shall be of the same or similar quality and material.
- (5) Maximum spacing for studding shall conform to the specifications of the North Carolina Residential Building Code, provided the studding does not show signs of being weak or overloaded. Otherwise, lesser spacing for studding shall be required.
- (6) Studs shall be structurally sound and not likely to cause structural weakness in the future.
- (7) There shall be no broken or cracked studs or other structural members.
- (8) There shall be no rotted, deteriorated or damaged walls and all walls shall be free from holes or cracks, which might admit rodents.
- (9) There shall be headers above all doors and windows.

(E) Ceilings. Ceilings shall conform to the following:

- (1) There shall be no joists, which are decayed, broken, sagging, or improperly supported at the ends.
- (2) Maximum spacing for ceiling joists shall conform to the specifications of the North Carolina Residential Building Code provided the ceiling joists do not show signs of being weak or overloaded. Otherwise, lesser spacing for ceiling joists shall be required.
- (3) Maximum spans for ceiling joists shall comply with the specifications of the North Carolina State Building Code, provided the ceiling joists do not show signs of being weak or overloaded. Otherwise, lesser spans for ceiling joists shall be required.
- (4) There shall be no holes or excessive cracks, which permit air and dust to penetrate rooms.
- (5) There shall be no loose plaster, boards, gypsum wallboard, or other ceiling finishes.
- (6) There shall be no cardboard, newspaper, highly combustible or improper ceiling finishes; and all ceiling materials shall be of the same or similar quality and material.

- (7) Ceiling joists shall be structurally sound and not likely to cause structural weakness in the future.

(F) Roofs. Roofs shall conform to the following:

- (1) There shall be no rafters, which are decayed, broken, or improperly supported at the ends.
- (2) No rafters shall be seriously damaged by fire.
- (3) Rafters shall be properly braced and tied four (4) feet on center maximum.
- (4) The attic shall be ventilated as required by the North Carolina State Building Code.
- (5) Sheathing shall not be loose and shall be structurally sound and not likely to cause structural weakness in the future.
- (6) There shall be no loose roof covering, no holes, and no leaks causing damage to the structure or rooms.
- (7) There shall be a minimum of Class "C" roof covering.
- (8) There shall be proper flashing at walls or chimneys, so as to be weathertight and watertight.

(G) Porches. Porches shall conform to the following:

- (1) The floor, ceiling, and roof shall be equal to requirements set forth above, except sills, joists, and floors need not be level if providing drainage of floors; floors need not be weather tight; the ceiling height may be a minimum of seven (7) feet; and the attic need not be vented.
- (2) Every porch, terrace or entrance platform thirty (30) inches or more above adjacent finished grade shall be equipped with railings or guards not less than thirty-six (36) inches high, unless other effective barriers provide adequate safety.
- (3) If post and railings are provided, they shall be structurally sound and not likely to cause structural weakness in the future.
- (4) Porches shall be maintained in such condition that they will not fail or collapse.

(H) Stairs and Steps. Stairs and steps shall conform to the following:

- (1) Stairs and steps shall be free of holes, grooves, and cracks large enough to constitute accident hazards.
- (2) Steps shall be maintained in such condition that they will not fail or collapse.
- (3) Stairwells and flights of stairs more than thirty (30) inches high shall have rails not less than thirty (30) to thirty-eight (38) inches measured vertically from the nose of the treads to the top of the rail.
- (4) Every rail shall be firmly fastened and maintained in good condition.

- (5) No flight of stairs shall be settled more than one inch out of its intended position or pulled away from supporting or adjacent structures.
 - (6) Supports shall not sag and shall be structurally sound and not likely to cause structural weakness in the future.
 - (7) Every stair riser shall be reasonably uniform in height, and treads shall be sound and securely fastened in position and strong enough to bear a concentrated load of at least three hundred (300) pounds without danger of breaking through.
 - (8) Stairs and steps shall conform to the specifications of the North Carolina State Building Code.
- (I) Egress. All dwellings shall contain adequate facilities for egress in case of fire or panic.
 - (J) Chimneys. There shall be no chimneys or parts thereof which are defective, deteriorated or in danger of falling, or in such condition or location as to constitute a fire hazard.
 - (K) Accessory Buildings. All accessory buildings and structures, including detached garages, shall be maintained structurally sound and in good repair or shall be razed to grade level and the debris therefrom removed from the premises.

§153.17 PLUMBING STANDARDS.

- (A) All plumbing shall be installed in accordance with the North Carolina Plumbing Code and shall be maintained in a state of good repair and in good working order.
- (B) All plumbing shall be connected to the city sanitary sewer system where available or to another approved system connected to a potable water supply.
- (C) All fixtures shall be operable and accessible to the occupants of the dwelling.
- (D) There shall be no broken water closet bowls.
- (E) Water closets shall not be loose or leaking.
- (F) No leaks shall be in shower stall floor and/or wall.
- (G) There shall be adequate facilities for furnishing hot water to each tub or shower, lavatory, and kitchen sink.
- (H) There shall be installed an approved potable water supply inside the building for each dwelling unit.
- (I) There shall be installed in each dwelling unit not less than a kitchen sink, a water closet, tub or shower, lavatory and sink and an adequate supply of both cold and hot water.
- (J) There shall be separate toilet facilities for each dwelling unit.
- (K) Toilet and bathing facilities shall be protected from the weather.

- (L) All water piping shall be protected from freezing by proper installation in unprotected space.
- (M) Sewer and water pipes shall be supported with no broken or leaking pipes.
- (N) Every water closet compartment floor surface and bathroom floor surface shall be so constructed and maintained as to be reasonably impervious to water and so as to permit such floor to be readily kept in a clean and sanitary condition.
- (O) The water closet and tub or shower shall be located in a room or rooms affording privacy to use.

§153.18 HEATING STANDARDS.

- (A) Every building and every dwelling unit shall be weatherproof and capable of being adequately heated, and the heating equipment in every dwelling or dwelling unit shall be maintained in good order and repair.
- (B) Every dwelling and dwelling unit shall have facilities for providing heat in accordance with either subparagraph (1) or (2) of this paragraph (B):
 - (1) Central and electric heating systems. Every central or electric heating system shall be of sufficient capacity so as to heat all habitable rooms, bathrooms and water closet compartments in every dwelling unit to which it is connected to a minimum temperature of sixty-eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor with an outside temperature of twenty (20) degrees Fahrenheit during winter conditions.
 - (2) Other heating facilities. Where a central or electric heating system is not provided, each dwelling shall be provided with sufficient chimneys, flues, or gas vents, whereby heating appliances may be connected, so as to heat all habitable rooms to a minimum temperature of sixty-eight (68) degrees Fahrenheit measured three (3) feet above the floor with an outside temperature of twenty (20) degrees Fahrenheit during winter conditions.
- (C) All electric, gas and oil heating equipment installed on the premises shall be listed by Underwriters' Laboratories or American Gas Association and installed in accordance with the provisions of the North Carolina Building Code.
- (D) There shall be no loose bricks in chimneys.
- (E) There shall be no holes in flues.
- (F) There shall be no suspended or hanging masonry chimneys.
- (G) Thimbles shall be grouted in tightly.

- (H) Thimbles shall not be broken or cracked.
- (I) Thimbles shall be high enough for stovepipe to rise one-quarter (1/4) inch per foot minimum.
- (J) The hearth shall be at least sixteen (16) inches deep and eight (8) inches beyond each side of the fireplace opening.
- (K) No combustible materials shall be within six (6) inches of the top and seven (7) inches of either side of the fireplace opening.
- (L) Fireplaces shall be enclosed with masonry when the chimney is used as a flue for a stove.
- (M) A stove shall be within six (6) feet of a thimble serving it.
- (N) No combustible material shall be within twelve (12) inches of a stovepipe.
- (O) No stovepipe shall protrude through combustible walls.
- (P) In multiple dwellings and rooming houses with central heat, the furnace room shall be enclosed with material having at least a one-hour fire protection rating.
- (Q) Fireplaces shall be used for supplementary heating only and not for basic heat.

§153.19 ELECTRICAL STANDARDS.

- (A) Every dwelling shall be wired for electrical lights and convenience receptacles connected in such a manner as determined by the State Electrical Code.
- (B) No receptacles, ceiling fixtures, or other fixtures shall be hanging loose.
- (C) All switches and receptacles shall be safely operable.
- (D) Every habitable room shall contain not less than two (2) wall-type electrical convenience receptacles connected in such manner as required by the National Electrical Code.
- (E) There shall be installed in every habitable room, bathroom, laundry room, hallway, stairway and furnace room at least one supplied ceiling or wall type electrical light fixture; provided, further, that the ceiling light fixture may be omitted in a living room and bedrooms, provided three (3) electrical

convenience receptacles are installed, one (1) of which is controlled from a wall switch.

- (F) There shall be no unsafe wiring.
- (G) There shall be no drop or extension cords in excess of six (6) feet in length.
- (H) No circuits shall be overloaded. Fuses shall be sized correctly and not bridged out.
- (I) All fixtures, receptacles, equipment in every public hall and stairway in every multiple dwelling unit shall be adequately lighted by electrical lights at all times when natural light is not sufficient. All wiring to be installed and maintained in a state of good repair, safe, capable of being used and shall be in accordance with the National Electrical Code.
- (J) Every dwelling shall be equipped with smoke detectors installed to protect occupants in all sleeping areas. Operable smoke alarms, shall be either battery-operated or electrical, having an Underwriters' Laboratories, Inc. listing or other equivalent national testing laboratory approval, and installed in accordance with either the standards of the National Fire Protection Association or the minimum protection designated in the manufacturer's instructions.
- (K) Every dwelling shall have a minimum of one operable carbon monoxide alarm per rental unit per level, either battery-operated or electrical, that is listed by a nationally recognized testing laboratory that is OSHA-approved to test and certify to American National Standards Institute/Underwriters Laboratories Standards ANSI/UL2034 or ANSI/UL2075, and install the carbon monoxide alarms in accordance with either the standards of the National Fire Protection Association or the minimum protection designated in the manufacturer's instructions.
- (L) A carbon monoxide alarm may be combined with smoke alarms if the combined alarm does both of the following:
 - (1) Complies with ANSI/UL2034 or ANSI/UL2075 for carbon monoxide alarms and ANSI/UL217 for smoke alarms; and
 - (2) Emits an alarm in a manner that clearly differentiates between detecting the presence of carbon monoxide and the presence of smoke.
- (M) The requirements in subsections (K) and (L) above apply only to dwelling units having a fossil-fuel burning heater, appliance, or fireplace, and in any dwelling unit having an attached garage.

§153.20 LIGHT AND VENTILATION STANDARDS.

- (A) Generally. Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area measured between stops, for every habitable room shall be ten percent of the floor area of such room. Whenever walls or other portions of structures face a window of any such room and such light obstructions are located less than five feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight type window in the top of such a room, the total window area of such skylight shall equal at least 15% of the total floor area of such room.
- (B) Habitable rooms. Every habitable room shall have at least one window or skylight which can easily be opened, or such other device as will adequately ventilate the room. The total operable window area in every habitable room shall be equal to at least 45% of the minimum window area size or minimum skylight type window size as required, or shall have other approved equivalent ventilation. At least one window in every habitable room shall be of such size and location to allow egress by an average adult in the event of fire or other emergency.
- (C) Bathroom and water closet room. Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms and water closet rooms equipped with an approved ventilation system.
- (D) Public Halls. Every public hall and inside stairway in every multifamily dwelling shall be adequately lighted at all times with an illumination of at least three (3) foot candles per square foot in the darkest portion of the normally traveled stairs and passageways.
- (E) Window locks. All window openings to the outside shall be reasonably weathertight and shall have operable locks.
- (F) Attics and basements. Natural ventilation of spaces such as attics and enclosed basement space should be provided by openings of sufficient size to overcome dampness and to minimize the effect of conditions conducive to decay and deterioration of the structure, and to prevent excessive heat in attics.

§153.21 SPACE, USE AND LOCATION STANDARDS.

- (A) No cellar shall be used for living purposes unless:

- (1) The floor and walls are substantially watertight;
 - (2) The total window area, total operable window area and ceiling height are equal to those required for a habitable room;
 - (3) The required minimum window area of every habitable room is entirely above the grade adjoining such window area, except where the windows face a stairwell, window well or access way.
- (B) Water closet and bathing facilities shall be enclosed with an operable door and lock for privacy.
 - (C) There shall be no holes or excessive cracks in walls, ceilings, outside doors or outside windows.
 - (D) Access shall be provided to all rooms within a dwelling unit without passing through a public space.
 - (E) Doors shall be provided at all doorways leading to bedrooms, water closet rooms, and bathrooms and all rooms adjoining a public space.
 - (F) All doors providing access to any living unit shall have operable locks and the owner shall provide a change of locks or keys for new tenants.
 - (G) All doors opening to the outside shall be reasonably weather tight.
 - (H) A minimum of one approved and listed smoke detector shall be installed adjacent to each sleeping area and on each habitable floor level and basement. Smoke detectors shall be installed in accordance with the manufacturer's recommendation and listing and maintained in proper working order. When activated, the detector shall provide an audible alarm. See G.S. § 42-42

§153.22 SAFE AND SANITARY MAINTENANCE STANDARDS.

- (A) Exterior foundation, walls and roofs. Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof; shall be kept in sound condition and good repair; shall be capable of affording privacy; shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon. Every exterior wall shall be protected with paint or other protective covering to prevent penetration of moisture or the weather.
- (B) Interior floors, walls and ceilings. Every floor, interior wall and ceiling shall be substantially rodent proof; shall be kept in sound condition and good repair; and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

- (C) Windows and doors. Every window, exterior door, basement or cellar door and hatchway shall be substantially weather tight, watertight and rodent proof; and shall be kept in sound working condition and good repair.
- (D) Stairs, porches and appurtenances. Every inside and outside stairwell, porch and any other appurtenances thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.
- (E) Bathroom and kitchen floors. Every bathroom and kitchen floor surface and water closet compartment floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in sound condition and good repair.
- (F) Supplied facilities. Every supplied facility, piece of equipment or utility which is required under this chapter shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.
- (G) Drainage. Every yard shall be properly graded so as to obtain thorough drainage and so as to prevent the accumulation of stagnant water

§153.23 INSECT, RODENT AND INFESTATION CONTROL STANDARDS.

- (A) Screens. For protection against mosquitoes, flies and other insects every dwelling shall have:
 - (1) Supplied and installed screens on every door opening leading directly from the dwelling to outdoor space. Except, that sliding doors, doors with self closing devices, doors on mobile homes with self closing devices and doors that open into rooms or living spaces that are artificially ventilated or air conditioned are exempt from this provision.
 - (2) Supplied and installed screens on every window or other device with an opening to outdoor space, except that this requirement shall not apply for any room or rooms of a dwelling that are ventilated year round with an operable and installed heating and air conditioning system.
- (B) Rodent control. Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might

provide an entry for rodents, shall be supplied with screens installed or such other approved device as will effectively prevent their entrance.

- (C) Infestation. Every dwelling shall be maintained in a manner to be free of any infestations of insects, rodents or other pests. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Whenever infestation exists in two or more of the dwelling units in any dwelling or in the shared or public parts of any dwelling containing two or more dwelling units extermination shall be the responsibility of the owner.
- (D) Rubbish storage and disposal. Every dwelling shall be supplied with approved containers and covers for storage of rubbish as required by city ordinances, and the owner, operator or agent in control of such dwelling or dwelling unit shall be responsible for the removal of rubbish.
- (E) Garbage storage and disposal. Every dwelling shall be supplied with an approved garbage disposal facility, which may be an adequate mechanical garbage disposal unit (mechanical sink grinder) in each dwelling unit or an incinerator unit, to be approved by the Code Enforcement Officer, in the structure for the use of the occupants of each dwelling unit, or an approved outside garbage can as required by city ordinances.

MINIMUM STANDARDS FOR ROOMING HOUSES

§153.35 PROVISIONS APPLICABLE TO ROOMING HOUSES.

All of the provisions of this chapter, and all of the minimum standards and requirements of this chapter shall be applicable to rooming houses, and to every person who operates a rooming house or who occupies or lets to another for occupancy any rooming unit in any rooming house, except as provided in § 153.36 through 153.39.

§153.36 WATER CLOSET, HAND LAVATORY AND BATH FACILITIES.

At least one water closet, lavatory basin and bathtub or shower, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each four rooms within a rooming house wherever such facilities are shared. All such facilities shall be located within the residence building served, shall be directly accessible from a common hall or passageway and shall not be more than one story removed from any of the persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times. Such required facilities shall not be located in a cellar.

§153.37 (RESERVED).

§153.38 SANITARY CONDITIONS.

The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for the sanitary maintenance of every other part of the rooming house; and shall be further responsible for the sanitary maintenance of the entire premises.

§153.39 SANITARY FACILITIES.

Every water closet, flush urinal, lavatory basin and bathtub or shower required by §153.36 shall be located within the rooming house and within a room or rooms which afford privacy and are separate from the habitable rooms, and which are accessible from a common hall and without going outside the rooming house or through any other room therein

ADMINISTRATION AND ENFORCEMENT

§153.50 OFFICE OF CODE ENFORCEMENT OFFICER CREATED; POWERS.

- (A) For the purposes of administering and enforcing the provisions of this chapter the office of Code Enforcement Officer is hereby created.
- (B) The Code Enforcement Officer shall be appointed by the City Manager, shall take and subscribe to the oath of office administered by the Mayor, and shall have such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including, without limiting the generality of the foregoing, in addition to others herein granted, the following powers:
 - (1) To investigate the dwelling and building conditions and to inspect dwellings, dwelling units and buildings in the city in order to determine which dwellings therein are unfit for human habitation, being guided in such examination of dwellings and buildings by the requirements set forth in this chapter.
 - (2) To administer oaths and affirmations and to examine witnesses and receive evidence.
 - (3) To enter upon and within premises and dwellings for the purpose of making examinations and investigations; provided, that such entries shall be made in such a manner as to cause the least possible inconvenience to the persons in possession.
 - (4) To delegate any of his functions and powers under this chapter to such officers and agents as he may designate; and

- (5) To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the provisions of this chapter.
- (6) To obtain administrative inspection warrants, issue civil citations and to take such other actions as may be necessary to carry out the enforcement procedures of this Chapter. When permission to inspect a dwelling or its premises is denied, the Code Enforcement Officer must obtain an administrative inspection warrant to inspect. When faced with a situation where permission to inspect is denied, the Code Enforcement Officer is advised to seek the advice of the city attorney. **NOTE:** G.S. 15-27.2 provides for the issuance of warrants to conduct of inspections authorized by law. The N.C. Court of Appeals, In Re Dwelling, 24 N.C. App.17 (1974), has held that the consent of the tenant-occupant who was in actual possession and control of the premises was sufficient to authorize an inspection without a warrant, notwithstanding the fact that the owner had objected to the warrantless search.

§153.51 INSPECTIONS.

For the purpose of carrying out the intent of this chapter, the Code Enforcement Officer is hereby authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, rooming units and premises, including abandoned structures after sufficiently identifying himself. The owner or occupant of every dwelling, dwelling unit or rooming unit, or the person in charge thereof, shall give the Code Enforcement Officer free access to such dwelling, dwelling unit or rooming unit, and its premises, at all reasonable times for the purposes of such inspection, examination and survey. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, and its premises, at all reasonable times for the purpose of making such repairs or alterations, as are necessary to effect compliance with the provisions of this chapter or with any lawful order issued pursuant to the provisions of this chapter.

§153.52 ADMINISTRATIVE LIABILITY.

Except as may otherwise be provided by statute or local law or ordinance, no officer, agent or employee of the city charged with the enforcement of the housing code shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this chapter unless he acted with actual malice.

§153.53 OWNER AND OCCUPANTS – RESPONSIBILITIES.

- (A) The relative responsibilities of the owners of dwelling units and of the occupants of the dwelling units shall be as follows:

- (1) Public spaces. Every owner of a building shall be responsible for maintaining in a reasonably clean and sanitary condition, the shared or public spaces of the building and premises thereof.
- (2) Cleanliness. Every occupant shall be responsible for maintaining in a reasonably clean and sanitary condition that part of the dwelling unit and premises, which he occupies and controls.
- (3) Infestation. Every occupant shall be responsible for the extermination of any insects, rodents, or other pests infesting the dwelling unit; provided, however, that the owner shall be responsible for such extermination if, because of violations of the standards of fitness, the dwelling unit is not reasonably impervious to pests.
- (4) Rubbish and garbage. Every occupant shall be responsible for disposing of his rubbish and garbage in a clean and sanitary manner by placing it in adequate facilities for such disposal.
- (5) Plumbing. Every owner shall be responsible for providing adequate operable plumbing facilities, including an adequate water heater, and for maintaining such facilities in efficient operating condition; every occupant shall be responsible for exercising reasonable care in the use of such facilities and for maintaining such facilities in a clean and sanitary condition.
- (6) Heating. Every owner shall be responsible for providing adequate operable facilities and appliances supplying heat throughout the dwelling unit in compliance with the standards of fitness; every occupant shall be responsible for exercising reasonable care in the use of such facilities and appliances.
- (7) Care of premises. No occupant shall willfully destroy, deface or otherwise impair any of the facilities or equipment of the owner on the premises which they occupy and control, or any part of the building itself. Willful destruction of the premises by the occupant shall be deemed legal grounds for eviction.

- (B) Every owner shall remain ultimately responsible for violations of responsibilities imposed upon him by this chapter or any other ordinance although a similar responsibility may also be imposed upon the occupant and although the occupant may have agreed to bear the responsibility imposed by ordinance upon the owner.

§153.54 SAME – ENFORCEMENT OF RESPONSIBILITIES.

Upon discovering in any building a condition resulting from noncompliance with the provisions in Section 153.53, the Code Enforcement Officer is hereby authorized to order, to take, or otherwise to cause to be taken, such remedial action as is necessary to correct such condition.

§153.55 (RESERVED)

§153.56 PRELIMINARY INVESTIGATIONS; NOTICES; HEARINGS.

Whenever a petition is filed with the Code Enforcement Officer by a public authority, or by at least five residents of the city, charging that any dwelling is unfit for human habitation, or whenever it appears to the Code Enforcement Officer (on his own motion) that any dwelling is unfit for human habitation, the Code Enforcement Officer shall, if his inspection discloses a basis for such charges, issue and cause to be served upon the owner and parties in interest in such dwellings, a complaint stating the charges in that respect, and containing a notice that a hearing will be held before the Code Enforcement Officer (or his designated agent) at a place within the county in which the property is located, fixed not less than ten (10) days nor more than thirty (30) days after the serving of the complaint. The owner and parties in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Code Enforcement Officer.

§153.57 PROCEDURE AFTER HEARING; ORDER.

- (A) If, after notice and hearing, the Code Enforcement Officer determines that the dwelling under consideration is unfit for human habitation, he shall state in writing his findings of fact in support of that determination and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to repair, alter and improve such dwelling unit to comply with the minimum standards of fitness established by this chapter within the time specified in the order as follows:
 - (1) If the repair, alteration or improvement of the dwelling can be made at a reasonable cost of less than 50% of the value of the dwelling, the order shall require the owner, within the time specified, to repair, alter or improve the dwelling in order to render it fit for human habitation or to vacate and close the dwelling as a human habitation; or
 - (2) If the repair, alteration, or improvement of the dwelling cannot be made at a reasonable cost of less than 50% of the value of the dwelling, the order shall require the owner, within the time specified in the order, to remove or demolish such dwelling.
- (B) If, after notice and hearing the Code Enforcement Officer determines that the dwelling under consideration is not unfit for human habitation but is not in full compliance with one or more standards of dwelling fitness as set forth above, he may proceed with the enforcement procedures of Sections 10.19 and 10.99.

- (C) Notwithstanding any other provision of law, if the condition of the dwelling would require removal or demolition under subsection (A)(2) of this section and the dwelling is located in a historic district of the city and the historic district commission determines, after an administrative hearing as provided by the ordinance, that the dwelling is of particular significance or value toward maintaining the character of the district, and the dwelling has not been condemned as unsafe, the order may require that the dwelling be vacated and closed consistent with G.S. 160D-949.
- (D) The Code Enforcement Officer's order shall also provide that the housing to which it applies shall not be occupied if it is vacant as of the date of the order or becomes vacant before the required repair, alteration or improvement has been made, unless the owner obtains from the Code Enforcement Officer a certificate of fitness for occupancy, which shall be issued upon a finding by the administrator that the housing subject to the order is not unfit for human habitation.

§153.58 FAILURE TO COMPLY WITH ORDER.

- (A) If the owner fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, the Code Enforcement Officer shall:
 - (1) Cause to be posted on the main entrance of any such dwelling, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a violation of this chapter.
 - (2) Cause the dwelling to be repaired, altered or improved or to be vacated and closed.
- (B) If the owner fails to comply with an order to remove or demolish the dwelling, the Code Enforcement Officer shall:
 - (1) Cause to be posted on the main entrance of any such dwelling, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a violation of this chapter.
 - (2) Cause such dwelling to be vacated and removed or demolished.
- (C) The duties of the Code Enforcement Officer set forth in divisions (A) and (B) shall not be exercised until the City Council shall have by ordinance ordered the Code Enforcement Officer to proceed to effectuate the purpose of this chapter with respect to the particular property or properties which the Code Enforcement Officer shall have found to be unfit for human habitation and which property or properties shall be described in the

ordinance. No such ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with this chapter. For the purposes of this subsection a period of 90 days following the date of the Code Enforcement Officer's order shall constitute a reasonable opportunity. This ordinance shall be recorded in the Office of the Register of Deeds in the county wherein the property or properties are located and shall be indexed in the name of the property owner in the grantor index as provided by G.S. 160D-1203(4).

(D) **(RESERVED).**

(E) As provided by G.S. 160D-1203(7), the amount of the cost of repairs, alterations or improvements, or vacating and closing, or removal or demolition by the Code Enforcement Officer shall be a lien against the real property upon which the cost was incurred, which lien shall be filed against the real property, have the same priority, and be collected as the lien for special assessment provided in G.S. Ch. 160A, Art. 10. If the dwelling is removed or demolished by the Code Enforcement Officer, he shall sell the materials of the dwelling, and any personal property, fixtures or appurtenances found in or attached to the dwelling, and shall credit the proceeds of the sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Superior Court by the Code Enforcement Officer, shall be secured in a manner directed by the Court, and shall be disbursed by the Court to the persons found to be entitled thereto by final order of the decree of the Court.

(F) If any occupant fails to comply with an order to vacate a dwelling, the Code Enforcement Officer may file a civil action in the name of the city to remove such occupant. The action to vacate the dwelling shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as party-defendants any persons occupying such dwelling. The Clerk of Superior Court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date and place not to exceed ten (10) days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. § 42-29. The summons shall be returned according to its tenor, and if on its return it appears to have been duly served, and if at the hearing the Code Enforcement Officer produces a certified copy of an ordinance adopted by the City Council pursuant to division (C) of this section authorizing the Code Enforcement Officer to proceed to vacate the occupied dwelling, the magistrate shall enter judgment ordering that the premises be vacated and that all persons be removed. The judgement ordering that the dwelling be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. § 42-30. An appeal from any judgment entered hereunder by the magistrate may be taken as provided in G.S. § 7A-228, and the execution of such judgment may be stayed as provided in G.S. §

7A-227. An action to remove an occupant of a dwelling who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this paragraph unless such occupant was served with notice at least thirty (30) days before the filing of the summary ejectment proceeding that the City Council has ordered the Code Enforcement Officer to proceed to exercise his duties under divisions (A), (B) and (C) of this section to vacate and close or remove and demolish the dwelling.

- (G) Whenever a determination is made pursuant to subsection (A) or (B) of this section that a dwelling must be vacated and closed or removed or demolished under the provisions of this section, notice of the order shall be given by first class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. A minimum period of forty-five (45) days from the mailing of such notice shall be given before removal or demolition by action of the Code Enforcement Officer, to allow the opportunity for any organization to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The Code Enforcement Officer shall certify the mailing of the notices, and the certification shall be conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy and the sole remedy shall be an order requiring the public officer to wait 45 days before causing removal or demolition.
- (H) If the City Council shall have adopted an Ordinance, or the Code Enforcement Officer shall have issued an order, ordering a dwelling to be repaired or vacated and closed, as provided in Section 153.57, and if the owner has vacated and closed such dwelling and kept such dwelling vacated and closed for a period of one year pursuant to the Ordinance or order, then if the City Council shall find that the owner has abandoned the intent and purpose to repair, alter, or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, moral, and welfare of the City in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in the City, then in such circumstances, the City Council may, after the expiration of such one year period, enact an Ordinance and serve such Ordinance on the owner, setting forth the following:
 - a) If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the Ordinance shall

- require that the owner either repair or demolish and remove the dwelling within 90 days; or
- b) If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the Ordinance shall require the owner to demolish and remove the dwelling within 90 days.

This Ordinance shall be recorded in the Office of the Register of Deeds in the county wherein the property or properties are located and shall be indexed in the name of the property owner in the grantor index as provided by G.S. 160D-1203(4). If the owner fails to comply with this Ordinance, the Housing Inspector shall effect the purpose of the Ordinance.

§153.59 SERVICE OF COMPLAINTS AND ORDERS.

Complaints or orders issued by the Code Enforcement Officer pursuant to this chapter, except those being issued under Sections 10.19 and 10.99, shall be served upon persons either personally or certified mail. When service is made by certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the certified mail is unclaimed or refused, but the regular mail is not returned by the post office within ten (10) days after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

If the identities or whereabouts of any owners are unknown and cannot be ascertained by the Code Enforcement Officer in the exercise of reasonable diligence, or, if the owners are known but have refused to accept service by certified mail, and the Code Enforcement Officer makes an affidavit to that effect, then the serving of the complaint or order upon the unknown owners or other persons may be made by publication in a newspaper having general circulation in the city at least once no later than the time at which personal service would be required under the provisions of this chapter. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected.

§153.60 APPEALS.

- (A) As provided by G.S. 160D-305, the Board of Adjustment is hereby appointed as the Housing Appeals Board to which appeals from any decision or order of the Code Enforcement Officer may be taken. Except where this chapter provides for different rules or procedures, the Board of Adjustment acting as the Housing Appeals Board shall follow its rules of procedure, which may be amended to provide specifically for this function.

- (B) An appeal from any decision or order of the Code Enforcement Officer is a quasi-judicial matter and may be taken by any person aggrieved thereby or by any officer, board or commission of the city. Any appeal from the Code Enforcement Officer shall be taken within ten days from the service of the order by filing with the Code Enforcement Officer and with the Board of Adjustment a notice of appeal that shall specify the grounds upon which the appeal is based. Upon the filing of any notice of appeal, the Code Enforcement Officer shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the decision appealed from was made. When an appeal is from a decision of the Code Enforcement Officer refusing to allow the person aggrieved thereby to do any such act, his decision shall remain in force until modified or reversed. When any appeal is from a decision of the Code Enforcement Officer requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing by the Board of Adjustment, unless the Code Enforcement Officer certifies to the Board of Adjustment after the notice of appeal is filed with him, that because of facts stated in the certificate (a copy of which shall be furnished the appellant), a suspension of his requirement would cause imminent peril to life or property. In that case the requirement shall not be suspended except by a restraining order, which may be granted for due cause shown upon not less than one (1) day's written notice to the Code Enforcement Officer, the Board of Adjustment, or by a court of record upon petition made pursuant to division (E) of this section.
- (C) The Board of Adjustment shall fix a reasonable time for hearing appeals, shall give due notice to the parties, and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The Board of Adjustment may reverse or affirm, wholly or partly, or may modify the decision or order appealed from and may make any decision and order that in its opinion ought to be made in the matter, and to that end it shall have all the powers of the Code Enforcement Officer, but the concurring vote of four-fifths of the members of the Board of Adjustment shall be necessary to reverse or modify any decision or order of the Code Enforcement Officer. The Board of Adjustment shall have power also in passing upon appeals, when practical difficulties or unnecessary hardships would result from carrying out the strict letter of the ordinance, to adapt the application of the ordinance to the necessities of the case to the end that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.
- (D) Every decision of the Board of Adjustment shall be subject to review by proceedings in the nature of certiorari instituted within fifteen (15) days of the decision of the Board.

- (E) Any person aggrieved by an order issued by the Code Enforcement Officer, or a decision rendered by the Board of Adjustment may petition the Superior Court for an injunction, restraining the Code Enforcement Officer from carrying out the order or decision and the Court may uphold such petition, issue a temporary injunction restraining the Code Enforcement Officer pending a final disposition of the cause. The petition shall be filed within thirty (30) days after issuance of the order or rendering of the decision. Hearings shall be had by the Court on a petition within twenty (20) days and shall be given preference over other matters on the Court's calendar. The Court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. It shall not be necessary to file bond in any amount before obtaining a temporary injunction under this section.

§153.61 ALTERNATIVE REMEDIES.

- (A) Nothing in this chapter nor any of its provisions shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise, nor shall enforcement of one remedy provided herein prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws. In addition to the remedies provided for herein, any violations of the terms of this chapter shall subject the violator to the penalties and remedies, either criminal or civil or both, as set forth in Sections 10.19 and 10.99. A violation of this Code shall not constitute a misdemeanor pursuant to N.C.G.S. 14-4.
- (B) No dwelling shall be hereafter erected, altered, moved, or changed in use without a certificate of occupancy. In any case where the Code Enforcement Officer, after notice and hearing as required herein, finds that a dwelling or dwelling unit is unfit for human habitation, he shall withhold issuance of a certificate of occupancy for such dwelling or dwelling unit until such time that he determines that it is fit for human habitation. In addition, in any case where the Code Enforcement Officer, after preliminary investigation as provided for herein, concludes, based upon that investigation, that a dwelling or dwelling unit is unfit for human habitation and believes that the occupancy of such dwelling or dwelling unit could cause imminent peril to life or property from fire or other hazards, he shall withhold issuance of a certificate of occupancy for such dwelling or dwelling unit until such time that he determines that it is fit for human habitation.
- (C) If any dwelling is erected, constructed, altered, repaired, converted, maintained, or used in violation of this chapter or of any valid order or decision of the Code Enforcement Officer or Board of Adjustment made pursuant to any ordinance or code adopted under authority of this chapter, the Code Enforcement Officer or Board of Adjustment may institute any

appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration or use, to restrain, correct or abate the violation, to prevent the occupancy of the dwellings, or to prevent any illegal act, conduct or use in or about the premises of the dwelling.

§153.62 CONFLICT WITH OTHER PROVISIONS.

In the event any provision, standard or requirement of this chapter is found to be in conflict with any provision of any other ordinance or code of the city, the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents of the city's jurisdiction shall prevail. The North Carolina Building Code, current edition, shall serve as the standard for all alterations, repairs, additions, removals, demolitions and other acts of building made or required pursuant to this Chapter.

§153.63 VIOLATIONS.

In addition to the conditions, acts or failures to act that constitute violations specified in this chapter above, it shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect or refuse to repair, alter or improve the same, or to vacate and close or vacate and remove or demolish the same, upon order of the Code Enforcement Officer duly made and served as herein provided, within the time specified in such order, and each day that any such failure, neglect or refusal to comply with such order continues shall be subject to civil penalties as provided in Sections 10.19 and 10.99 of the Monroe Code of Ordinances.

- (A) It shall be unlawful for the owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to section 153.57 of this chapter, to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration or improvement or its vacation and closing, and removal or demolition, and each day that such occupancy continues after such prescribed time shall be subject to civil penalties as provided in Sections 10.19 and § 10.99 of the Monroe Code of Ordinances.
- (B) Any owner of a dwelling, except an owner who occupies the dwelling as his principal place of residence, who fails to comply with an order of the Code Enforcement Officer to repair, alter or improve the dwelling, or to vacate and close and remove or demolish the dwelling, within the time specified in the order, shall be subject to civil penalties set forth in Sections 10.19 and 10.99 of the Monroe Code of Ordinances until the dwelling is brought into compliance with the order.
- (C) It shall be unlawful for any person, owner or occupant of any dwelling with respect to which an order has been issued pursuant to Section 153.54 to let to another for occupancy as a human habitation or permit the occupancy of

the same after the time prescribed in such order for its repair, alteration or improvement or its vacation and closing, or vacation and removal or demolition

§153.64 NOTICE OF LIS PENDENS.

In accordance with N.C.G.S. 1-120.2, upon the issuance of a complaint and notice of hearing or an order pursuant thereto, a notice of lis pendens, with a copy of the complaint and notice of hearing or order attached to it, may be filed in the office of the clerk of superior court of the county. The notice of lis pendens and a copy of the complaint and notice of hearing or order attached to it shall be indexed and cross indexed in accordance with the indexing procedures of G.S. §1-117. From the date and time of indexing, the complaint and notice of hearing or order is binding upon the successors and assigns of the owners of and parties in interest in the dwelling. A copy of the notice of lis pendens shall be served upon the owners and parties of interest in the building or dwelling at the time of filing in accordance with G.S. §160D-1206. The notice of lis pendens remains in full force and effect until canceled. The notice of lis pendens shall be canceled upon compliance with the order. Upon receipt of notice of cancellation from the city, the clerk of superior court shall cancel the notice of lis pendens.

§153.65 REPEAL AND REENACTMENT OF EXISTING MINIMUM HOUSING CODE.

The rewriting of this chapter in part carries forth by reenactment some of the provisions of the existing Minimum Housing Code of the city and it is not intended to repeal, but rather to reenact and continue in force such existing provisions so that all rights and liabilities that have been accrued are preserved and may be enforced. All provisions of the Minimum Housing Code which are not reenacted herein are hereby repealed. All suits at law or in equity and/or all prosecutions resulting from the violation of the Minimum Housing Code in effect, which are not pending in any of the courts of this state or of the United States, shall not be abated or abandoned by reason of the adoption of this chapter, but shall be prosecuted to their finality the same as if this chapter had not been adopted; and any and all violations of the existing chapter, prosecutions for which have not been instituted, may be filed and prosecuted.”

Section 2. All ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3. This Ordinance shall become effective upon its adoption by the City Council of the City of Monroe, North Carolina.

Adopted this 12th day of July, 2022

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, City Manager

DATE: July 12, 2022

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Doug Britt, Senior Planner

SUBJECT: Zoning Map Amendment and text amendment request for Conditional District “Monroe Chase” (Parcel ID #'s: 09-108-002-A, 09-143-017, & 09-143-093)

SUMMARY STATEMENT

City Council is requested to consider a zoning map and text amendment for the properties located along Olive Branch Road and further identified as tax parcel #'s 09-108-002-A, 09-143-017, & 09-143-093. The request is to rezone the properties from RMD (Residential Medium Density) to Conditional District (CD) “Monroe Chase”. City Council is further requested to consider a Developer Agreement for phased sewer permitting and water meter sets if the Conditional District is approved.

REVIEW

The applicant, Joseph Mosca of NVR, is requesting a conditional district rezoning in order to develop a 197 lot residential subdivision. The total area of the project is 85.76 acres with 38.4% or 32.96 acres of common open space. The density of this project is 2.30 units per acre.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Single-Family Residential	RLD (Residential Low Density) & R-MD (Residential Medium Density)
East	Vacant	RMD (Residential Medium Density) & CD Olive Branch
South	Vacant	RMD (Residential Medium Density)

West	Single-Family Residential	RMD (Residential Medium Density)
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Proposal

The applicant is requesting a conditional district rezoning in order to develop a 197 lot residential subdivision that will consist of single-family detached homes with 38.4% or 32.96 acres of open space. The minimum lot size for the project will be 6,000 square feet with a range up to 13,000 square feet. The developer is providing a mixture of lot types that will include 51-foot wide lots, 60-foot wide lots and an 80-foot wide lots. The minimum heated square footage of the homes will be 1,800 square feet excluding the garage.

Lot Type	Number of Lots
51- foot wide lot, single family home with two (2)-car garage	99
60- foot wide lot, single family home with two (2)-car garage	72
80- foot wide lot, single family home with two (2)-car garage	26
Total	197

REQUIREMENTS

Density & Dimensional Standards

The density of the project is 2.30 units per acre.

Setbacks

Front: 20 ft.

Side: 5 ft.

Corner: 10 ft.

Rear: 30 ft.

Elevations

The exterior building materials for the proposed project will consist of brick, fiber cement, stone and stucco. The developer is proposing the front façade to consist of at least twenty-five (25%) brick or stone. Vinyl will only be used for eaves, soffits, trim, garage doors and windows. The minimum heated square footage as proposed for the project will be 1,800 square feet excluding the garage. Houses built on slab foundations shall have a minimum four course brick, of standard size, extending up the face of the slab on all sides. All garages shall include but not be limited to carriage style hardware. All of the single family detached homes will be provided with a two (2)-car garage and a concrete driveway that will accommodate at least two (2) vehicles. The 80 foot wide lots will all be side load garage homes.

Landscaping/Buffering

All homes will have sodded front yards prior to the issuance of the certificate of occupancy. Each single family home will be provided with two (2) yard trees at the time of the certificate of occupancy that will be a minimum of three (3) inch caliper at time of planting. Street trees will be provided at a rate of one (1) tree per 50-75 feet throughout the development and will be a minimum of three (3) inch caliper at time of planting. The street tree layout and planting schedule will be finalized during the construction plan review. The developer is proposing a landscape buffer around the entire project.

Open Space and Amenities

The project is required to provide a minimum of 12.5% open space for the project, which equals 10.72 acres. The applicant is providing 38.4% or 32.96 acres of open space. The amenity area will include the following features: splash pad, event lawn, athletic field, passive park area, children's playground, outdoor gym pavilion & grilling area, dog park and walking trail. The open space area does include 7.83 acres of floodplain.

Schools

The proposed 197 unit development is currently within the following school attendance areas:

Unionville Elementary	Currently at 95% rated capacity
Piedmont Middle	Currently at 89% rated capacity
Piedmont High	Currently at 77% rated capacity

Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency. Per Board of Education policy, Unionville ES is no longer accepting transfers due to high enrollment. Additional residential construction contributes to high enrollments, which in turn exacerbate problems such as:

- Additional mobile classrooms
- Inadequate capacity for food service and rest room facilities
- Rationing of access to the Media Center
- Insufficient parking and queuing space for parents to safely deliver or pick up their children
- Inadequate planning/meeting space for additional staff

Sidewalk

The developer is proposing to install five (5) ft. wide sidewalks on both sides of the interior streets as well as an eight (8) ft. wide sidewalk along the property frontage of Olive Branch Road.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of site plan submittal, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Stream Buffer/Flood Plain

There is approximately 7.83 acres of flood plain within the project, which is entirely within the common open space. All streams located on the site have been provided with a 50 ft. undisturbed stream buffer on both sides as required by the ordinance.

Transportation

The project is proposed to be accessed by two entrances off Olive Branch Road. The developer is proposing for the project to have publicly maintained streets by the City of Monroe. The streets will be constructed and inspected to the City of Monroe street standards. A traffic impact study was completed for this project and was reviewed by both the City of Monroe Engineering Department and the North Carolina Department of Transportation (NCDOT). The required transportation improvements for the project are as follows:

Access 1 (Northern Entrance) Olive Branch Road:

- Right in/Right out Entrance
- Construct a northbound right-turn lane with storage

Cyrus Edward Road intersection at Olive Branch Road

- Construct a northbound left-turn lane with storage

Access 2 (Southern Entrance) Olive Branch Road

- Full movement intersection
- Construct a southbound left-turn lane with storage
- Construct a northbound right-turn lane with storage

Olive Branch Road between Access 1 and Access 2

- Three lane roadway section shall be constructed along Olive Branch Road between Access 1 and Access 2 of the proposed subdivision

Water and Sewer Capacity

The Water Resources Department has communicated extensive comments and requirements to the developer regarding potential water and sewer service to this subdivision. Should City Council approve the Conditions District, staff recommends approval of the attached Developer Agreement for phased sewer permitting and water meter sets.

This agreement will allow the City to take proactive steps to prevent any over-allocation of capacity, whether on-paper or actual flow, as experienced by surrounding jurisdictions. This is prudent prior to the planned expansion of the City's wastewater treatment plant (WWTP) tentatively scheduled for completion in 2028. Phased sewer permitting and water meter sets via this Developer Agreement supports the implementation of the City sewer capacity use strategy for balancing residential and non-residential projects and will facilitate the City maximizing economic development opportunity as approved by City Council.

LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land Development Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-

street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is consistent with the Future Land Use Plan. The project is a reasonable use and in the public interest because it provides a mix of lot sizes and is consistent with the allowable density.

PUBLIC NOTIFICATION

The applicant sent a notification letter to the property owners within 150 feet of the subject properties and held a neighborhood meeting on Tuesday, March 29th to discuss the project. The meeting was held in person.

A rezoning notification sign was posted 10 days prior to the public hearing.

An official rezoning notification letter was sent to the adjacent property owners located within 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Staff recommended approval of Conditional District “Monroe Chase”.

Planning Board unanimously recommended approval of Conditional District “Monroe Chase”.

City Council will need to take action on the following items:

- Zoning action: Motion to adopt Resolution approving land development plan compliance **OR** Motion to adopt Resolution denying land development plan compliance
- Zoning action: Motion to adopt Ordinance amending Code Section 1.2.1 Official Zoning Map **OR** Motion to deny zoning map amendment
- Zoning action (only required if Ordinance amending Official Zoning Map): Code Section 1.3.1 Zoning Districts Established
- Motion to approve Developer Agreement **OR** deny
- Motion to authorize Interim City Manager to execute any and all necessary documents with regard to the Developer Agreement (only needed in Developer Agreement approved)
- Motion to adopt Ordinance amending Code Section 59.04 Water Resources Developer Agreements (only needed in Developer Agreement approved)

Attachments:

Attachment 1-Ortho Map
Attachment 2-Zoning Map
Attachment 3-Site Plan & Elevations
Attachment 4-Future Land Use Map
Attachment 5-FLUM Description
Attachment 6-APO List
Attachment 7-APO Map
Attachment 8-Neighborhood Meeting Minutes
Attachment 9-Draft PB Minutes
Attachment 10-R-2022-52 Approval
Attachment 11-R-2022-52 Denial
Attachment 12-O-2022-57 Section 157.1.2.1
Attachment 13-O-2022-58 Section 157.1.3.1
Attachment 14-Water & Sewer Developer Agreement
Attachment 15-Water & Sewer Developer Agreement Exhibit A
Attachment 16-O-2022-59



Ortho Map

Proposed: Conditional District Monroe Chase

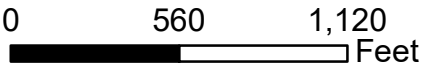
Legend

- Centerlines
- Parcels
- City Limits
- ETJ
- MONROE.FEMA_Year2014

Existing: R-20
(Residential- Low Density)

Owner: Vann Love, Love Rentals
& Christian Stephenson

Acres: 85.76



Zoning Map

Proposed: Conditional District Monroe Chase

Legend

Centerlines

City Limits

ETJ

Parcels

NEW_ZONING

CC-MX2

CD

CAO

GI

RLD

RMD

Existing: R-MD
(Residential- Medium Density)

**Owner: Vann Love, Love
Rentals, & Christian
Stephenson**

Acres: 85.76

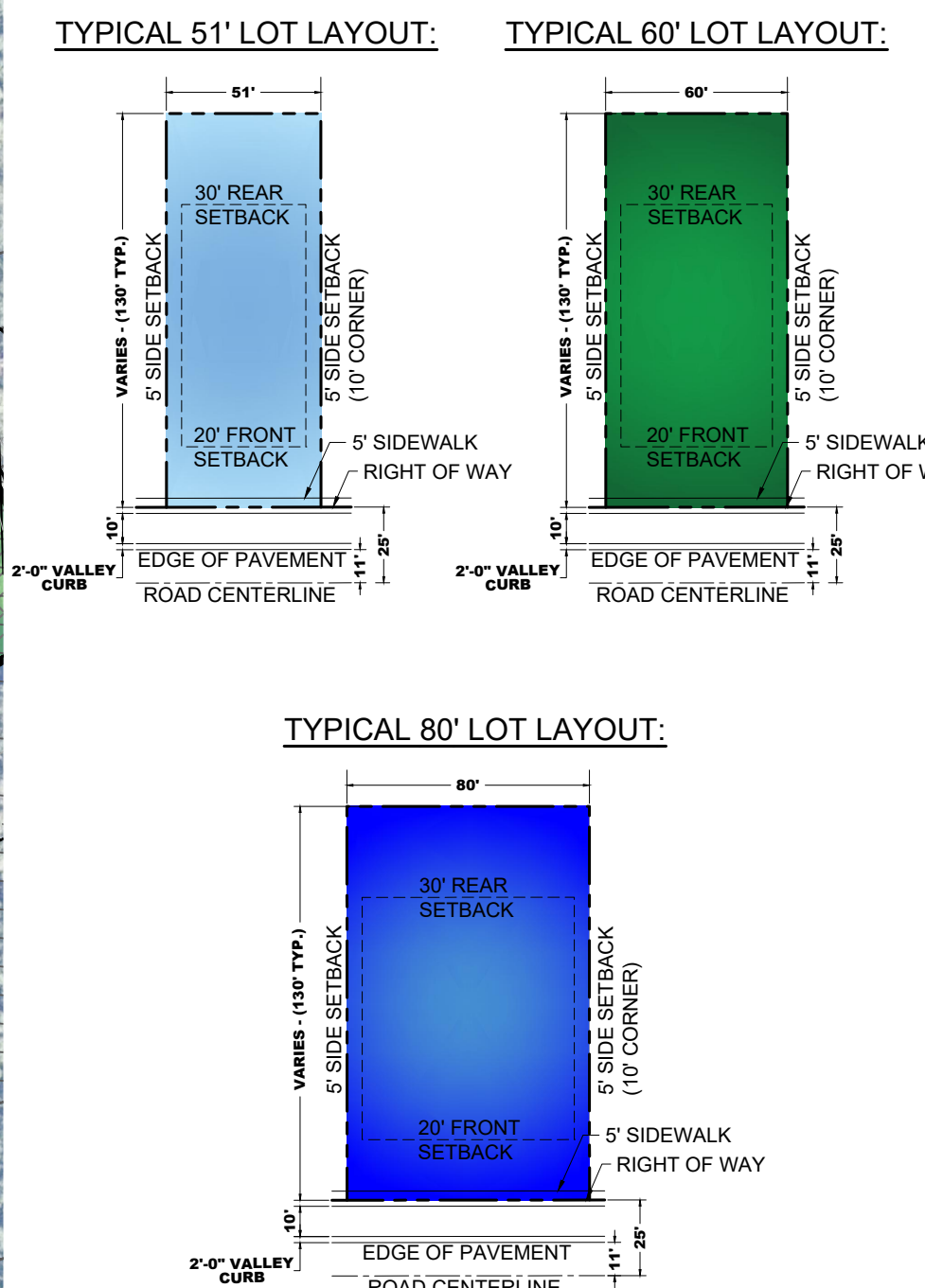


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SHEET INDEX	
Sheet Number	Sheet Title
CD-01	SITE PLAN
CD-02	DIMENSIONAL DETAIL PLAN
CD-03	DIMENSIONAL DETAIL PLAN
CD-04	LOT SIZE TABLE
CD-05	LANDSCAPE RENDERINGS
CD-06	BUILDING ELEVATIONS
CD-07	EXISTING CONDITIONS
CD-08	DEVELOPMENT STANDARDS

SITE DATA TABLE	
DEVELOPMENT DATA:	
TAX PARCEL ID	09143017, 09108002A, 09143093
EXISTING LOCATION	
TOTAL SITE AREA	MONROE, N 85.76 ACRES
TOTAL LOT AREA	335.53 ACRES
TOTAL R.O.W. AREA	112.04 ACRES
FLOODPLAIN AREA	77.83 ACRES
BMP DETENTION AREA	55.23 ACRES
OPEN SPACE (SEE BELOW)	332.96 ACRES
ZONING:	
EXISTING:	R-20
PROPOSED:	MONROE CHASE - C
NUMBER OF LOTS	197
SETBACKS & DENSITY:	
FRONT YARD	20'
SIDE YARD INTERIOR	5'
REAR YARD	30'
MIN. LOT WIDTH:	51'
MIN. LOT SIZE:	6,000 SF
AVG. LOT SIZE:	7,854 SF
MAX. LOT SIZE:	13,343 SF
DENSITY:	2.30 DU/AC
OPEN SPACE	
REQUIRED OPEN SPACE:	101.72 AC (12.5%)
PROPOSED OPEN SPACE:	±25.14 AC (29.3%)
PROPOSED AMENITY AREA:	77.82 AC (9.1%)
TOTAL PROVIDED:	±32.96 AC (38.4%)



SITE #	PARCEL NUMBER	OWNER	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP
1	191403106	HILL CEMETERY	15024 MIDDELSBOROUGH DRIVE/CO BILL TAYLOR	MATTHEWS	NC	28104
2	191080024	WANDA SUZ FUNDENBRUNK	2500 OLIVE BRANCH ROAD	MONROE	NC	28110
3	191434040	JUDY GAY	2420 OLIVE BRANCH ROAD	MONROE	NC	28110
4	191439039	JOEL BARN GRACER	2410 OLIVE BRANCH ROAD	MONROE	NC	28110
5	191434035	MARTHA A LEECH	2148 OLIVE BRANCH ROAD	MONROE	NC	28110
6	191434036	JOSE MARTINEZ	2326 OLIVE BRANCH ROAD	MONROE	NC	28110
7	191434034	HANNAH HALL	2324 OLIVE BRANCH ROAD	MONROE	NC	28110
8	191434029	SIDI BROWN BUNDY	800 S COLLEGE STREET	MONROE	NC	28112
9	191460011	PROSPERITY CREEK, LLC	FRANK HOWDY JR PO BOX 1699	MONROE	NC	28111
10	191080020	KAREN L BAUCOM, TRUSTEE	3024 HILLS POND LANE	MONROE	NC	28110
11	191080017	RICKY LYNN GOWDIN	2720 OLIVE BRANCH ROAD	MONROE	NC	28110
12	191434014	TRAVIS W AUSTIN	5515 WOODS CHURCH ROAD	MARS-HELLVILLE	NC	28103
13	191434010	OLLIE V BAUCOM	2525 OLIVE BRANCH ROAD	MONROE	NC	28110
14	191431080	KIMBERLY CHAMBERLAIN	PO BOX 2766	MONROE	NC	28110
15	191431018	LUIS ALBERTO BECERRA HERNANDEZ	2501 OLIVE BRANCH ROAD	MONROE	NC	28110
16	191434026	CAROLINE N PRESSON	2417 OLIVE BRANCH ROAD	MONROE	NC	28110
17	191434032	KEITH LYNN PRESSON	2417 OLIVE BRANCH ROAD	MONROE	NC	28110
18	191430071	MICHAEL TYLER SHOUSE	2401 OLIVE BRANCH ROAD	MONROE	NC	28110
19	19143007K	JERRY T MYERS	4606 HIDDEN HARBOR LANE	RALEIGH	NC	27615
20	191430070	JERRY T MYERS	4606 HIDDEN HARBOR LANE	RALEIGH	NC	27615

PETITIONER COMPLIANCE

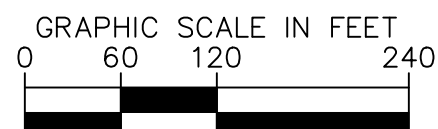
PETITIONER VOLUNTARILY AGREES TO ALL CONDITIONS APPROVED
BY CITY COUNCIL, WHICH ARE LISTED ON THIS SITE PLAN



PETITIONER SIGNATURE

06/24/2022

DATE



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PHONE: 704-333-5131
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NC LICENSE #F-0102

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CONSTRUCTION**

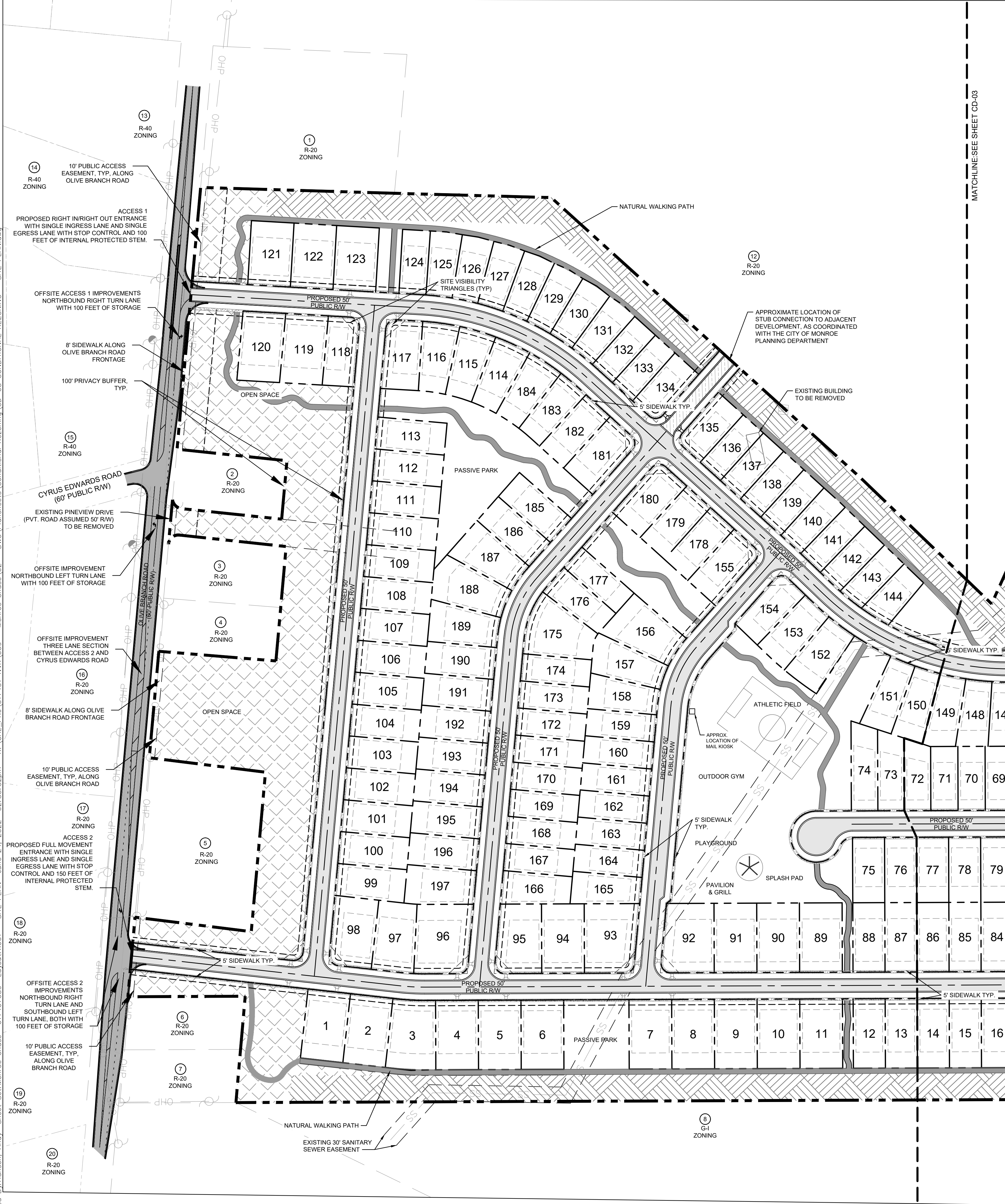
DATE	06/24/2022
SCALE	AS SHOWN
DESIGNED BY	MAG
DRAWN BY	MAG
CHECKED BY	AJH

SITE PLAN

MONROE CHASE
PREPARED FOR
RYAN HOMES

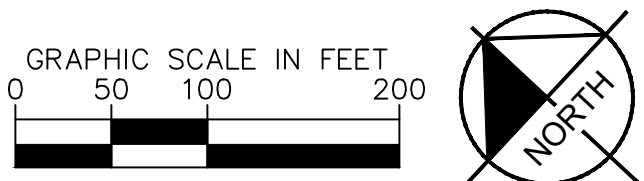
SHEET NUMBER
CD-01

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HATCH LEGEND

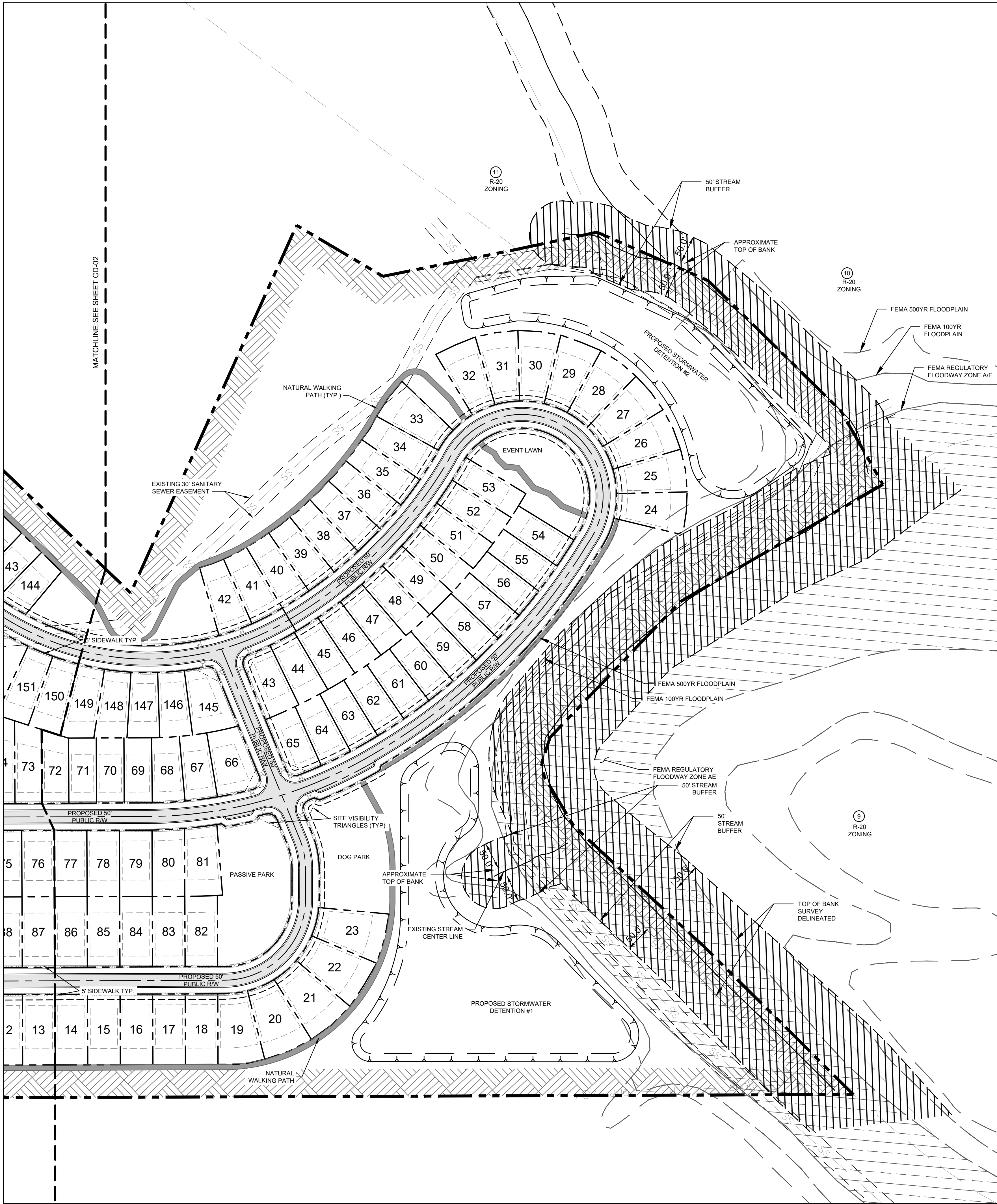
- 100 FT PRIVACY BUFFER
- 50 FT UNDISTURBED BUFFER
- 50' STREAM BUFFER
- FEMA REGULATORY FLOODWAY
- CONCRETE SIDEWALK
- NATURAL WALKING PATH
- PROPERTY LINE
- 18" CURB AND GUTTER
- SIGHT VISIBILITY TRIANGLE



KH PROJECT D17407039	DATE 06/24/2022	SCALE AS SHOWN	DESIGNED BY MAG	DRAWN BY MAG	CHECKED BY AJH	NOT FOR CONSTRUCTION	Kimley»Horn © 2021 KIMLEY-HORN AND ASSOCIATES, INC. 200 SOUTH TRYON ST., SUITE 200, CHARLOTTE, NC 28202 WWW.KIMLEY-HORN.COM NC LICENSE #F-0102	REVISIONS	BY
									DATE
DIMENSIONAL DETAIL PLAN								CITY OF MONROE	
								NORTH CAROLINA	
MONROE CHASE PREPARED FOR RYAN HOMES								SHEET NUMBER CD-02	

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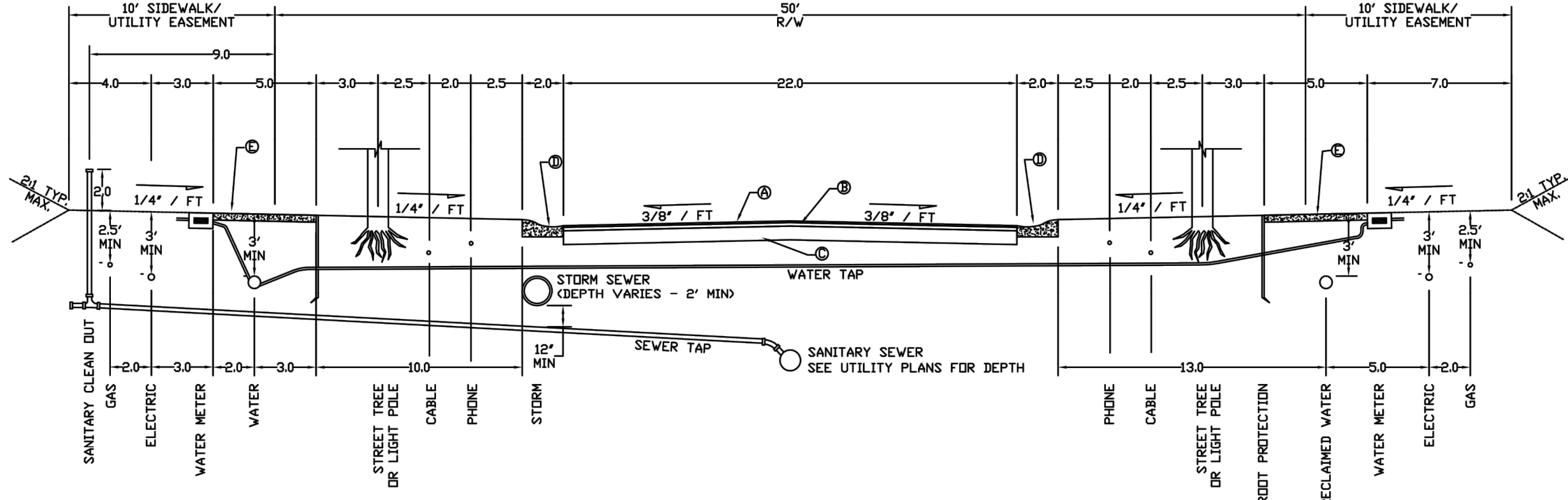
Plotted By: Hanson, Andy Sheet Set: Monroe Chase- 017407039 Layout: CD-03 CONDITIONAL REZONING - SITE PLAN June 24, 2022 02:55:34pm K:\CHL_P\PRJ\017407 NVR\039 - Monroe Chase\02 - DWG\PlanSheets\Conditional Rezoning CD-03 CONDITIONAL REZONING - SITE PLAN.dwg



PAVEMENT SCHEDULE*	
①	1 in. BIT. CONC. SURFACE COURSE, TYPE SF 9.5A
②	2.5 in. BIT. CONC. BINDER COURSE, TYPE I 19.0B
③	4 in. BIT. CONC. BASE COURSE, TYPE B 25.0B OR 8 in. COMPACTED AGGREGATE BASE COURSE
④	2 ft. 0 in. VALLEY & GUTTER
⑤	4 in. CONCRETE SIDEWALK, 5 ft. WIDTH

*PAVEMENT STRUCTURE FOR RESIDENTIAL STREETS WITH LESS THAN 4,000 VEHICLES PER DAY.

NOTES	
1.	UTILITY LOCATIONS SHOWN (OTHER THAN PHONE & CABLE) ARE FOR UTILITIES OWNED AND OPERATED BY THE CITY OF MONROE.
2.	DEPTHS SHOWN ARE MINIMUM DEPTHS OF BURY.
3.	STREET LIGHTS WILL BE ON ONE SIDE OF ROAD DEPENDING ON SUBDIVISION LAYOUT.



REVISIONS		
NO.	DATE	DESCRIPTION
1	4/20/04	WAS 02.01.03
2	4/20/04	MODIFIED FOR SUPERPAVE
3	05/20/08	THE TARRANT COUNTY PLANNING DEPARTMENT HAS REVIEWED AND APPROVED THIS PAVEMENT SCHEDULE "B"



RESIDENTIAL STREET WITH STREET TREES FOR 50' R/W (1 of 2)

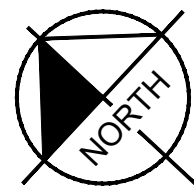
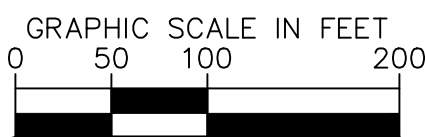
CITY OF MONROE
UNION COUNTY NORTH CAROLINA
PREPARED BY:
ENGINEERING DEPARTMENT

FILE: I:\Maps-Detail\Detail Manual\Details
DRAWN BY: JAM DATE: 08-07-01
CHECKED BY: JNL SCALE: N.T.S.
DETAIL 02.01.03A

TYPICAL ROAD SECTION

HATCH LEGEND

	100 FT PRIVACY BUFFER
	50 FT UNDISTURBED BUFFER
	50' STREAM BUFFER
	FEMA REGULATORY FLOODWAY
	CONCRETE SIDEWALK
	NATURAL WALKING PATH
	PROPERTY LINE
	18" CURB AND GUTTER
	SIGHT VISIBILITY TRIANGLE



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KH PROJECT D17407039	DATE 06/24/2022	SCALE AS SHOWN	DESIGNED BY MAG	DRAWN BY MAG	CHECKED BY AJH
-------------------------	--------------------	-------------------	--------------------	-----------------	-------------------

**DIMENSIONAL
DETAIL PLAN**

**MONROE CHASE
PREPARED FOR
RYAN HOMES**

CITY OF MONROE NORTH CAROLINA

SHEET NUMBER
CD-03

REVISIONS		BY	DATE

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PARCEL AREA TABLE			PARCEL AREA TABLE			PARCEL AREA TABLE			PARCEL AREA TABLE			PARCEL AREA TABLE			PARCEL AREA TABLE			PARCEL AREA TABLE		
Parcel #	Area (SF)	Area (AC)	Parcel #	Area (SF)	Area (AC)	Parcel #	Area (SF)	Area (AC)	Parcel #	Area (SF)	Area (AC)	Parcel #	Area (SF)	Area (AC)	Parcel #	Area (SF)	Area (AC)	Parcel #	Area (SF)	Area (AC)
1	10400.00	0.24	26	8135.15	0.19	51	6983.90	0.16	76	7333.94	0.17	101	7800.00	0.18	126	6594.97	0.15	151	7591.68	0.17
2	10400.00	0.24	27	8133.43	0.19	52	7027.25	0.16	77	7333.94	0.17	102	7800.00	0.18	127	6595.56	0.15	152	8765.71	0.20
3	11418.63	0.26	28	8146.81	0.19	53	6479.76	0.15	78	7333.94	0.17	103	7800.00	0.18	128	6604.73	0.15	153	8380.49	0.19
4	10400.00	0.24	29	8061.81	0.19	54	6495.08	0.15	79	7334.09	0.17	104	7800.00	0.18	129	6614.57	0.15	154	7813.65	0.18
5	10400.00	0.24	30	8104.59	0.19	55	6495.08	0.15	80	7388.88	0.17	105	7800.00	0.18	130	6619.76	0.15	155	8929.74	0.20
6	10400.00	0.24	31	8105.78	0.19	56	6495.08	0.15	81	8273.46	0.19	106	7800.00	0.18	131	6640.46	0.15	156	10783.12	0.25
7	10400.00	0.24	32	8075.43	0.19	57	6495.08	0.15	82	7813.72	0.18	107	7800.00	0.18	132	6179.57	0.14	157	8666.70	0.20
8	10400.00	0.24	33	8125.36	0.19	58	6495.08	0.15	83	7800.00	0.18	108	7800.00	0.18	133	6024.63	0.14	158	7529.70	0.17
9	10400.00	0.24	34	7477.58	0.17	59	6495.08	0.15	84	7800.00	0.18	109	7800.00	0.18	134	7136.67	0.16	159	6630.00	0.15
10	10400.00	0.24	35	6944.68	0.16	60	6495.08	0.15	85	7800.00	0.18	110	7800.00	0.18	135	7349.65	0.17	160	6630.00	0.15
11	10400.00	0.24	36	6939.05	0.16	61	6495.08	0.15	86	7800.00	0.18	111	7800.00	0.18	136	6120.00	0.14	161	6630.00	0.15
12	7800.00	0.18	37	6947.89	0.16	62	6495.08	0.15	87	7800.00	0.18	112	7800.00	0.18	137	6126.52	0.14	162	6630.00	0.15
13	7800.00	0.18	38	6929.23	0.16	63	6533.86	0.15	88	7800.00	0.18	113	7800.00	0.18	138	6120.00	0.14	163	6630.00	0.15
14	7800.00	0.18	39	6942.34	0.16	64	6636.74	0.15	89	10400.00	0.24	114	7879.13	0.18	139	6120.00	0.14	164	6630.00	0.15
15	7800.00	0.18	40	6946.97	0.16	65	7213.63	0.17	90	10400.00	0.24	115	7879.13	0.18	140	6261.08	0.14	165	7178.00	0.16
16	7800.00	0.18	41	7171.14	0.16	66	8695.28	0.20	91	10400.00	0.24	116	7879.13	0.18	141	6120.00	0.14	166	7421.55	0.17
17	7800.00	0.18	42	7255.75	0.17	67	6660.26	0.15	92	12270.25	0.28	117	8943.52	0.21	142	6117.47	0.14	167	6630.00	0.15
18	7800.00	0.18	43	7753.24	0.18	68	6671.66	0.15	93	12677.25	0.29	118	7649.81	0.18	143	6007.29	0.14	168	6630.00	0.15
19	9251.87	0.21	44	6780.86	0.16	69	6168.52	0.14	94	10400.00	0.24	119	10405.36	0.24	144	6000.31	0.14	169	6630.00	0.15
20	9549.06	0.22	45	6693.76	0.15	70	6120.12	0.14	95	10744.16	0.25	120	10405.36	0.24	145	8423.47	0.19	170	6630.00	0.15
21	9555.28	0.22	46	6744.81	0.15	71	6120.08	0.14	96	13342.84	0.31	121	9600.00	0.22	146	6594.28	0.15	171	6630.00	0.15
22	9434.53	0.22	47	6795.03	0.16	72	6351.14	0.15	97	9882.80	0.23	122	9600.00	0.22	147	6587.29	0.15	172	6630.00	0.15
23	9520.81	0.22	48	6844.22	0.16	73	7155.87	0.16	98	10511.09	0.24	123	9600.00	0.22	148	6825.87	0.16	173	6630.00	0.15
24	8094.65	0.19	49	6892.22	0.16	74	7963.19	0.18	99	7979.93	0.18	124	6172.95	0.14	149	7386.49	0.17	174	6630.00	0.15
25	8150.35	0.19	50	6938.83	0.16	75	7333.94	0.17	100	7800.00	0.18	125	6594.48	0.15	150	7482.39	0.17	175	11354.91	0.26



MONROE CHASE
PREPARED FOR
RYAN HOMES

CITY OF MONROE

LOT SIZE TABLE

KH PROJECT
D17407039

DATE
06/24/2022

SCALE AS SHOWN

DESIGNED BY MAG

DRAWN BY MAG

CHECKED BY AJH

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REVISIONS

No.

BY

DATE

Page 51 of 519



ENTRY SIGNAGE



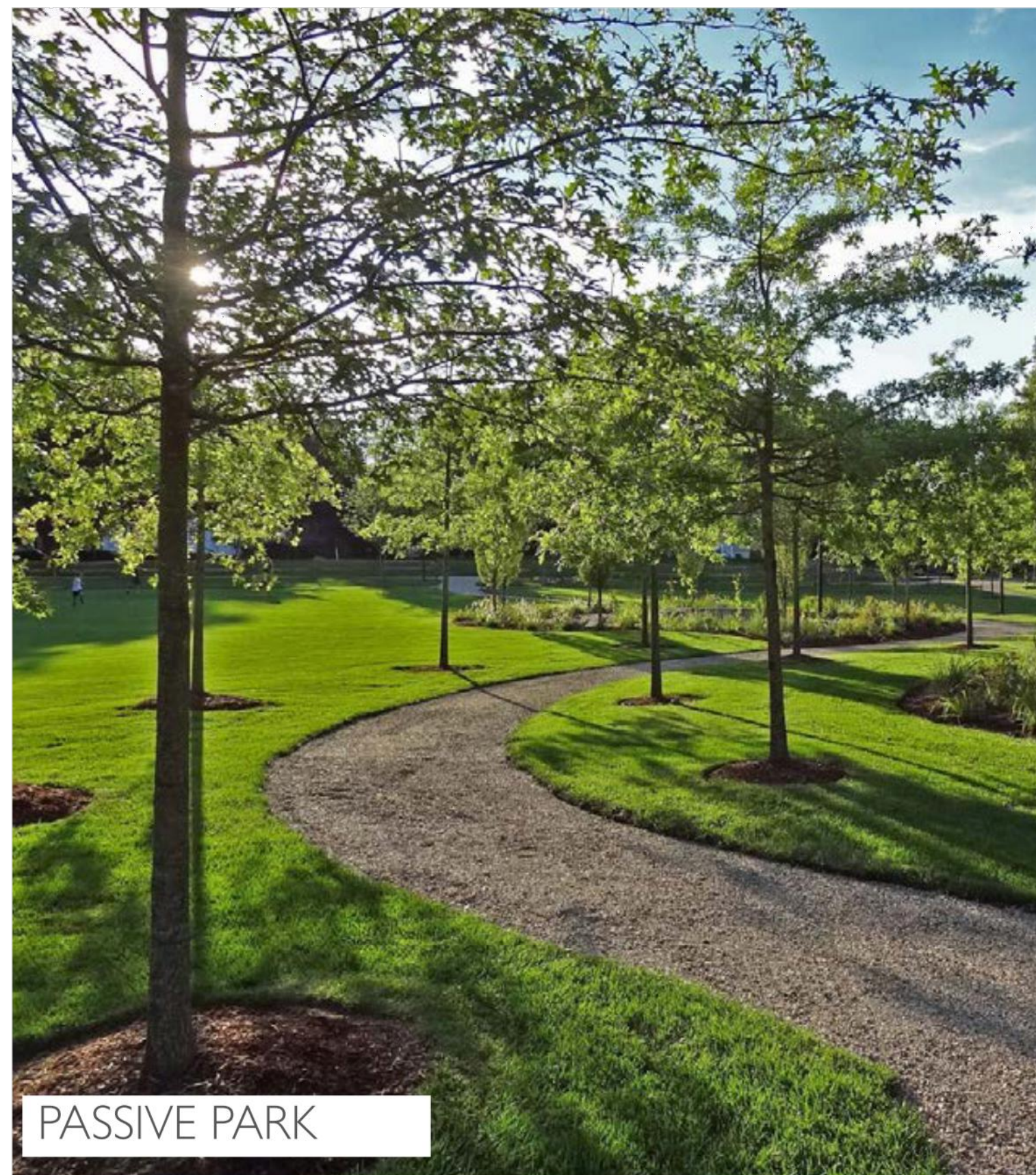
PAVILION & GRILL



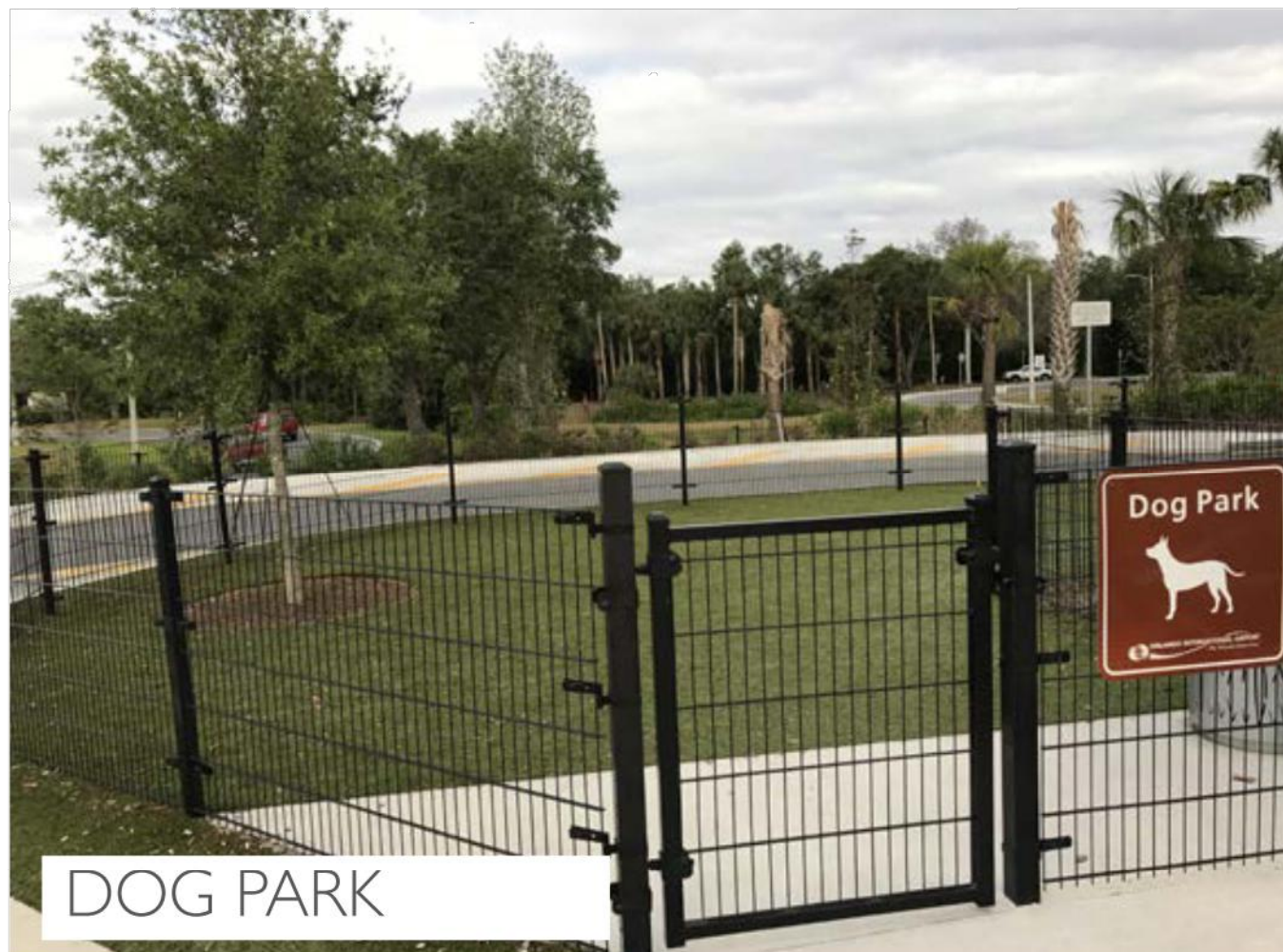
ATHLETIC FIELD



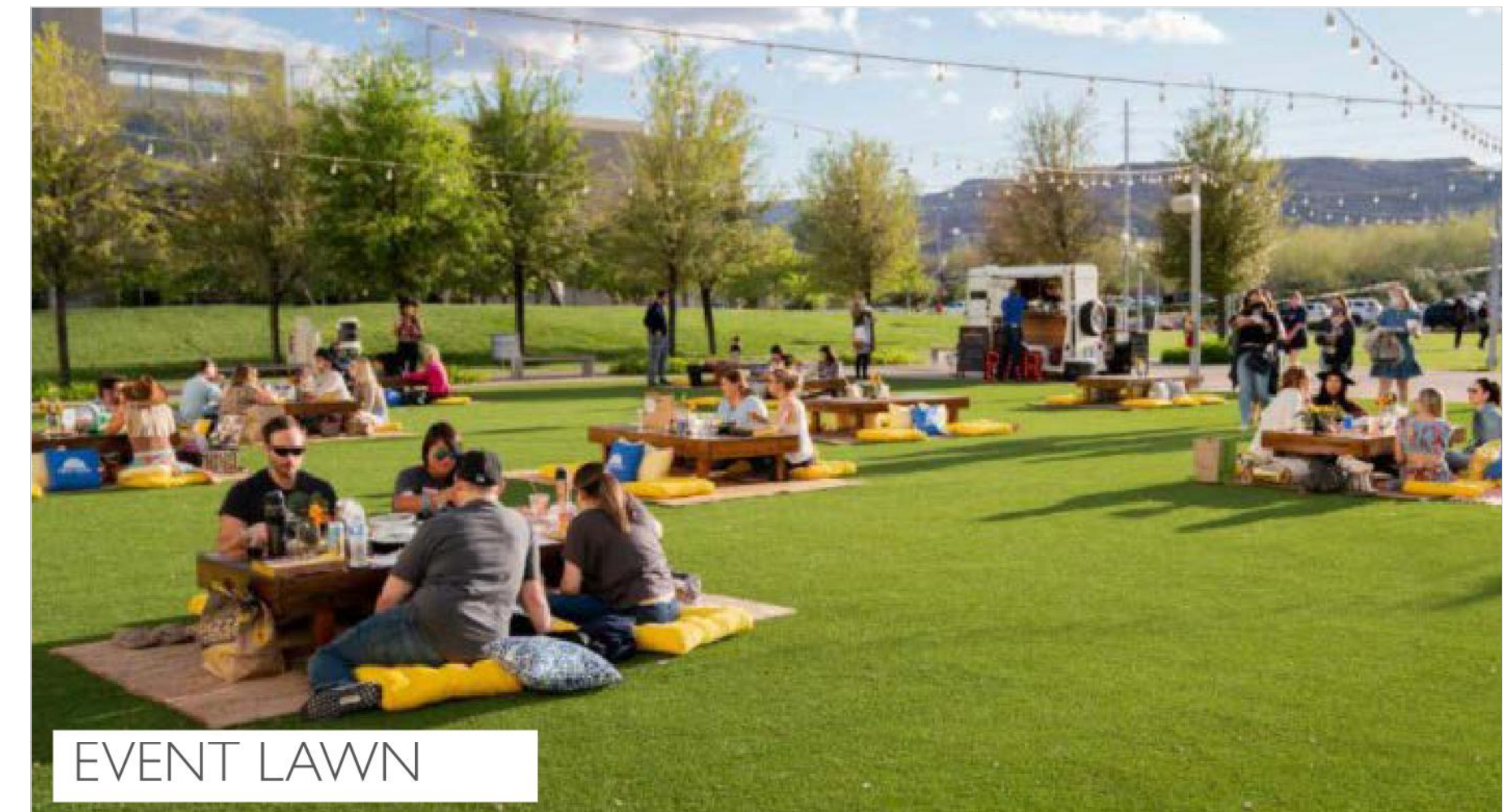
SPLASH PAD



PASSIVE PARK



DOG PARK



EVENT LAWN



PLAYGROUND



OUTDOOR GYM



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MONROE CHASE
PREPARED FOR
RYAN HOMES

CITY OF MONROE

LANDSCAPE
RENDERINGS

KH PROJECT	017407039
DATE	06/24/2022
SCALE	AS SHOWN
DESIGNED BY	MAG
DRAWN BY	MAG
CHECKED BY	AJH

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NOT FOR CONSTRUCTION		KH PROJECT 017407039		DATE 06/24/2022		SHEET NUMBER CD-06	
BUILDING ELEVATIONS		SCALE AS SHOWN		DESIGNED BY MAG		DRAWN BY MAG	
MONROE CHASE PREPARED FOR RYAN HOMES		CITY OF MONROE		NORTH CAROLINA		CHECKED BY AJH	

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Plotted By: Hanson, Andy Sheet Set: Monroe Chase- 017407039 Layout: CD-06.1 June 24, 2022 04:10:48pm K:\CHL_PRA\017407 NVR\039 - Monroe Chase\02 - DWG\Plansheets\Conditional Rezoning\CD-06 CONDITIONAL REZONING - PROPOSED ELEVATIONS.dwg

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SHEET NUMBER		CD-06.1	
MONROE CHASE		NORTH CAROLINA	
PREPARED FOR		RYAN HOMES	
BUILDING ELEVATIONS		CITY OF MONROE	
KH PROJECT		DATE	
D17407039		06/24/2022	
SCALE		AS SHOWN	
DESIGNED BY		MAG	
DRAWN BY		MAG	
CHECKED BY		AJH	
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		REVISIONS	
		No.	
		DATE	
		BY	

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Plotted By: Hanson, Andy Sheet Set: Monroe Chose-- 017407039 Layout: CD-07 Conditional Rezoning -- Existing Conditions Date: June 24, 2022 02:56:11pm K:\CHL_PRA\017407 NV\039 -- Monroe Chose\02 -- DWG\Plotsheets\Conditional Rezoning\CD-07 Conditional Rezoning -- Existing Conditions.dwg

NOTES

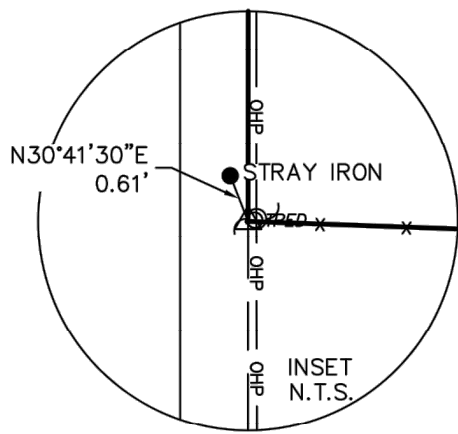
- THIS PARCEL APPEARS TO BE IN FEMA FLOOD ZONE DESIGNATION ZONE AE & X. FIRM MAP 3710544500J, COMMUNITY 370236, EFFECTIVE DATE 10-16-2008.
- ELEVATIONS ARE BASED ON NAVD 88 DATUM.
- COORDINATES ARE BASED ON NC GRID NAD 83(2011).
- THE SUBSURFACE UTILITY INFORMATION SHOWN HEREON IS CONSIDERED A QUALITY LEVEL-B SUE UTILITY INVESTIGATION AS DEFINED IN THE AMERICAN SOCIETY OF CIVIL ENGINEERS DOCUMENT C/ASCE 38-02 AND ENTITLED THE "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA". UNDERGROUND STORMWATER AND SANITARY SEWER LOCATED TO Q-C STANDARDS. PRIOR TO CONSTRUCTION OR EXCAVATION, IT IS REQUIRED BY LAW TO CONTACT THE STATE 811 SYSTEM.
- PROPERTY IS SUBJECT TO ALL RECORDED OR UNRECORDED EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.
- 30' SANITARY SEWER EASEMENT IS CENTERED ON FIELD LOCATED SEWER LINES.

REFERENCES

- PC: K PG: 216
- DB: 1636 PG: 20
- DB: 3139 PG: 330
- DB: 3251 PG: 450
- DB: 3526 PG: 477
- DB: 6557 PG: 391
- DB: 6557 PG: 402
- DB: 6429 PG: 521
- DB: 7258 PG: 449
- DB: 7273 PG: 904
- DB: 7377 PG: 369
- DB: 7377 PG: 371
- DB: 7924 PG: 876

LINE TABLE		
LABEL	BEARING	DISTANCE
L1	S41°16'30"E	363.28'
L2	S41°26'18"E	122.29'
L3	S41°26'08"E	171.51'
L4	S00°51'45"E	139.87'
L5	S00°47'05"E	194.99'
L6	S12°25'50"E	184.70'
L7	S55°04'49"E	149.99'
L8	S19°28'34"E	224.04'
L9	S17°20'34"W	155.94'
L10	S64°58'32"W	51.03'
L11	S34°46'13"W	25.26'
L12	S16°02'49"W	105.70'
L13	S00°13'11"E	331.67'
L14	N51°56'22"E	99.97'
L15	N52°30'18"E	99.95'
L16	N43°12'23"W	219.75'
L17	N52°06'45"E	149.56'
L18	N35°55'06"W	219.48'
L19	S35°54'08"E	219.35'
L20	N52°06'45"E	200.32'
L21	S36°17'12"E	220.08'
L22	N52°08'20"E	100.46'
L23	N52°04'43"E	114.78'
L24	N36°51'45"W	199.66'
L25	N52°08'51"E	83.01'
L26	S36°58'42"E	187.97'
L27	N52°10'16"E	109.93'
L28	N37°00'25"W	207.04'

CURVE TABLE				
LABEL	RADIUS	ARC	CHORD	CHORD BEARING
C1	180.00'	50.04'	149.58'	N38°48'05"E
C2	18.59'	30.91'	27.47'	N80°13'33"W
C3	20.01'	25.87'	24.11'	S00°03'16"W



TOTAL SITE AREA
85.755 Ac.

PRELIMINARY

KEITH BURNS
P.L.S. No. L-5265

- LEGEND
- RBF ● IRON REBAR FOUND
 - IRF ● IRON ROD FOUND
 - IRFD ● IRON ROD FOUND DISTURBED
 - CALCULATED POINT
 - WATER METER
 - WATER VALVE
 - FIRE HYDRANT
 - WATER VALVE MARKER
 - POWER POLE
 - SERVICE POLE
 - TRANSFORMER-ELECTRIC
 - ELECTRIC METER
 - SANITARY SEWER MANHOLE
 - AC AIR CONDITIONING UNIT
 - JUNCTION BOX
 - TELEPHONE PEDESTAL
 - SS — SANITARY SEWER LINE
 - OHP — OVERHEAD POWER LINE
 - X — FENCE LINE

A BOUNDARY SURVEY PREPARED FOR:
RYAN HOMES
PARCEL ID No. 09143017,
09143093, & 09108002A
THE CITY OF MONROE
UNION COUNTY, NORTH CAROLINA
CURRENT OWNER OF RECORD:
**LOVE RENTALS LLC &
CHRISTIAN & GLENDA STEPHENSON**

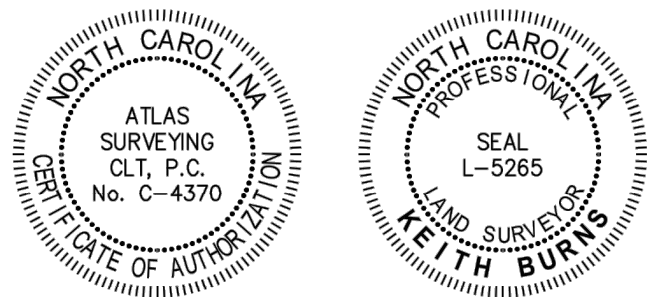
FIELD WORK: MRV
FIELD CHECK: RKB
DRAWN BY: DBS
DATE: 08/27/2021
SCALE: 1"=100'
PROJECT NO.: CLT-21095 B1 DWG5
FILE: CLT-21095 B1 DWG5

I, KEITH BURNS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN LISTED REFERENCES); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN LISTED REFERENCES; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS GREATER THAN 1:10000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

THIS 09TH DAY OF SEPTEMBER, 2021

PRELIMINARY

KEITH BURNS
P.L.S. No. L-5265



ATLAS
SURVEYING, INC.
13331 YORK CENTER DRIVE, SUITE E
CHARLOTTE, NC 28273
PHONE: (980) 949-8475
WEBSITE: WWW.ATLASSURVEYING.COM



Future Land Use Map

Proposed: Conditional District Monroe Chase

Legend

-  Centerlines
-  Parcels
-  City Limits
-  ETJ

FLUM

-  Community Corridor
-  Suburban
-  Traditional Development

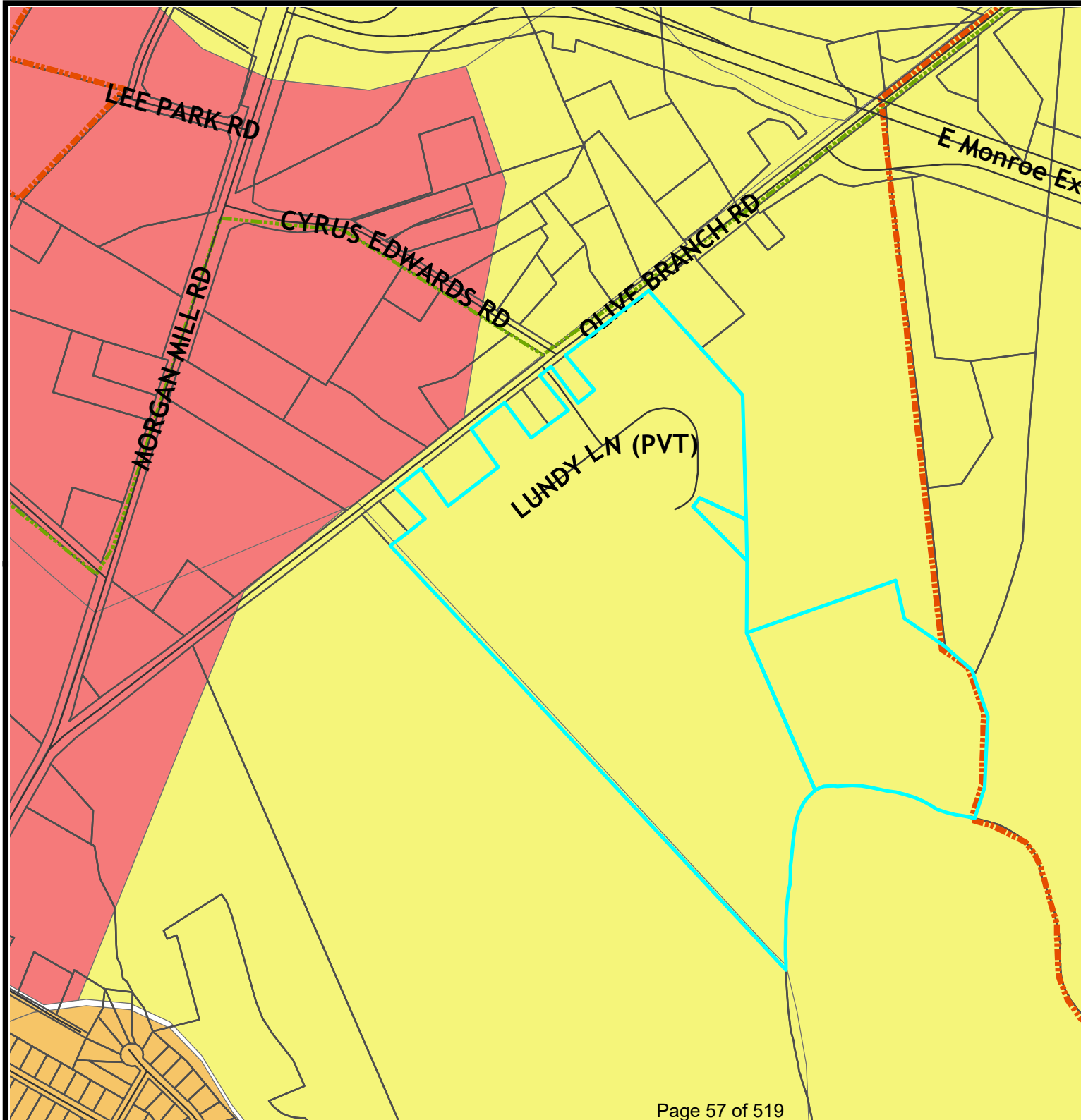
**Existing: R-20
(Residential- Low Density)**

**Owner: Vann Love, Love Rentals,
& Christian Stephenson**

Acres: 85.76



0 560 1,120
Feet

Future Land Use Plan

The Land Development Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is consistent with the Future Land Use Plan. Staff is of the opinion that this project is a reasonable use and in the public interest.

ACCTNO	NAME1	ADDRESS	CITY	STATE
	HERNANDEZ LUIS ALBERTO			
09143018	BECERRA	2501 OLIVE BRANCH RD	MONROE	NC
09143023	PRESSON CAROLINE H	2417 OLIVE BRANCH RD	MONROE	NC
09143029	BUNDY SIDI BROWN	800 S COLLEGE ST	MONROE	NC
09143040	GAY JUDY B	2420 OLIVE BRANCH RD	MONROE	NC
09108002C	BAUCOM KAREN L TRUSTEE	3024 HELMS POND LN	MONROE	NC
09143007L	SHOUSE MICHAEL TYLER	2401 OLIVE BRANCH RD	MONROE	NC
09143007K	MYERS JERRY T	4605 HIDDEN HARBOR LN	RALEIGH	NC
09143018A	EFIRD DANIEL T	1113 CYRUS EDWARDS RD	MONROE	NC
09143039	GRIFFIN JOEL BRIAN	2418 OLIVE BRANCH RD	MONROE	NC
09143007D	MYERS JERRY T	4605 HIDDEN HARBOR LN	RALEIGH	NC
09143034	HELMS HANNAH I	2324 OLIVE BRANCH RD	MONROE	NC
09108001F	GODWIN RICKY LYNN	2720 OLIVE BRANCH RD	MONROE	NC
09143035	MARTINEZ JOSE	2326 OLIVE BRANCH RD	MONROE	NC
09143041	FUNDERBURK WANDA SUE	2500 OLIVE BRANCH RD	MONROE	NC
09143014	AUSTIN TRAVIS W	5515 NEW HOPE CHURCH RD	MARSHVILLE	NC
09143022	PRESSON KEITH LYNN	2417 OLIVE BRANCH RD	MONROE	NC
09143025	LACHER MARTHA E	2410 OLIVE BRANCH RD	MONROE	NC
09143017	LOVE RENTALS LLC	2675 OLD CHARLOTTE HIGHWAY	MONROE	NC
09146001	PROSPERITY CREEK LLC	%FRANK HOWEY JR PO BOX 1699	MONROE	NC
09108002A	LOVE RENTALS LLC	2675 OLD CHARLOTTE HIGHWAY	MONROE	NC
09143010	BAUCOM OLLIE V	2525 OLIVE BRANCH RD	MONROE	NC
		C/O BILL TAYLOR 15024		
09143016	HILL CEMETERY	MIDDLESBOROUGH DR	MATTHEWS	NC
09143018D	CHANAY KIMBERLY J	PO BOX 2766	MONROE	NC

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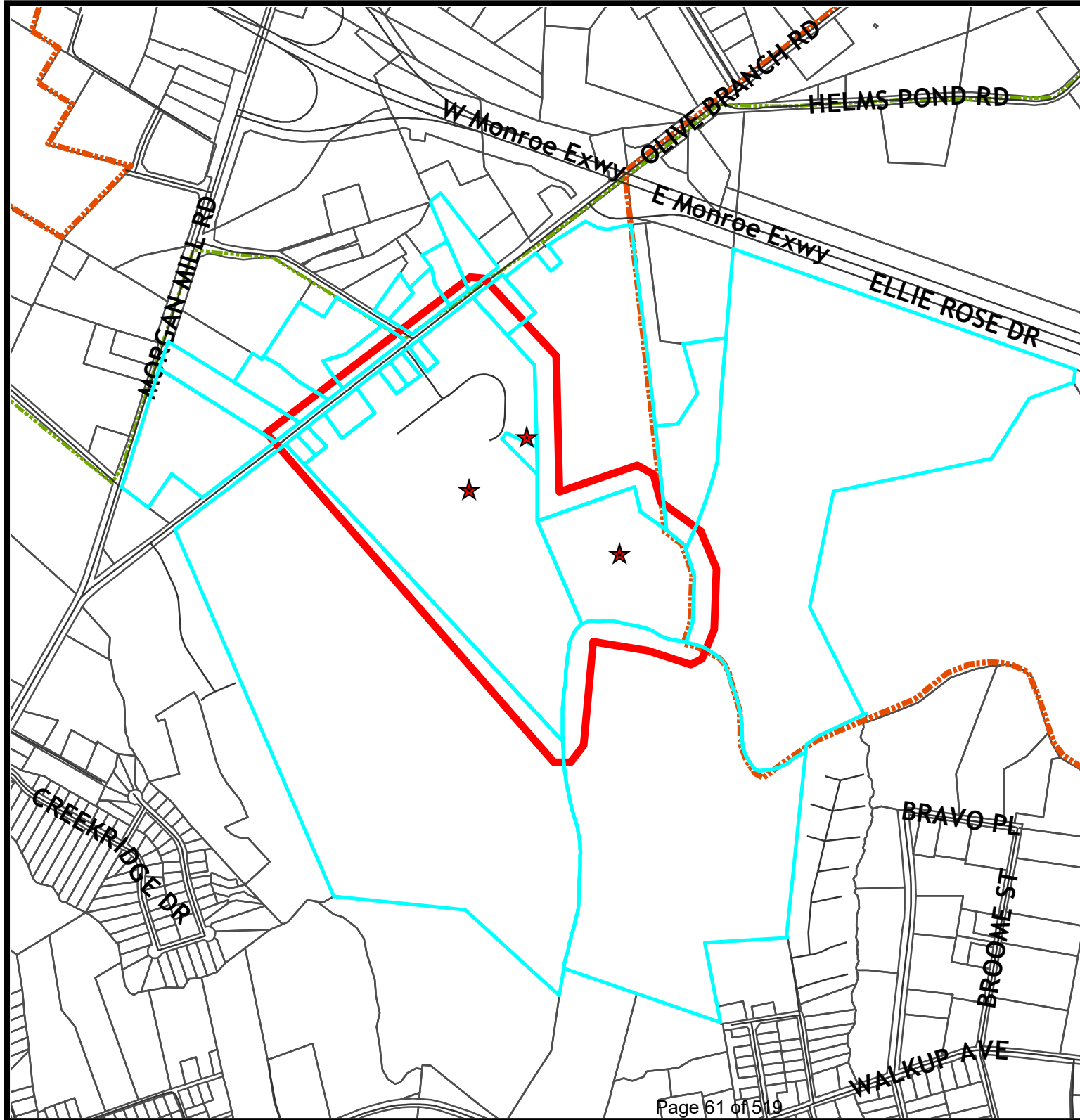
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APO Map

CD "Monroe Chase"

Legend

- Centerlines
- Parcels
- Notified Properties
- Subject Property



Monroe Chase Neighborhood Meeting

6:00 pm, March 29, 2022

Lee Park Church

2491 Morgan Mill Road, Monroe, NC 28110

Attendees:

Name	Address	Phone Number	Email
Andy Hanson	200 S. Tryon St, Suite 200	704-319-7698	Andy.hanson@kimley-horn.com
Joe Wilson	200 S. Tryon St, Suite 200	980-253-6175	Joe.wilson@kimley-horn.com
Madison Gouhin	200 S. Tryon St, Suite 200	704-626-7017	Madison.gouhin@kimley-horn.com
Joe Mosca	13924 Professional Center Dr., Suite 100	704-794-5841	jmosca@nvrinc.com
Loretta Melancon	223 Meadow Creek Lane		nurseloretta@juno.com
Sadie Shouse	2401 Olive Branch Rd	704-918-9514	Sbaddis0201@gmail.com
M Lacher	2410 Olive Branch Rd		
D Wall	2410 Olive Branch Rd		
Denyss Albana	2326 Olive Branch Rd	704-441-8856	

Joe Mosca presented the Monroe Chase site plan revised to address comments received during the first neighborhood meeting on December 9, 2021. Plan revisions include decreasing the lot total from 238 to 198, introducing twenty-one 80' lots with side-load garage homes, increasing the array of amenities, expanding common open space, and doubling the width of the perimeter buffer.

Home prices are projected to range from the high \$300s to the high \$500s and home exteriors will feature Hardie Plank fiber cement siding with stone or brick accents on at least 25% of the front elevation. To ensure a uniform streetscape, the Home Owners Association (HOA) will provide lawn maintenance.

The floor was then opened for questions and answers as listed below:

Q: Will NVR build spec homes?

A: NVR will build a model home but not speculative homes.

Q: How long will construction take?

A: Land development is planned to commence in mid-2023 to allow a model home to be built in mid-2024. From that point, all 198 homes are forecasted to sell in approximately 3.5 years.

Q: Has the site plan been approved by the City of Monroe?

A: In the next several months, the site plan will be presented to the Planning Board and to City Council. If approved, construction plans will be designed and reviewed by the governing authorities.

Q: Can we attend those meetings?

A: Yes, you can certainly attend, notification is given when this project is on the agenda.

Q: What is the red line shown on the site plan?

A: The red line depicts the natural surface walking trail.

Q: Are the amenities public?

A: The amenities are private and may only be used by Monroe Chase residents and their guests.

Q: Does the site plan include a sidewalk along Olive Branch Road?

A: Yes, a sidewalk is planned along the portions of Monroe Chase fronting Olive Branch Road.

Q: Is NVR interested in buying the houses adjacent to the property?

A: Yes, NVR is absolutely interested.

Q: What vegetation will comprise the perimeter buffer?

A: The perimeter buffer will consist of existing vegetation and sparse areas will be planted with trees and shrubs.

Q: How far will my house be from construction?

A: The neighborhood buffer to the rear of your lot is approximately 100' wide and the neighborhood side buffer to your lot along the neighborhood entrance road ranges from approximately 20' to approximately 50' wide.

Q: What about construction entrances?

A: The most likely initial construction entrance will be the existing dirt road.

Q: Will the site be cleared and graded?

A: The construction documents to be designed later will define the footprint or limits for tree clearing and the cleared area will be graded for roads and home sites. Street trees of at least 2" caliper will be planted.

Q: Is there any other entrance to the property in the back?

A: No, there is a stream with a buffer.

Q: Do you think it will be feasible for anyone to get access to the property in the back?

A: There is an entrance on the opposite side.

Q: They had to do the one-way entrance for Scotch Meadows, did the developer pay for it or did NCDOT?

A: As NCDOT has limited funding, the developer funded and constructed NCDOT's required improvements.

Q: Will Olive Branch Church Road be widened?

A: At both neighborhood entrances, the road will be widened to accommodate turn lanes.

Q: Will the turn lanes encroach on the lots of the existing homes on Olive Branch Church Road?

A: Turn lanes can typically be located within the existing road right-of-way.

Q: What is the right-of-way width along Olive Branch Road?

A: The right-of-way is 60' wide.

Q: Do both neighborhood entrances allow full traffic movement?

A: The northernmost entrance allows right-in and right-out traffic only and the southernmost entrance allows full traffic movement.

Q: How can the speed limit on Olive Branch Road be reduced from 55 miles per hour?

A: The City Engineer has authorization to propose a speed limit reduction to City Council.

Q: Have any items relating to traffic changed since the first neighborhood meeting?

A: Given that the site plan now consists of 40 fewer homes, less traffic will need to be mitigated.

Q: Will NVR rent or sell homes in Monroe Chase?

A: NVR will build and sell all the homes.

Q: What is the speed limit going to be? Will there be speed humps?

A: As the streets will be public in Monroe Chase, the City of Monroe will set the speed limit which is likely to be 25 miles per hour. No speed bumps are planned.

The meeting concluded at 7:41 PM.

PLANNING BOARD MEETING

June 1, 2022 @ 6:00 PM
City Hall – Council Chambers
300 W. Crowell Street, Monroe, NC

Emailed to S. Laney on:6/23/2022

Item 1. Call to Order/Roll Call

Chair called the June 1, 2022 meeting to order at 6:00 p.m. Ashlyn Penegar called the roll. Chair noted there was a quorum was present.

Members Present: Richard Yercheck (Chair), Jennifer Smith (Vice Chair), Richard Ali, Patrick Furr, Margaret Desio, David Dotson and Archie Morgan

Members Absent: Kenneth Deal

Staff Present: Doug Britt, Senior Planner; Ashley Britt, Assistant City Attorney, Ashlyn Penegar, Administrative Assistant

Guests: Scott Munday, Ryan Passanto, Andrew Hanson, Laura Reid, Greg McNeil, Loretta Melancon

Item 2. Approval of Minutes of Meeting- April 6, 2022

Motion: Jennifer Smith made a motion to approve the minutes from April 6, 2022

Second: Archie Morgan

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Patrick Furr, Margaret Desio
David Dotson and Archie Morgan

NAYS: None

Item 3. Zoning Map and Text Amendment request for the properties located along Olive Branch Road to rezone the properties from RMD (Residential Medium Density) to Conditional District (CD) “Monroe Chase” (Parcel ID #: 09-108-002-A, 09-143-017, & 09-143-093)

Doug Britt, Senior Planner, stepped up to the podium and gave his presentation.

The applicant is requesting a conditional district rezoning in order to develop a 197 lot residential subdivision that will consist of single-family detached homes with 38.4% or 32.96 acres of open space. The minimum lot size for the project will be 6,000 square feet with a range up to 13,000 square feet. The developer is providing a mixture of lot types that will include 51-foot wide lots, 60-foot wide lots and an 80-foot wide lots. The

minimum heated square footage of the homes will be 1,800 square feet excluding the garage. There will be 99 51- foot wide lots, 72 60- foot lots, and 26 80- foot lots.

Density & Dimensional Standards

The density of the project is 2.30 units per acre.

Setbacks

The setbacks for the front are 20 feet, side 5 feet, corner 10 feet and rear 30 feet.

Sidewalk

The developer is proposing to install five (5) ft. wide sidewalks on both sides of the interior streets as well as an eight (8) ft. wide sidewalk along the property frontage of Olive Branch Road.

Landscaping/Buffering

All homes will have sodded front yards prior to the issuance of the certificate of occupancy. Each single family home will be provided with two (2) yard trees at the time of the certificate of occupancy that will be a minimum of three (3) inch caliper at time of planting. Street trees will be provided at a rate of one (1) tree per 50-75 feet throughout the development and will be a minimum of three (3) inch caliper at time of planting. The street tree layout and planting schedule will be finalized during the construction plan review. The developer is proposing a landscape buffer around the entire project.

Open Space and Amenities

The project is required to provide a minimum of 12.5% open space for the project, which equals 10.72 acres. The applicant is providing 38.4% or 32.96 acres of open space. The amenity area will include the following features: splash pad, event lawn, athletic field, passive park area, children's playground, outdoor gym pavilion & grilling area, dog park and walking trail. The open space area does include 7.83 acres of floodplain.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of site plan submittal, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Stream Buffer/Flood Plain

There is approximately 7.83 acres of flood plain within the project, which is entirely within the common open space. All streams located on the site have been provided with a 50 ft. undisturbed stream buffer on both sides as required by the ordinance.

Transportation

The project is proposed to be accessed by two entrances off Olive Branch Road. The developer is proposing for the project to have publicly maintained streets by the City of Monroe. The streets will be constructed and inspected to the City of Monroe street standards. A traffic impact study was completed for this project and was reviewed by both the City of Monroe Engineering Department and the North Carolina Department of Transportation (NCDOT). The required transportation improvements for the project are:

Access 1 (Northern Entrance) Olive Branch Road:

- Right in/Right out Entrance
- Construct a northbound right-turn lane with storage

Cyrus Edward Road intersection at Olive Branch Road

- Construct a northbound left-turn lane with storage

Access 2 (Southern Entrance) Olive Branch Road

- Full movement intersection
- Construct a southbound left-turn lane with storage
- Construct a northbound right-turn lane with storage

Olive Branch Road between Access 1 and Access 2

-Three lane roadway section shall be constructed along Olive Branch Road between Access 1 and Access 2 of the proposed subdivision

Doug asked the Board if there were any questions regarding the transportation.

Archie Morgan said one of those access points was a right in, right out.

Doug Britt said yes, sir.

Archie Morgan said the right out, nobody needs to go that way. They are going to be turning left on Cyrus Edwards to access Morgan Mill.

Doug Britt said again, this is the findings done by the Traffic Study and it was done by professionals and reviewed by the DOT. That's what comes out from it, a right in, right out. Basically they are wanting to restrict the left turn lane.

Archie Morgan said I've lived down there for 13 years and there is hardly anyone going to be turning right to keep going down Olive Branch.

Doug Britt said you have to think from a public safety standpoint, if something happens, the Fire Department will always plan for the worst case scenario. If something happens and there is something going on, there is another way to get out of the subdivision, if need be. That is part of the reason too though. The Engineering Department requires if you have more than 100 lots, you are required to have 2 access points. It just so happens that based on the Traffic Study, this one only needs to be a right in, right out.

Archie Morgan said what I don't see addressed and I'm fine with the access points, what I have a problem with is transitioning from Olive Branch Road to Morgan Mill and Highway 200. That is a nightmare in the morning and we are adding 200 homes.

Doug Britt said what it's going to take is more projects to trip the trip duration, where it's going to warrant the signal at Morgan Mill Road and Olive Branch Road. I spoke with our Engineering Director about this as well and there is another project that is in the very early stages, and I don't even know if it will come before the Board. It's a small subdivision of about 100 lots and it's what's going to be the tipping point to trip and warrant that traffic signal at Morgan Mill Road and Olive Branch. Originally, when this study was done for this location, it did trip it, but they were using numbers based on a project that's in the works, but it's kind of dormant right now. But, once you take those numbers out, because the other project I'm referring to, we don't know if it's

going to go before you or not. So, we took those numbers out of it, and there wasn't enough with what's out there now, plus this project right here, to trip the study for the traffic signal. We are all waiting to see what project trips it, because that's what's needed.

Archie Morgan said I wouldn't think it would take much more.

Doug Britt said no, and honestly, I'm not a traffic guy, I'm a Planner. I've told you all before, when I get the traffic studies, I usually go to the recommendation page where it spells the improvements and what's required. A lot of it is stuff I don't understand. I know traffic is always a big issue, especially with the intersection at Olive Branch and Morgan Mill Road.

Margaret Desio said there are no provisions if they are leaving the subdivision and have to turn right, but they want to go back to Monroe. So, there isn't anywhere to turn around.

Doug Britt said they can go out the other access point.

Margaret Desio said they can.

Doug Britt said they aren't bound to go out that one access point.

Margaret Desio said I'm thinking about the backup that is going to be at that one intersection.

Doug Britt said all 197 people aren't going to be leaving at the same time and same moment. Generally, a lot of us leave at 7:30 to go to work or whatever time, but not everyone leaves at that time. It's staged anywhere between 7-9, because sometimes I leave at 5:30 to go to work, but sometimes I leave at 7:40.

Margaret Desio said a lot of people leave at the same time to take their children to school. I'm like you, it's up to DOT. But, it seems to me that maybe they should have made some provision up the road to say, well you can turn around here or something.

Chairman said we know they will do a turn lane or a round-a-bout.

Jennifer Smith (Vice Chair) said that's what it needs, a round-a-bout.

Chairman said the traffic has got to get a little higher, so to Doug's point...

Margaret Desio said there is another subdivision right down the road that's going up, right now and it's right beside it.

Doug Britt said there are 2 projects, there is the Olive Branch one and it was done as a Conditional District and it was only 81 lots. That's the one just north of this project that's adjacent to this and adjacent to the Bypass. Then, a little bit back, there is the Scotch Meadows which was the 162 lots. But, between those 2 and this one right here, there wasn't enough to do the traffic signal.

Chairman said it's getting close though.

Doug Britt continues presentation.

Schools

The proposed 197 unit development is currently within the following school attendance areas:

Unionville Elementary	Currently at 95% rated capacity
Piedmont Middle	Currently at 89% rated capacity
Piedmont High	Currently at 77% rated capacity

Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency. Per Board of Education policy, Unionville is no longer accepting transfers due to high enrollment. This doesn't mean they aren't taking new people; people can move into the area. But, if they have a program that's not offered at another school, they wouldn't accept transfers to take that program.

Elevations

The exterior building materials for the proposed project will consist of brick, fiber cement, stone and stucco. The developer is proposing the front façade to consist of at least twenty-five percent (25%) brick or stone. Vinyl will only be used for eaves, soffits, trim, garage doors and windows. The minimum heated square footage as proposed for the project will be 1,800 square feet excluding the garage. Houses built on slab foundations shall have a minimum four course brick, of standard size, extending up the face of the slab on all sides. All garages shall include but not be limited to carriage style hardware. All of the single family detached homes will be provided with a two (2)-car garage and a concrete driveway that will accommodate at least two (2) vehicles.

Land Use and Transportation Plan Consistency

The Land Development Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is consistent with the Future Land Use Plan. The project is a reasonable use and in the public interest because it provides a mix of lot sizes and is consistent with the allowable density.

Public Notification

The applicant sent a notification letter to the property owners within 150 feet of the subject properties and held a neighborhood meeting on Tuesday, March 29th to discuss the project. The meeting was held in person.

A rezoning notification sign will be posted 10 days prior to the public hearing and the minutes were included in your packets.

Recommendation

Staff does recommend approval of the project, and I will be glad to answer any questions and the applicant is here to make a presentation as well.

Chairman asked if anyone has any questions for Doug at this point?

Patrick Furr said Mr. Chair, if you don't mind, I'm going to recuse myself from this project. My sons will be looking into bidding on this project.

Chairman asked if Patrick's sons had started bidding yet? Because if you recuse, we do not have a quorum. You don't have to recuse yourself, because there is no bidding process right now.

Ashley Britt said we have a quorum if he recuses.

Patrick Furr said thank you and leaves the dais to sit in the audience.

Scott Munday with NVR Homes came forward and introduced himself and said Ryan Homes, the applicant is here with us as well, and began his presentation. We are very pleased and grateful to be able to present out plan tonight. Before we do begin, I just would like to mention that for several months now, we have attended your meetings. We have reviewed the minutes of those meetings and we have studied what you have approved and not approved. I'd like to say that the clarity and the consistency of those comments have allowed us to improve our plan greatly over the past several months. We are very appreciative about that. We believe that the current status of our plans addresses the feedback that we received from both of our community meetings. Having said that, I would like to proceed with the presentation.

The items that we are going to review tonight, and I know Doug touched on several of those, so I will try not to duplicate what he said. I just would like to review our site plan and dive into our amenities and talk about our entrance plan. I would like to talk about street lights a little bit and our home elevations since we have additional elevations that we would like to share with you as well. First up, with the site plan, Doug touched on the plan that this does consist of 197 lots and our original plan consisted of 238 lots. From that moment, that evolution to 197 or the benefit of that lot reduction is increased green space that is centralized and amenitized in our plan. We've increased the perimeter buffers substantially and also we've vastly increased buffers to the home sites on the front of Olive Branch Road. We did have home sites backing up to those home sites, but we removed all of those home sites. Now, as I mentioned we are at 197 lots and it's a mix of lots. 51 foot, 60 and 80 foot lots. The 80 foot lots will feature side garage homes which are situated at both entrances to allow a really nice entry into the community from both points. The projected price range of the homes are starting in the \$400,000's and moving into the \$500,000's. Another plan feature, I eluded to the 80 foot lots featuring side load garages, but we also have additional opportunities at the intersections to incorporate the side loading. That totals 36 side load potential lots, 26 of which are the 80 foot lots. The overall density is 2.3 dwellings per acre. We touched on the open space and again, we increased it significantly with the evolution of our plan. Again, these open spaces consist of perimeter buffer, active and passive amenities together and also increased open space in general. We do have a 100 foot buffer from the 50 foot right-of-way to the back of these lots. The homes on these parcels are more geared towards the front, so there is probably realistically more like 200-250 feet from home to home. Another plan feature that we think really makes our amenities look nice and while they are centralized for pedestrian access, the circulating trail does provide pedestrian access, in addition to our sidewalk system. We've also provided for parallel street parking in some of the areas. We have 36 additional parking spaces for street side parking, and that will be convenient to the mail kiosk, our central amenity and also our central amenities such as the dog park.

Lastly we believe our plan offers exceptional amenities. Some are creative, they appeal to all age groups, which is very important to us. To start with the really kind of life blood and the circulation system if you will, we have the natural surface trail. We are constructing well over a mile, I think it's 1.4 miles of natural surface trails and it connects to various amenities and provides a loop structure around and connects to the amenities. We are very proud of the offering of the natural trail. Another offering in our centralized amenity area is the multi-purpose athletic field. These multi-purpose athletic fields we think not enough communities have these kind of play areas. They are very conducive to pick up football games, soccer games, just whatever you want to do on the athletic fields. It's nice for really anyone to get out and play, especially when it's in this centralized playable area. Also in the centralized area for all age groups, is an outdoor gym. These outdoor gyms are very popular and can be used for all ages and the location is in the centralized area. Also in the centralized area, we have a splash pad for kids to beat the summer heat. That's our only mostly seasonal amenity that we are offering, but it's creative and we know the kids will really enjoy that and it's relief for the parents or grandparents or whoever happens to be out there. We are including a shade structure pavilion in the centralized amenity area that can also

serve the purpose of hosting birthday parties or social gatherings. Lastly in our centralized area we have a larger playground for kids. All this centralized amenity area again offers amenities for all ages and they are very appealing for families, which our community is mostly geared toward. That wraps up the centralized amenity area, the non-centralized amenity area will feature an event lawn. Think of food trucks, music, Easter egg hunts, it's a very popular amenity, and that will serve in a non-centralized area, as does the dog park, which is a very spacious offering. The purpose of all of our amenities is to create social interaction, folks to get together on the trail or the event lawn and just to interact and get to know each other. The last thing we want to do is to create a community where everyone comes home after work and they close the doors and no one really knows each other. That is why we are trying to create these amenities and these touch points and having them around in the different places, that's the purpose there.

Archie Morgan said there is a splash pad, but not a pool, is that right?

Scott Munday said there is no pool or clubhouse. We think that is going to be appropriate for the number of homes here. The other thing the pool and the clubhouse is a HOA expense or budget burden with this number of units, so we are offering that experience of a cool water relief and the season activity in the summertime. Really by not going the pool amenity, we were able to offer more amenities and a greater array and we were able to spread them out to add more appeal. That's really the purpose behind that.

Just to touch on the entrance plan a little bit to have a better feel for what we are doing there, we will have the stone monuments with wing walls, very nice landscaping that will flank both sides of the entrances, tree lines entrances with landscaping, drought tolerant turf, seasonal color, those kind of items. There will be a natural buffer where the side load homes will be. So it will really be a relief. The homes don't start immediately, so you can imagine what it would be like driving in when you approach a tree line park when you first [enter]. Everything will be irrigated.

Next thing I want to mention very quickly our concept as far as street lights go, the acorn light features, they are very attractive. But one of the things we have learned over the past 10 years or so, even though these are LED lights, these lights are really conducive of light pollution. Because the light emanates out and up, so by the time you do an entire neighborhood of these acorns and they tend to get broken or busted, so you've got glass and things like that. As pretty as they are, there are really some pretty impracticalities there, so we've begun to adopt more of the capped, traditional light features and the light housing is actually in the mounting up top so the light only goes down. We've completely removed light pollution and we do think that's the way to go and these are styles that Duke Energy offers, and there are different selections of the open acorn and the traditional, but that's just our theory and our explanation of what we proposed to do with street lights. I'm happy to answer any questions on that.

Lastly, I wanted to share with you some examples of our homes, per plan type. Remember, we have 51 foot lots, 60 foot lots and 80 foot lots. (Shows photos of houses for each size lot) We really appreciate your time tonight and we are excited about our plan and we are happy to answer any questions you may have.

Chairman said quick question since Coach isn't up here, are you going to put trees in those lots? Will they be 3 inches around?

Scott Munday said yes we will have trees, but they will be a minimum of 2 inches and they will go up from 2 [site plan provides for a 3 inch minimum]. We will have a street tree plan and what we will try to do is do a different street tree per street. That helps with fighting diseases and things like that and it's more visual for the entrances as you move through the communities, so that's what we will be doing with the street trees.

Chairman asked the Board if anyone has any questions for Scott.

Richard Ali asked what the square footage is of the house on the presentation screen?

Scott Munday said Ryan might know better than me. I know our range is from 1,800 square feet to 3,600 square feet, so the 80 foot lots tend to be larger... Richard Ali said that's one of the bigger ones then. Scott Munday said yes, that is one of the bigger ones. The one story living with the owner suite down, that was one of the smaller homes from the square footage standpoint.

Richard Ali said got you.

Jennifer Smith said I love this community; I think it's going to be a great asset to Monroe. It's got a huge variety of homes that we haven't seen. The homes that are outside of the barriers of that community is only going to add appraised value to them and I think it's great.

William Dotson said I would like to touch on something that if you don't mind, we can go back to something you said before. The amenities that are in here, how well they are dispersed throughout the development itself, you looked back at the recommendations of this Planning Board, correct? Those helped you to guide that, right? The reason I say that is not to toot our own horn, but that's why we make recommendations even on denials. It's so people have an idea and I would tell you and I don't give compliments too often, I would tell you that this is probably one of the better developments that I have seen based on the input from the members of this Board and that's why we are here, to help you create this. So, that is what goes forward and people like my son can look for homes and stay here locally and stay here generation after generation. To find developments where they have maxed out all they can to pay for a mortgage, I think I've discussed with others too. They have something that they can stay home and do, so they can stay home and do without having to go out and spend money that they do not have.

Scott Munday said we certainly appreciate those comments and as I said, I think it's the clarity and the consistency that we go back to that has really helped us to where we are today. It's very helpful to us and we are very appreciative.

Jennifer Smith said you do need a rock climbing wall though.

Scott Munday laughed and said noted.

Archie Morgan said this is really nice and I enjoyed the amenities and the athletic fields and the splash park and all that is nicely done. I am concerned about traffic, but you know when that's been approved and that's how it is, it's not really our purview. If they add more subdivisions and that makes them put in a light, then at this point it's hard to find something I don't like about it.

Jennifer Smith said you can't stop progress and this is progress. This is moving Monroe forward; this is what we've needed.

Richard Ali said this is probably the first development in five years that I would say is responsible. We've had a lot of developments come before us that are just thrown up. This one was done with some thought and it shows.

Scott Munday said thank you.

Chairman asked Margaret if she had any questions.

Margaret Desio asked did you say \$400,000 to \$500,000?

Scott Munday said yes, we will start in the \$400,000's and range up to high \$500,000's is what we are projecting now.

Jennifer Smith said we would like million dollar ones.

Scott Munday said I understand and we will get there.

Chairman said let me tell you, they put some high end appliances in some of those bigger ones, they will be getting into the high \$500,000's and low \$600,000's real quick.

Margaret Desio said we have some neighborhoods here that are just going up by some not very responsible builders. I'm a real estate appraiser by trade and I have been in these neighborhoods and I'm just overwhelmed by the amount of money that these people are paying and investors are paying it, for lack of a better word, garbage. They are approaching the same pricing as what you are telling me and I'm just thinking back and wondering if those people who are paying \$459,000 for that thing that I just looked at and give them another \$50,000, they could be in something similar to what I'm looking at. It's astounding to me, but the pricing to me is astounding. \$400,000-\$500,000 is right where it needs to be.

William Dotson said I do have one more question and it might be for Mr. Britt. How are you going to enforce the right in, right out? Are you going to have a non-positive median or a positive median or plastic sticks, are you going to have the breakaways?

Board members discuss.

Andrew Hansen, the Civil Engineer for the project, came forward and introduced himself. I know a little bit about the roadway portion. We will have a pork chop median and we will also have an extended 2 foot wide median that will extend 50 feet from both sides from the intersection, so there will be that physical curb there to prevent people from turning.

Richard Ali said thank you for including this transcript from the meeting you had with the citizens. I thought that was helpful.

Chairman said that was very helpful.

Richard Ali said that was the first one I've seen.

Chairman said one of the things I want to say before we kind of roll it into a vote is that I appreciate the time that all of you spent to meet with us individually and come to our meetings and to hear how the trend and the flow was going and I know Coach isn't up here to tell you how much he appreciates all that as well. But, all of us in my conversations with everybody, that was one of the things that we appreciated that you did take the time and you did do some research and you are bringing us something that is different from what we have seen before. This is where we want Monroe to go; this is what we want the trend to be. We want the next project from the next developer to look at this and say ok, if we want to do that, we need to follow the playbook that you guys have done.

Scott Munday said we look forward to bringing additional projects to you.

Chairman said we will look forward to seeing them. With that being said, we've got folks that have spoken from the project, do we have anyone here that would like to speak in favor of the project that's not with the project? There was no one. Anyone that would like to speak against the project?

Greg McNeil at 1106 Zephyr Circle came forward and introduced himself.

After giving his address, Greg McNeil said actually on the corner on Zephyr Circle and Olive Branch, and my comment is on that right out. There is nothing for them to be turning right out there for. They are going to be using, there is another development that is right past the bypass, and they are going to be using that to make a U-turn. They will be using my corner to make a U-turn, and like you mentioned if they go out there and they can go down to Cyrus Edwards, no you have to go up there and make a U-turn somewhere and there is nothing up there.

Chairman said we understand.

Greg McNeil said if you look at Scotch Meadows, it's only a right in. I would hate to have to see them turn out there because it's so close to Morgan Mill, but that's something that you really need to look into. I think that's going to be a problem in the future.

Jennifer Smith said I think the County Commissioners are checking into that.

Chairman asked if we have anybody else that would like to speak against this project? He said, seeing none and hearing none, I would entertain a motion.

Motion: Richard Ali made a motion to recommend adoption of the Resolution Approving Land Development Compliance

Second: Jennifer Smith

Action: The motion to recommend adoption of the Resolution Approving Land Development Compliance passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Margaret Desio, Archie Morgan, Richard Ali, David Dotson

NAYS: None

Motion: Richard Ali made a motion to recommend adoption of the Ordinance amending Section 157.1.2.1 Conditional Districts Established and Section 157.131 Official Zoning Map

Second: Jennifer Smith

Action: The motion to recommend adoption of the Ordinance amending Section 157.1.2.1 Conditional Districts Established and Section 157.131, Official Zoning Map passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Margaret Desio, Archie Morgan, Richard Ali, David Dotson

NAYS:

Patrick Furr returns to the dais.

Chairman said all of the motions are done and this will carry and go to City Council with our full endorsement.

Jennifer Smith said with a glowing report.

Chairman said William Dotson has something he would like to discuss.

William Dotson said I wanted to let you know that I don't know if you have been watching what's been going on in Mecklenburg County as far as the corporate investing that's going on. It ties into what you were talking about earlier and I just did a couple days of research and just in Monroe in the last, I would say, 2-3 years, just in what I could find in the little time that I took, there are at least 10 corporations purchasing homes in Monroe. They've created 40-50 LLC's to purchase those homes and just last month, one of these companies bought 9 residences in Monroe. This was strictly for investment and to make money. That means the citizens who want to move up to a bigger home or people who want to come here and participate in Monroe as a family are having to compete with those investment firms. I don't know how we can address it or if we even can address it. But, maybe one of the things that maybe in the future we can start looking at is how the HOA addresses that. Whether they can in the covenants as far as requiring two years before you can rent something that's purchased or they have a percentage of owner vs. renter or that type of thing. But, it's happening in Monroe and they've bought 100's and 100's of houses in Indian Trail and you can watch it through the years from 2015 to now. This is something to keep in mind when we are looking at developments and trying to keep families here, just like this development we just saw, that's meant for families and not investors and I think that's why you built it that way. I think it's something that we should look into.

Margaret Desio said investors pay higher than the normal people would buy, so it's causing part of the inflation. It's causing prices to go so high.

Archie Morgan said I understand that, but I don't know if anything illegal is being done.

William Dotson said I know Mecklenburg County, the County Commission is investing \$500,000 to figure out what can and if anything can be done. I know this is a question that we cannot ask, correct? Whether it's binding or anything else, we can at least ask if that's a consideration of the HOA.

Ashley Britt said right. We can only regulate land use, not ownership. So, you don't have any authority to regulate rentals, and you can't require that as a condition. You also can't require the HOA to have it in the covenants, but I know it's a concern and I know HOA's are able to address that.

Richard Ali said HOA's can put in their covenants about renting properties, can't they?

Ashley Britt said they can, but you just can't require them to do that.

Richard Ali said right, but they can do it.

William Dotson said if it's in the original HOA, it has a better chance of survival instead of modifying it later.

Chairman said this is something that we will pay a little more attention to and I'm sure you will continue to research that.

William Dotson said thank you.

Chairman asked before we get to item number 4, does anybody else have any more statements that they would like to make before we adjourn?

There was none.

Item 4. **Next Meeting- July 6, 2022**

Chairman asked if we are going to run into 4th of July issues on July 6th?

Chairman said Archie won't be here.

Patrick Furr said I won't be here.

William Dotson said I don't know if Mr. Deal will be here or not.

Chairman said that could be 3. We will do a little research, but it's tentatively scheduled for July 6th.

Doug Britt said the City will be open July 6th.

Item 10. **Adjournment**

Chair said if there were no further questions, he would entertain a motion at this time to adjourn.

Motion: Jennifer Smith made a motion to adjourn

Second: David Dotson

Action: The motion to adjourn passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Patrick Furr, Margaret Desio, Richard Ali, David Dotson and Archie Morgan

NAYS: None

The meeting was adjourned at 8:03 p.m.

Respectfully Submitted,

Richard Yercheck, Chair
Planning Board

Ashlyn Penegar
Secretary to the Board

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “MONROE CHASE”
R-2022-52**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District “Monroe Chase” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. The suburban character area states the allowable residential density is 2-4 units per acre. This development is proposed at 2.30 units per acre; therefore, it is consistent. The proposed development is a reasonable use and in the public interest because the suburban character area recommends a mix of lot sizes which this development will supply for the area as the lots in this development range in size from 6,000 square feet to approximately 13,000 square feet.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Approving Land Development Plan Compliance for properties with Union County Tax Parcel Number(s): 09-143-017, 09-108-002-A, and 09-143-093.

Adopted this 12th day of July, 2022.

Marion L. Holloway, Jr., Mayor

Attest:

Bridgette H. Robinson, City Clerk

**RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “MONROE CHASE”
R-2022-52**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District “Monroe Chase” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. The suburban character area states the allowable residential density is 2-4 units per acre. This development is proposed at 2.30 units per acre; therefore, it is consistent. However, adding homes on an already strained transportation network could have a negative impact on the surrounding area; therefore, the proposed project is not a reasonable use or in the public interest. Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment denial, the Land Development Plan is amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Denying Land Development Plan Compliance for properties with Union County Tax Parcel Number(s): 09-143-017, 09-108-002-A, and 09-143-093.

Adopted this 12th day of July, 2022.

Marion L. Holloway, Jr., Mayor

Attest:

Bridgette H. Robinson, City Clerk

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2022-57

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.2.1 **OFFICIAL ZONING MAP** as follows:

Rezone the properties located along Olive Branch Road further identified with parcel ID #'s 09-143-017, 09-108-002-A, and 09-143-093 from City of Monroe RMD (Residential Medium Density) to Conditional District (CD) "Monroe Chase".

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 12th day of July, 2022

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2022-58**

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.3.1 ZONING DISTRICTS ESTABLISHED as follows:

Conditional District (CD) “Monroe Chase”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 12th day of July, 2022

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk

DEVELOPMENT AGREEMENT

By and Between

NVR, INC./RYAN HOMES

and

THE CITY OF MONROE

STATE OF NORTH CAROLINA)
)
COUNTY OF UNION)

DEVELOPMENT AGREEMENT

This Development Agreement (the “Agreement”) is made and entered into this _____ day of _____, 20_____, by and between NVR, INC./RYAN HOMES, (the “DEVELOPER”), and the CITY OF MONROE, a North Carolina municipal corporation (the “CITY”).

STATEMENT OF PURPOSE

The DEVELOPER is seeking a re-zoning via a zoning map and text amendment for the properties located along Olive Branch Rd. further identified as tax parcel #'s 09-143-017, 09-108-002-A, and 09-143-093. The request is to rezone the properties from RMD (Residential Medium Density) to Conditional District (CD) “Monroe Chase”.

The DEVELOPER is requesting a Conditional District rezoning in order to develop 197 single family residential lots. The total area of the project is +/-85.76 acres with +/-32.96 acres (38.4%) of open space. The density of this project is 2.3 units per acre.

The property constitutes the entirety of the proposed subdivision named “Monroe Chase” (the “Subdivision”). The Monroe Chase, Site Plan, Sheet Number CD-01, dated 06/24/2022 is attached hereto as Exhibit A.

The CITY has prudently and effectively managed its water and sewer system capacity for the benefit of the CITY and its citizens. The CITY must comply with numerous regulatory and legal requirements in the management of these systems, including use and management of sewer capacity. The CITY makes capacity commitments to conditional re-zonings (with or without annexation) as follows:

When City Council approves a conditional district subdivision the following steps occur:

1. At a planning level, water and sewer capacity is held in reserve to ensure the commitment made by the CITY can be honored.
2. That is followed by a North Carolina Department of Environmental Quality (NCDEQ) sewer permitting commitment (via the City Delegated Self Permitting Authorization) when approved construction drawings and associated sewer mains are permitted. NCDEQ requires the CITY demonstrate and reserve capacity to serve the project via a flow tracking applications executed by the Water Resources Director, subject to any applicable planning assessments.
3. The final capacity commitment is governed by City Fee Schedule Ordinance which reads: *“The timing of the capacity fee collection shall be pursuant to NCGS 162A, as amended by House Bill 826, adopted June 22, 2018. For purposes of capacity fee collection, the City of Monroe considers water and/or sewer service to be committed at the time of service application filed at the City’s Customer Service office”.*

Due to the recent high level of residential project activity, the CITY desires to take proactive steps to prevent and avoid any over-allocation of capacity, whether on-paper or actual flow, as experienced by surrounding jurisdictions. This is prudent prior to the planned expansion of the City's wastewater treatment plant (WWTP) tentatively scheduled for completion in 2028. Phased sewer permitting and water meter sets via this Development Agreement supports the implementation of the CITY sewer capacity use strategy for balancing residential and non-residential projects, and will facilitate the CITY maximizing economic development opportunity as approved by City Council.

The CITY is expressly authorized to enter into this Agreement pursuant to the procedures and requirements of North Carolina General Statutes Sections 160D-1001 through 160D-1012, which procedures and requirements include approval of the development agreement by the governing board of the local government after a duly noticed public hearing.

TERMS

NOW, THEREFORE, based upon the terms and conditions set forth herein and in consideration of the mutual promises and assurances provided herein, the parties do hereby agree as follows:

1. Public Hearing. Pursuant to Section 160D-1005 of the North Carolina General Statutes, CITY shall conduct a public hearing to consider the approval and execution of this Agreement.
2. Development of the Property. The Property shall be developed in general accordance with the Preliminary Site Plan, any other conditions required by the City Council, and all relevant ordinances, policies, permits, and the terms of this Agreement. The size, placement, and configuration of the lots, common open space, streets, and other improvements planned for the development must comply with all conditions.
3. Law in Effect at Time of the Agreement Governs the Development of the Subdivision. DEVELOPER shall have the right to develop the Subdivision in general accordance with the terms of this Agreement and the Subdivision Ordinances in place at the time of City Council approval. Except as provided in North Carolina General Statutes 160D-108.1(f), CITY may not apply subsequently adopted ordinances or development policies to the Subdivision during the term of this Agreement. However, water and sewer capacity fees shall be due and payable per the prevailing fee schedule at the time the DEVELOPER requests a water meter set for any residential unit. This Agreement does not abrogate any right that may vest pursuant to common law or otherwise in the absence of this Agreement.
4. Phased Sewer Permitting and Water Meter Sets. The DEVELOPER is required to comply with the sewer permitting and water meter set phases shown below. Water meter sets are subject to all CITY requirements, fee payments, CITY standards and policies.

Phase 1: Sewer permitting and water meter sets shall be allowed for any combination of up to 99 individual residential units in the Subdivision as shown on Exhibit A.

Phase 2: Subject to the prior completion of at least 85% of the units allowed in Phase I (water meters installed with active accounts on 85 of the 99 Phase 1 units), sewer permitting and water meter sets shall be allowed for the remaining 98 individual residential units in the subdivision

5. Term. The term of this Agreement shall commence on the last day this Agreement is signed by the parties hereto, and unless sooner terminated by the mutual consent of the parties hereto or their successors in interest, or unless extended by the mutual consent of the parties hereto or their successors in interest, shall expire on the date of the water meter installation for the last residential unit.

6. Local Development Permits. In accordance with North Carolina General Statutes 160D-1006, the following is a description or list of the local development permits approved or needed to be approved for the development of the Subdivision:

- a. Erosion and Sediment Control (City of Monroe, NCDEQ and/or Union County)
- b. Water (City of Monroe)
- c. Sewer (City of Monroe)
- d. Driveway Entrance and Encroachments (NCDOT)
- e. Stream or Wetland Impacts (US Army Corps of Engineers)
- f. Subdivision (City of Monroe)
- g. Building Permits (City of Monroe)
- h. All other local, state, or federal permits required for this development

The failure of this Agreement to address a particular permit, condition, form, or restriction does not relieve DEVELOPER of the necessity of complying with the law governing federal, any state or local jurisdiction, or the local permitting requirements, conditions, terms, or restrictions.

7. Amendment. The terms of this Agreement may be amended by the mutual consent of the parties hereto or their successors in interest. A major modification of the terms of this Agreement shall follow the same procedures as required for the initial approval of this Agreement. A minor amendment, as reasonably determined by CITY, of the Preliminary Site Plan shall not be considered to be an amendment to this Agreement.

8. Recordation/Binding Effect. Within fourteen (14) days after CITY and DEVELOPER execute this approved Agreement, DEVELOPER shall record this Agreement in the Union County Public Registry. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties hereto.

9. Default. The failure of any party hereto to comply with the terms of this Agreement shall constitute default, entitling the non-defaulting party to pursue such remedies as allowed under applicable law; provided, however, that no termination of this Agreement may be declared by CITY absent its according to DEVELOPER the notice and opportunity to cure. The parties hereto recognize that, in addition to other remedies that may be available, CITY has the right to enforce its rules, policies, regulations, ordinances, and the terms of this Agreement by seeking an injunction to compel compliance with the terms of this Agreement. Subject to the terms of this Agreement, in the event DEVELOPER violates the rules, policies, regulations, or ordinances of CITY or violates the terms of this Agreement, CITY may, without seeking an injunction and after ten (10) days' notice to correct the violation, take such actions as shall be deemed appropriate under law until such conditions have been honored by the DEVELOPER. In addition to any other rights or remedies, either party may institute legal action to cure, correct, or remedy any default or breach, to specifically enforce any covenants or agreements set forth in the Agreement or to enjoin any threatened or attempted violation of the Agreement, or to obtain any remedies consistent with the purpose of the Agreement. Legal actions shall be instituted in the Superior Court of the County of Union, State of North Carolina, or in the Federal District Court in the Western District, and the parties hereto submit to the personal jurisdiction of such courts without application of any conflicts of laws provisions of any jurisdiction.

10. Notices. Any notice, demand, request, consent, approval, or communication which a signatory party is required to or may give to another signatory party hereunder shall be in writing and shall be delivered or addressed to the other at the address below set forth, or to such other address as such party may from time to time direct by written notice given in the manner herein prescribed, and such notice or communication shall be deemed to have been given or made when communicated by personal delivery or by independent courier service or by facsimiles or if by mail on the fifth (5th) business day after the deposit thereof in the United States Mail, postage prepaid, registered or certified, addressed as hereinafter provided. All notices, demands, requests, consents, approvals, or communications to the parties shall be addressed to:

CITY at: City of Monroe
 Attn: Scott Clark, Director of Water Resources
 P.O. Box 69
 Monroe, NC 28111

DEVELOPER at: NVR, INC./RYAN HOMES
 Attn: Ryan Passante
 10710 Sikes Place
 Suite 200
 Charlotte, NC 28277

11. Entire Agreement. This Agreement sets forth, and incorporates by reference all of the agreements, conditions, and understandings between the parties hereto relative to the Subdivision, and there are no promises, agreements, conditions, or understandings, oral or written, expressed or implied, among these parties relative to the matters addressed herein other than as set forth or as referred to herein.

12. Construction. The parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits thereto.

13. Assignment. After notice to CITY, DEVELOPER may assign its rights and responsibilities hereunder to subsequent land owners of all or any portion of the Property, provided that no assignment as to a portion of the Property will relieve DEVELOPER of responsibility with respect to the remaining portion of the Property without the written consent of CITY.

14. Agreement to Use the E-Verify Program for Work Authorization. DEVELOPER, along with its respective successors and assigns, shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes for verification of work authorization. Further, if DEVELOPER utilizes a subcontractor, DEVELOPER shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

15. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterparts shall constitute one and the same instrument.

16. Governing Law. This Agreement shall be governed by the laws of the State of North Carolina.

17. Agreement to Cooperate. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Agreement, the parties hereby agree to cooperate in defending such action; provided, however, each party shall retain the right to pursue its own independent legal defense.

18. Agreements to Run with the Land. This Agreement shall be recorded in the Union County Registry. The agreements, covenants, and restrictions contained herein shall be binding upon, and run with the land, and shall be binding upon and an obligation of all successors in the ownership of the Property beyond the term hereof in perpetuity.

(The remainder of this page is left intentionally blank. Signature pages follow.)

IN WITNESS WHEREOF, the parties hereby set their hands and seals, effective the date first above written.

DEVELOPER:

NVR, INC./RYAN HOMES

By: _____

Name: _____

Title: _____

State of _____
County of _____

I _____, the undersigned Notary Public, certify that _____ personally appeared before me this day and acknowledged that he/she is of Ryan Homes, and that by authority duly granted, he/she signed the foregoing document for the purpose stated therein.

Witness my hand and notarial stamp this _____ day of _____, 20____.

(Official Seal)

Notary Public

My commission expires: _____

CITY OF MONROE

By: _____

Name: Brian J. Borne

Title: City Manager

State of _____
County of _____

I _____, the undersigned Notary Public, certify that _____ personally appeared before me this day and acknowledged that he/she is of the City of Monroe, a North Carolina municipal corporation, and that by authority duly granted, he/she signed the foregoing document for the purpose stated therein.

Witness my hand and notarial stamp this _____ day of _____, 20____.

(Official Seal)

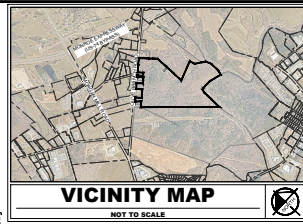
Notary Public

My commission expires: _____

Exhibit A: Monroe Chase, Site Plan, Sheet Number CD-01, dated 06/24/2022

CONDITIONAL DISTRICT "MONROE CHASE SINGLE FAMILY" CITY OF MONROE, NORTH CAROLINA

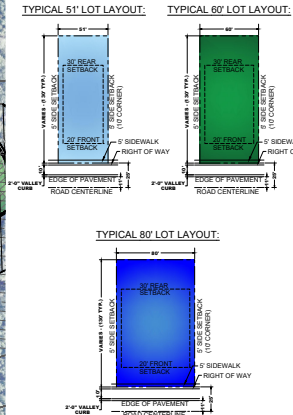
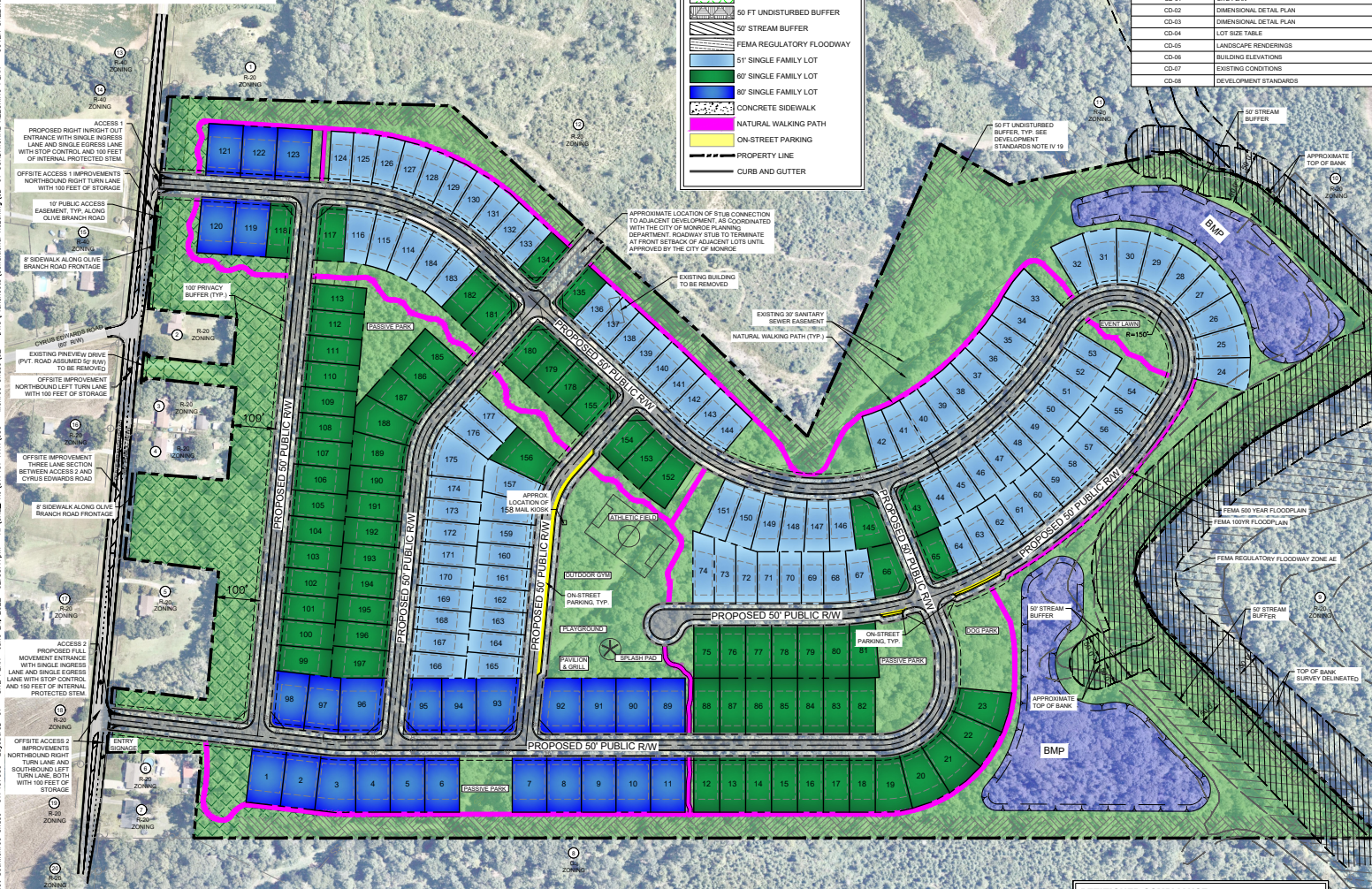
EXHIBIT A



HATCH LEGEND	
[Hatch Pattern]	OPEN SPACE/AMENITY AREA
[Hatch Pattern]	STREETSCAPE BUFFER
[Hatch Pattern]	50 FT UNDISTURBED BUFFER
[Hatch Pattern]	50' STREAM BUFFER
[Hatch Pattern]	FEMA REGULATORY FLOODWAY
[Hatch Pattern]	51' SINGLE FAMILY LOT
[Hatch Pattern]	60' SINGLE FAMILY LOT
[Hatch Pattern]	80' SINGLE FAMILY LOT
[Hatch Pattern]	CONCRETE SIDEWALK
[Hatch Pattern]	NATURAL WALKING PATH
[Hatch Pattern]	ON-STREET PARKING
[Hatch Pattern]	PROPERTY LINE
[Hatch Pattern]	CURB AND GUTTER

SHEET INDEX	
Sheet Number	Sheet Title
CD-01	SITE PLAN
CD-02	DIMENSIONAL DETAIL PLAN
CD-03	DIMENSIONAL DETAIL PLAN
CD-04	LOT AREA TABLE
CD-05	LANDSCAPE RENDERINGS
CD-06	BUILDING ELEVATIONS
CD-07	EXISTING CONDITIONS
CD-08	DEVELOPMENT STANDARDS

SITE DATA TABLE	
DEVELOPMENT DATA:	
TAX PARCEL ID	09143017, 09108002A, 09143093
EXISTING LOCATION	MONROE, NC
TOTAL SITE AREA	485.76 ACRES
TOTAL LOT AREA	435.53 ACRES
TOTAL R.O.W. AREA	112.04 ACRES
FLOODPLAIN AREA	17.83 ACRES
BMP DETENTION AREA	45.23 ACRES
OPEN SPACE (SEE BELOW)	432.96 ACRES
ZONINGS:	
EXISTING:	R-20
PROPOSED:	MONROE CHASE - CD
NUMBER OF LOTS	197
SETBACKS & DENSITY:	
FRONT YARD	20'
SIDE YARD INTERIOR	5'
REAR YARD	30'
MIN. LOT WIDTH:	51'
MIN. LOT SIZE:	6,000 SF
AVG. LOT SIZE:	7,854 SF
MAX. LOT SIZE:	13,343 SF
DENSITY:	2.30 DU/AC
OPEN SPACE	
REQUIRED OPEN SPACE:	110.72 AC (12.5%)
PROPOSED OPEN SPACE:	425.14 AC (29.3%)
PROPOSED AMENITY AREA:	47.82 AC (9.1%)
TOTAL PROVIDED:	432.96 AC (38.4%)



SITE	PARCEL	OWNER	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIP
1	09143006	HILL CEMETERY	11024 N. HILL CEMETERY	MONROE	NC	28054
2	09108002A	WANDA JAY	11024 N. HILL CEMETERY	MONROE	NC	28054
3	09143040	JUDY S GAY	2420 OLIVE BRANCH ROAD	MONROE	NC	28054
4	09143039	JOEL BRIAN GRIFFIN	2418 OLIVE BRANCH ROAD	MONROE	NC	28054
5	09143025	MATTHEW S. KATZ	2416 OLIVE BRANCH ROAD	MONROE	NC	28054
6	09143035	JOSE MARTINEZ	2414 OLIVE BRANCH ROAD	MONROE	NC	28054
7	09143034	HANNAH HELMS	2412 OLIVE BRANCH ROAD	MONROE	NC	28054
8	09143022	BOB BROWN JR	800 S. COLLEGE STREET	MONROE	NC	28054
9	09143007	PROSPERITY HILL	FRANK FORTY	MONROE	NC	28054
10	09143002C	WATSON B. GILSON	3024 HILLSIDE DRIVE	MONROE	NC	28054
11	09143001	KEVIN L. BROWN	2770 OLIVE BRANCH ROAD	MONROE	NC	28054
12	09143004	THOMAS H. KATZ	5515 NEW HOPE	MONROE	NC	28054
13	09143010	OLIVIA VALDOM	2412 OLIVE BRANCH ROAD	MONROE	NC	28054
14	09143010	KIMBERLY CHANEY	PO BOX 2765	MONROE	NC	28054
15	09143011	LISA ALBERTO BERRA	2401 OLIVE BRANCH ROAD	MONROE	NC	28054
16	09143023	CAROLINE H. PRISON	2417 OLIVE BRANCH ROAD	MONROE	NC	28054
17	09143022	KETH LYN PRISON	2417 OLIVE BRANCH ROAD	MONROE	NC	28054
18	09143021	MICHAEL TERRY ROUSE	2415 OLIVE BRANCH ROAD	MONROE	NC	28054
19	09143007A	JERRY TAYLOR	4005 WOODEN HARBOR LANE	RALEIGH	NC	27615
20	09143007B	JERRY TAYLOR	4006 WOODEN HARBOR LANE	RALEIGH	NC	27615

DEVELOPER:
RYAN HOMES
13924 PROFESSIONAL CENTER DRIVE
SUITE 100
HUNTERSVILLE, NC 28078
PHONE (704) 734-5841
CONTACT: JOSEPH MOSCA

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
200 SOUTH TRYON STREET
SUITE 200
CHARLOTTE, NORTH CAROLINA 28202
PHONE (704) 370-7088
CONTACT: ANDY HANSON, PE

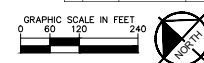
PLANNING DEPARTMENT:
CITY OF MONROE
300 W. CROWELL STREET
MONROE, NC 28112
(704) 282-4568
CONTACT: DOUG BRITT

STREAMS / WETLAND DISTURBANCE
STREAMS ARE PRESENT ADJACENT TO THE SITE. LOCATIONS IDENTIFIED HEREON AS APPROVED BY THE USACE IN A WASHINGTON DISTRICT REFERENCE ID 2019-0315-015. NO DISTURBANCE OF THESE FEATURES IS ALLOWED WITHOUT THE APPROPRIATE NOC/DES AND U.S. ARMY CORPS OF ENGINEERS PERMITS.

LOT WIDTH INFORMATION
LOT WIDTH (FT) | # OF LOTS PROVIDED
51 | 99
60 | 60
80 | 72

PETITIONER COMPLIANCE
PETITIONER VOLUNTARILY AGREES TO ALL CONDITIONS APPROVED BY CITY COUNCIL, WHICH ARE LISTED ON THIS SITE PLAN.

PETITIONER SIGNATURE: [Signature]
DATE: 06/24/2022



Kimley-Horn
© 2021 KIMLEY-HORN AND ASSOCIATES, INC.
200 SOUTH TRYON STREET, SUITE 200, CHARLOTTE, NC 28202
WWW.KIMLEY-HORN.COM
NC LICENSE #1002

NOT FOR CONSTRUCTION

SITE PLAN

MONROE CHASE
PREPARED FOR
RYAN HOMES

REVISIONS

DATE

BY

NO.

CITY OF MONROE

SHEET NUMBER
CD-01

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE V: PUBLIC WORKS
CHAPTER 59: DEVELOPER AGREEMENTS
O-2022-59

Preamble

Pursuant to authority granted in Article 10 of Chapter 160D of the General Statutes of North Carolina and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City of Monroe,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE V: PUBLIC WORKS, CHAPTER 59 DEVELOPER AGREEMENTS, OF THE CITY OF MONROE CODE OF ORDINANCES, BE AMENDED AS FOLLOWS:

Section 1. Amend §59.04 (E) **WATER RESOURCES** to add the following:

Project Monroe Chase, NVR, Inc./Ryan Homes developer, approved July 12, 2022.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 12th day of July, 2022.

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, City Manager

DATE: July 12, 2022

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Doug Britt, Senior Planner

SUBJECT: Call for Public Hearing for Annexation of 157.47 acres located at intersection of E. East Avenue, N. Sutherland Avenue and Stafford Street Extension further identified as tax parcels 09-180-004-H90, 09-180-004-K, and 09-180-004-M to be held on August 9, 2022

SUMMARY STATEMENT

City Council is requested to call for a public hearing for an annexation of 157.47 acres located at the intersection of E. East Avenue, N. Sutherland Avenue and Stafford Street Extension further identified as tax parcels 09-180-004-H90, 09-180-004-K, and 09-180-004-M to be held on August 9, 2022.

REVIEW

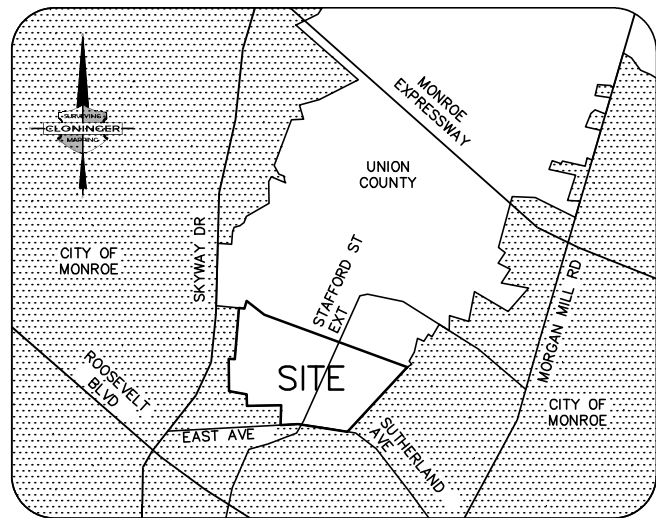
Stafford Street Monroe, LLC and Dorothy Moser Plyler Trustee are requesting the annexation of 157.47 acres located at the intersection of E. East Avenue, N. Sutherland Avenue and Stafford Street Extension and further identified with parcel ID numbers # 09-180-004-H90, 09-180-004-K, and 09-180-004-M.

RECOMMENDATION

Staff recommends City Council call for the required public hearing to be held on August 9, 2022 at 6:00 p.m. to consider this matter.

Attachments:

- Attachment 1- Annexation Plat
- Attachment 2- Annexation Petition
- Attachment 3- R-2022-53
- Attachment 4- R-2022-54



VICINITY MAP

NOT TO SCALE

THIS IS TO CERTIFY THAT ON THE 25TH DAY OF AUGUST 2021 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT. AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA. BOARD RES. 1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

THIS IS TO CERTIFY THAT THIS SURVEY IS AN ANNEXATION SURVEY, WHICH IS AN EXCEPTION TO THE DEFINITION OF "SUBDIVISION" PURSUANT TO GENERAL STATUTE 47-30F.11D

SIGNED _____

SURVEYING

CLONINGER

MAPPING

CLONINGER SURVEYING & MAPPING, PLLC
201 W. 2nd AVENUE, SUITE C
GASTONIA, NC 28052
704.864.9007
LICENSE P-2326

CREW: JFC
DRAWN: CEB/DB
REVISED:
SCALE: 1"=200'
DATE: AUG. 25, 2021
FILE NO. 1348



PLYLER FARMS LLC
DB 5538-73
TAX # 09180003T

DOROTHY MOSER PLYLER, TRUSTEE OF
THE DOROTHY M. PLYLER REVOCABLE
TRUST, DATED MAY 24TH, 2017
DB 6979-76
TAX # 09-180-004M

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1517.46'	127.65'	127.61'	N76°45'12" W	004°49'11"

LINE	BEARING	DISTANCE
L1	S78°16'10" W	107.19'
L2	S34°01'45" W	21.88'
L3	S82°48'07" E	122.51'
L4	N17°47'29" E	202.40'
L5	S50°01'19" W	142.98'
L6	S43°09'33" W	157.35'

ANNEXATION AREA
6,859,600 SQ. FT.
157.4748 ACRES

REVIEW OFFICER:

I, _____ REVIEW OFFICER OF UNION COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____

DATE _____

NOTES:

- ALL CORNERS MONUMENTED AS SHOWN.
- THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
- SITE LOCALIZED TO N.G.S. MONUMENT "CHRYSLER" NC GRID NAD83.
- BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
- THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
- ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES, UNLESS OTHERWISE NOTED.

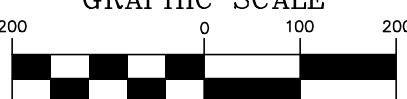


LEGEND:

D.B. - DEED BOOK
ECM - EXISTING CONCRETE MONUMENT
EIP - EXISTING IRON PIPE
EIR - EXISTING IRON ROD
EN - EXISTING NAIL
MB - MAP BOOK
NIR - NEW IRON ROD
NN - NEW NAIL
PG. - PAGE
R/W - RIGHT-OF-WAY
ANNEXATION BOUNDARY
EXISTING CITY LIMITS
PROPERTY LINE (ADJACENT)
RIGHT-OF-WAY (ADJACENT)
EASEMENT

NODS MON. "CHRYSLER"
NC GRID NAD83
N459,637.19
E1,537,773.70
NAVD88 ELEV:567.32

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

Annexation Boundary for the City of Monroe,
The properties of Stafford Street Monroe, LLC and of
Dorothy Moser Plyler, Trustee of the Dorothy M. Plyler
Revocable Trust, Dated May 24, 2017
Monroe Township, Union County, North Carolina

DATE DRAWN:
JUNE 27, 2022

SURVEYED BY:
CLONINGER SURVEYING & MAPPING, PLLC

SCALE:
1"=200'

BY:
CEB/DB

CITY OF MONROE MAP NO.

DATE:



**CITY OF MONROE
Petition Requesting Annexation**

DATE: _____

To the City Council of the City of Monroe:

1. I/We the undersigned owner(s) of real property respectfully request that the area described in Item 2 below be annexed to the City of Monroe. Furthermore, I/we do declare and certify that all legal owners of real property in the annexation area have signed this petition in Item 3 below.

2. The area to be annexed is (*choose one*):

- ☐ Contiguous to the primary corporate limits of the City of Monroe. A complete and accurate legal description of the property and a recently prepared survey map are attached.

OR

- ☐ Not contiguous to the primary corporate limits of the City of Monroe. A complete and accurate legal description of the property, a recently prepared survey map, and a map showing the area proposed for annexation in relation to the primary corporate limits of the City are attached. In addition, in compliance with Session Law 2003-321, I/we certify that:

(A) The nearest point on the proposed satellite corporate limits must be not more than two miles from the primary corporate limits of the annexing city or must be contiguous to the satellite corporate limits of the annexing city; **and**

(B) No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city, except that this subdivision does not apply if the area proposed for annexation is contiguous to the satellite corporate limits.

3. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. If zoning vested rights are claimed, indicate below and attach proof (copy of a valid building permit, conditional use permit, etc.)

Name (please type or print)	Address (please type or print)	Vested Rights? * (yes or no)	Signature
Dorothy M. Plyler Revocable Trust dated May 24, 2017	2170 Concord Avenue, Monroe, NC 28110		 attorney for owner

***If you answer yes, you must attach a detailed description of the right you are claiming; otherwise you will forfeit this right within the City.**

Number and attach additional pages as needed. Indicate here how many pages are attached: _____

PLAT REQUIREMENTS FOR ANNEXATION

1. Owner must submit Final Annexation Map on disc and three (3) quality mylar drawings with all information for recording.
2. A written legal description in **Microsoft Word** on disc of annexation.
3. Plat must be drawn from recent field survey within a two-year period.
4. The survey must be oriented with the N.C. Grid System if annexation is within 2000 feet per G.S. 47-30. The grid coordinates of one point on the survey shall be shown on the plat. Bearings and distances must be shown on boundaries of the plat.
5. All corners of property must be properly witnessed by permanent monuments on the corners or reference permanent monuments on line for inaccessible corners.
6. Existing city limit lines must be shown.
7. If the area to be annexed is separated from the municipal boundary by a street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State, then the foregoing should be included on the plat if practical to do so.
8. For annexation of non-contiguous "satellite areas" the plat must show the area proposed for annexation in relation to the primary corporate limits of Monroe and in relation to the primary corporate limits of another city when there is substantial question as to whether the area may be closer to the other city than to Monroe.
9. A sketch vicinity map must be shown.
10. Maximum size for recording shall be no more than 17" x 22" for border and no more than 18" x 24" overall.
11. Scale is to be as large as will fit on 18"x24" plat. However, scale will be no smaller than 1" = 200' unless impractical to do so. A north point will be shown.
12. Survey accuracy is to be (1) linear – 1:10,000 and (2) angular – 20 sec. x square root of the number of angles turned in the field.
13. All rights-of-way with names and road numbers and public utility easements will be shown on voluntary annexations.
14. Surrounding property lines, owner's names, deed references, and Tax ID Numbers will be shown.
15. The land surveyor's certification statement and seal must be original.
16. The certification format by the City Clerk must be as follows:

I, _____, City Clerk of the City of Monroe, North Carolina, hereby certify that on the _____ day of _____, 20____, the City Council approved this plat for annexation and recording.

Date

City Clerk

(SEAL)

17. A suggested title block with the minimum information shown below shall be shown in the lower right hand corner of the plat:

Title	
Owner(s) and Address(es)	
Date Drawn	By
Surveyed By	City of Monroe Map No.
Scale	Date

ADJOINING PROPERTY
OWNERS MUST BE
SUBMITTED
TYPED ON MAILING LABELS
AND MUST INCLUDE ZIP CODE

EXAMPLE

Tax ID# Name Street Address City, State, Zip Code
--



CITY OF MONROE
Petition Requesting Annexation

DATE: _____

To the City Council of the City of Monroe:

1. I/We the undersigned owner(s) of real property respectfully request that the area described in Item 2 below be annexed to the City of Monroe. Furthermore, I/we do declare and certify that all legal owners of real property in the annexation area have signed this petition in Item 3 below.

2. The area to be annexed is (*choose one*):



Contiguous to the primary corporate limits of the City of Monroe. A complete and accurate legal description of the property and a recently prepared survey map are attached.

OR

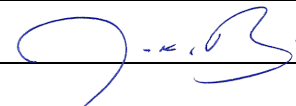


Not contiguous to the primary corporate limits of the City of Monroe. A complete and accurate legal description of the property, a recently prepared survey map, and a map showing the area proposed for annexation in relation to the primary corporate limits of the City are attached. In addition, in compliance with Session Law 2003-321, I/we certify that:

(A) The nearest point on the proposed satellite corporate limits must be not more than two miles from the primary corporate limits of the annexing city or must be contiguous to the satellite corporate limits of the annexing city; **and**

(B) No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city, except that this subdivision does not apply if the area proposed for annexation is contiguous to the satellite corporate limits.

3. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. If zoning vested rights are claimed, indicate below and attach proof (copy of a valid building permit, conditional use permit, etc.)

Name (please type or print)	Address (please type or print)	Vested Rights? * (yes or no)	Signature
Stafford Street Monroe, LLC	6101 Carnegie Blvd, Suite 180 Charlotte NC 28209	No	Stafford Street Monroe, LLC By: Stafford Street Monroe Investments, LLC, its Manager
			
			By Jason K. Bria Authorized Signatory

****If you answer yes, you must attach a detailed description of the right you are claiming; otherwise you will forfeit this right within the City.***

Number and attach additional pages as needed. Indicate here how many pages are attached: _____

PLAT REQUIREMENTS FOR ANNEXATION

1. Owner must submit Final Annexation Map on disc and three (3) quality mylar drawings with all information for recording.
2. A written legal description in **Microsoft Word** on disc of annexation.
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4. The survey must be oriented with the N.C. Grid System if annexation is within 2000 feet per G.S. 47-30. The grid coordinates of one point on the survey shall be shown on the plat. Bearings and distances must be shown on boundaries of the plat.
5. All corners of property must be properly witnessed by permanent monuments on the corners or reference permanent monuments on line for inaccessible corners.
6. Existing city limit lines must be shown.
7. If the area to be annexed is separated from the municipal boundary by a street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State, then the foregoing should be included on the plat if practical to do so.
8. For annexation of non-contiguous "satellite areas" the plat must show the area proposed for annexation in relation to the primary corporate limits of Monroe and in relation to the primary corporate limits of another city when there is substantial question as to whether the area may be closer to the other city than to Monroe.
9. A sketch vicinity map must be shown.
10. Maximum size for recording shall be no more than 17" x 22" for border and no more than 18" x 24" overall.
11. Scale is to be as large as will fit on 18"x24" plat. However, scale will be no smaller than 1" = 200' unless impractical to do so. A north point will be shown.
12. Survey accuracy is to be (1) linear – 1:10,000 and (2) angular – 20 sec. x square root of the number of angles turned in the field.
13. All rights-of-way with names and road numbers and public utility easements will be shown on voluntary annexations.
14. Surrounding property lines, owner's names, deed references, and Tax ID Numbers will be shown.
15. The land surveyor's certification statement and seal must be original.
16. The certification format by the City Clerk must be as follows:

I, _____, City Clerk of the City of Monroe, North Carolina, hereby certify that on the _____ day of _____, 20____, the City Council approved this plat for annexation and recording.

Date

City Clerk

(SEAL)

17. A suggested title block with the minimum information shown below shall be shown in the lower right hand corner of the plat:

Title	
Owner(s) and Address(es)	
Date Drawn	By
Surveyed By	City of Monroe Map No.
Scale	Date

ADJOINING PROPERTY

OWNERS MUST BE

SUBMITTED

TYPED ON MAILING LABELS

AND MUST INCLUDE ZIP CODE

EXAMPLE

Tax ID# Name Street Address City, State, Zip Code
--

**RESOLUTION DIRECTING CLERK TO INVESTIGATE
PETITION RECEIVED UNDER G.S. §160A-31 FOR 157.47 ACRES
LOCATED AT INTERSECTION OF E. EAST AVENUE,
N. SUTHERLAND AVENUE AND STAFFORD STREET EXTENSION**

R-2022-53

WHEREAS, a petition requesting annexation of an area described in said petition was received on November 10, 2021 by the City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Monroe deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Monroe that the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of the investigation.

Adopted this 12th day of July, 2022.

Marion L. Holloway, Jr., Mayor

Attest:

Bridgette H. Robinson, City Clerk

**RESOLUTION FIXING DATE OF PUBLIC HEARING TO BE HELD
AUGUST 9, 2022 ON QUESTION OF ANNEXATION PURSUANT
TO G.S. §160A-31 FOR 157.47 ACRES LOCATED AT INTERSECTION
OF E. EAST AVENUE, N. SUTHERLAND AVENUE
AND STAFFORD STREET EXTENSION**

R-2022-54

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by Resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition shall be made.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Monroe, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the City Hall Council Chambers at 6:00 p.m. on August 9, 2022.

Section 2. The area proposed for annexation is described on the attached map:

Legal Description of 157.4748 acres consisting Tax Parcels 09-180-004H 90 and 09-180-004K owned by Stafford Street Monroe, LLC and Tax Parcel 09-180-004M owned by Dorothy Moser Plyler, Trustee of the Dorothy M. Plyler Revocable Trust, dated May 24, 2017

Being in North Carolina, Union County, Monroe Township beginning at NCGS Monument "CHRYSLER" tied to the North American Datum 1983 having North Carolina State Plain Coordinates of North: 459,637.19 feet and East: 1,537,773.70 feet and having a combined grid factor of 0.99985958 feet: thence S 55° 32' 22" E, 485.05 feet to a new 1/2-inch iron rod on the eastern line of now or formerly the Dorothy Moser Plyler, Trustee of the Dorothy M. Plyler Revocable Trust, dated May 24, 2017 property recorded in Record Book 6979, Page 76 in the Union County Register of Deeds, a common corner with now or formerly the Dorothy W. Gaither, Lynn Gaither Price and Larry C. Gaither property recorded in Record Book 818, Page 71 in the Union County Register of Deeds and said rod being on the existing city limits line of now or formerly the City of Monroe, the annexation ordinance plats recorded in Plat Cabinet B, Files 19B, 20B, 21A, 21B and 22A in the Union County Register of Deeds and said rod **BEING THE TRUE POINT AND PLACE OF BEGINNING**: thence with the said existing city limits line and with the said Plyler property N 2° 55' 17" E, 460.50 feet to a new 1/2-inch iron rod, a common corner with now or formerly the Stafford Street Monroe, LLC property recorded in Record Book 8459, Page 627 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the said Stafford Street Monroe, LLC property N 2° 55' 17" E, 264.98 feet a

new 1/2-inch iron rod on the southern line of now or formerly the Nancy Diane Plyler property recorded in Deed Book 291, Page 580 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the said Plyler property two (2) calls as follows: 1) S 75° 58' 34" E, 118.15 feet to an existing 1/2-inch iron rod; 2) N 11° 13' 51" E, 223.49 feet to a new 1/2-inch iron rod, a common corner with now or formerly the Barbara P. Faulk property recorded in Record Book 947, Page 710 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the said Faulk property N 4° 58' 49" E, 200.00 feet to an existing 1-inch iron rod, common corner with now or formerly the Aaron Wesley Plyler, Jr and wife Donna Lee H. Plyler property recorded in Record Book 815 Page 188 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the said Plyler property N 3° 17' 49" E, 244.40 feet to an existing 1/2-inch iron rod, a common corner with now or formerly the Emily Leigh-Frances Plyler property recorded in Record Book 6108, Page 670 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the said Plyler property and with now or formerly the Alton Eugene Plyler property recorded in Deed Book 356, Page 834 in the Union County Register of Deeds N 3° 17' 49" E, 508.50 feet to an existing 1/2-inch iron rod, a common corner with now or formerly the Plyler Farms, LLC property recorded in Record Book 5538, Page 73 in the Union County Register of Deeds; thence leaving the existing city limits line and with the said Plyler Farms LLC property four (4) calls as follows: 1) S 82° 48' 7" E, 122.51 feet to an existing 1-inch iron pipe; 2) N 17° 47' 29" E, 202.40 feet to a new 1/2-inch iron rod; 3) S 52° 33' 38" E, 528.00 feet to an angle iron; 4) S 68° 45' 28" E, 1,838.50 feet a new nail is the center of Stafford Street Extension; thence continuing with the said Plyler Farms, LLC property and with now or formerly the Plyler Commercial Investments, LLC property recorded in Record Book 5538, Page 81 in the Union County Register of Deeds S 68° 45' 28" E, 1,236.29 feet to an existing 3/8-inch iron rod, a common corner with now or formerly the Aaron T. Maye property recorded in Record Book 8028, Page 474 in the Union County Register of Deeds; thence with the said Maye property S 68° 49' 15" E, 422.80 feet to an axle on the line of now or formerly the Dame Brother Co. Limited Partnership property recorded in Record Book 835, Page 370 in the Union County Register of Deeds and said axle being on existing city limits line of now or formerly the City of Monroe, the annexation ordinance recorded in Record Book 3779, Page 816 in the Union County Register of Deeds; thence with the said existing city limits line and with the said Dame Brother Co. Limited Partnership property two (2) calls as follows: 1) S 50° 1' 19" W, 142.98 feet to an existing 1 1/2-inch iron rod; 2) S 43° 9' 33" W, 157.35 feet to an existing 1/2-inch iron rod, a common corner with now or formerly the City of Monroe property recorded in Record Book 7259, Page 578 in the Union County Register of Deeds and said rod being on existing city limits line of now or formerly the City of Monroe, the annexation ordinance recorded in Record Book 600, Page 412 in the Union County Register of Deeds; thence with the said existing city limits line and with the said City of Monroe property two (2) calls as follows: 1) S 43° 10' 2" W, 1,626.69 feet to an existing 1-inch iron rod; 2) S 78° 16' 10" W, 107.19 feet to a new 1/2-inch iron rod, a common corner with now or formerly the City of Monroe property recorded in Record Book 496, Page 329 in the Union County Register of Deeds and with now or formerly the City of Monroe property recorded in Record Book 502, Page 217 in the Union County Register of Deeds and said rod being on existing city limits line of now or formerly the City of Monroe, the annexation ordinance recorded in Record Book 600, Page 417 in the Union County Register of Deeds and said rod being on existing city limits line of now or formerly the City of Monroe, the annexation ordinance recorded in Record Book 600, Page 415 in the Union County Register of Deeds; thence with the said existing

city limits line and with the said City of Monroe property three (3) calls as follows: 1) with a non-tangential curve to the left having a radius of 1,517.46 feet, an arc distance of 127.65 feet and a chord bearing and distance of N 76° 45' 12" W, 127.61 feet to an existing concrete monument; 2) N 79° 23' 14" W, 823.24 feet to a new 1/2-inch iron rod, said rod located on the eastern right-of-way of Stafford Street Extension; 3) S 34° 1' 45" W, 21.88 feet to a new nail, said nail being on the existing city limits line of now or formerly the City of Monroe, the annexation ordinance plats recorded in Plat Cabinet B, Files 19B, 20B, 21A, 21B and 22A in the Union County Register of Deeds; thence with the said existing city limits line and within the right-of-way of East Avenue S 88° 54' 56" W, 554.15 feet to an existing 1/2-inch iron rod; thence continuing with the said existing city limits line and crossing the said right-of-way and with now or formerly the Burnette Winfield Ivey property recorded in Record Book 8304, Page 296 in the Union County Register of Deeds and with Gloria Winfield Barrino and husband James Hubert Barrino property recorded in Record Book 8016, Page 348 in the Union County Register of Deeds N 1° 5' 4" West, 278.76 feet to an existing 1/2-inch iron rod, a common corner with now or formerly James H. Barrino and wife Gloria W. Barrino property recorded in Deed Book 476, Page 482 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the Barrino property two (2) calls as follows: 1) N 1° 5' 4" W, 179.82 feet to an existing 3/8-inch iron rod; 2) S 88° 39' 25" W, 185.23 feet to a calculated point in a 10-inch tree, a common corner with now or formerly the Gloria Winfield Barrino and husband James Hubert Barrino property recorded in Record Book 8016, Page 348 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the said Barrino property S 88° 39' 25" W, 9.64 feet an existing 1/2-inch iron rod on the line of the said Barrino property; thence continuing with the said existing city limits line and with the said Barrino property and with now or formerly the Vergie W. Baker and husband Charlie Baker property recorded in Deed Book 254, Page 692 in the Union County Register of Deeds S 88° 39' 25" W, 82.70 feet to an existing 3/4-inch iron pipe, a common corner with now or formerly the William E. Sturdivant and wife Shirley Sturdivant property recorded in Record Book 1363, Page 369 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the said Sturdivant property and with now or formerly the Gaudalupe Flores property recorded in Record Book 8206, Page 63 in the Union County Register of Deeds S 88° 39' 25" W, 461.71 feet to an existing 1-inch iron pipe, a common corner with now or formerly the Guadalupe Flores Maldonado property recorded in Record Book 6134, Page 274 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the said Maldonado property N 1° 18' 57" W, 250.07 feet to an existing 1/2-inch iron rod; thence continuing with the said existing city limits line and with the said Maldonado property and with now or formerly the Raul Venegas Gomez and wife Angelina Ayala Perez property recorded in Record Book 1333, Page 176 in the Union County Register of Deeds N 74° 56' 5" W, 208.52 feet to an existing 1/2-inch iron rod, a common corner with now or formerly the Eduardo Ceballos-Basio property recorded in Record Book 5612, Page 592 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the said Ceballos-Basio property N 74° 56' 5" W, 73.53 feet to an existing 1/2-inch iron rod, a common corner with now or formerly the Dorothy W. Gaither, Lynn Gaither Price and Larry C. Gaither property recorded in Record Book 818, Page 71 in the Union County Register of Deeds; thence continuing with the said existing city limits line and with the said Gaither property N 74° 56' 5" W, 163.62 feet to the **TRUE POINT AND PLACE OF BEGINNING** and containing 157.4748 acres more or less as shown on an annexation plat entitled "Annexation Boundary for the City of Monroe, the properties of Stafford Street Monroe, LLC and of Dorothy Moser Plyler, Trustee of the Dorothy M. Plyer Revocable

Trust, Dated May 24, 2017” as shown on the annexation plat prepared by Cloninger Surveying and Mapping, PLLC dated August 25, 2021 having file number 1348 and a date drawn of June 27, 2022.

The annexation plat is recorded in Plat Cabinet _____, File _____ in the Union County Register of Deeds.

Being in North Carolina, Union County, Monroe Township

Section 3. Notice of the public hearing shall be published in *The Enquirer-Journal*, a newspaper having general circulation in the City of Monroe, at least ten days prior to the date of the public hearing.

Adopted this 12th day of July, 2022.

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, City Manager

DATE: July 12, 2022

FROM: Ronald D. Fowler, Fire Chief

PREPARED BY: Alice Williams, Administrative Assistant

SUBJECT: Award of Fire Helmet to Retiring Firefighter Chad Burns

SUMMARY STATEMENT

Council is requested to authorize awarding Firefighter Chad Burns his fire helmet on the occasion of his retirement.

REVIEW

Firefighter Chad Burns will be retiring on August 1, 2022, with 20 years and 2 months of service with the City of Monroe.

The General Assembly of North Carolina recognizes the importance and the symbolism of the Firefighter's helmet. General Statute §160A-294.1 authorizes municipalities, at the discretion of the governing board, to honor retiring firefighters by awarding them their fire helmet. Recognizing the importance of the fire helmet to Firefighter Chad Burns, Staff feels it is fitting and proper to honor him by awarding him his fire helmet to cherish during retirement. In accordance with General Statute §160A-294.1, staff recommends that the City Council set the price of the helmet at \$0.01 (one cent), and award Firefighter Burns his fire helmet.

Due to meeting schedules this item was heard by the Public Safety Committee on July 11th.

RECOMMENDATION

Staff recommends that City Council authorize awarding Firefighter Chad Burns his fire helmet for his service to the City of Monroe at a price set at one cent.



STAFF REPORT

TO: City Council

VIA: Brian Borne, City Manager

DATE: July 12, 2022

FROM: Ryan Jones, Parks and Recreation Director

PREPARED BY: Ryan Jones, Parks and Recreation Director

SUBJECT: Budget Amendment for treadmill replacement at the Monroe Aquatics and Fitness Center.

SUMMARY STATEMENT

City Council is requested to consider a budget amendment of \$30,000.00 for the replacement of treadmills at the Monroe Aquatics and Fitness Center.

REVIEW

On June 14, 2022, City Council approved the fiscal year 2023 operating budget that included \$51,158.00 for the replacement of treadmills at the Monroe Aquatics and Fitness Center. The funds approved included an amount sufficient to provide replacement of treadmills that were the highest priority and no longer functional. At the time of request and based on current usage, the life of several other treadmills was projected to extend in to FY24. However, with the increase in usage experienced at the Monroe Aquatics and Fitness Center over the past 6 months, several of these treadmills are in need of replacement in FY23. In addition, priority budget cuts due to COVID had delayed replacement of this equipment in FY22. This request will allow MAFC staff the ability to provide equipment that meets the high standard of members and avoid a negative experience for members. This request also provides staff the opportunity to meet the timeline established in the Capital Improvement plan related to replacement of this type of equipment that was delayed due to COVID.

RECOMMENDATION

Staff and the General Services Committee recommends that Council approve a Budget Amendment to appropriate funds from Monroe Aquatics and Fitness Center fund balance for treadmill equipment for \$30,000.00.

Attachment(s): BA-2022-27

**BUDGET AMENDMENT
BA-2022-27**

1. Amendment necessary to designate and appropriate funds from Monroe Aquatics and Fitness Center fund balance for treadmill equipment in the amount of \$30,000.

Monroe Aquatics and Fitness Center Fund:

Revenues:

Fund Balance	\$30,000
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Expenditures:

Operations	\$30,000
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Adopted this 12th day of July, 2022.

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, City Manager

DATE: July 12, 2022

FROM: Matthew Black, Downtown Director

PREPARED BY: Matthew Black, Downtown Director

SUBJECT: Call for Public Hearing to be Held on August 9, 2022 to Consider Pronto Downtown Economic Incentive Grant for Seaboard Pizza Located at 217 and 219 N. Hayne Street

SUMMARY STATEMENT

City Council is requested to call for a public hearing to be held on August 9, 2022 to consider a Pronto Downtown Economic Incentive Grant.

REVIEW

An investment group is opening a business into a 1,169 sq. ft. storefront in Downtown Monroe, taking advantage of the Downtown Pronto Economic Incentive Grant. Staff has reviewed the request and recommends that City Council call for a public hearing to be held on August 9, 2022 to consider a Pronto Downtown Economic Incentive Grant for Seaboard Pizza Located at 217 and 219 N. Hayne Street. The grant amount will be released in the Legal Notice.

RECOMMENDATION

Staff recommends City Council call for the required public hearing to be held on August 9, 2022 at 6:00 p.m. to consider this matter.



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, City Manager

DATE: July 12, 2022

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Senior Planner

SUBJECT: Call for Public Hearing to be held on August 9, 2022 to consider a zoning map and text amendment request to rezone properties located along Old Charlotte Highway further identified as tax parcels: 09-301-059, 09-301-059A, 09-301-060A, 09-301-045, and 09-301-047 from NB (Neighborhood Business), RMD (Residential Medium Density), and RLD (Residential Low Density) to Conditional District (CD) “Regent Pines 2022”.

SUMMARY STATEMENT

This is a request to call for a public hearing to be held on August 9, 2022 for a zoning map and text amendment request to rezone properties located along Old Charlotte Highway further identified as tax parcels: 09-301-059, 09-301-059A, 09-301-060A, 09-301-045, and 09-301-047 from NB (Neighborhood Business), RMD (Residential Medium Density), and RLD (Residential Low Density) to Conditional District (CD) “Regent Pines 2022”.

REVIEW

Staff has received a zoning map and text amendment request to rezone the properties located along Old Charlotte Highway further identified as tax parcels: 09-301-059, 09-301-059A, 09-301-060A, 09-301-045, and 09-301-047 from NB (Neighborhood Business), RMD (Residential Medium Density), and RLD (Residential Low Density) to Conditional District (CD) “Regent Pines-2022”. The rezoning is requested in order to develop 99 detached homes. Staff is requesting that City Council call for a public hearing to be held on August 9, 2022 to consider this item.

RECOMMENDATION

Staff recommends City Council call for the required public hearing to be held on August 9, 2022, 6:00 p.m. to consider this matter.



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, City Manager

DATE: July 12, 2022

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Senior Planner

SUBJECT: Call for Public Hearing to be held on August 9, 2022 to consider a zoning map and text amendment request to rezone properties located along W. Jefferson St. and W. Crowell St. further identified as tax parcels: 09-273-004A, 09-273-004B, 09-273-004C, 09-273-004D, 09-273-004E, 09-273-004F from RMD (Residential Medium Density) to Conditional District (CD) “Jefferson & Crowell”

SUMMARY STATEMENT

This is a request to call for a public hearing to be held on August 9, 2022 for a zoning map and text amendment request to rezone properties located along W. Jefferson St. and W. Crowell St. further identified as tax parcels: 09-273-004A, 09-273-004B, 09-273-004C, 09-273-004D, 09-273-004E, 09-273-004F from RMD (Residential Medium Density) to Conditional District (CD) “Jefferson & Crowell”.

REVIEW

Staff has received a zoning map and text amendment request to rezone the properties located along W. Jefferson St. and W. Crowell St. further identified as tax parcels: 09-273-004A, 09-273-004B, 09-273-004C, 09-273-004D, 09-273-004E, 09-273-004F from RMD (Residential Medium Density) to Conditional District (CD) “Jefferson & Crowell”. The rezoning is requested in order to develop 15 attached townhomes. Staff is requesting that City Council call for a public hearing to be held on August 9, 2022 to consider this item.

RECOMMENDATION

Staff recommends City Council call for the required public hearing to be held on August 9, 2022, 6:00 p.m. to consider this matter.

CITY OF MONROE
CITY COUNCIL STRATEGIC PLANNING MEETING
JUNE 14, 2022
MINUTES

The City Council of the City of Monroe, North Carolina, met in a Strategic Planning Meeting in the City Hall Council Chambers located at 300 West Crowell Street in Monroe, North Carolina at 4:30 p.m. on June 14, 2022 with Mayor Marion L. Holloway, Jr. presiding.

Present: Mayor Marion L. Holloway, Jr., Mayor Pro Tem Gary Anderson, Council Member Freddie Gordon, Council Member James Kerr, Council Member Lynn Keziah, Council Member Julie Thompson, Interim City Manager Brian J. Borne, City Attorney S. Mujeeb Shah-Khan and City Clerk Bridgette H. Robinson.

Absent: None.

Visitors: Gabe Broome, Ashley Britt, Lisa Strickland, Mary Lou Connelly, Angela Duncan, Pete Hovanec, Josh Hyatt, Loretta Melancon and others.

Mayor Holloway called the City Council Strategic Planning Meeting of June 14, 2022 to order at 4:30 p.m. A quorum was present.

Item No. 1. Individual Defense Costs and Defense Provisions in *Angelia James v City of Monroe, et al.* Interim City Manager Brian Borne advised that this was a recommendation for Council hold a hearing to defend and pay any amounts due related to individual claims against Mayor Holloway, Mayor Pro Tem Anderson, Council Member Gordon, Council Member Kerr, Council Member Keziah, Council Member Thompson and former Mayor Bobby Kilgore related to the City's Amotion process that resulted in the removal of former Council Member Angelia Nikole James from City Council.

Interim City Manager Borne advised that on August 3, 1993, City Council approved a "Resolution of the Monroe City Council Establishing Uniform Standards Under Which Claims or Civil Judgments Sought or Entered Against the City Officers and Employees Shall Be Paid." He advised that under the Resolution, the City "feels obligated to defend such officers and employees and to satisfy any claims or judgements against such officers or employees, to the extent provided herein, if the facts and circumstances giving rise to the claim or suit show that the officer or employee was engaged in the good faith performance of his duties on behalf of the City when the incident giving rise to the claim occurred."

However, Interim City Manager Borne advised that the City would not defend claims or lawsuits when the officer or employee willfully: (1) acts or fails to act because of actual fraud, corruption or actual malice; (2) acts or fails to act as a result of or at a time when his self-indulgence substantially impaired his judgment as, for example, an officer or employee who causes damage or injury while intoxicated or under the influence of drugs while on the job; (3) acts or fails to act,

except in emergencies or the existence of extenuating circumstances, directly contrary to instructions from his superior, or directly contrary to advice of the City Attorney; or, (4) acts or fails to act in such manner as to constitute a criminal act (as, for example, misappropriation of property or funds). He advised that the Resolution included current and former members of City Council.

Interim City Manager Borne advised that once the City Manager (or Interim City Manager) received notice of a claim or suit filed against an officer or employee, he or his designee was asked to investigate the matter and recommend to City Council whether or not the claim or suit met the standards under the Resolution for whether or not a defense should be provided or paying the claim.

Interim City Manager Borne advised that in this case, on April 23, 2022, the City Attorney received a Verified Complaint filed by former Council Member James' attorneys on her behalf with the United States District Court for the Western District of North Carolina. He advised that the Verified Complaint named the City of Monroe, Mayor Holloway, Mayor Pro Tem Anderson, Council Member Gordon, Council Member Kerr, Council Member Keziah, Council Member Thompson and former Mayor Bobby Kilgore as defendants in the case. Interim City Manager Borne advised that the individual current and former Council Members named were named in their individual capacity and not their representative capacity. He advised that the Verified Complaint made claims against the City and the named individual defendants claiming that the City's action in initiating Amotion proceedings and removing former Council Member James from City Council violated her free speech rights and denied her equal protection of the laws.

Interim City Manager Borne advised that on May 13, 2022, he sent a letter to the current Council Members and former Mayor Kilgore noting that the City received the Verified Complaint and that he investigated the facts and circumstances in accordance with the Resolution. He advised the current Council Members and former Mayor Kilgore that in accordance with the Resolution, he would make the following recommendation that as the claims were related to their actions in an individual capacity, the City of Monroe would defend any claims in each named defendant's individual capacity or pay any claim or judgment related to any matters related in each named defendant's individual capacity. Interim City Manager Borne advised that this included the retention of an attorney on each named defendant's behalf. He advised that in his judgment, this was because the claims and the supporting evidence did not meet the exceptions under the Resolution where the City would choose to make a decision otherwise.

Interim City Manager Borne advised that in accordance with the Resolution, he recommended that as the claims were related to their actions in an individual capacity, the City of Monroe would defend any claims in each named defendant's individual capacity or pay any claim or judgment related to any matters related in each named defendant's individual capacity. He advised that this included the retention of an attorney on each named defendant's behalf. Interim City Manager Borne advised that in his judgment, this was because the claims and the supporting evidence did not meet the exceptions under the Resolution where the City would choose to make a decision otherwise.

A. Excuse Mayor Marion L. Holloway, Jr. Mayor Pro Tem Anderson moved to excuse Mayor Marion L. Holloway, Jr. from considering and voting on this item as it related to him in accordance with North Carolina's General Statute Section 160A-75. Council Member Keziah seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

B. Defend and Pay Claims Against Mayor Marion L. Holloway, Jr. Mayor Pro Tem Anderson moved to approve recommendation of Interim City Manager to defend and pay any amounts due related to individual claims against Mayor Marion L. Holloway, Jr. related to the case of Angelia Nikole James vs City of Monroe. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson and
Mayor Pro Tem Anderson
NAYS: None

C. Excuse Mayor Pro Tem Gary Anderson. Mayor Holloway moved to excuse Mayor Pro Tem Gary Anderson from considering and voting on this item as it related to him in accordance with North Carolina's General Statute Section 160A-75. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

D. Defend and Pay Claims Against Mayor Pro Tem Gary Anderson. Mayor Holloway moved to approve recommendation of Interim City Manager to defend and pay any amounts due related to individual claims against Mayor Pro Tem Gary Anderson related to the case of Angelia Nikole James vs City of Monroe. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson and
Mayor Holloway
NAYS: None

E. Excuse Council Member Freddie Gordon. Mayor Pro Tem Anderson moved to excuse Council Member Freddie Gordon from considering and voting on this item as it related to him in accordance with North Carolina's General Statute Section 160A-75. Council Member Keziah seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

F. Defend and Pay Claims Against Council Member Freddie Gordon. Mayor Pro Tem Anderson moved to approve recommendation of Interim City Manager to defend and pay any amounts due related to individual claims against Council Member Freddie Gordon related to the case of Angelia Nikole James vs City of Monroe. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Kerr, Keziah, Thompson and
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

G. Excuse Council Member James Kerr. Mayor Pro Tem Anderson moved to excuse Council Member James Kerr from considering and voting on this item as it related to him in accordance with North Carolina's General Statute Section 160A-75. Council Member Keziah seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

H. Defend and Pay Claims Against Council Member James Kerr. Mayor Pro Tem Anderson moved to approve recommendation of Interim City Manager to defend and pay any amounts due related to individual claims against Council Member James Kerr related to the case of Angelia Nikole James vs City of Monroe. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Keziah, Thompson and
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

I. Excuse Council Member Lynn Keziah. Mayor Pro Tem Anderson moved to excuse Council Member Lynn Keziah from considering and voting on this item as it related to him in accordance with North Carolina's General Statute Section 160A-75. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

J. Defend and Pay Claims Against Council Member Lynn Keziah. Mayor Pro Tem Anderson moved to approve recommendation of Interim City Manager to defend and pay any amounts due related to individual claims against Council Member Lynn Keziah related to the case of Angelia Nikole James vs City of Monroe. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Thompson

Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

K. Excuse Council Member Julie Thompson. Mayor Pro Tem Anderson moved to excuse Council Member Julie Thompson from considering and voting on this item as it related to her in accordance with North Carolina's General Statute Section 160A-75. Council Member Keziah seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

L. Defend and Pay Claims Against Council Member Julie Thompson. Mayor Pro Tem Anderson moved to approve recommendation of Interim City Manager to defend and pay any amounts due related to individual claims against Council Member Julie Thompson related to the case of Angelia Nikole James vs City of Monroe. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

M. Defend and Pay Claims Against Former Mayor Bobby Kilgore. Mayor Pro Tem Anderson moved to approve recommendation of Interim City Manager to defend and pay any amounts due related to individual claims against former Mayor Bobby Kilgore related to the case of Angelia Nikole James vs City of Monroe. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 2. Ordinance Amending Code of Ordinance – Title III: Administration, Chapter 32: Boards, Commissions and Departments – Downtown Advisory Board and Mayoral Committees. Interim City Manager Borne advised that the purpose of the amendment was to revise Section 32.105 Downtown Advisory Board to change the number of members to seven to be consistent with the number of City Council seats. He advised that in addition, Section 32.301 Mayoral Committees was also being recommended to be revised to be changed to seven members. Interim City Manager Borne advised that although not required, each Committee may have up to three other citizen members appointed by City Council utilizing the same application appointment process as required for appointment to Boards or Commissions. He advised that the proposed revision would make all Committees equal and would be implemented by attrition as done in an earlier revision for the Planning Board, Historic District Commission and the Board of Adjustment.

Council Member Keziah moved to adopt Ordinance O-2022-49.

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES

City Council Strategic Planning Meeting
June 14, 2022
Page

TITLE III: ADMINISTRATION
CHAPTER 32: BOARDS, COMMISSIONS AND DEPARTMENTS
O-2022-49

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE III, CHAPTER 32: BOARDS, COMMISSIONS, AND DEPARTMENTS OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

TEXT AMENDMENT

Section 1. Amend ***DOWNTOWN ADVISORY BOARD*** as follows:

§32.313 MEMBERSHIPS, TERMS OF OFFICE, AND OFFICERS.

- (A) *Membership.* The Downtown Advisory Board shall consist of seven (7) members. The members shall be required to be any of the following: residents of the City of Monroe; the full owner of a business located in the city's Downtown Central Business District; have no less than a ten percent (10%) ownership stake in a business located in the city's Downtown Central Business District; be a partner in a business located in the city's Downtown Central Business District (by way of illustration, an individual who is a partner in a firm that provides legal services, or accounting services, would meet this requirement); or an employee of a business located in the city's Downtown Central Business District.

Section 2. Amend **§32.301 *MAYORAL COMMITTEES*** as follows:

- (B) Each Committee shall be composed of up to three (3) City Council members to be appointed by the Mayor who shall also appoint the chair of the committee. Although not required, each committee may have up to four (4) other citizen members appointed by City Council utilizing the same application appointment process as required for appointment to boards or commissions. Council members shall be appointed to serve two-year terms beginning January 1 following each city election. Non-council members shall serve two-year terms beginning January 1 following each city election and must make application for appointment prior to December 1. Non-council members that are a member of any Mayoral Committee who were appointed on or before June 14, 2022 will be permitted to serve their initial term as a member, regardless of if their presence on the Committee means that the Committee had more than four (4) citizen members.

Section 3. This Ordinance shall be effective upon adoption.

Adopted this 14th day of June, 2022.

Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES:	Council Members Gordon, Kerr, Keziah, Thompson, Mayor Pro Tem Anderson and Mayor Holloway
NAYS:	None

Item No. 3. Update on Court Action Concerning Vacancy and Vacancy Discussion. City Attorney Mujeeb Shah-Khan advised that beginning in November of 2021, Council began the process of an action based on common law doctrine of Amotion to allow Council to remove Council Member Angelia Nikole James from City Council. City Attorney Shah-Khan advised that following a two-day hearing on January 27 and 28, 2022, Council held a hearing on April 7, 2022. He advised that the result of the hearing was to remove Angelia Nikole James from City Council by a 6-0 vote and, accordingly, there was now a vacant seat on Council.

City Attorney Shah-Khan advised that at the May 10, 2022 City Council Strategic Planning Meeting, discussions began concerning a process for filling former Council Member James' vacant seat. He advised that he provided a Memorandum to Council with potential options for its consideration. City Attorney Shah-Khan advised that Council initially determined it would pick the replacement on the basis of its knowledge and experience and initially targeted the June 14, 2022 City Council Meeting to appoint a replacement. He advised that however, as United States District Court Judge Robert Conrad was holding a hearing on Ms. James' new Motion for Preliminary Injunction on June 10, 2022, and Council wished to continue to discuss the process for filling the seat, a replacement would not be selected on June 14, 2022. City Attorney Shah-Khan advised that Council would receive a briefing on the status of the case as it impacts filling the vacancy, and could choose to continue to discuss process options.

City Attorney Shah-Khan advised that Staff recommended taking no action at this point in time; however, if Council wanted to have a continued discussion on the process of filling the vacancy, that was up to Council.

Mayor Pro Tem Anderson advised that he felt that the statement Council Member Gordon read at the May 10, 2022 City Council Meeting was sufficient.

There being no further business, Council Member Keziah moved to adjourn the City Council Strategic Planning Meeting of June 14, 2022 at 5:22 p.m. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES:	Council Members Gordon, Kerr, Keziah, Thompson, Mayor Pro Tem Anderson and Mayor Holloway
NAYS:	None

Marion L. Holloway, Jr., Mayor

Attest:

Bridgette H. Robinson, City Clerk

Transcribed by Deputy City Clerk Sherry Hicks

**CITY OF MONROE
CITY COUNCIL REGULAR MEETING
JUNE 14, 2022
MINUTES**

The City Council of the City of Monroe, North Carolina, met in Regular Session in the City Hall Council Chambers located at 300 West Crowell Street in Monroe, North Carolina at 6:00 p.m. on June 14, 2022 with Mayor Marion L. Holloway, Jr. presiding.

Present: Mayor Marion L. Holloway, Jr., Mayor Pro Tem Gary Anderson, Council Member Freddie Gordon, Council Member James Kerr, Council Member Lynn Keziah, Council Member Julie Thompson, Interim City Manager Brian J. Borne, City Attorney S. Mujeeb Shah-Khan and City Clerk Bridgette H. Robinson.

Absent: None.

Visitors: Loretta Melancon, Tammy Millward, WD Dotson, Horace McKenzie, Betty McKenzie, Stephen Simpson, Matthew Dimock, Gray McNeill. Leslie Sanders, Jennifer Smith, Richard Yercheck, Ray Black, Tyler Martin, John Marshall, Terry Williams, Kyle diPretoro, Beth Frye, Steve Frye, Kenneth Deal, Wayne Blanton and others.

Mayor Holloway called the City Council Regular Meeting of June 14, 2022 to order at 6:00 p.m. A quorum was present.

Council Member Julie Thompson delivered the invocation.

RECOGNITIONS

Item No. 1. Public Comment Period. There were no speakers.

PUBLIC HEARINGS

Item No. 2. Annexation, Rezoning and Water and Sewer Developer Agreement Requests for 81.578 Acres Located Along M.L. King, Jr. Boulevard for Conditional District Cedar Meadows (Tabled from May 10, 2022).

A. Public Hearing. Mayor Holloway opened the duly advertised public hearing.

Senior Planner Keri Mendler advised that this was the consideration of an annexation, zoning text request, map amendment request and a Water and Sewer Developer Agreement for property located along M.L. King, Jr. Boulevard (Tax Parcel #09-316-014A). Ms. Mendler advised that

the applicant was requesting a rezoning of the property from Community Corridor-Mixed Use 2 (CC-MX2) to Conditional District (CD) Cedar Meadows in order to develop a residential subdivision that would consist of 155 single-family lots.

Ms. Mendler advised that the total area of the site was 81.578 acres. She advised that the total area to be rezoned was 80.156 acres, as 1.422 acres was in the City's ETJ and would retain the existing CC-MX2 zoning. She advised that the CC-MX2 was a new mixed-use zoning district that allowed commercial and higher-density residential. Ms. Mendler advised that all calculations were completed using 80.156 acres.

Insofar as area characteristics, Ms. Mendler reviewed the adjoining land uses and Zoning Districts:

	Existing Uses	Zoning District
North	Vacant	RMD (Residential Medium Density)
East	City Sub-station and Vacant	RMD (Residential Medium Density)
South	Residential & Vacant	CC-MX2 (Community Corridor Mixed Use 2)
West	Union Academy and Food Lion	CC-MX2 (Community Corridor Mixed Use 2)

Ms. Mender advised that the density of this project was 1.93-units per acre. She advised that the minimum lot size was 6,000 sq. ft. with an average lot size of 9,503 sq. ft. Ms. Mendler advised that the development was a mix of 137 lots that were 60 ft. wide and 18 lots that were 80 ft. wide.

Ms. Mendler advised that the minimum setbacks proposed were: front – 20 ft.; rear – 10 ft.; and, sides – 5 ft.

Ms. Mendler advised that the project was required to provide at least 12.5% open space, which would equal 10.01 acres. She advised that the proposal included 36.12 acres of open space, which was 45.07% of the overall site. Ms. Mendler advised that approximately 12.03 acres of open space fell within the flood plain which was 34.62% of the open space.

Ms. Mendler advised that the open space for this phase included a natural walking path throughout the open space that connected various areas of the neighborhood, three separate gathering areas featuring fireplaces and picnic areas, a playground/tot lot with sunshade and benches and two fenced dog parks.

With regard to landscaping, Ms. Mendler advised that street trees would be provided at a rate of one per 50 ft. and would be 1½ inches in caliper at the time of planting. She advised that all houses would have at least two yard trees. Ms. Mendler advised that a 50 ft. landscaped buffer would be provided along M.L. King, Jr. Boulevard and a 25 ft. landscape buffer would be provided around the remaining property lines. She advised that these buffers would include a mix of trees, evergreens and shrubs as indicated on the site plan. Ms. Mendler advised that the trees along M.L. King, Jr. Boulevard would be at least 3 inches in caliper at the time of planting.

Ms. Mendler advised that a five ft. wide sidewalk would be provided along both sides of the interior roads throughout the development. She advised that an eight ft. wide sidewalk would be provided along M.L. King, Jr. Boulevard.

Ms. Mendler advised that the applicant would be required to provide stormwater management to treat the stormwater runoff for the project. She advised that if the project was approved by Council, the stormwater would be evaluated and reviewed at the building permit stage of the process.

With regard to the elevations, Ms. Mendler advised that the developer was proposing the homes would be a minimum of 1,600 heated sq. ft. She advised that the proposed exterior building materials would include fiber cement, stone, stucco and/or brick. Ms. Mendler advised that vinyl would only be used for trim work. She advised that four courses of brick/brick veneer would extend up the face of the slab. Ms. Mendler advised that at least 50% of the front elevation would be made up of a combination of a front porch, stone, brick, fiber cement shake and/or window trim (such as shutters).

In discussing parking, Ms. Mendler advised that each home would have a minimum of a two-car attached garage. She advised that all front-load garages would have carriage style trim and/or hardware that mimicked carriage style doors. Ms. Mendler advised that all 80 ft. wide lots would be side-load garages. She advised that driveways would be able to accommodate at least two vehicles.

Ms. Mendler advised that the developer was proposing that all streets would be constructed to the City of Monroe's street standards and maintained by the City of Monroe. She advised that this proposal included one entrance on M.L. King, Jr. Boulevard. Ms. Mendler advised that this entrance aligned with the entrance to Union Academy that did have a current traffic light. She advised that the subdivision was also proposed to access through the stub-out of the existing Food Lion shopping center. Ms. Mendler advised that this entrance was on private property; however, the property owner had agreed to allow access and a formal access agreement would be required to be prepared and submitted to the City with the construction plans as well as recorded at the Union County Register of Deeds Office.

Ms. Mendler advised that a traffic impact analysis was required by the City's Engineering Department. She advised that this development would be required to provide left and right turn lanes into the development at the intersection across from Union Academy.

Ms. Mendler advised that this development would fall within the following school districts: Walter Bickett Elementary; Monroe Middle; and, Monroe High.

Ms. Mendler advised that the Water Resources Department had taken proactive steps to prevent any over allocation of capacity as experienced by surrounding jurisdictions. She advised that phased sewer permitting and water meter sets via a Developer Agreement supported the implementation of the City's sewer capacity use strategy for balancing residential and non-residential projects.

With regard to public notification, Ms. Mendler advised that the applicant held a virtual neighborhood meeting on September 8, 2021 with two attendees present. She advised that ten days prior to the public hearing, a rezoning notification sign was posted and official rezoning notification letters were sent to the property owners located within at least 150 ft.

Ms. Mendler advised that the Future Land Use Plan indicated this area was Suburban. While residential uses typically took the form of neighborhoods with uniform housing types and densities, she advised that a mix of housing types and lot sizes was preferred in Suburban locations. Ms. Mendler advised that Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. She advised that strategic connections to the off-street multi-use trail network were preferred and open space should be preserved in both active and passive forms. Ms. Mendler advised that the density for suburban residential was two to four units per acre.

Ms. Mendler advised that this project was not consistent with the Future Land Use Plan simply because the density was at 1.93 units per acre which was less than the two units per acre dictated by the Future Land Use Plan.

Ms. Mendler advised that Staff presented this matter to the Planning Board on April 6, 2022. She advised that the Planning Board recommended denial of the project with a 7 to 1 vote. Ms. Mendler advised that the Planning Board expressed concerns with: additional traffic being added to M.L. King, Jr. Boulevard and young drivers in the area due to Union Academy school; number of homes on this parcel of land; similar house styles as other projects; and, lack of amenities.

Ms. Mendler advised that since the April 6, 2022 Planning Board Meeting, the applicant had made the following changes: reduced total lots by five which in turn reduced the density to less than two units per acre; new elevations were submitted for Council consideration which were presented at this meeting; original plan required 25% of the front façade to be brick, stone or stucco and the new plan called for 50% of the front to be a combination of a front porch, stone, brick, fiber cement shake and/or window trim (such as shutters); original plan required trees to be a minimum of 1½ inches at the time of planting and the new plan called for trees to be 2½ inches in caliper at the time of planting; trees planted along M.L. King, Jr. Boulevard would be at least 3 inches in caliper at the time of planting; and, amenities were expanded to include more gathering spaces and two fenced in dog parks.

Ms. Mendler advised that Staff recommended approval of the project.

Mayor Holloway inquired if this property were developed by right, what could be built on the site.

Ms. Mendler advised that the property was zoned CC-MX2 which was for more commercial and higher-density residential. She advised that there could potentially be commercial or mixed-use development with commercial and higher density residential such as apartments. Ms. Mender advised that it was her understanding that the code allowed up to potentially six units per acre in the mixed-use districts.

Mr. Terry Williams advised that he was with Withrow Capital who was affiliated with the ownership group. He advised that they owned all of the undeveloped outparcels areas as well as the shops that would be adjacent to the shopping center. Mr. Williams advised that the additional rooftops would be great for the continued development of these projects and the rest of the corridor. He advised that they were in support of this project and requested that Council approve the requests.

Mr. Kyle diPreto advised that he was the applicant on behalf of BRD Land & Investment. Mr. diPreto advised that following denial of the project from the Planning Board, they had spent a lot of time going through the project and having dialogue with Staff and the Planning Board as to what would and would not work for the project. Based on these discussions, Mr. diPreto advised that they had made a lot of changes to the plan and hoped that Council would approve the project. He added that the Planning Board was doing a very good job of representing the citizens of Monroe.

Mayor Holloway inquired if the applicant would be willing to make the caliper of all the trees be a minimum of 3 inches and not just on the street side.

Mr. diPreto agreed that the minimum tree caliper for all the trees would be 3 inches.

Mr. Richard Yercheck, Planning Board Chair, advised that the Planning Board had been working very hard to support Council and the citizens of the City of Monroe. Mr. Yercheck advised that the Planning Board took it as their job to do the hard work and heavy lifting so that what came to Council was a quality project. He advised that it was difficult at times as they dealt with traffic and the schools and there was not a lot of that they could do about those concerns.

Mr. Yercheck advised that when the Planning Board saw a project and thought it would be a good project in a good area for their City, they wanted to ensure that it was the best project possible. He advised that just because a project was denied at the Planning Board level and then they worked with the developer to then make it better so when it came to Council for final approval, Council was seeing a project that was different but significantly better than what the Planning Board saw.

Mr. Yercheck advised that from where the City was two to three years ago with developments to where the City was now, the projects, quality of homes and amenities were getting better. He advised that this he knew this was a double-edged sword because if someone had lived in the City for any length of time for their entire life, it was sometimes hard to see some of the open space go away.

Mr. Yercheck advised that to the Mayor's point, if this land was built by right, the landowner could parcel it off and build on it anyway. He advised that with the rezoning route, the City at least had some control, say so and input as to what was being built. Mr. Yercheck advised that he was in favor of the project.

Mr. John Marshall, Union Academy Headmaster advised that this project was directly across from the school. Mr. Marshall advised that at this moment, he was neither for or against the proposal but rather, was undecided. He requested an opportunity to meet with the developer to gather more information and learn about the potential impact this development would have on the Union Academy community.

There being no other speakers, Mayor Holloway closed the public hearing.

B. Action – Petition Met Requirements of North Carolina General Statute 160A-31. Council Member Keziah moved that the Petition met the requirements of North Carolina General Statute 160A-31. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

C. Action – Ordinance to Extend Corporate Limits. Council Member Keziah moved to adopt Ordinance O-2022-43:

**ORDINANCE TO EXTEND CORPORATE LIMITS OF
CITY OF MONROE, NORTH CAROLINA
O-2022-43**

WHEREAS, the City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the City Council has by Resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the City Hall Council Chambers at 6:00 p.m. on June 14, 2022, after due notice by publication on June 4, 2022 and June 11, 2022; and

WHEREAS, the City Council finds that the petition meets the requirements of G.S. 160A-31; and

WHEREAS, the City Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Monroe and of the area proposed for annexation will be best served by annexing the area described.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Monroe, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Monroe as of June 14, 2022:

**Legal Description of 81.578 Acres consisting of Tax Parcel 09-316-014A
the property of Presson, LLC, Metrolina Properties Limited Partnership, Oakridge
Associates, LLC, Rero Associates, LLC, Orchard Hill I, LLC, Never Ever Quit,
LLC, Black Bear Holdings, LLC, & JNJ Capital, LLC**

BEING in North Carolina, Union County, Monroe Township, BEGINNING at a NCGS Monument “UNION HM44” tied to the North American Datum 83/2011, having North Carolina State Plane coordinates in US Survey feet of: North 457,142.75 feet and East 1,527,565.27 feet: thence S 9° 39' 20" E, 1,102.88 feet to a computed point in the centerline of Bearskin Creek, a corner of now or formerly the Department of Transportation, an

Agency of the State of North Carolina property recorded in Record Book 5123, Page 442 in the Union County Register of Deeds, a common corner with now or formerly the NCDOT property recorded in Record Book 5755, Page 161 in the Union County Register of Deeds, and a common corner with now or formerly the Murray Family Limited Partnership property recorded in Record Book 3024 Page 758 in the Union County Register of Deeds and being the TRUE POINT AND PLACE OF BEGINNING: thence with the said Partnership property and with the center line of Bearskin Creek thirty-one (31) calls as follows: 1) S 9° 18' 35" E, 35.42 feet to a computed point; 2) S 12° 38' 20" E, 98.92 feet to a computed point; 3) S 42° 57' 56" E, 31.11 feet to a computed point; 4) S 34° 26' 1" E, 56.54 feet to a computed point; 5) S 46° 6' 21" E, 114.81 feet to a computed point; 6) N 82° 48' 16" E, 29.57 feet to a computed point; 7) N 54° 7' 57" E, 25.24 feet to a computed point; 8) N 47° 26' 4" E, 29.49 feet to a computed point; 9) N 23° 6' 9" E, 12.71 feet to a computed point; 10) N 25° 24' 26" W, 10.68 feet to a computed point; 11) N 24° 28' 38" W, 16.45 feet to a computed point; 12) N 22° 38' 42" W, 24.27 feet to a computed point; 13) N 28° 15' 17" W, 33.63 feet to a computed point; 14) N 54° 2' 43" W, 25.94 feet to a computed point; 15) N 70° 13' 23" W, 22.30 feet to a computed point; 16) N 31° 2' 25" W, 11.72 feet to a computed point; 17) N 2° 18' 59" W, 41.46 feet to a computed point; 18) N 20° 26' 32" E, 33.65 feet to a computed point; 19) N 26° 53' 13" E, 22.64 feet to a computed point; 20) N 51° 00' 45" E, 26.35 feet to a computed point; 21) N 89° 36' 27" E, 22.00 feet to a computed point; 22) N 87° 19' 10" E, 63.98 feet to a computed point; 23) N 67° 32' 21" E, 82.82 feet to a computed point; 24) S 88° 15' 16" E, 20.57 feet to a computed point; 25) N 37° 33' 9" E, 20.22 feet to a computed point; 26) S 77° 19' 17" E, 59.16 feet to a computed point; 27) N 79° 29' 40" E, 19.37 feet to a computed point; 28) N 39° 21' 15" E, 76.62 feet to a computed point; 29) N 16° 6' 55" E, 80.99 feet to a computed point; 30) N 49° 28' 42" E, 19.84 feet to a computed point; 31) N 82° 28' 48" E, 43.85 feet to a computed point, a common corner with now or formerly the City of Monroe property recorded in Record Book 809, Page 840 in the Union County Register of Deeds and said computed point being on the existing city limits line of now or formerly the City of Monroe, the annexation ordinance recorded in Record Book 909, Page 532 in the Union County Register of Deeds; thence leaving Bear Skin Creek and with the existing city limits line and the said City of Monroe property two (2) calls as follows: 1) S 23° 17' 31" E, 16.31 feet to an existing 1.25-inch iron pipe on the top of the bank; 2) S 23° 17' 31" E, 1,169.01 feet to an existing 1/2-inch iron rebar, a common corner with now or formerly the Henry Frank Howard property as recorded in Deed Book 127, Page 127 in the Union County Register of Deeds; thence leaving the existing city limits line and with the said Howard property two (2) calls as follows: 1) S 23° 17' 31" E, 909.66 feet to an existing 1-inch iron pipe; 2) S 20° 28' 59" E, 308.78 feet to an existing 1-inch iron pipe, a corner of now or formerly the Mary Crow and Adeline Crow property recorded in Deed Book 76, Page 427 in the Union County Register of Deeds, and said corner located at or near the northern most corner of the Leon Cofield Hilburn and wife Shirley M. Hilburn property recorded in Record Book 786, Page 454 in the Union County Register of Deeds; thence with the said Crow property S 46° 15' 22" W, 893.92 feet to an existing 1/2-inch iron rebar, a common corner with now or formerly the Steve H. Presson property recorded in Estate File 83E-50 in the Clerk of Court's Office in Union County; thence, with the said Presson property and crossing a road as shown on the plat titled Sherwood Forest recorded in Plat Book 5, Page 163 in the Union County Register of Deeds S 89° 10' 16" W, 398.08 feet to an existing nail found at the base of an existing 1-inch iron pipe, a common corner with now or formerly the Billy C. Cox and Helen A. Cox property recorded in Record Book 1246, Page 520 in the Union County Register of Deeds; thence with the said Cox property and with now or formerly the Billy Carson Cox and wife Helen A. Cox property recorded in Deed Book 252, Page 54 in the Union County Register of Deeds and with now or formerly the Clyde Verner Hicks and wife Jean Hicks property recorded in Deed Book 203, Page 491 in the Union County Register of Deeds N 81° 14' 1" W, 404.79 feet to an existing nail found at

the base of an existing 1-inch iron pipe, a common corner with now or formerly the Meagan Nicole Nash property recorded in Record Book 7315, Page 683 in the Union County Register of Deeds; thence with the said Nash property N 81° 14' 1" W, 127.27 feet to an existing 1.25-inch iron pipe, a common corner with now or formerly the Tim Faile property recorded in Record Book 1986, Page 814 in the Union County Register of Deeds; thence with the said Faile property N 81° 14' 1" W, 100.00 feet to an existing nail found at the base of an existing 1-inch iron pipe, on the line of now or formerly the MLK I, LLC; Metrolina Properties Limited Partnership; and Oak Island Associates, LLC property recorded in Record Book 4000, Page 484 in the Union County Register of Deeds and said nail being on the existing city limits line of now or formerly the City of Monroe, the annexation ordinance recorded in Record Book 7048, Page 378 in the Union County Register of Deeds; thence with the existing city limits line and the said MLK I, LLC property N 4° 40' 4" E, 394.48 feet to an existing nail in the base of a tree, a common corner with now or formerly the Food Lion, LLC property recorded in Record Book 7078, Page 442 in the Union County Register of Deeds and said nail being on the existing city limits line of now or formerly the City of Monroe, the annexation ordinance recorded in Record Book 7114, Page 860 in the Union County Register of Deeds; thence with the city limits line and the said Food Lion, LLC property, and subsequently leaving the existing city limits line and with now or formerly the MLK I, LLC; Metrolina Properties Limited Partnership; and Oak Island Associates, LLC property recorded in Record Book 4000, Page 484 in the Union County Register of Deeds N 4° 40' 4" E, 807.92 feet to an existing stone; thence continuing with the said MLK I, LLC property N 83° 50' 49" W, 577.89 feet to a 10-inch Cedar Tree, a common corner with now or formerly the NCDOT property recorded in Record Book 5749, Page 262 in the Union County Register of Deeds, and a common corner with now or formerly the NCDOT property recorded in Record Book 5755, Page 161 in the Union County Register of Deeds, said property used for the roadway of M L King Jr. Blvd, (NC 200); thence with the said NCDOT property five (5) calls as follows: 1) N 20° 48' 43" E, 34.79 feet to an existing right-of-way disk; 2) N 21° 4' 24" E, 799.92 feet to an existing right-of-way disk; 3) N 22° 11' 36" E, 174.01 feet to an existing right-of-way disk; 4) S 65° 30' 41" E, 10.00 feet to an existing right-of-way disk; 5) with a non-tangent curve to the right having a radius of 1,400.00 feet, an arc length of 431.95 feet and a chord bearing and distance of N 33° 19' 39" E, 430.24 feet, to the TRUE POINT AND PLACE OF BEGINNING and containing 81.578 acres, more or less as shown on an annexation plat entitled "Annexation Boundary for the City of Monroe, Property of: Presson, LLC, Metrolina Properties Limited Partnership, Oakridge Associates, LLC, Rero Associates, LLC, Orchard Hill I, LLC, Never Ever Quit, LLC, Black Bear Holdings, LLC, & JNJ Capital, LLC" prepared by Eagle Engineering, Inc. and surveyed by Russell L. Whitehurst, PLS, plat dated December 8, 2021, last revised March 18, 2022. Said annexation plat is recorded in Plat Cabinet ____, File ____, in the Union County Register of Deeds.

Section 2. Upon and after June 14, 2022, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Monroe and shall be entitled to the same privileges and benefits as other parts of the City of Monroe. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

Section 3. The City of Monroe shall cause to be recorded in the office of the Register of Deeds of Union County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Union County Board of Elections, as required by G.S. 163-288.1.

Adopted this 14th day of June, 2022.

Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

D. Action – Resolution Approving Land Development Plan Compliance. Council Member Kerr moved to adopt Resolution R-2022-45:

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT CEDAR MEADOWS
R-2022-45**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District Cedar Meadows further described below property is not consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. Residential uses are priority uses within this character area and the permitted density is 2-4 units per acre. This residential development is 1.93-units per acre; therefore, it is not consistent. However, the proposed development is a reasonable use and in the public interest, because it provides a mix of lot sizes and connectivity to adjoining centers. Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment denial, the Land Development Plan is amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Approving Land Development Plan Compliance for property with Union County Tax Parcel Number: 09-316-014A.

Adopted this 14th day of June, 2022.

Mayor Pro Tem Anderson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

E. Action – Ordinance Amending Code of Ordinances Chapter 157, Section 1.2.1 titled Official Zoning Map. Council Member Keziah moved to adopt Ordinance O-2022-44:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2022-44**

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety;

preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.2.1 OFFICIAL ZONING MAP as follows:

Rezone the property located along ML King Jr. Blvd. and further identified as tax parcel #09-316-014A. The request is to rezone the property from CC-MX2 to Conditional District Cedar Meadows.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 14th day of June, 2022.

Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

F. Action – Action – Ordinance Amending Code of Ordinances Chapter 157, Section 1.3.1 titled Zoning Districts Established. Council Member Keziah moved to adopt Ordinance O-2022-45:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2022-45**

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.3.1 ZONING DISTRICTS ESTABLISHED as follows:

Conditional District (CD) Cedar Meadows.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 14th day of June, 2022.

Mayor Pro Tem Anderson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

G. Action – Developer Agreement. Council Member Keziah moved to approve the Developer Agreement with BRD Land & Investment for Conditional District Cedar Meadows:

This Development Agreement (the “Agreement”) is made and entered into this 14th day of June, 2022, by and between BRD LAND & INVESTMENT, (the “Developer”), and the CITY OF MONROE, a North Carolina municipal corporation (the “City”).

STATEMENT OF PURPOSE

City Council is requested to consider a zoning map and text amendment for the property located along ML King Jr. Blvd. and further identified with parcel ID number 09-316-014A from City of Monroe CC-MX2 to Conditional District (CD) “Cedar Meadows”.

The Developer is requesting a conditional district rezoning in order to develop a 156 lot single family residential subdivision. The total area to be rezoned is 80.156 acres, as 1.422 acres will retain the existing CC-MX2 zoning. The project includes 36.12 acres of open space, which is 45.07% of the overall site. The density of this project is 1.93 units per acre.

The property constitutes the entirety of the proposed residential subdivision named “Cedar Meadows” (the “Subdivision”). The “Cedar Meadows, Conditional Rezoning Plan,” dated 5/28/2021 and revised 05/05/2022 is attached hereto as Exhibit A.

The City has prudently and effectively managed its water and sewer system capacity for the benefit of the City and its citizens. The City must comply with numerous regulatory and legal requirements in the management of these systems, including use and management of sewer capacity. The City makes capacity commitments to conditional re-zonings (with or without annexation) as follows:

When City Council approves a conditional district subdivision the following steps occur:

1. At a planning level, water and sewer capacity is held in reserve to ensure the commitment made by the City can be honored.
2. That is followed by a North Carolina Department of Environmental Quality (NCDEQ) sewer permitting commitment (via the City Delegated Self Permitting Authorization) when approved construction drawings and associated sewer mains are permitted. NCDEQ requires the City demonstrate and reserve capacity to serve the project via a flow tracking applications executed by the Water Resources Director, subject to any applicable planning assessments.
3. The final capacity commitment is governed by City Fee Schedule Ordinance which reads: “*The timing of the capacity fee collection shall be pursuant to NCGS 162A, as amended by House Bill 826, adopted June 22, 2018. For purposes of capacity fee collection, the City of Monroe considers water and/or sewer service to be committed at the time of service application filed at the City’s Customer Service office*”.

Due to the recent high level of residential project activity, the City desires to take proactive steps to prevent and avoid any over-allocation of capacity, whether on-paper or actual flow, as experienced by surrounding jurisdictions. This is prudent prior to the planned expansion of the City's wastewater treatment plant (WWTP) tentatively scheduled for completion in 2028. Phased sewer permitting and water meter sets via this Developer Agreement supports the implementation of the City sewer capacity use strategy for balancing residential and non-residential projects, and will facilitate the City maximizing economic development opportunity as approved by City Council.

The City is expressly authorized to enter into this Agreement pursuant to the procedures and requirements of North Carolina General Statutes Sections 160D-1001 through 160D-1012, which procedures and requirements include approval of the development agreement by the governing board of the local government after a duly noticed public hearing.

TERMS

NOW, THEREFORE, based upon the terms and conditions set forth herein and in consideration of the mutual promises and assurances provided herein, the parties do hereby agree as follows:

1. Public Hearing. Pursuant to Section 160D-1005 of the North Carolina General Statutes, City shall conduct a public hearing to consider the approval and execution of this Agreement.
2. Development of the Property. The Property shall be developed in general accordance with the Preliminary Site Plan, any other conditions required by the City Council, and all relevant ordinances, policies, permits, and the terms of this Agreement. The size, placement, and configuration of the lots, common open space, streets, and other improvements planned for the development must comply with all conditions.
3. Law in Effect at Time of the Agreement Governs the Development of the Subdivision. Developer shall have the right to develop the Subdivision in general accordance with the terms of this Agreement and the Subdivision Ordinances in place at the time of City Council approval. Except as provided in North Carolina General Statutes 160D-108.1(f), City may not apply subsequently adopted ordinances or development policies to the Subdivision during the term of this Agreement. However, water and sewer capacity fees shall be due and payable per the prevailing fee schedule at the time the Developer requests a water meter set for any residential unit. This Agreement does not abrogate any right that may vest pursuant to common law or otherwise in the absence of this Agreement.
4. Phased Sewer Permitting and Water Meter Sets. The Developer is required to comply with the sewer permitting and water meter set phases shown below. Water meter sets are subject to all City requirements, fee payments, City standards and policies.

Phase 1: Sewer permitting and water meter sets shall be allowed for any combination of up to 78 individual residential units in the Subdivision as shown on Exhibit A.

Phase 2: Subject to the prior completion of at least 85% of the units allowed in Phase I (water meters installed with active accounts on 64 of the 78 Phase 1 units), sewer permitting and water meter sets shall be allowed for the remaining 78 individual residential units in the subdivision

5. Term. The term of this Agreement shall commence on the last day this Agreement is signed by the parties hereto, and unless sooner terminated by the mutual consent of the parties hereto or their successors in interest, or unless extended by the mutual consent of the parties hereto or their

successors in interest, shall expire on the date of the water meter installation for the last residential unit.

6. Local Development Permits. In accordance with North Carolina General Statutes 160D-1006, the following is a description or list of the local development permits approved or needed to be approved for the development of the Subdivision:
 - a. Erosion and Sediment Control (City of Monroe, NCDEQ and/or Union County)
 - b. Water (City of Monroe)
 - c. Sewer (City of Monroe)
 - d. Driveway Entrance and Encroachments (NCDOT)
 - e. Stream or Wetland Impacts (US Army Corps of Engineers)
 - f. Subdivision (City of Monroe)
 - g. Building Permits (City of Monroe)
 - h. All other local, state, or federal permits required for this development

The failure of this Agreement to address a particular permit, condition, form, or restriction does not relieve Developer of the necessity of complying with the law governing federal, any state or local jurisdiction, or the local permitting requirements, conditions, terms, or restrictions.

7. Amendment. The terms of this Agreement may be amended by the mutual consent of the parties hereto or their successors in interest. A major modification of the terms of this Agreement shall follow the same procedures as required for the initial approval of this Agreement. A minor amendment, as reasonably determined by City, of the Preliminary Site Plan shall not be considered to be an amendment to this Agreement.
8. Recordation/Binding Effect. Within fourteen (14) day after City and Developer execute this approved Agreement, Developer shall record this Agreement in the Union County Public Registry. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties hereto.
9. Default. The failure of any party hereto to comply with the terms of this Agreement shall constitute default, entitling the non-defaulting party to pursue such remedies as allowed under applicable law; provided, however, that no termination of this Agreement may be declared by City absent its according to Developer the notice and opportunity to cure. The parties hereto recognize that, in addition to other remedies that may be available, City has the right to enforce its rules, policies, regulations, ordinances, and the terms of this Agreement by seeking an injunction to compel compliance with the terms of this Agreement. Subject to the terms of this Agreement, in the event Developer violates the rules, policies, regulations, or ordinances of City or violates the terms of this Agreement, City may, without seeking an injunction and after ten (10) days' notice to correct the violation, take such actions as shall be deemed appropriate under law until such conditions have been honored by the Developer. In addition to any other rights or remedies, either party may institute legal action to cure, correct, or remedy any default or breach, to specifically enforce any covenants or agreements set forth in the Agreement or to enjoin any threatened or attempted violation of the Agreement, or to obtain any remedies consistent with the purpose of the Agreement. Legal actions shall be instituted in the Superior Court of the County of Union, State of North Carolina, or in the Federal District Court in the Western District, and the parties hereto submit to

the personal jurisdiction of such courts without application of any conflicts of laws provisions of any jurisdiction.

10. Notices. Any notice, demand, request, consent, approval, or communication which a signatory party is required to or may give to another signatory party hereunder shall be in writing and shall be delivered or addressed to the other at the address below set forth, or to such other address as such party may from time to time direct by written notice given in the manner herein prescribed, and such notice or communication shall be deemed to have been given or made when communicated by personal delivery or by independent courier service or by facsimiles or if by mail on the fifth (5th) business day after the deposit thereof in the United States Mail, postage prepaid, registered or certified, addressed as hereinafter provided. All notices, demands, requests, consents, approvals, or communications to the parties shall be addressed to:

City at: City of Monroe
Attn: Russell Colbath, P.E., Director of Water Resources,
P.O. Box 69
Monroe, NC 28111

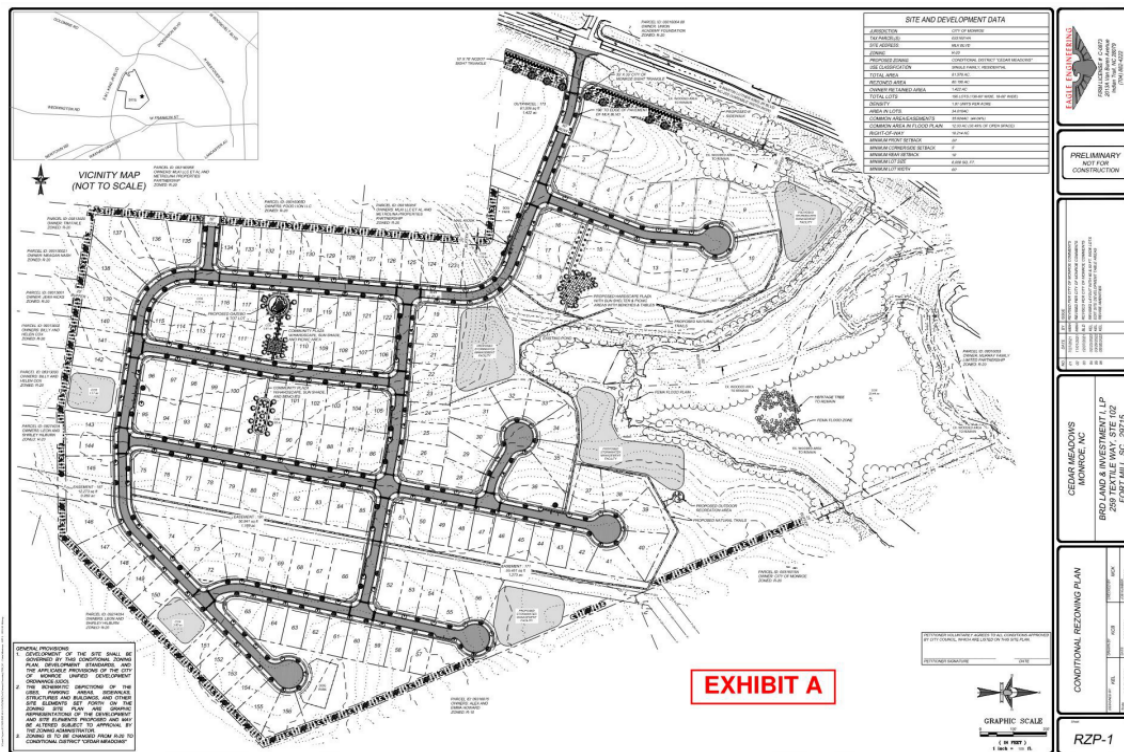
Developer at: BRD LAND & INVESTMENT
Attn: Tim Samuels
234 Kingsley Park Drive, Suite 110
Fort Mill, SC 29715

11. Entire Agreement. This Agreement sets forth, and incorporates by reference all of the agreements, conditions, and understandings between the parties hereto relative to the Subdivision, and there are no promises, agreements, conditions, or understandings, oral or written, expressed or implied, among these parties relative to the matters addressed herein other than as set forth or as referred to herein.
12. Construction. The parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits thereto.
13. Assignment. After notice to City, Developer may assign its rights and responsibilities hereunder to subsequent land owners of all or any portion of the Property, provided that no assignment as to a portion of the Property will relieve Developer of responsibility with respect to the remaining portion of the Property without the written consent of City.
14. Agreement to Use the E-Verify Program for Work Authorization. Developer, along with its respective successors and assigns, shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes for verification of work authorization. Further, if Developer utilizes a subcontractor, Developer shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.
15. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterparts shall constitute one and the same instrument.
16. Governing Law. This Agreement shall be governed by the laws of the State of North Carolina.
17. Agreement to Cooperate. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Agreement, the

parties hereby agree to cooperate in defending such action; provided, however, each party shall retain the right to pursue its own independent legal defense.

18. Agreements to Run with the Land. This Agreement shall be recorded in the Union County Registry. The agreements, covenants, and restrictions contained herein shall be binding upon, and run with the land, and shall be binding upon and an obligation of all successors in the ownership of the Property beyond the term hereof in perpetuity.

Exhibit A



Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

H. Action – Interim City Manager to Execute Documents. Council Member Keziah moved to authorize the Interim City Manager to execute any and all necessary documents with regard to the Developer Agreement with BRD Land & Investment for Conditional District Cedar Meadows. Council Member Thompson seconded the motion, which passed with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

I. Action – Ordinance Amending Code of Ordinances – Chapter 59, Section 59.04 (E) titled Water Resources. Council Member Keziah moved to adopt Ordinance O-2022-46:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE V: PUBLIC WORKS
CHAPTER 59: DEVELOPER AGREEMENTS
O-2022-46**

Preamble

Pursuant to authority granted in Article 10 of Chapter 160D of the General Statutes of North Carolina and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City of Monroe,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE V: PUBLIC WORKS, CHAPTER 59 DEVELOPER AGREEMENTS, OF THE CITY OF MONROE CODE OF ORDINANCES, BE AMENDED AS FOLLOWS:

Section 1. Amend §59.04 (E) WATER RESOURCES to add the following:

Project Cedar Meadows, BRD Land Investment developer, approved June 14, 2022.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 14th day of June, 2022.

Council Member Thompson seconded the motion, which passed with the following votes:

AYES:	Council Members Gordon, Kerr, Keziah, Thompson, Mayor Pro Tem Anderson and Mayor Holloway
NAYS:	None

Council Member Gordon advised that this project was a prime example of what could happen and would happen when the process was used. He commended the developer for going back to the Planning Board who had rejected the project and work, listen and consider them and provide the City with a better project. Council Member Gordon also commended the Planning Board for their work in presenting a better project for the City.

Item No. 3. Annexation and Rezoning Requests for 29.206 Acres Located Along Waxhaw Highway for Conditional District Waxhaw Landing Phase 2 (Tabled from May 10, 2022).

A. Public Hearing. Mayor Holloway opened the duly advertised public hearing.

Senior Planner Keri Mendler advised that this was the consideration of an annexation, zoning text request and map amendment request for property located along Waxhaw Highway (Tax Parcel #09-351-015). Ms. Mendler advised that the applicant was requesting a rezoning of the property from Union County RA-20 and RA-40 to Conditional District (CD) Waxhaw Landing Phase 2 in order to develop a residential subdivision that would consist of 64 single-family detached homes.

Insofar as area characteristics, Ms. Mendler reviewed the adjoining land uses and Zoning Districts:

	Existing Uses	Zoning District
North	Solar Panels	RA-40 (County) and RA-20 (County)
East	Waxhaw Landing Phase 1	CD Waxhaw Landing
South	Residential	RA-40 (County)
West	Residential	RA-40 (County)

Ms. Mender advised that the applicant was requesting to annex 29.206 acres. She advised that the total area of the project is 29.21 acres, with 10.07 acres or 34.47% of that reserved as common open space. Ms. Mendler advised that the density of this project was 2.19 units per acre.

Ms. Mendler advised that the minimum lot size was 6,000 sq. ft. with an average lot size of 9,899 sq. ft.

Ms. Mendler advised that the development would be a mix of lot widths with 44 lots being 60 ft. wide and 20 lots being 80 ft. wide.

Ms. Mendler advised that the minimum setbacks proposed were: front and rear – 25 ft.; and, sides – 5 ft.

Ms. Mendler advised that the project was required to provide at least 12.5% open space, which would equal 3.65 acres. She advised that the total area of open space provided was 10.07 acres or 34.47%. Ms. Mendler advised that the open space for this project included a natural walking trail, pickle ball court, gathering plaza with benches and a shaded playground.

With regard to landscaping, Ms. Mendler advised that street trees would be provided at a rate of one per 50 ft. and would be 1½ inches in caliper at the time of planting. She advised that all houses would have at least two yard trees. Ms. Mendler advised that a 20 ft. landscape buffer was being provided along Waxhaw Highway and the southern and western property lines. Ms. Mendler advised that the buffer would include a mix of trees and shrubs as indicated on the site plan.

Ms. Mendler advised that a five ft. wide sidewalk would be provided along both sides of the interior roads throughout the development. She advised that an eight ft. wide sidewalk would be provided along Waxhaw Highway.

Ms. Mendler advised that the applicant would be required to provide stormwater management to treat the stormwater runoff for the project. She advised that if the project was approved by Council, the stormwater would be evaluated and reviewed at the building permit stage of the process.

With regard to elevations, Ms. Mendler advised that the developer was proposing the homes would be a minimum of 1,600 heated sq. ft. She advised that the proposed exterior building materials would include fiber cement, stone, stucco and/or brick. Ms. Mendler advised that vinyl would only be utilized for trim work. She advised that four courses of brick/brick veneer would extend up the face of the slab. Ms. Mendler advised that at least 50% of the front elevation would be

made up of a combination of a front porch, stone, brick, fiber cement shake and/or window trim (such as shutters).

In discussing parking, Ms. Mendler advised that each home would have a minimum of a two-car. She advised that all front-load garages would have carriage style trim and/or hardware that mimicked carriage style doors. Ms. Mendler advised that all 80 ft. wide lots would be side-load garages. She advised that driveways would be paved and would be able to accommodate at least two vehicles.

Ms. Mendler advised that the developer was proposing all streets to be constructed to the City of Monroe's street standards and would be maintained by the City of Monroe. She advised that the proposal included one entrance on Waxhaw Highway/Highway 75 and two internal connections to Phase 1 of Waxhaw Landing which also had two entrances on Waxhaw Highway/Highway 75.

Due to the number of lots in this development, Ms. Mendler advised that a Traffic Impact Analysis (TIA) was conducted for this project. She advised that the following transportation improvements were required: construct a westbound left turn lane at the proposed entrance for the development; and, install a traffic signal with railroad preemption at Fletcher Broome Road and Highway 75. Ms. Mendler advised that railroad preemption basically restricted a right turn when the train was coming down the railroad track.

Ms. Mendler advised that this development fell within the following school districts: Walter Bickett Elementary; Monroe Middle; and, Monroe High.

With regard to public notification, Ms. Mendler advised that the applicant held a virtual neighborhood meeting on September 29, 2021 with two households attending. She advised that ten days prior to the public hearing, a rezoning notification sign was posted and 16 official rezoning notification letters were sent to the adjacent property owners located within at least 150 ft.

Ms. Mendler advised that the Future Land Use Plan indicated this area was Suburban. While residential uses typically took the form of neighborhoods with uniform housing types and densities, she advised that a mix of housing types and lot sizes was preferred in Suburban locations. Ms. Mendler advised that the density for suburban residential was two to four units per acre. She advised that this project was consistent with the Future Land Use Plan.

Ms. Mendler advised that Staff presented this matter to the Planning Board on April 6, 2022. She advised that the Planning Board had a split vote of 4 to 4; therefore, the project moved forward to Council without a recommendation. Ms. Mendler advised that the Planning Board had concerns with: excessive traffic when combined with other projects in the area; amenities for this Phase; and, similar house styles as other projects.

Ms. Mendler advised that since the April 6, 2022 Planning Board Meeting, the applicant had made the following changes: removed one lot to make room for additional open space/amenity; expanded amenities(originally, the application was proposing a walking trail with exercise stations) with the new plan calling for a walking trail, pickle ball court, gathering plaza with benches, and shaded playground; new elevations were submitted for Council review; original plan

required 25% of the front façade to be brick, stone or stucco and the new plan calls for 50% of the front to be a combination of a front porch, stone, brick, fiber cement shake and/or window trim (such as shutters); original plan required yard trees to be a minimum of 1½ inches in caliper at the time of planting and the new plan calls for at least one tree to be 2½ inches in caliper at the time of planting; and, restructured the lot makeup (original plan had 39 lots that were 60 ft. wide lots and new plan had 44 lots that were 60 ft. wide; original plan had 26 lots that were 80 ft. wide lots and new plan had 20 lots that were 80 ft.).

Ms. Mendler advised that Staff recommended approval of the project.

Mr. Kyle diPretoro, applicant, advised that they worked with the Planning Board to address a lot of the concerns. He recapped the changes: street trees; layout of the community moving the 80 ft. lots to the frontage so that the homes did not appear to be stacked on top of each other; amenities; elevations; and, traffic improvements. Mr. diPretoro advised that they spent a lot of time working with the Planning Board to make these improvements to the project and hoped it was reflecting in the project presented tonight.

Council Member Kerr inquired if the applicant would be willing to make all trees in the project 3 inches in caliper at the time of planting.

Mr. diPretoro agreed to the make all trees in the project 3 inches in caliper at the time of planting.

Mr. Matthew Dimock advised that his property was due south of the proposed project. Mr. Dimock advised that he and his wife had been residents of Union County for 14 years and had resided at their current home approximately one year. He advised that they were familiar with the type of subdivision that was being proposed.

Mr. Dimock advised that part of the reason they moved to their current home was the peaceful nature and the environment surrounding the home. He advised that the large parcel of land in his development and neighboring subdivisions were wonderful.

Mr. Dimock requested that Council reject the annexation. He advised that he was not in favor of the subdivision as proposed. Mr. Dimock advised that Phase 1 had a large pond separating the houses from his subdivision and the houses in Waxhaw Landing.

Mr. Dimock advised that the homes in Phase 2 would be built almost up to his property line. He advised that this was not in keeping with the subdivision where he was at right now. Mr. Dimock advised that parcel #s 28 and 29 would only be 40 ft. to 60 ft. away from his property line. He advised that the nature trail was the only thing separating those particular parcels from his property. Mr. Dimock advised that he was very concerned that there was not enough due diligence specifically with the community in that respect.

Mr. Dimock advised that the 20 ft. nature barrier proposed by the subdivision would not provide enough privacy. He also expressed concern with ease of access onto his property from the people living in the proposed development and trespassing.

Mr. Dimock advised that he was a strong advocate of property rights and he believed the builder did have the opportunity to go out and build. He advised that he had extended an invite to Planning Board Members and builders to visit his property and extended the same invite to Council before making any decision on the annexation and rezoning

Mayor Holloway inquired if Staff had received any comments from the public notifications.

Ms. Mendler advised that Staff received two phone calls and one email. One inquiry was ensuring that their property was not being annexed and another was expressing concerns with buffering.

There being no other speakers, Mayor Holloway closed the public hearing.

Council Member Gordon echoed the same positive comments made on the Conditional District Cedar Meadows hearing with regards to the applicant working with the Planning Board.

B. Action – Petition Met Requirements of North Carolina General Statute 160A-31. Council Member Gordon moved that the Petition met the requirements of North Carolina General Statute 160A-31. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES:	Council Members Gordon, Kerr, Keziah, Thompson, Mayor Pro Tem Anderson and Mayor Holloway
NAYS:	None

C. Action – Ordinance to Extend Corporate Limits. Council Member Gordon moved to adopt Ordinance O-2022-39:

**ORDINANCE TO EXTEND CORPORATE LIMITS OF
CITY OF MONROE, NORTH CAROLINA
O-2022-39**

WHEREAS, the City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the City Council has by Resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the City Hall Council Chambers at 6:00 p.m. on June 14, 2022, after due notice by publication on June 4 and June 11, 2022; and

WHEREAS, the City Council finds that the petition meets the requirements of G.S. 160A-31; and

WHEREAS, the City Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Monroe and of the area proposed for annexation will be best served by annexing the area described.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Monroe, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Monroe as of June 14, 2022:

Legal Description of 29.206 Acres consisting of Tax Parcel 09-351-015
the property of D. Ward Starnes

BEING in North Carolina, Union County, Monroe Township BEGINNING at a NCGS Monument "T 51" having North Carolina State Plane coordinates in US Survey feet of: North 449,653.53 and East 1,523,300.79 and tied to the North American Datum 83/2011: thence S 60° 47' 49" W, 2,126.59 feet to a computed point in the centerline of Waxhaw Hwy (NC 75), said computed point being on the property line of now or formerly the BRD Land & Investment, LP property recorded in Record Book 7926, Page 361 in the Union County Register of Deeds and said computed point being on the existing city limits line of now or formerly the City of Monroe, the annexation ordinance recorded in Record Book 7782, Page 162 in the Union County Register of Deeds, said annexation ordinance being corrected by City of Monroe annexation ordinance recorded in Record Book 8122, Page 808 in the Union County Register of Deeds and being the TRUE POINT AND PLACE OF BEGINNING: thence, with the existing city limits and with the said BRD Land Investment, LP property S 16° 42' 14" E, 31.52 feet to an existing 1.25-inch iron rebar; thence continuing with the existing city limits and with the said BRD Land Investment, LP property S 16° 42' 14" E, 1,784.39 feet to an existing 1/2-inch iron rebar in an aluminum pipe, said rebar being on the line of now or formerly the Terry A. Angle and Mun S. Angle property recorded in Record Book 5530, Page 808 in the Union County Register of Deeds; thence, with the said Angle property and with now or formerly the Terry A. Angle and wife Mun S. Angle property recorded in Record Book 5535, Page 870 in the Union County Register of Deeds N 86° 50' 24" W, 148.70 feet to an existing 1-inch iron pipe, said pipe being a common corner with now or formerly the Matthew Wayne Dimock, Sr. & wife Eugenia Yvonne Dimock property recorded in Record Book 8065, Page 387 in the Union County Register of Deeds; thence with the said Dimock, Sr. property N 86° 3' 30" W, 362.59 feet to an existing 3-inch iron pipe a common corner with now or formerly the BGH Company property recorded in Deed Book 421, Page 678 in the Union County Register of Deeds, and said pipe being a common corner of Lots 20 and 21 of the S. M. Cox and wife Kate Agnes Cox subdivision a/k/a White Oaks Subdivision recorded in Plat Book 5, Page 99 in the Union County Register of Deeds and a common corner with Lot 13 of the Greywood Estates, Phase II subdivision recorded in Plat Cabinet C, File 618 in the Union County Register of Deeds; thence with the said BGH Company property N 18° 3' 11" W, 63.93 feet to a new 1/2-inch iron rebar, a common corner with now or formerly the Horace McKenzie and wife Elizabeth Ann McKenzie property recorded in Record Book 1378, Page 157 in the Union County Register of Deeds; thence with the said McKenzie property and with now or formerly the Charles W. Sessoms and wife Yon Hui Sessoms property recorded in Record Book 1334, Page 1 in the Union County Register of Deeds N 16° 14' 7" W, 445.00 feet to a new 1/2-inch iron rebar on the line of the said Sessoms property; thence continuing with the said Sessoms property and with the said BGH Company property N 15° 54' 50" W, 194.15 feet a new 1/2-inch iron rebar; thence continuing with the said BGH Company property S 66° 18' 4" W, 594.05 feet to an existing 3/4-inch iron pipe, a common corner with now or formerly the John R. Dalerio and spouse Salena C. Dalerio property recorded in Record Book 7422, Page 480 in the Union County Register of Deeds; thence with the said Dalerio property three (3) calls as follows: 1) N 23° 28' 55" W, 14.94 feet to an existing 3/4-inch iron pipe; 2) N 16° 7' 6" W, 378.63 feet to a new 1/2-

inch iron rebar; 3) N 15° 55' 50" W, 268.39 feet to a new 1/2-inch iron rebar, a common corner of now or formerly the William Robert Medlin, Jr. and wife Sharon D. Medlin property recorded in Record Book 3683, Page 299 in the Union County Register of Deeds; thence with the said Medlin, Jr. property N 15° 57' 54" W, 89.91 feet to an existing 3/4-inch iron pipe; thence N 15° 57' 54" W, 29.75 feet to a computed point on the line of now or formerly the Jimmy F. Moore and Jo M. Moore property recorded in Record Book 4663, Page 385 in the Union County Register of Deeds and said computed point being in the centerline of Waxhaw Hwy (NC 75); thence with the said Moore property and the said centerline of Waxhaw Highway (NC 75) N 61° 15' 18" E, 1,080.47 feet to the TRUE POINT AND PLACE OF BEGINNING and containing 29.206 Acres more or less, as shown on an annexation plat entitled "Annexation Boundary for the City of Monroe The Property of: D. Ward Starnes" prepared by Eagle Engineering, Inc. and surveyed by Russell L. Whitehurst, PLS, plat dated August 30, 2021, last revised January 21, 2022. Said annexation plat is recorded in Plat Cabinet ____, File ____, in the Union County Register of Deeds.

Section 2. Upon and after June 14 2022, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Monroe and shall be entitled to the same privileges and benefits as other parts of the City of Monroe. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

Section 3. The City of Monroe shall cause to be recorded in the office of the Register of Deeds of Union County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Union County Board of Elections, as required by G.S. 163-288.1.

Adopted this 14th day of June, 2022.

Council Member Keziah seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

D. Action – Resolution Approving Land Development Plan Compliance. Council Member Gordon moved to adopt Resolution R-2022-44:

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT WAXHAW LANDING PHASE 2
R-2022-44**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District Waxhaw Landing Phase 2 further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. Residential uses are priority uses within this character area and the permitted density is 2-4 units per acre. Furthermore, this character area recommends multimodal connections between neighborhoods. This proposed development is at 2.23 units per acre and provides multimodal connectivity between neighborhoods; therefore, it is consistent with the plan. The proposed development is a reasonable use and in the public interest because it continues similar residential uses in the area.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Approving Land Development Plan Compliance for property with Union County Tax Parcel Number: 09-351-015.

Adopted this 14th day of June, 2022.

Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

E. Action – Ordinance Amending Code of Ordinances Chapter 157, Section 1.2.1 titled Official Zoning Map. Council Member Gordon moved to adopt Ordinance O-2022-40:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2022-40**

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.2.1 **OFFICIAL ZONING MAP** as follows:

Rezone the property located along Waxhaw Highway and further identified as tax parcel #09-351-015. The request is to rezone the property from Union County RA-20 and RA-40 to Conditional District Waxhaw Landing Phase 2.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 14th day of June, 2022.

Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

F. Action – Action – Ordinance Amending Code of Ordinances Chapter 157, Section 1.3.1 titled Zoning Districts Established. Council Member Gordon moved to adopt Ordinance O-2022-41:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2022-41**

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.3.1 **ZONING DISTRICTS ESTABLISHED** as follows:

Conditional District (CD) Waxhaw Landing Phase 2.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 14th day of June, 2022.

Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES:	Council Members Gordon, Kerr, Keziah, Thompson, Mayor Pro Tem Anderson and Mayor Holloway
NAYS:	None

Item No. 4. Fiscal Year 2022-2023 Budget.

A. Public Hearing. Mayor Holloway opened the duly advertised public hearing.

Finance Director Lisa Strickland advised that the Budget provided a basis for all fiscal policy decisions during the Fiscal Year. Ms. Strickland advised that Staff had met with Council for direction on compiling the Fiscal Year 2023 Budget and conducted a Budget Workshop to outline the elements included in the proposed Budget on April 19, 2022.

Ms. Strickland advised that pursuant to North Carolina General Statutes (N.C.G.S.) Section (§) 159-12, the Budget Message was presented to Council at the City Council Regular Meeting of

May 10, 2022. She advised that the proposed Budget was made available to the public and posted on the City's website.

Ms. Strickland advised that pursuant to N.C.G.S. §159-13, the Governing Board should adopt a Budget Ordinance making appropriations and levying taxes for the budget year. She advised that also pursuant to N.C.G.S. §159-13.1, if a local government or public authority established and operated one or more Intragovernmental Service Funds, it need not include such a fund in its Budget Ordinance. However, Ms. Strickland advised that at the same time it adopted the Budget Ordinance, the Governing Board should approve a balanced financial plan for each intragovernmental service fund.

Ms. Strickland advised that it was the recommendation of Staff that Council adopt a Resolution and Budget Ordinance approving the Fiscal Year 2023 Annual Budget and approve the Internal Service Funds Financial Plan for Fiscal year 2023.

There being no other speakers, Mayor Holloway closed the public hearing.

B. Action – Resolution and Budget Ordinance Approving Fiscal Year 2022-2023 Budget.

Council Member Keziah moved to adopt Resolution R-2022-50 and Budget Ordinance BO-2022-11:

**RESOLUTION TO ADOPT ANNUAL
BALANCED BUDGET FOR FISCAL YEAR 2022-2023
R-2022-50**

WHEREAS, the City of Monroe is required by the North Carolina Local Government Budget and Fiscal Control Act to adopt an annual balanced budget; and

WHEREAS, a balanced budget has been prepared for the City of Monroe for Fiscal Year 2022-2023 under the provisions set forth in the above referenced legislation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the following Budget Ordinance:

**BUDGET ORDINANCE
BO-2022-11**

BE IT ORDAINED by the City Council of the City of Monroe, North Carolina:

Section 1A The following amounts are hereby appropriated in the General Fund for the operation of the City government and its activities for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

General Government	\$6,982,830
Economic and Physical Development	923,924
Transportation	4,326,649
Environmental Protection	131,829
Public Safety	27,430,166
Cultural and Recreational	5,705,363
Debt Service	3,057,556

Transfers out to Other Funds	3,335,953
	<u>\$51,894,270</u>

Section 1B It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Ad Valorem Taxes	\$24,754,280
Other Taxes and Licenses	976,847
Unrestricted Intergovernmental	14,427,815
Restricted Intergovernmental	1,586,572
Sales and Services	3,390,366
Investment Earnings	400,000
Miscellaneous	649,685
Other Financing Sources	5,084,705
Transfers in from Other Funds	624,000
	<u>\$51,894,270</u>

Section 1C There is hereby levied a tax at the rate of fifty point twenty-five cents (\$0.5025) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2022, for the purpose of current year property taxes listed under “Ad Valorem Taxes” in the General Fund in Section 1B. This rate is based on an estimated total valuation of property for the purposes of taxation of \$4,531,970,667 and an estimated rate of collection of ninety-nine and forty-five hundredths (99.45%).

Section 1D There is hereby levied a tax of thirty dollars (\$30.00) per motor vehicle residing in the City of Monroe, for the purpose of current year taxes listed under “Other Taxes and Licenses” in the General Fund in Section 1B. This rate is based on an estimated twenty-eight thousand eight hundred seventeen (28,817) vehicles.

Section 2A The following amounts are hereby appropriated in the Governmental Capital Project Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Capital Outlay	\$1,608,897
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Section 2B It is estimated that the following revenues will be available in the Governmental Capital Project Fund for the fiscal year beginning July 1, 2022 and ending June 30, 2023:

Transfers in from Other Funds	\$1,608,897
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Section 3A The following amounts are hereby appropriated in the Downtown Monroe Fund to record the activities related to economic and physical development for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Economic and Physical Development	\$275,860
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Section 3B It is estimated that the following revenues will be available in the Downtown Monroe Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Municipal Service District Tax	\$64,997
Transfers in from Other Funds	210,863
	<u>\$275,860</u>

Section 3C There is hereby levied a tax at the rate of nineteen point five (\$0.195) cents per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2022, for the purpose of “Municipal Service District Tax” in the Special Revenue Funds in Section 4B. This rate was based on an estimated total valuation of property in the Municipal Service District for the purposes of taxation of \$28,542,959 and an estimated rate of collection of ninety-nine and forty-five hundredths percent (99.45%).

Section 4A The following amounts are hereby appropriated in the Police Forfeiture Fund to record the activities related to assets forfeited to the Police for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Public Safety	\$213,000
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Section 4B It is estimated that the following revenues will be available in the Police Forfeiture Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Other Financing Sources	\$213,000
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Section 5A The following amounts are hereby appropriated in the Water and Sewer Fund for the operation of the water and sewer facilities for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Distribution System	\$9,360,252
Debt Service	2,367,397
Water Filter Plant	4,705,465
Waste Treatment Plant	3,178,219
Increase in Fund Balance	27,142
Transfers out to Other Funds	5,053,830
	\$24,692,305

Section 5B It is estimated that the following revenues will be available in the Water and Sewer Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Charges for Water	\$8,433,825
Charges for Sewer	9,891,324
Investment Income	93,319
Water and Sewer Taps	109,718
Other Revenues	3,669,119
Other Financing Sources	2,495,000
	\$24,692,305

Section 6A It is estimated that the following amounts are hereby appropriated in the Water and Sewer Capital Projects Fund for improvements to the City’s water and sewer system for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Capital	\$9,325,000
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Section 6B It is estimated that the following revenues will be available in the Water and Sewer Capital Projects Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Transfers in from Other Funds	\$9,325,000
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Section 7A The following amounts are hereby appropriated in the Electric Fund for the operation of the City's electrical system for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Purchases of Electricity	\$48,790,651
Energy Services Administrative	4,149,091
Electric System Maintenance	8,085,058
Electric System Improvements	1,470,000
Debt Service	1,396,425
Transfers out to Other Funds	3,801,666
Increase in Fund Balance	<u>1,156,691</u>
	\$68,849,582

Section 7B It is estimated that the following revenues will be available in the Electric Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Charges for Electricity	\$68,112,184
Investment Earnings	204,931
Other Revenues	464,120
Other Financing Sources	<u>68,347</u>
	\$68,849,582

Section 8A The following amounts are hereby appropriated in the Electric Capital Projects Fund for improvements to the City's electric system for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Capital	\$3,325,000
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Section 8B It is estimated that the following revenues will be available in the Electric Capital Projects Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Transfers in from Other Funds	\$3,325,000
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Section 9A The following amounts are hereby appropriated in the Natural Gas Fund for the operation of the City's natural gas system for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Natural Gas Purchases	\$8,354,144
Natural Gas Maintenance	6,420,123
Natural Gas System Improvements	435,000
Debt Service	2,748,221
Transfers out to Other Funds	4,309,000
Increase in Fund Balance	<u>1,870,212</u>
	\$24,136,700

Section 9B It is estimated that the following revenues will be available in the Natural Gas Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Charges for Natural Gas	\$24,038,091
Investment Earnings	<u>98,609</u>
	\$24,136,700

Section 10A The following amounts are hereby appropriated in the Natural Gas Capital Projects Fund for improvements to the City's natural gas system for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Capital	\$4,135,000
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Section 10B It is estimated that the following revenues will be available in the Natural Gas Capital Projects Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Transfers in from Other Funds	\$4,135,000
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Section 11A The following amounts are hereby appropriated in the Airport Fund for the operation of the City's municipal airport for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Airport Operations	\$2,979,526
Debt Service	1,042,552
	\$4,022,078

Section 11B It is estimated that the following revenues will be available in the Airport Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Sales and Services	\$2,770,552
Transfers in from Other Funds	1,251,526
	\$4,022,078

Section 12A The following amounts are hereby appropriated in the Aquatics and Fitness Center Fund for the operation of the Aquatics and Fitness Center for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Operations	\$3,897,182
Debt Service	16,369
	\$3,913,551

Section 12B It is estimated that the following revenues will be available in the Aquatics and Fitness Center Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Sales and Services	\$3,036,490
Investment Earnings	6,056
Other Financing Sources	871,005
	\$3,913,551

Section 13A The following amounts are hereby appropriated in the Stormwater Fund for the operation of the stormwater facilities for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Operations	\$2,435,132
Debt Service	121,385
Transfers out to Other Funds	200,000
Increase in Fund Balance	73,119
	\$2,829,636

Section 13B It is estimated that the following revenues will be available in the Stormwater Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Stormwater Receipts	\$2,793,093
Other Operating Revenues	29,850
Investment Earnings	6,693
	<u>\$2,829,636</u>

Section 14A The following amounts are hereby appropriated in the Stormwater Capital Projects Fund for improvements to the stormwater system for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Capital	\$200,000
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Section 14B It is estimated that the following revenues will be available in the Stormwater Capital Projects Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Transfers from Other Funds	\$200,000
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Section 15A The following amounts are hereby appropriated in the Solid Waste Fund for the operation of refuse collection for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Operations	\$635,350
Refuse Collection	2,554,584
Debt Service	7,997
	<u>\$3,197,931</u>

Section 15B It is estimated that the following revenues will be available in the Solid Waste Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Refuse Collection Fees	\$2,861,747
Other Sales & Services	2,000
Restricted Intergovernmental Revenues	23,000
Investment Earnings	1,594
Other Financing Sources	309,590
	<u>\$3,197,931</u>

Section 16A The following amounts are hereby appropriated in the Water Resources Capital Reserve Fund for future construction of a new wastewater treatment plant for fiscal year beginning July 1, 2022, and ending June 30, 2023:

Reserved	\$2,997,102
Transfers out to Other Funds	7,250,000
	<u>\$10,247,102</u>

Section 16B It is estimated that the following revenues will be available in the Water Resources Capital Reserve Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Investment Earnings	\$44,939
Other Financing Sources	7,250,000
Transfers In from Other Funds	2,952,163
	<u>\$10,247,102</u>

Section 17A The following amounts are hereby appropriated in the Occupancy Tax Project Fund for capital projects to promote tourism in the city for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Debt Service	\$258,343
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Section 17B It is estimated that the following revenues will be available in the Occupancy Tax Project Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Restricted Intergovernmental	\$199,497
Other Financing Sources	58,017
Investment Earnings	829
	\$258,343

Section 18 The City Manager, the City's Budget Officer, is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He/she may transfer amounts between line item expenditures within a department without limitation and without a report being required. These changes should not result in increases in recurring obligations such as salaries.
- b. He/she may transfer between departments within the same fund. He must make an official report on such transfers at the next regular meeting of City Council.
- c. He/she may not transfer any amounts between funds, except as approved by the City Council in the Budget Ordinance as amended.

Section 19 Encumbrances. Appropriations herein authorized and made shall have the amount of outstanding encumbrances as of June 30, 2022, added to each appropriation as it appears in order to account for the expenditures in the fiscal year they are paid.

Section 20 A copy of this Budget Ordinance shall be furnished to the Director of Finance for the City of Monroe to be kept on file for direction in the disbursement of funds.

Adopted this 14th day of June, 2022.

Council Member Thompson seconded the motion.

With the stellar improvements being made at Belk Tonawanda Park, Council Member Kerr requested that Staff look to add the purchase of 718 N. Charlotte Avenue to the Budget. Following brief discussion, Interim City Manager Borne and Finance Director Strickland advised that they will look into the request and, if negotiable, Staff would bring the matter back before Council for consideration via a Budget Amendment.

The motion to adopt Resolution R-2022-50 and Budget Ordinance BO-2022-11 passed unanimously with the following votes:

AYES:	Council Members Gordon, Kerr, Keziah, Thompson, Mayor Pro Tem Anderson and Mayor Holloway
NAYS:	None

C. Action – Financial Plan for Self-Insurance Funds for Fiscal Year 2023. Council Member Keziah moved to approve the Financial Plan for Self-Insurance Funds for Fiscal Year 2023. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 5. Revised Developer Agreement for Conditional District Cottage Green II.

A. Public Hearing. Mayor Holloway opened the duly advertised public hearing.

Water Resources System Engineer Amy Cook advised that on April 12, 2022, Council approved a Developer Agreement for the Cottage Green II single-family residential subdivision located along Old Monroe Pageland Road. Ms. Cook advised that the original developer, NVR, Inc., subsequently assigned the contract for the subdivision to a new developer, Hwy 601 Development II LLC, prior to execution and recordation of the approved Agreement. Therefore, she advised that it was necessary for Council to approve a revised Developer Agreement and adopt an Ordinance amending Chapter 59 titled Developer Agreements of the Code of Ordinances to reflect the new developer.

There being no other speakers, Mayor Holloway closed the public hearing.

B. Action – Developer Agreement with NVR, Inc. Council Member Kerr moved that the Developer Agreement with NVR, Inc. approved on April 12, 2022 for the Cottage Green II subdivision is null and void. Mayor Pro Tem Anderson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

C. Action – Developer Agreement with Hwy 601 Development II, LLC. Council Member Kerr moved to approve the Developer Agreement with Hwy 601 Development II, LLC for Conditional District Cottage Green II:

This Development Agreement (the “Agreement”) is made and entered into this 14th day of June, 2022, by and between Hwy 601 Development II LLC (the “DEVELOPER”), and the City of Monroe, a North Carolina municipal corporation (the “CITY”).

STATEMENT OF PURPOSE

City Council approved a zoning map and text amendment for the properties located along Old Pageland Monroe Road and further identified as tax parcel #'s portion of 09-087-013, 09-087-014 & 09-121-011A. The approval annexed and rezoned the properties from R-20 City of Monroe to Conditional District (CD) “Cottage Green II”.

The DEVELOPER's approved conditional district rezoning is to develop a 259 lot age targeted residential subdivision. The total area of the project is 85.95+/- acres with 31.5% or 27.1 acres of open space. The density of this project is 3.01 units per acre.

The property constitutes the entirety of the proposed subdivision named "Cottage Green II" (the "Subdivision"). The Overall Concept Site Plan, Conditional District, Cottage Green II, Subdivision, Old Pageland Monroe Road, City of Monroe, NC dated 11/25/20 and revised 03/17/22 is attached hereto as Exhibit A.

The CITY has prudently and effectively managed its water and sewer system capacity for the benefit of the CITY and its citizens. The CITY must comply with numerous regulatory and legal requirements in the management of these systems, including use and management of sewer capacity. The CITY makes capacity commitments to conditional re-zonings (with or without annexation) as follows:

When City Council approves a conditional district subdivision the following steps occur:

1. At a planning level, water and sewer capacity is held in reserve to ensure the commitment made by the CITY can be honored.
2. That is followed by a North Carolina Department of Environmental Quality (NCDEQ) sewer permitting commitment (via the City Delegated Self Permitting Authorization) when approved construction drawings and associated sewer mains are permitted. NCDEQ requires the CITY demonstrate and reserve capacity to serve the project via a flow tracking applications executed by the Water Resources Director, subject to any applicable planning assessments.
3. The final capacity commitment is governed by CITY Fee Schedule Ordinance which reads: *"The timing of the capacity fee collection shall be pursuant to NCGS 162A, as amended by House Bill 826, adopted June 22, 2018. For purposes of capacity fee collection, the City of Monroe considers water and/or sewer service to be committed at the time of service application filed at the City's Customer Service office"*.

Due to the recent high level of residential project activity, the CITY desires to take proactive steps to prevent and avoid any over-allocation of capacity, whether on-paper or actual flow, as experienced by surrounding jurisdictions. This is prudent prior to the planned expansion of the City's wastewater treatment plant (WWTP) tentatively scheduled for completion in 2028. Phased sewer permitting and water meter sets via this Development Agreement supports the implementation of the CITY sewer capacity use strategy for balancing residential and non-residential projects, and will facilitate the CITY maximizing economic development opportunity as approved by City Council.

The CITY is expressly authorized to enter into this Agreement pursuant to the procedures and requirements of North Carolina General Statutes Sections 160D-1001 through 160D-1012, which procedures and requirements include approval of the development agreement by the governing board of the local government after a duly noticed public hearing.

TERMS

NOW, THEREFORE, based upon the terms and conditions set forth herein and in consideration of the mutual promises and assurances provided herein, the parties do hereby agree as follows:

1. Public Hearing. Pursuant to Section 160D-1005 of the North Carolina General Statutes, CITY shall conduct a public hearing to consider the approval and execution of this Agreement.
2. Development of the Property. The Property shall be developed in general accordance with the Preliminary Site Plan, any other conditions required by the City Council, and all relevant

ordinances, policies, permits, and the terms of this Agreement. The size, placement, and configuration of the lots, common open space, streets, and other improvements planned for the development must comply with all conditions.

3. Law in Effect at Time of the Agreement Governs the Development of the Subdivision. DEVELOPER shall have the right to develop the Subdivision in general accordance with the terms of this Agreement and the Subdivision Ordinances in place at the time of City Council approval. Except as provided in North Carolina General Statutes 160D-108.1(f), CITY may not apply subsequently adopted ordinances or development policies to the Subdivision during the term of this Agreement. However, water and sewer capacity fees shall be due and payable per the prevailing fee schedule at the time the DEVELOPER requests a water meter set for any residential unit. This Agreement does not abrogate any right that may vest pursuant to common law or otherwise in the absence of this Agreement.

4. Phased Sewer Permitting and Water Meter Sets. The DEVELOPER is required to comply with the sewer permitting and water meter set phases shown below. Water meter sets are subject to all CITY requirements, fee payments, CITY standards and policies.

Phase 1: Sewer permitting and water meter sets shall be allowed for any combination of up to 87 individual residential units in the Subdivision as shown on Exhibit A.

Phase 2: Subject to the prior completion of at least 85% of the units allowed in Phase I (water meters installed with active accounts on 74 of the 87 Phase 1 units), sewer permitting and water meter sets shall be allowed for next 87 individual residential units in the subdivision

Phase 3: Subject to the prior completion of at least 85% of the units allowed in Phase 1 and Phase 2 (water meters installed with active accounts on 148 of the 174 Phase 1 and Phase 2 units), sewer permitting and water meter sets shall be allowed for the remaining 85 individual residential units in the subdivision

5. Term. The term of this Agreement shall commence on the last day this Agreement is signed by the parties hereto, and unless sooner terminated by the mutual consent of the parties hereto or their successors in interest, or unless extended by the mutual consent of the parties hereto or their successors in interest, shall expire on the date of the water meter installation for the last residential unit.
6. Local Development Permits. In accordance with North Carolina General Statutes 160D-1006, the following is a description or list of the local development permits approved or needed to be approved for the development of the Subdivision:
 - a. Erosion and Sediment Control (CITY, NCDEQ and/or Union County)
 - b. Water (City)
 - c. Sewer (City)
 - d. Driveway Entrance and Encroachments (NCDOT)
 - e. Stream or Wetland Impacts (US Army Corps of Engineers)
 - f. Subdivision (City)
 - g. Building Permits (City)

- The failure of this Agreement to address a particular permit, condition, form, or restriction does not relieve DEVELOPER of the necessity of complying with the law governing federal, any state or local jurisdiction, or the local permitting requirements, conditions, terms, or restrictions.

- CITY at: City of Monroe
Attn: Russell Colbath, P.E., Director of Water Resources,
P.O. Box 69
Monroe, NC 28111

City Council Regular Meeting
June 14, 2022

Attn: Charles Saleh
520 Eagleton Downs Dr., Suite D
Pineville, NC 28134

11. Entire Agreement. This Agreement sets forth, and incorporates by reference all of the agreements, conditions, and understandings between the parties hereto relative to the Subdivision, and there are no promises, agreements, conditions, or understandings, oral or written, expressed or implied, among these parties relative to the matters addressed herein other than as set forth or as referred to herein.
12. Construction. The parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits thereto.
13. Assignment. After notice to CITY, DEVELOPER may assign its rights and responsibilities hereunder to subsequent land owners of all or any portion of the Property, provided that no assignment as to a portion of the Property will relieve DEVELOPER of responsibility with respect to the remaining portion of the Property without the written consent of CITY.
14. Agreement to Use the E-Verify Program for Work Authorization. DEVELOPER, along with its respective successors and assigns, shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes for verification of work authorization. Further, if DEVELOPER utilizes a subcontractor, DEVELOPER shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.
15. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterparts shall constitute one and the same instrument.
16. Governing Law. This Agreement shall be governed by the laws of the State of North Carolina.
17. Agreement to Cooperate. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Agreement, the parties hereby agree to cooperate in defending such action; provided, however, each party shall retain the right to pursue its own independent legal defense.
18. Agreements to Run with the Land. This Agreement shall be recorded by the DEVELOPER in the Union County Registry within 14 days after CITY and DEVELOPER execute this approved Agreement. No development approvals will be issued until the development agreement has been recorded. The agreements, covenants, and restrictions contained herein shall be binding upon, and run with the land, and shall be binding upon and an obligation of all successors in the ownership of the Property beyond the term hereof in perpetuity.

Mayor Pro Tem Anderson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Said Exhibit A Overall Concept Site Plan is hereby incorporated as a part of these Minutes as "Exhibit A."

D. Action – Interim City Manager to Execute Documents. Council Member Kerr moved to authorize the Interim City Manager to execute any and all necessary documents with regard to the Developer Agreement with Hwy 601 Development II, LLC for Conditional District Cottage Green II. Mayor Pro Tem Anderson seconded the motion, which passed with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

E. Action – Ordinance Amending Code of Ordinances – Chapter 59, Section 59.04 (E) titled Water Resources. Council Member Kerr moved to adopt Ordinance O-2022-48:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE V: PUBLIC WORKS
CHAPTER 59: DEVELOPER AGREEMENTS
O-2022-48**

Preamble

Pursuant to authority granted in Article 10 of Chapter 160D of the General Statutes of North Carolina and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City of Monroe,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE V: PUBLIC WORKS, CHAPTER 59 DEVELOPER AGREEMENTS, OF THE CITY OF MONROE CODE OF ORDINANCES, BE AMENDED AS FOLLOWS:

Section 1. Amend **§59.04 (E) WATER RESOURCES** to remove NVR, Inc. as the developer for Project Cottage Green II and add the following:

Project Cottage Green II, Hwy 601 Development II LLC developer, approved June 14, 2022.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 14th day of June, 2022.

Mayor Pro Tem Anderson seconded the motion, which passed with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

CONSENT AGENDA

Written background information was provided in advance in the Council Agenda Packet for each item on the Consent Agenda. One motion and vote was taken, which included approval of all items on the Consent Agenda.

Item No. 6. Arborwood Subdivision Water Main Relocation. Water Resources Director Russ Colbath advised by memorandum that at the February 8, 2022 City Council Regular Meeting, a formal bid was approved for water main pipe materials to relocate a 16-inch water main in the proposed Arborwood Subdivision. Mr. Colbath advised that Staff had been coordinating with the developer's engineer to fulfill the City's obligation to move the water main in the most efficient and cost effective way. He advised that in certain portions of the project area, the 1960's vintage asbestos cement water main pipe could be abandoned in place and would need to be removed and disposed of in compliance with current environmental regulations.

Mr. Colbath advised that Staff solicited informal bid proposals for removing and disposing of the required asbestos cement water main materials with the following bids being received.

Bidder	Amount
Uniforce	\$173,000
SR&R Environmental, Inc.	\$110,236

Mr. Colbath advised that SR&R Environmental, Inc. was identified as the lowest responsive-responsible bidder. Because budgeted funds were available and based on the Mayoral Committee Principles, he advised that the contract award was coming directly to Council without a Committee recommendation.

Mr. Colbath advised that it was the recommendation of Staff that Council award the contract for the asbestos cement water main removal and disposal in the Arborwood Subdivision to SR&R Environmental, Inc. in the amount of \$110,236, authorize a 5% project contingency and authorize the Interim City Manager to execute all necessary documents.

A. Award of Asbestos Cement Water Main Removal and Disposal Contract to SR&R Environmental, Inc. Mayor Pro Tem Anderson moved to award the contract for the asbestos cement water main removal and disposal in the Arborwood Subdivision to SR&R Environmental, Inc. in the amount of \$110,236. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

B. Project Contingency. Mayor Pro Tem Anderson moved to approve a project contingency in the amount of 5% for the asbestos cement water main removal and disposal contract. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

C. Interim City Manager to Execute Documents. Mayor Pro Tem Anderson moved to authorize the Interim City Manager to execute any and all necessary documents with regard to the contract for the Arborwood Subdivision asbestos cement water main removal and disposal. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 7. Budget Amendments.

A. Downtown Department Donation from Eagle Engineering (Union Symphony Silent Auction). Downtown Director Matthew Black advised that the Downtown Department received a donation in the amount of \$2,000 from Eagle Engineering (Union Symphony Silent Auction) to be used for the Commemorative Bench Program.

Mr. Black advised that Staff presented this matter to the General Services Committee on June 2, 2022.

Mr. Black advised that it was the recommendation of the General Services Committee and Staff that Council adopt a Budget Amendment accepting and appropriating the donation to the Downtown account.

Mayor Pro Tem Anderson moved to adopt Budget Amendment BA-2022-23:

**BUDGET AMENDMENT
BA-2022-23**

1. Amendment necessary to recognize a donation from Eagle Engineering (Union Symphony Silent Auction) and designate these funds for Downtown Commemorative Bench program.

Downtown Monroe Fund:

Revenues:

Restricted Revenue \$2,000

Expenses:

Economic & Physical Development \$2,000

Adopted this 14th day of June, 2022.

Council Member Kerr seconded the motion, which passed with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

B. Fire Department Donation from Monroe Rotary Club. Fire Chief Ron Fowler advised by memorandum that the Fire Department had received a \$680 donation from the Monroe Rotary Club. Mr. Fowler advised that these funds would be used for the Monroe Fire Camp 1872 which was a fire services related camp for middle school aged youth.

Mr. Fowler advised that Staff presented this matter to the Public Safety Committee on May 2, 2022.

Mr. Fowler advised that it was the recommendation of the Public Safety Committee and Staff that Council adopt a Budget Amendment accepting and appropriating the funds to Fire expenditure accounts.

Mayor Pro Tem Anderson moved to adopt Budget Amendment BA-2022-24:

**BUDGET AMENDMENT
BA-2022-24**

1. Amendment necessary to designate and appropriate funds received from Monroe Rotary Club for the Monroe Fire Camp 1872.

General Fund:

Revenues:

Miscellaneous – Fire \$680

Expenditures:

Public Safety – Fire \$680

Adopted this 14th day of June, 2022.

Council Member Kerr seconded the motion, which passed with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway

NAYS: None

C. Parks and Recreation Department Grant from Centralina Area Agency on Aging. Parks and Recreation Director Ryan Jones advised that the Parks and Recreation Department had received the 2022 Older American's Act Grant in the amount of \$500 from the Centralina Area Agency on Aging. Mr. Jones advised that these funds would allow Staff the opportunity to equip and provide active adult programs within the community at a high quality level.

Mr. Jones advised that this matter was presented to the General Services Committee on June 2, 2022.

Mr. Jones advised that it was the recommendation of the General Services Committee and Staff that Council adopt a Budget Amendment accepting and appropriating the funds.

Mayor Pro Tem Anderson moved to adopt Budget Amendment BA-2022-21:

**BUDGET AMENDMENT
BA-2022-21**

1. Amendment necessary to designate and appropriate funds received from the 2022 Older American's Act allocation from the Centralina Area Agency on Aging in the amount of \$500.

General Fund:

Revenues:

Restricted Revenue	\$500
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Expenditures:

Parks and Recreation	\$500
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Adopted this 14th day of June, 2022.

Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway

NAYS: None

D. Parks and Recreation Department Grant from United States Tennis Association. Parks and Recreation Director Ryan Jones advised that the Parks and Recreation Department had received the Southern Parks and Recreation Grant in the amount of \$2,000 from the United States Tennis Association. Mr. Jones advised that these funds would allow Staff the opportunity to equip and provide camps and clinics for youth and adults within the community.

Mr. Jones advised that this matter was presented to the General Services Committee on June 2, 2022.

Mr. Jones advised that it was the recommendation of the General Services Committee and Staff that Council adopt a Budget Amendment accepting and appropriating the funds.

Mayor Pro Tem Anderson moved to adopt Budget Amendment BA-2022-20:

**BUDGET AMENDMENT
BA-2022-20**

1. Amendment necessary to designate and appropriate funds received from the Southern Parks and Recreation Grant from the United States Tennis Association (USTA) in the amount of \$2,000.

General Fund:

Revenues:

Restricted Revenue	\$2,000
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Expenditures:

Parks and Recreation	\$2,000
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Adopted this 14th day of June, 2022.

Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

E. Various Budget Adjustments for Budgetary Compliance for Fiscal Year 2022 Budget.

Finance Director Lisa Strickland advised by memorandum that the following adjustments were proposed to the Fiscal Year 2022 Budget in order to recognize activity that was unanticipated and maintain budgetary compliance:

1. Due to an increase in fuel sales at the Charlotte-Monroe Executive Airport, a budget amendment is requested to adjust the expense budget in the amount of \$500,000 for fuel purchases. The offset to this increase is fuel sales.
2. Amendment proposed to cover higher than anticipated collections for water and sewer capacity fees in the amount of \$2,400,000. Water and sewer capacity fees are required by NC General Statute 162A-207(b) to be used for capital improvements related to new development and are transferred to the capital reserve fund to achieve this requirement.
3. Natural gas pricing has been at all-time historic lows from 2015-2021. The cost of natural gas has increased on average 70-80% this year over last fiscal year. As a result, a budget amendment to cover the natural gas purchases account budget in the amount of \$2,530,000 is requested. The City calculates natural gas customer rates on a monthly basis. This allows the City to accurately adjust for market pricing of natural gas purchases and recover market increases as part of natural gas revenue. The offset for this adjustment is the natural gas fee revenue.
4. Donations totaling \$303,395 have been received for both the Science Center and the Center Theatre. The donations and corresponding expense need to be adjusted with a budget amendment. Donations were designed for specific items by the donors in many cases or split between the two projects. The final amounts (net of administrative fees) were \$20,650 for Science Center Exhibits, \$5,826 for the Science Center pavers and programs and \$276,919 for the Center Theatre programming and pavers.
5. The Dowd Center Theatre was not at full capacity during the fiscal year. Revenue losses from ticket sales and facility rentals will need to be covered by the General Fund balance and Theatre donations. The amount of the projected loss for the fiscal year is \$186,000 and a budget amendment to cover this amount is recommended. \$126,000 of this amount is from the General Fund and \$60,000 is from the Theatre Fund balance.

Ms. Strickland advised that Staff presented this matter to the General Services Committee on June 2, 2022.

Ms. Strickland advised that it was the recommendation of the General Services Committee and Staff that Council adopt a Budget Amendment approving various budget adjustments for Fiscal Year 2022.

Mayor Pro Tem Anderson moved to adopt Budget Amendment BA-2022-22:

**BUDGET AMENDMENT
BA-2022-22**

1. Due to an increase in fuel sales at the Charlotte-Monroe Executive Airport, a budget amendment is requested to adjust the expense budget in the amount of \$500,000 for fuel purchases. The offset to this increase is fuel sales.

Charlotte-Monroe Executive Airport Fund:

Revenue	
Airport Sales	\$500,000
Expense	
Airport Operations	\$500,000

2. Amendment proposed to cover higher than anticipated collections for water and sewer capacity fees in the amount of \$2,400,000. Water and sewer capacity fees are required by NC General Statute 162A-207(b) to be used for capital improvements related to new development and are transferred to the capital reserve fund to achieve this requirement.

Water & Sewer Fund:

Revenue	
Other Revenues	\$2,400,000
Expense	
Transfer to Water & Sewer Capital Reserve Fund	\$2,400,000

Water & Sewer Capital Reserve Fund:

Revenue	
Transfer from Water & Sewer Fund	\$2,400,000
Expense	
Reserved	\$2,400,000

3. Natural gas pricing has been at all-time historic lows from 2015-2021. The cost of natural gas has increased on average 70-80% this year over last fiscal year. As a result, a budget amendment to cover the natural gas purchases account budget in the amount of \$2,530,000 is requested. The City calculates natural gas customer rates on a monthly basis. This allows the City to accurately adjust for market pricing of natural gas purchases and recover market increases as part of natural gas revenue. The offset for this adjustment is the natural gas fee revenue.

Natural Gas Fund:

Revenue	
Natural Gas Sales	\$2,530,000
Expense	
Natural Gas Operations	\$2,530,000

4. Donations totaling \$303,395 have been received for both the Science Center and the Center Theatre. The donations and corresponding expense need to be adjusted with a budget amendment. Donations were designed for specific items by the donors in many cases or split between the two projects. The final amounts (net of administrative fees) were \$20,650 for Science Center Exhibits, \$5,826 for the Science Center pavers and programs and \$276,919 for the Center Theatre programming and pavers.

Occupancy Tax Capital Project Fund:

Revenue	
Miscellaneous	\$20,650
Expense	
Project Expense (Science Center Exhibits)	\$20,650

Center Theatre Fund:

Revenue	
Miscellaneous	\$277,094
Expense	
Reserved for Future Programming	\$276,919
Recreational Expenses	\$175

5. The Dowd Center Theatre was not at full capacity during the fiscal year. Revenue losses from ticket sales and facility rentals will need to be covered by the General Fund balance and Theatre donations. The amount of the projected loss for the fiscal year is \$186,000 and a budget amendment to cover this amount is recommended. \$126,000 of this amount is from the General Fund and \$60,000 is from the Theatre Fund balance.

General Fund:

Revenue	
Appropriation of Fund Balance	\$126,000
Expense	
Transfer to Center Theatre Fund	\$126,000

Center Theatre Fund:

Revenue	
Transfer from General Fund	\$126,000
Appropriation from Theatre Fund Balance	\$60,000
Sales and Services	(\$186,000)

Adopted this 14th day of June, 2022.

Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 8. Call for Public Hearings to be Held July 12, 2022.

A. Code of Ordinances Text Amendment to Chapter 153 titled Minimum Housing Standards. Planning and Development Director Lisa Stiwinter advised by memorandum that the City's Minimum Housing Standard Ordinance dated back to 1992 and did not reflect state building, electrical, plumbing and mechanical code changes or the new state law requirements in Chapter 160D of North Carolina General Statutes. Ms. Stiwinter advised that Staff, with the assistance of N-Focus Planning, had been working to update the Minimum Housing Standards Ordinance that would incorporate changes from the new Chapter 160D, Article 12 titled Minimum Codes of the North Carolina General Statutes.

Ms. Stiwinter advised that it was the recommendation of Staff that Council call for a public hearing to be held on July 12, 2022 to consider this matter.

Mayor Pro Tem Anderson moved to call for a public hearing to be held on July 12, 2022 at 6:00 p.m. to consider this matter. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

B. Rezoning and Water and Sewer Developer Agreement for Properties Located Along Olive Branch Road from Residential Medium Density to Conditional District Monroe Chase.

Planning and Development Director Lisa Stiwinter advised by memorandum that Staff had received a zoning map and text amendment request to rezone properties located along Olive Branch Road (Tax Parcel #s 09-108-002-A, 09-143-017 and 09-143-093) from Residential Medium Density (RMD) to Conditional District (CD) Monroe Chase in order to develop a 197 lot single-family residential development. Ms. Stiwinter advised that the public hearing would also consider a Water and Sewer Developer Agreement for the project.

Ms. Stiwinter advised that it was the recommendation of Staff that Council call for a public hearing to be held on July 12, 2022 to consider this matter.

Mayor Pro Tem Anderson moved to call for a public hearing to be held on July 12, 2022 at 6:00 p.m. to consider this matter. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 9. Capital Project Budget Ordinance for Modification of North Carolina Department of Transportation Grant for Charlotte-Monroe Executive Airport Apron Rehabilitation (Areas A, B and Half of C) Project.

Charlotte-Monroe Executive Airport Manager Peter Cevallos advised by memorandum that to close out the Apron Rehabilitation Project (Areas A, B and Half of C) at the Airport, the City had to make a budget adjustment showing the receipt of additional grant funds of \$17,780, for additional pavement marking and aircraft tie-down work approved by the State and accomplished during the project. Mr. Cevallos advised that the Grant required a local match by the City of \$1,976.

Mr. Cevallos advised that this matter was presented to the General Services Committee on June 2, 2022.

Mr. Cevallos advised that it was the recommendation of the General Services Committee and Staff that Council adopt a Capital Project Budget Ordinance to receive federal grant funds in the amount

of \$17,780 and appropriate the necessary local matching funds in the amount of \$1,976 for the Apron Rehabilitation Project (Areas A, B and Half of C).

Mayor Pro Tem Anderson moved to adopt Budget Ordinance BO-2022-12:

**CAPITAL PROJECT BUDGET ORDINANCE
CHARLOTTE-MONROE EXECUTIVE AIRPORT
APRON REHABILITATION (AREAS A, B AND HALF OF C) PROJECT
BO-2022-12**

1. Amendment necessary appropriate necessary funds designated as the local match to receive grant funds for additional pavement marking and aircraft tie-down work during the Apron Rehabilitation Areas A, B and Half of C Project at Charlotte-Monroe Executive Airport.

General Fund:

Revenues:

Appropriation from Formally Assigned for Airport Grant Acceptance Fund Balance	\$1,976
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Expenses:

Transfer to Airport Fund	\$1,976
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Airport Capital Project Fund:

Revenues:

Transfer from General Fund	\$1,976
Restricted Revenue	\$17,780

Expenses:

Airport Project AP1703, Apron Rehabilitation Areas A, B and Half of C Project	\$19,756
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Adopted this 14th day of June, 2022.

Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES:	Council Members Gordon, Kerr, Keziah, Thompson, Mayor Pro Tem Anderson and Mayor Holloway
NAYS:	None

Item No. 10. Citizens Appointment Committee Recommendations. Interim City Manager Brian Borne advised by memorandum that at the Charlotte-Monroe Executive Airport Commission Meeting of April 11, 2022, the Commission unanimously voted to recommend appointment of Gary Wilfong to Chair and Council Member Lynn Keziah to Vice-Chair of the Charlotte-Monroe Executive Airport Commission.

Due to the cancellation of the June 7, 2022 Citizens Appointment Committee Meeting and this being a housekeeping matter, the Chair and Committee Members approved moving this matter to the Consent section of the June 14, 2022 City Council Regular Meeting Agenda for consideration and approval of the following appointments:

Committees	Action	Effective Date	Date Term to Expire
Charlotte-Monroe Executive Airport Commission	Appoint Gary Wilfong to Chair to replace Lynn Keziah	01-01-2022	12-31-2023
Charlotte-Monroe Executive Airport Commission	Appoint Lynn Keziah to Vice-Chair to replace Gary Wilfong	01-01-2022	Ex-Officio Member

Interim City Manager Borne advised that it was the recommendation of the Citizens Appointment Committee and the Charlotte-Monroe Executive Airport Commission that Council approve the appointments as outlined above.

Mayor Pro Tem Anderson moved to approve the recommendations as outlined by the Citizens Appointment Committee. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 11. Energy Services Department Oil Filtration Equipment Donation from Duke Energy. Energy Services Director Rob Miller advised by memorandum that the Energy Services Department received a donation of surplus oil filtration equipment from Duke Energy. Mr. Miller advised that this item was no longer of use to Duke Energy and had an estimated market value of approximately \$80,000. He advised that the equipment would provide a convenient solution to manage dielectric fluid particles.

Due the cancellation of the June 7, 2022 Public Enterprise Committee Meeting, the Chair approved moving this matter to the Consent section of the City Council June 14, 2022 Agenda for consideration and approval.

Mr. Miller advised that it was the recommendation of Staff that Council accept the donation of surplus oil filtration equipment from Duke Energy and authorize the Interim City Manager to execute any and all necessary documents.

A. Donation Acceptance. Mayor Pro Tem Anderson moved to accept the donation of surplus oil filtration equipment from Duke Energy. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

B. Interim City Manager to Execute Documents. Mayor Pro Tem Anderson moved to authorize the Interim City Manager to execute any and all necessary documents with regard to the donation of surplus oil filtration equipment from Duke Energy. Council Member Kerr seconded the motion, which passed with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 12. Minutes of City Council Meetings of April 7, 2022, April 12, 2022, April 19, 2022 and May 10, 2022. Mayor Pro Tem Anderson moved to approve the Minutes of the City Council Meetings of April 7, 2022, April 12, 2022, April 19, 2022 and May 10, 2022. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 13. Name Revision of Phil Bazemore Senior Center to Phil Bazemore Active Adult Center. Parks and Recreation Director Ryan Jones advised by memorandum that at the December 3, 2019 City Council Regular Meeting, Council approved revisions for naming the renovated Senior Center building (formerly *The Enquirer-Journal* building) to the Phil Bazemore Senior Center. Mr. Jones advised that at the conclusion of *The Enquirer-Journal* building renovation, the current Senior Center facility, named the Ellen Fitzgerald Senior Center, would no longer be utilized as a Senior Center. However, he advised that the name of that building would remain named for Ellen Fitzgerald.

Mr. Jones advised that Staff was requesting that the new facility that was approved to be named the Phil Bazemore Senior Center be revised to the Phil Bazemore Active Adult Center. He advised that current recreation trends have shown that previously named senior centers were better received by appropriate age groups utilizing these types of centers as active adult facilities. Mr. Jones advised that it was also worth noting that the scope of activities offered at the new facility would include more opportunities for exercise and would focus on the member's access to active living programs and projects. He advised that the facility would remain true to the foundation of adult programming that provided opportunities for all skill and mobility levels as well as passive and active recreational activities. Mr. Jones advised that the new facility allowed Staff to broaden program offerings that included a focus on active lifestyles and would be more attractive to those within the demographic who were looking for more programming related to physical activity.

Mr. Jones advised that Staff presented this matter to the General Services Committee on June 2, 2022.

Mr. Jones advised that it was the recommendation of the General Services Committee and Staff that Council approve revising the current name of the new Senior Center (formerly *The Enquirer-Journal* building) from the Phil Bazemore Senior Center to the Phil Bazemore Active Adult Center.

Mayor Pro Tem Anderson moved to approve revising the current name of the new Senior Center (formerly *The Enquirer-Journal* building) from the Phil Bazemore Senior Center to the Phil Bazemore Active Adult Center. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 14. Ordinance Enacting and Adopting Twenty-Seventh Supplement to Code of Ordinances. City Clerk Bridgette Robinson advised by memorandum that American Legal Publishing Corporation had completed the Twenty-Seventh Supplement to the City Code which included all Ordinances adopted by Council through December 31, 2021.

Ms. Robinson advised that it was the recommendation of Staff that Council adopt an Ordinance accepting the Twenty-Seventh Supplement to the City of Monroe Code of Ordinances.

Mayor Pro Tem Anderson moved to adopt Ordinance O-2022-55:

**ORDINANCE ENACTING AND ADOPTING
TWENTY-SEVENTH SUPPLEMENT TO CODE OF ORDINANCES
FOR CITY OF MONROE, NORTH CAROLINA
O-2022-55**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the Twenty-Seventh supplement to the Code of Ordinances of the City of Monroe, North Carolina, which supplement contains all Ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Municipal Corporation; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the North Carolina General Statutes; and

WHEREAS, it is the intent of the City Council to accept these updated sections in accordance with the changes of the laws of the State of North Carolina; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this Ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE, STATE OF NORTH CAROLINA:

Section 1. That the Twenty-Seventh supplement to the Code of Ordinances of the City of Monroe, North Carolina as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the City Council and the City Clerk is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

Section 3. This Ordinance shall be in full force and effect on and from the date of its adoption.

PASSED AND ADOPTED by the Monroe City Council on this 14th day of June, 2022.

Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 15. Ratification of Annual Service/Purchase Contracts Exceeding \$100,000 for Fiscal Year 2023. Finance Director Lisa Strickland advised by memorandum that Chapter 34 of the Code of Ordinances dictated that it was necessary to seek Council approval on the following purchases/contracts in excess of \$100,000 for Fiscal Year (FY) 2023:

FY 2023 SERVICES EXCEEDING \$100,000			
Company Name	FY 22 Expenditures	FY 2023 Expenditures	Synopsis
Data Prose	\$164,200	\$167,484	Bill printing services for cycle bills (128,800) late notices (27,570) and tax statements (9235) Postage is included.
Green's Commercial Cleaning	\$428,988	\$441,857	Cleaning of city facilities. 3% increase from last year.
Lewis Tree Service Inc. (Formerly Carolina Tree Care)	\$389,988	\$438,520	Tree trimming services for electric right of ways. A 3% increase is expected for personnel and 21% equipment rate increase is expected by the contractor in FY 2023.
Hinson Services	\$120,000	\$120,000	For maintenance, repair, and replacement of city HVAC systems. Amount may increase or decrease based upon the need of repairs and replacements.
Interlocal Risk Financing Fund of NC	\$528,000	\$607,000	The Property and Liability premium for all City Departments for FY 2022 was \$528,000. The amount indicated is the amount budgeted for FY2023 and will not be exceeded.
Dawn Development	\$2,417,873	\$2,659,660	Construction services for electric and natural gas line installation. Cost increase due to services to growth and new subdivisions. With inflation and the rising cost of energy an increase near 10% is expected.
Tyler Technologies	\$220,000	\$220,000	City financial software maintenance and support fees.
Underground Solutions	\$119,800	\$119,800	The water main pipe bursting strategic initiative was implemented by the Water Resource Department in April 2014 and was designed to help close the infrastructure replacement gap for water mains. The trenchless pipe bursting technology requires fusible pipe

FY 2023 SERVICES EXCEEDING \$100,000			
Company Name	FY 22 Expenditures	FY 2023 Expenditures	Synopsis
			materials. Currently, there is only one manufacturer of fusible PVC pipe (FPVC), Underground Solutions Inc., and the Water Resources Department is working with them as a sole source provider of the needed pipe materials. Pricing has been stable since April 2014. Quantities of the 6-inch and 8-inch pipe may vary slightly due to field condition encountered. Purchases will be made based on unit prices provided, and will not exceed available budgeted funds without additional approvals.

Ms. Strickland advised that these annual service contracts reoccurred each year. She advised that funds for these contracts were included in the recommended FY 2023 Budget.

Ms. Strickland advised that Staff presented this matter to the General Services Committee on June 2, 2022.

Ms. Strickland advised that it was the recommendation of the General Services Committee and Staff that Council approve the above-listed annual service/purchases contracts in excess of \$100,000 and authorize the Interim City Manager to execute any and all necessary documents.

A. Ratification of Annual Service/Purchases Contracts. Mayor Pro Tem Anderson moved to approve the following annual service/purchases contracts and water chemical bids in excess of \$100,000:

FY 2023 SERVICES EXCEEDING \$100,000			
Company Name	FY 22 Expenditures	FY 2023 Expenditures	Synopsis
Data Prose	\$164,200	\$167,484	Bill printing services for cycle bills (128,800) late notices (27,570) and tax statements (9235) Postage is included.
Green's Commercial Cleaning	\$428,988	\$441,857	Cleaning of city facilities. 3% increase from last year.
Lewis Tree Service Inc. (Formerly Carolina Tree Care)	\$389,988	\$438,520	Tree trimming services for electric right of ways. A 3% increase is expected for personnel and 21% equipment rate increase is expected by the contractor in FY 2023.
Hinson Services	\$120,000	\$120,000	For maintenance, repair, and replacement of city HVAC systems. Amount may increase or decrease based upon the need of repairs and replacements.

FY 2023 SERVICES EXCEEDING \$100,000			
Company Name	FY 22 Expenditures	FY 2023 Expenditures	Synopsis
Interlocal Risk Financing Fund of NC	\$528,000	\$607,000	The Property and Liability premium for all City Departments for FY 2022 was \$528,000. The amount indicated is the amount budgeted for FY2023 and will not be exceeded.
Dawn Development	\$2,417,873	\$2,659,660	Construction services for electric and natural gas line installation. Cost increase due to services to growth and new subdivisions. With inflation and the rising cost of energy an increase near 10% is expected.
Tyler Technologies	\$220,000	\$220,000	City financial software maintenance and support fees.
Underground Solutions	\$119,800	\$119,800	The water main pipe bursting strategic initiative was implemented by the Water Resource Department in April 2014 and was designed to help close the infrastructure replacement gap for water mains. The trenchless pipe bursting technology requires fusible pipe materials. Currently, there is only one manufacturer of fusible PVC pipe (FPVC), Underground Solutions Inc., and the Water Resources Department is working with them as a sole source provider of the needed pipe materials. Pricing has been stable since April 2014. Quantities of the 6-inch and 8-inch pipe may vary slightly due to field condition encountered. Purchases will be made based on unit prices provided, and will not exceed available budgeted funds without additional approvals.

Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

B. Interim City Manager to Execute Documents. Mayor Pro Tem Anderson moved to authorize the Interim City Manager to execute any and all necessary documents with regard to the annual service/purchase contracts exceeding \$100,000 for Fiscal Year 2023. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 16. Resolution Honoring Retiring Employee Russell G. Colbath. Interim City Manager Brian Borne advised by memorandum that Water Resources Director Russell Colbath would be retiring on July 1, 2022. He advised that Mr. Colbath joined the City on November 9, 1998 and would be retiring with 25 years of service.

Interim City Manager Borne advised that Staff requested that Council adopt a Resolution expressing appreciation to Mr. Colbath for his dedicated and distinguished service to the City of Monroe over the past 25 years and extending best wishes on his retirement. He advised that the Resolution would be presented to Mr. Colbath at a later date.

Mayor Pro Tem Anderson moved to adopt Resolution R-2022-49:

**RESOLUTION OF MONROE CITY COUNCIL
HONORING RETIRING EMPLOYEE
RUSSELL G. COLBATH
R-2022-49**

WHEREAS, on the occasion of his retirement on July 1, 2022, it is fitting and proper for the City Council to express its sincere appreciation to Russell G. Colbath for his loyal and dedicated service to the City of Monroe for 25 years; and

WHEREAS, Russell Colbath joined the City of Monroe's Water Resources Department as the Director on November 9, 1998; and

WHEREAS, for 25 years, Russell Colbath has been an exemplary employee providing quality service to both the citizens of the City of Monroe and serving as a valuable resource to fellow City employees and departments; and

WHEREAS, Russell Colbath has proactively managed the City's water and wastewater system assets, creating and maintaining a financially strong utility enterprise while keeping utility rates low to Monroe citizens; and

WHEREAS, Russell Colbath's work ethic and devotion to duty has been an asset for the Water Resources Department; and

WHEREAS, the City of Monroe is most grateful for the professional and personal contributions Russell Colbath has given to the Water Resources Department and the City; and

WHEREAS, the City Council of the City of Monroe wishes to acknowledge and express its appreciation for his years of dedicated and distinguished service to the employees of the City of Monroe and their families, noting that Russell Colbath will be missed both professionally and as a friend.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council publicly express their sincere appreciation to Russell Colbath for his outstanding performance of duty to the City of Monroe over the past 25 years and extend very best wishes for a long and happy retirement.

BE IT FURTHER RESOLVED that this Resolution be entered upon the permanent Minutes of the City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Monroe to be affixed this the 14th day of June, 2022.

Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 17. Retiring Employee David Harry Godfrey. Police Chief Bryan Gilliard advised that Police Officer David Godfrey would be retiring from the City. Mr. Gilliard advised that the General Assembly of North Carolina recognized the importance and the symbolism of a Police Officer's service side arm. He advised that General Statute §20-187.2 authorized municipalities, at the discretion of the governing board, to honor retiring police officers by awarding them their service side arms. Mr. Gilliard shared that §20-187.2 stated that the City Council might "award to a retiring member ... upon request, the service side arm of such retiring member[], at a price determined by such governing body, upon determining that the person receiving the weapon is not ineligible to own, possess, or receive a firearm." He advised that recognizing the importance of this side arm to Mr. Godfrey, Staff felt it was fitting and proper to honor him by awarding him his side arm to cherish during retirement.

In accordance with General Statute §20-187.2, Mr. Gilliard advised that it was the recommendation of Staff that Council set the price of the service side arm at \$ 0.01 (one cent), and find that Mr. Godfrey was eligible to own, possess, or receive his service side arm. In addition, he advised that Staff further recommended that Council adopt a Resolution in appreciation for Mr. Godfrey's service to the citizens of Monroe.

A. Award of Service Side Arm (Surplus Equipment). Mayor Pro Tem Anderson moved to find Police Officer David Godfrey eligible to own, possess, or receive his service side arm and sets the cost of his service side arm (surplus equipment) at \$ 0.01 (one cent). Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

B. Resolution. Mayor Pro Tem Anderson moved to adopt Resolution R-2022-43:

**RESOLUTION OF MONROE CITY COUNCIL
HONORING RETIRING EMPLOYEE
DAVID HARRY GODFREY
R-2022-43**

WHEREAS, on the occasion of his retirement on August 1, 2022 the City Council wishes to express its sincere appreciation to David Harry Godfrey for his loyal and dedicated service to the City of Monroe Police Department; and

WHEREAS, he has diligently served the City as a police officer; and

WHEREAS, for 25 years and one month, David Harry Godfrey has focused on the safety and protection of the residents of the City of Monroe; and

WHEREAS, David Harry Godfrey has faithfully and loyally discharged his duties and has represented the Monroe Police Department and the City of Monroe with honor, integrity and the utmost professionalism; and

WHEREAS, the City of Monroe is most grateful for the specialized and personal contributions and sacrifices David Harry Godfrey has made to the City of Monroe; and

WHEREAS, the City Council of the City of Monroe wishes to acknowledge and express its appreciation to him for the years of distinguished service to the residents of Monroe, noting that David Harry Godfrey will be missed both professionally and as a friend.

NOW, THEREFORE BE IT RESOLVED, I, Marion L. Holloway, Jr., by the virtue of the authority vested in me as Mayor of the City of Monroe, do hereby proclaim David Harry Godfrey a vital part of the City of Monroe community and encourage all citizens to express appreciation and support for his accomplishments.

BE IT FURTHER RESOLVED that this Resolution be entered upon the permanent Minutes of the City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Monroe to be affixed this the 14th day of June, 2022

Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES:	Council Members Gordon, Kerr, Keziah, Thompson, Mayor Pro Tem Anderson and Mayor Holloway
NAYS:	None

INFORMATIONAL COMMITTEE MINUTES, COMMITTEE STAFF NOTES AND REPORTS

Item No. 18. Committee Minutes/Staff Notes.

A. Minutes of General Services Committee Meeting of May 5, 2022. Minutes of the General Services Committee Meeting of May 5, 2022 were received as information by Council. As this item was for informational purposes only, no action was required from Council.

B. Minutes of Monroe-Union County Economic Development Board of Advisors Meeting of April 12, 2022. Minutes of the Monroe-Union County Economic Development Board of Advisors Meeting of April 12, 2022 were received as information by Council. As this item was for informational purposes only, no action was required from Council.

Item No. 19. Disbursement of Fiscal Year 2021-2022 City Council Discretionary Funds.

A. Council Member Freddie Gordon. City Clerk Bridgette Robinson advised by memorandum that Staff had received requests from Council Member Freddie Gordon for disbursements of City Council Discretionary Funds to Turning Point in the amount of \$1,000, A Few Good Men in the amount of \$750 and Hospice of Union County in the amount of \$1,000. Disbursements for Council Member Gordon follow:

Date	Recipient	Public Purpose	Fiscal Impact	
			Amount	Balance
12/13/2021	Discretionary Allocation Fiscal Year 2021-2022			\$3,000
04/04/2022	Union County Community Arts Council	Support of art	\$250	\$2,750
05/26/2022	Turning Point	Domestic Violence Shelter for women and children	\$1,000	\$1,750
05/26/2022	A Few Good Men	Support of fundraiser for scholarships/youth activities	\$750	\$1,000
05/26/2022	Hospice of Union County	Support of high quality hospice and palliative care of terminal illnesses or with advanced illnesses	\$1,000	\$0

As this item was for informational purposes only, no action was required from Council.

B. Council Member Lynn Keziah. City Clerk Bridgette Robinson advised by memorandum that Staff had received a request from Council Member Lynn Keziah for disbursement of City Council Discretionary Funds to Help Pregnancy Center in the amount of \$2,475. Disbursements for Council Member Keziah follow:

Date	Recipient	Public Purpose	Fiscal Impact	
			Amount	Balance
07/01/2021	Discretionary Allocation Fiscal Year 2021-2022			\$3,000
09/29/2021	Monroe Country Club	Support of athletic activities	\$350	\$2,650
12/16/2021	Elizabeth Missionary Baptist Church	Support of community development	\$175	\$2,475
05/12/2022	Help Pregnancy Center	Health related programs	\$2,475	\$0

As this item was for informational purposes only, no action was required from Council.

C. Council Member James Kerr. City Clerk Bridgette Robinson advised by memorandum that Staff had received requests from Council Member James Kerr for disbursements of City Council Discretionary Funds to HealthQuest in the amount of \$500, Council on Aging in Union County in the amount of \$100 and Monroe Police Department Explorer Program in the amount of \$150. Disbursements for Council Member Kerr follow:

Date	Recipient	Public Purpose	Fiscal Impact	
			Amount	Balance
12/06/2021	Discretionary Allocation Fiscal Year 2021-2022			\$1,500
03/10/2022	Turning Point	Domestic Violence Shelter for women and children	\$250	\$1,250
04/28/2022	American Red Cross	Provide emergency assistance, disaster relief and disaster preparedness education	\$500	\$750
05/12/2022	HealthQuest	Provides prescription maintenance medicines to people who cannot afford them and who do not have prescription insurance	\$500	\$250
05/12/2022	Council on Aging in Union County	Support of assistance and care programs for senior citizens	\$100	\$150
05/12/2022	Monroe Police Department Explorer Program	Law enforcement related programs	\$150	\$0

As this item was for informational purposes only, no action was required from Council.

D. Council Member Julie Thompson. City Clerk Bridgette Robinson advised by memorandum that Staff had received requests from Council Member Julie Thompson for disbursement of City Council Discretionary Funds to Hospice of Union County in the amount of \$325 and House of Pearls in the amount of \$325. Disbursements for Council Member Thompson follow:

Date	Recipient	Public Purpose	Fiscal Impact	
			Amount	Balance
12/13/2021	Discretionary Allocation Fiscal Year 2021-2022			\$1,500
03/10/2022	Monroe Police Explorer Program	Law enforcement related programs	\$250	\$1,250
03/10/2022	Monroe Fire Explorer Program	Law enforcement related programs	\$250	\$1,000
03/22/2022	Soul 139	Community development	\$250	\$750
05/06/2022	Hospice of Union County	Support of high-quality hospice and palliative care of terminal illnesses or with advanced illnesses	\$375	\$375
05/06/2022	House of Pearls	Community development	\$375	\$0

As this item was for informational purposes only, no action was required from Council.

E. Mayor Pro Tem Gary Anderson. City Clerk Bridgette Robinson advised by memorandum that Staff had received a request from Mayor Pro Tem Gary Anderson for disbursement of City

Council Discretionary Funds to the Council on Aging in Union County in the amount of \$250. Disbursements for Mayor Pro Tem Anderson follow:

Date	Recipient	Public Purpose	Fiscal Impact	
			Amount	Balance
12/13/2021	Discretionary Allocation Fiscal Year 2021-2022			\$1,500
01/20/2022	Monroe Police Department Explorer Program	Law enforcement related programs	\$500	\$1,000
01/20/2022	Monroe Fire Department Explorer Program	Law enforcement related programs	\$500	\$500
04/14/2022	Central Academy of Technology & Arts (CATA) Track Team	Conduct of programs of supervised recreation	\$250	\$250
05/23/2022	Council on Aging in Union County	Support of assistance and care programs for senior citizens	\$250	\$0

As this item was for informational purposes only, no action was required from Council.

Item No. 20. Financial Reports for April 2022. Financial Reports for April 2022 were received as information by Council. As this item was for informational purposes only, no action was required from Council.

Item No. 21. Summary of Contracts Awarded, Change Orders Approved and City Manager's Settlement of Claims for May 2022. Interim City Manager Brian Borne reported by memorandum the award of contracts pursuant to Ordinance O-2001-17, Change Orders (CO) approved pursuant to Resolution R-2000-76 and the settlement of claims pursuant to Ordinance O-2018-50 for May 2022:

Name	Purpose	Fiscal Impact	
		Fund	Amount
(6415) Nancy Bizzell, MD	Annual Fire Department personnel physicals	(5510) Fire-Fire	\$28,000.00
(8285) Kemp Melton	Annual renewal contract	(8020) Water and Sewer-Maintenance	19,996.00
(5401) Level (3) Communications	Correction for Lumen Telcom contract	(6010) Information Technology-Informa	24,000.00
(1245) Union-Anson Habitat for Humanity	Rehab Public Private Partnership SPCC SP RI	(4020) Planning and Develop-CommDevel	3,500.00
(1245) Union-Anson Habitat for Humanity	Mission Monroe SPCC SHP Final Purser Partner	(4020) Planning and Develop-CommDevel	3,500.00
(11402) KCK Enterprises, Inc.	Purchase and delivery of kitchen equipment for Senior Center Renovation Project	(7010) Park & Recreation-Admin	26,643.96
(6600) Tina Gibson	Comedy performance by Joe Bob Briggs	(7150) Park & Recreation-Center Theatre	8,482.83
(9280) Enviro Waste Srv Group LLC (EWSG)	Annual renewal	Water and Sewer-Maintenance	14,000.00

(9469) Action Glass & Mirror, Inc.	Replace current glass hardware at Fire Station #3	(4520) Downtown Monroe-MuniServ Dist	735.00
(1245) Union-Anson Habitat for Humanity	SPCC Shepherds PL HVAC Final	(4020) Planning and Develop-CommDevel	3,500.00
(1245) Union-Anson Habitat for Humanity	SPCC Shep Place Rough in Mech	(4020) Planning and Develop-CommDevel	4,332.00
(242) Johnson Controls Security Solutions	Upgrade to 5G for alarm system at various center	(242) Johnson Controls Security Solutions	4,035.00
(10460) Mulch Solutions, LLC	Mulch blower truck rental	(4520) Downtown Monroe-MuniServDist	3,997.50
(10611) Franklin Alexander Arant	Italian ice for Monroe Aquatics and Fitness Center (MAFC) Summer Camp	(7040) Park & Recreation-MAFC	3,600.00
(11394) Pyro Shows East Coast, Inc.	Fourth of July Fireworks Show	(7011) Park & Recreation-Recreational	13,500.00
(1245) Union-Anson Habitat for Humanity	SPCC Shepherds Plumb RI Public Private Partnership	(4020) Planning and Develop-Comm Devel	4,020.00
(9981) Creekside Masonry	Brick masonry work, Downtown office	(4520) Downtown Monroe-MuniServDist	4,100.00
(1432) Love Plumbing & Air	SPCC Shepherds Place plumb final incl \$500 ind/dir	(4020) Planning and Develop-Comm Devel	3,765.00
(6621) Snider Acquisitions, LLC	Annual UST line and leak testing for NCDOE	(2030) Finance-Purchasing	1,000.00
(10915) OM Lodging – Fairfield Charlotte Mo	Accreditation Site visit hotel	(5510) Fire-Fire	1,716.48
(11403) Kevin L. Rogers	Inflatable for the Juneteenth Festival	(7011) Park & Recreation-Recreational	200.00
(9309) Precision Piping & Fabrication, Inc.	Labor and material to demo existing and install	(8040) WR Waste Treatment Plant	13,970.00
(2436) DH Griffin Wrecking Co., Inc.	Prof services demolition of Pinedell Avenue House	(7012) Park & Recreation-Parks Maintenance	14,700.00
*Approved by Department Director		TOTAL	\$205,293.77

There were no settlement of claims. As this item was for informational purposes only, no action was required from Council.

REGULAR AGENDA

Item No. 22. Closed Session Pursuant to North Carolina General Statute Sections 143-318.11(a)(1), 143-318.11(a)(3) and 143-318.11(a)(6). Mayor Pro Tem Anderson moved to go into Closed Session pursuant to North Carolina General Statute Sections 143-318.11 (a)(1) and (a)(3) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes; to preserve the attorney-client privilege between the City's attorneys and the City Council and to consider and give instructions to the City's attorneys concerning the handling of claims and in accordance with N.C.G.S. Section 143-318.11 (a)(6), to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an employee. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Item No. 23. City Manager Employment Agreement – Brian J. Borne.

A. Employment Agreement. Upon return from Closed Session, Mayor Pro Tem Anderson moved to hire Brian J. Borne as City Manager of the City of Monroe in accordance with the terms of a contract to be effective immediately. Council Member Kerr seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

B. Mayor to Execute Documents. Mayor Pro Tem Anderson moved to authorize the Mayor to execute any and all documents necessary to complete the hiring of Brian J. Borne, including a contract with Mr. Borne. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Said Employment Agreement is hereby incorporated as a part of these Minutes as “Exhibit B.”

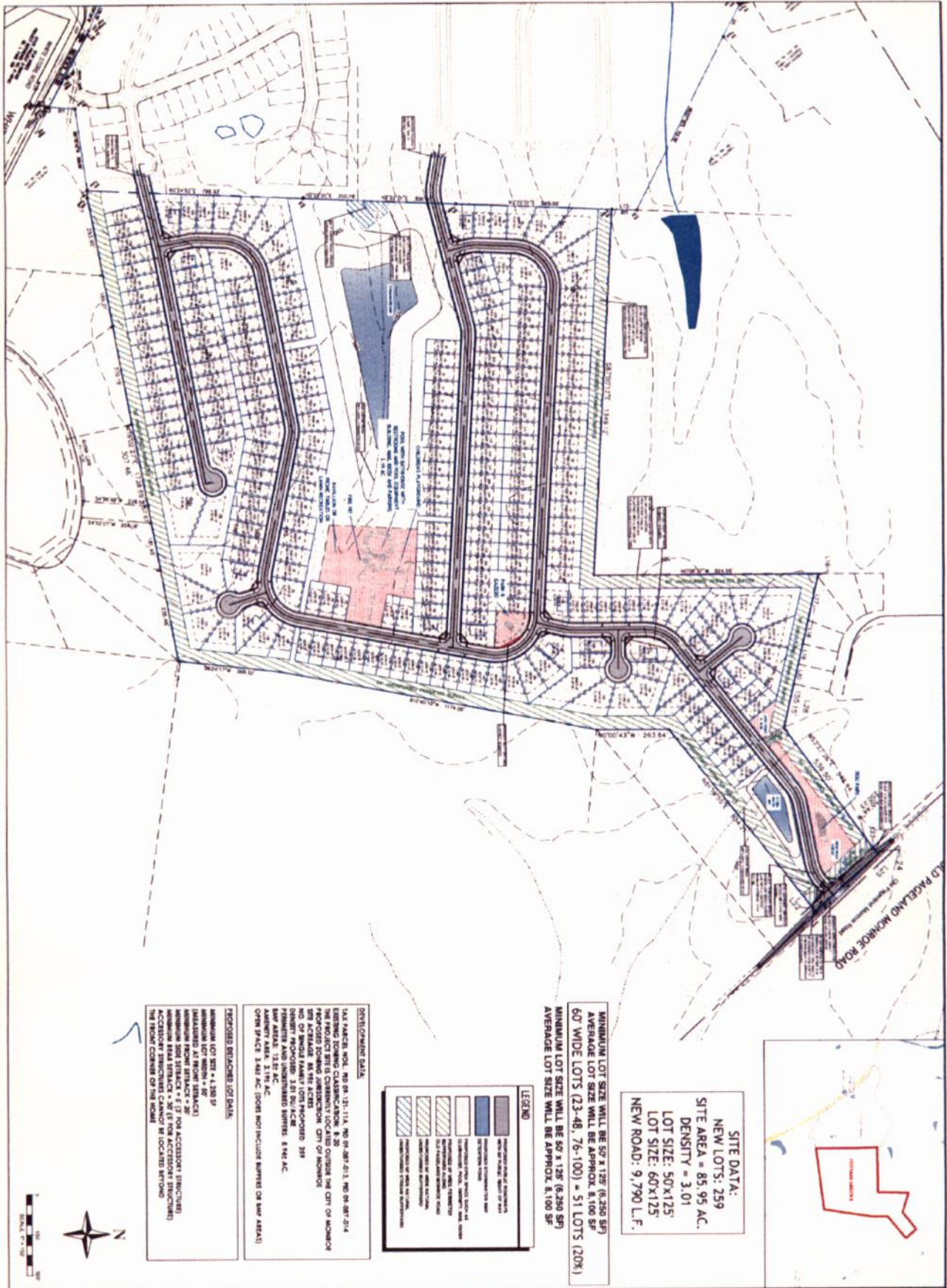
There being no further business, Council Member Keziah moved to adjourn the City Council Regular Meeting of June 14, 2022 at 8:00 p.m. Council Member Thompson seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Gordon, Kerr, Keziah, Thompson,
Mayor Pro Tem Anderson and Mayor Holloway
NAYS: None

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk



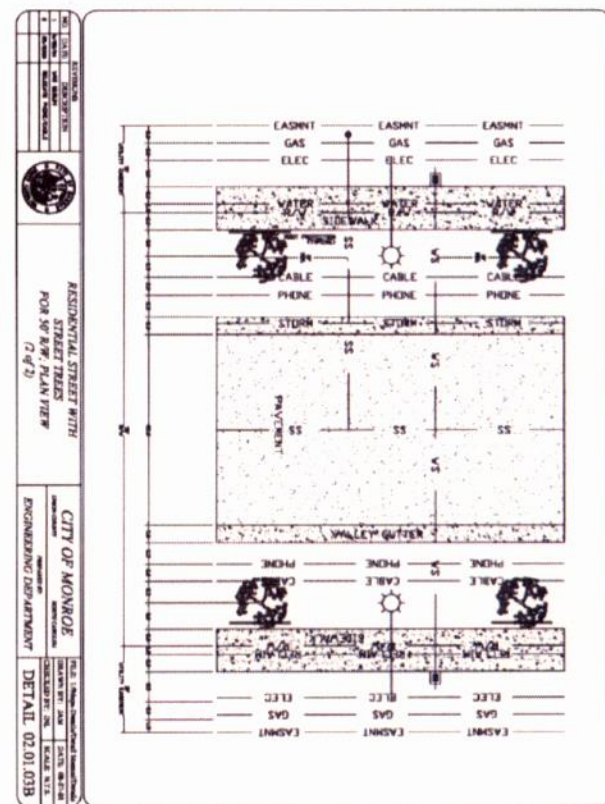
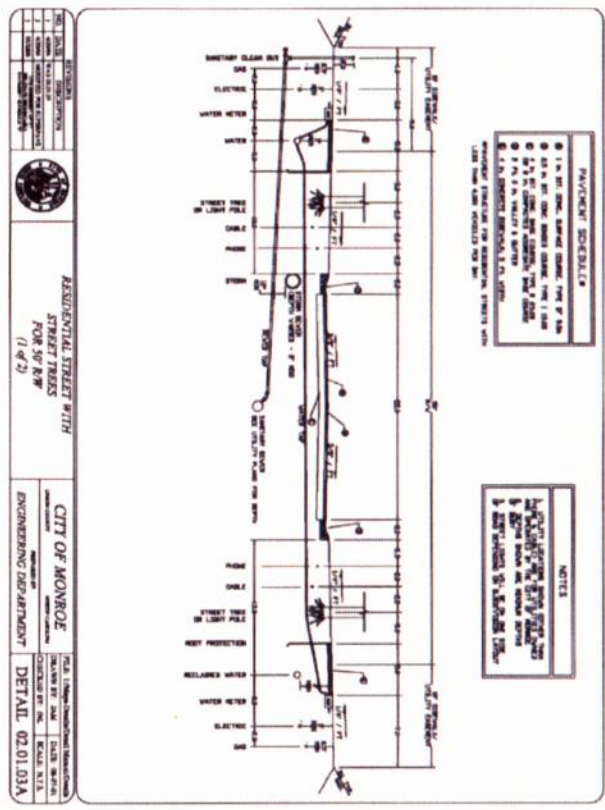
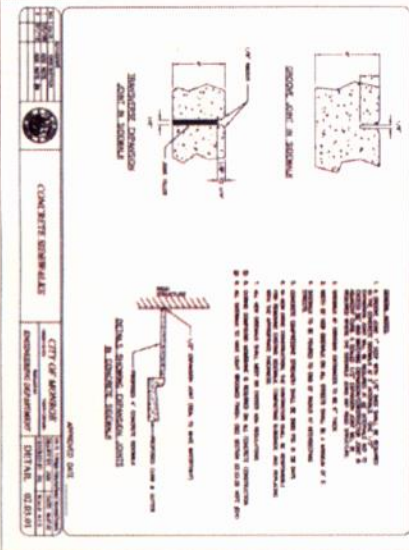
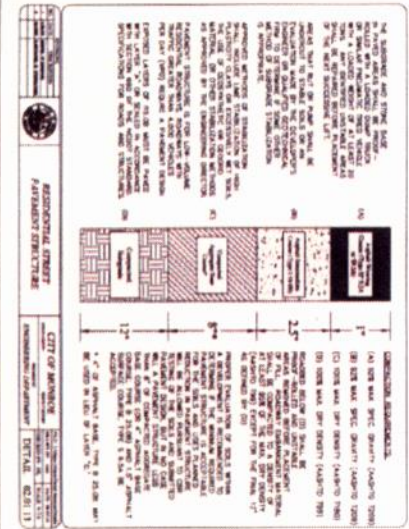
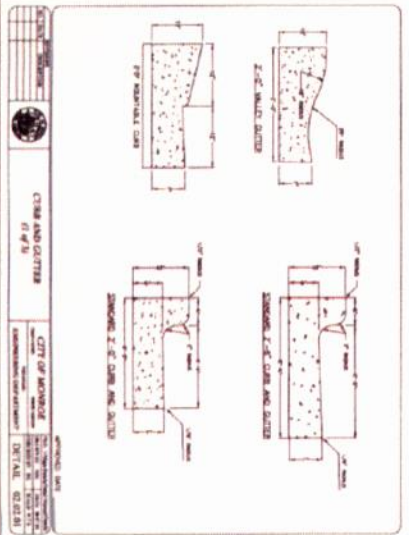
CV-1A

OVERALL CONCEPT SITE PLAN
**CONDITIONAL DISTRICT
 COTTAGE GREEN II
 SUBDIVISION**
 OLD PAGELAND MONROE ROAD
 CITY OF MONROE, SC

City Council Regular Meeting
 Exhibit "A"

Gray Engineering
 1311 PALMVIEW AVENUE - MONROE, SC 29066
 PH: 803.467.7000 FAX: 803.467.7001
 WWW.GRAYENGINEERING.COM

NO.	DATE	REVISION
1	06-14-22	ISSUED TO CITY OF MONROE FOR NO CONFLICT / AMENDMENT
2	06-14-22	ISSUED TO CITY OF MONROE FOR NO CONFLICT / AMENDMENT
3	06-14-22	ISSUED TO CITY OF MONROE FOR NO CONFLICT / AMENDMENT
4	06-14-22	ISSUED TO CITY OF MONROE FOR NO CONFLICT / AMENDMENT
5	06-14-22	ISSUED TO CITY OF MONROE FOR NO CONFLICT / AMENDMENT
6	06-14-22	ISSUED TO CITY OF MONROE FOR NO CONFLICT / AMENDMENT



CITY ROAD DETAILS

CONDITIONAL DISTRICT COTTAGE GREEN II SUBDIVISION

OLD PAGELAND MONROE ROAD
CITY OF MONROE, SC

City Council Regular Meeting

June 14, 2022

Page 3 of 4

Gray Engineering

151 PLUMMER ROAD, GREENSBORO, NC 27407
P.O. BOX 1001, GREENSBORO, NC 27402
WWW.GRAYENGINEERING.COM

D-1

PROJECT: MONROE
SHEET: 11-11-22
DATE: 11-11-22
BY: J. L. BROWN
CHECKED: J. L. BROWN
APPROVED: J. L. BROWN

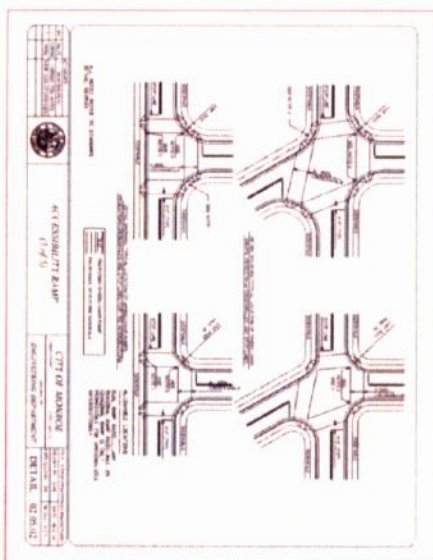
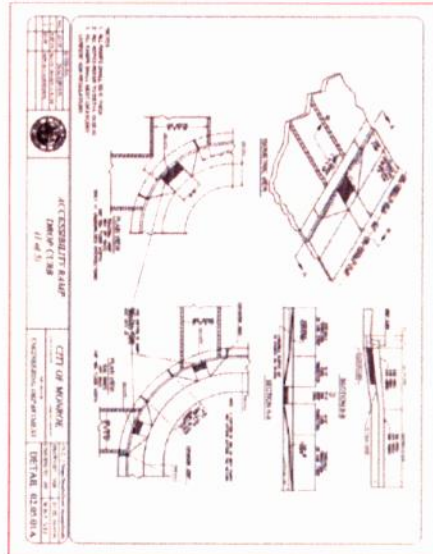
City Council Regular Meeting

June 14, 2022

Page 3 of 4

Gray Engineering

151 PLUMMER ROAD, GREENSBORO, NC 27407
P.O. BOX 1001, GREENSBORO, NC 27402
WWW.GRAYENGINEERING.COM



NO.	DATE	BY	REVISION
1	06-14-22	WAC	ISSUED TO CITY OF MONROE FOR 20% JUDICIAL JUDGMENT
2			
3			
4			
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7			
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9			
10			

CITY ADA ROAD RAMP DETAILS
**CONDITIONAL DISTRICT
 COTTAGE GREEN II
 SUBDIVISION**
 OLD PAGELAND MONROE ROAD
 CITY OF MONROE, SC



Gray
 Engineering
 137 PALMVIEW ROAD - GREENVILLE, SC 29607
 PH: (803) 251-8811 FAX: (803) 759-8187
 WWW.GRAYENGINEERING.COM

NO.	DATE	BY	REVISION
1	06-14-22	WAC	ISSUED TO CITY OF MONROE FOR 20% JUDICIAL JUDGMENT
2			
3			
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City Council Regular Meeting
 Exhibit "A"
 June 14, 2022
 Page 4 of 4

EMPLOYMENT AGREEMENT

This AGREEMENT made and entered into as of June 15, 2022, by and between the City of Monroe (hereinafter referred to as "CITY") and Brian J. Borne (hereinafter referred to as "Employee").

WITNESSETH:

WHEREAS, CITY currently employs Employee as the Interim City Manager; and

WHEREAS, CITY wishes to employ Employee as the City Manager of the City of Monroe on a permanent basis in accordance with the provisions of Article 7, Part 2 of Chapter 160A of the North Carolina General Statutes;

WHEREAS, it is the desire of the City Council, hereinafter called "Council", to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee;

WHEREAS, it is the desire of the Council to secure and retain the services of Employee and to provide inducement for him to remain in such employment, to make possible full work productivity by assuring Employee's morale and peace of mind with respect to future security, to act as a deterrent against malfeasance or dishonesty for personal gain on the part of the Employee, and to provide a just means for terminating Employee's services at such time as he may be unable to fully discharge his duties or when Employer may otherwise desire to terminate his employment; and

WHEREAS, Employee desires to become employed as City Manager of the City of Monroe;

NOW, THEREFORE, and in consideration of the mutual covenants contained herein, it is hereby mutually agreed as follows:

Section 1: Term.

- A. The Employee shall serve at the pleasure of the City Council. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City Council to terminate the services of the Employee at any time with or without cause, subject only to the severance provisions set forth in the Agreement.
- B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his position with the Employer, subject only to provisions set forth in this Agreement.

- C. The term of this Agreement shall be in perpetuity, the employee having a continuing appointment provided the Employee continues to fully and faithfully discharge the Employee's duties as City Manager. The Agreement shall remain in effect until the Employee voluntarily resigns or in the event that the Employee is terminated, as defined in Section 9 of this Agreement, the Employee shall be entitled to all compensation including salary accrued vacation and benefits (excluding sick leave and vehicle allowance) paid in accordance with Section 10, Severance, of this Agreement.
- D. Employee shall give the Employer at least thirty (30) days advance written notice of his intent to resign.

Section 2: Duties and Authority.

Employer agrees to employ the Employee as City Manager for the City of Monroe, to perform the functions and duties specified in the North Carolina General Statutes, as amended, and as referenced by the City Charter and relevant provisions of the City Code, and to perform other legally permissible and proper duties and functions.

Section 3: Compensation.

- A. Base Salary: Employer agrees to pay Employee a total annual base salary of ONE HUNDRED SEVENTY NINE THOUSAND NINE HUNDRED AND EIGHTY THREE AND 44/100 DOLLARS (\$179,983.44), dollars payable in installments at the same time that the other management employees of the Employer are paid. This shall include the Cost of Living Adjustment (COLA) provided to all City Employees as part of the Fiscal Year 2023 Budget approved on June 14, 2022.

By way of illustration, Employee's current salary as Interim City Manager is ONE HUNDRED SEVENTY ONE THOUSAND FOUR HUNDRED AND TWELVE DOLLARS (\$171,412.00). As part of this hire, Employee shall receive the 2.5% COLA based on the \$171,412.00 salary effective July 1, 2022, meaning a salary adjustment will be made of \$4,285.30 per year as part of the COLA. Employee's salary shall be adjusted effective June 14, 2022, by an additional \$4,285.14 per year. As of July 1, 2022, Employee's total base salary will be \$179,983.14 per year.

- B. This Agreement shall be automatically amended to reflect any salary adjustments that are provided or required by the Employer's compensation policies.

- C. The Employer agrees to increase the compensation of the Employee dependent upon the results of the performance evaluation conducted under the provisions of Section 12 of this Agreement.

Section 4: Health and Life Insurance Benefits.

- A. The Employer continues to agree to provide and to pay the premiums for health, hospitalization, surgical, vision, dental and comprehensive medical insurance for the Employee equal to that which is provided to all other employees of the City of Monroe.
- B. The Employee may elect to submit once per calendar year to a complete physical examination, including a cardio-vascular examination, by a qualified physician selected by the Employee, the cost of which shall be paid by the Employee in accordance with the City's Health Insurance Plan.
- C. The Employer shall pay the amount of premium due for term life insurance in the amount provided by the City Council (currently the annual base salary), including all increases in the base salary during the life of this Agreement.
- D. If the Employee is terminated in accordance with Section 9 of this Agreement, the City shall agree to maintain health insurance coverage for Employee and his dependents (said dependents receiving health insurance coverage from the City as of June 14, 2022) if any, until Employee reaches the age of Sixty-Five (65) years, or becomes eligible for Medicare, whichever takes place first. Employer and Employee may agree that in lieu of keeping Employee and his dependents on the City's health insurance coverage, they may agree to pay the equivalent amount under COBRA, or similar to how an amount would be paid under COBRA to allow Employee to maintain health insurance coverage.

Section 5: Vacation and Sick Leave.

- A. Employee shall receive Vacation and Sick Leave at the highest rates of accrual provided to City employees (currently twenty-six (26) days per year of vacation and twelve (12) days per year of sick leave).
- B. The Employee is entitled to accrue all unused leave, up to sixty (60) days, and in the event the Employee's employment is terminated, either voluntarily or involuntarily, the Employee shall be compensated for all accrued vacation time, all paid holidays, and other benefits not including accrued sick leave, to date.

- C. In the event of termination, either voluntarily or involuntarily, the Employee shall be compensated for all accrued vacation time as of the date of termination.
- D. The Employee's vacation and sick leave are exclusive of holidays recognized by the Employer, which the Employee shall also be entitled to.

Section 6: Automobile, Cell Phone, and Internet Allowances.

Upon commencing employment as City Manager, the Employer agrees to compensate the Employee:

- A. An automobile allowance of Five Hundred Dollars (\$500.00) per month for the Employee to use to purchase, lease, or own and operate a vehicle. The Employee shall be responsible for paying for liability, property damage, and comprehensive insurance coverage upon such vehicle and shall further be responsible for all expenses attendant to the purchase, operation, maintenance, repair, and regular replacement of said vehicle. The Employer shall reimburse the Employee at the IRS standard mileage rate for any business use of the vehicle beyond the City of Monroe area. For purposes of this Section, use of the car within the greater City of Monroe area is defined as travel to locations within a 50 mile radius of the City of Monroe.
- B. A monthly stipend (currently ONE HUNDRED AND TWENTY FIVE DOLLARS (\$125.00) per month) for the Employee to own and use a personal cell phone or smartphone.
- C. A monthly stipend of FORTY FIVE DOLLARS (\$45.00) per month for the Employee in recognition of the Employee's need to have twenty-four (24) hour a day contact with the City Council and City Staff through internet service.

Section 7: Retirement.

- A. The Employer agrees to continue Employee's enrollment in the North Carolina. Local Government Employees Retirement System (NCLGERS) and to make all the appropriate contributions on the Employee's behalf, for the Employer share required.
- B. In addition to the Employer's payment to the NCLGERS as referenced above, Employer agrees to execute all necessary agreements provided by Empower (formerly provided by Prudential) for Employee's continued participation in a deferred compensation plan for Employee's participation in said supplementary retirement plan and, in addition to the base salary paid by the Employer to Employee, Employer agrees to pay an amount equal to the percent contributed by the Employer on behalf of City Employees.

Section 8: General Business Expenses.

- A. Employer agrees to budget for and to pay for professional dues and subscriptions of the Employee necessary for continuation and full participation in national, regional, state, and local associations, and organizations necessary and desirable for the Employee's continued professional participation, growth, and advancement, and for the good of the Employer.
- B. Employer agrees to budget for and to pay for travel and subsistence expenses of Employee for professional and official travel, meetings, and occasions to adequately continue the professional development of Employee and to pursue necessary official functions for Employer, including but not limited to the ICMA Annual Conference, the North Carolina League of Municipalities Annual Conference, and such other national, regional, state, and local governmental groups and committees in which the City or the Employee serves as a member.
- C. Employer also agrees to budget for and to pay for travel and subsistence expenses of Employee for short courses, institutes, and seminars that are necessary for the Employee's professional development and for the good of the Employer.
- D. Employer recognizes that certain expenses of a non-personal but job related nature are incurred by Employee, and agrees to reimburse or to pay said general expenses. The Finance Director is authorized to disburse such moneys upon receipt of duly executed expense or petty cash vouchers, receipts, statements or personal affidavits.
- E. The Employer acknowledges the value of having Employee participate and be directly involved in local civic clubs or organizations. Accordingly, Employer shall pay for reasonable membership fees and/or dues to enable the Employee to become an active member of one (1) local civic club or organization.

Section 9: Terminations.

For the purpose of this Agreement, termination shall occur when:

- A. The majority of the governing body votes to terminate the Employee at a duly authorized public meeting; OR
- B. If the Employer, citizens or legislature acts to amend any provisions of the Charter, Ordinances or appropriate enabling legislation pertaining to the role, powers, duties,

authority, responsibilities of the Employee's position that substantially changes the form of government, the Employee shall have the right to declare that such amendments constitute termination; OR

- C. If the Employee resigns following an offer to accept resignation, whether formal or informal, by a member of the City Council, with the apparent or actual authority to act as a representative of the majority of the governing body of the City of Monroe that the Employee resign, then the Employee may declare a termination as of the date of the suggestion; OR
- D. In the event the Employer at any time during the term of this Agreement reduces the salary or other financial benefits of Employee in a greater percentage than an applicable across-the-board reduction for all employees of Employer; or in the event Employer refuses, following written notice, to comply with any other provision benefiting Employee herein, then, in that event, Employee, may, at his option, be deemed to be "terminated" at the date of such reduction or such refusal to comply within the meaning and context of the herein severance pay provision; OR
- E. In the event the Employer at any time during the term of this Agreement, the Employer fails to increase Employee's salary or other benefits in the same percentage that is applicable to all other City employees; OR
- F. If the Employer terminates, suspends, rescinds, cancels, or otherwise ends this Agreement; OR
- G. If the Employee resigns following an offer to accept resignation by the Employer upon due action of the governing body at a duly authorized public meeting; OR
- H. The Employee resigns following a suggestion, whether formal or informal, by the City Council, that the Employee resign; OR
- I. That as the result of action by the City Council that the position the Employee holds is eliminated from the City's budget or personnel schedule, or equivalent document or process, without the written consent of the Employee; OR
- J. That the Employee is transferred to a position where the compensation is less than the compensation paid to the Employee in the position he held prior to appointment as City Manager, Employee may, at his option, be deemed to be "terminated" at the date of such transfer, unless the Employee and the City agree otherwise, such agreement evidenced in writing).

Section 10: Severance.

- A. Severance shall be paid to the Employee when employment is terminated as defined in Section 9. If the Employee is terminated, the Employer shall provide a minimum severance payment equal to twelve (12) months gross salary and benefits, based at the then current rate of compensation. This severance shall be paid in accordance with the normal payment schedule for all City employees, unless otherwise agreed to by the Employer and the Employee. The Employee shall also be compensated for all accrued vacation time and all paid holidays.
- B. For a minimum period of one (1) year following termination, the Employer shall pay the cost to continue the following benefits:
 - 1. Life insurance as provided in Section 4;
 - 2. Any other available benefits (excluding sick leave, vehicle allowance, internet allowance, and allowable business expenses).
- C. If the Employee is terminated due to conviction of any illegal act involving personal gain to the Employee, a felony, or a Class A1 misdemeanor (or its equivalent) which involves moral turpitude, then the Employer is not obligated to pay severance under this section.

Section 11: Disability.

If the Employee is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health for a period beyond any accrued sick leave, Employer shall have the option to terminate this Agreement, subject to the severance pay requirements contained herein.

Section 12: Performance Evaluation.

Employer will complete a review of the Employee's performance and consider a salary adjustment within twelve (12) months of commencing employment, unless the Employer and Employee agree on holding the review at an earlier or later point. Thereafter, the Employer will complete a Performance Review of Employee at twelve (12) month intervals. Performance Reviews will be subject to a process, form, criteria, and format for the evaluation, which shall be mutually agreed upon by the Employer and Employee.

Annually, the Council and Employee will define goals and performance objectives which they determine necessary for the proper operation of the City and in the attainment of the Council's policy objectives and shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing. The goals and objectives shall generally be attainable within the time limitation as specified and the annual operating and capital budget and appropriations that can be provided.

The process at a minimum shall include the opportunity for both parties to:

1. Prepare a written evaluation;
2. Meet and discuss the evaluation; and,
3. Present a written summary of the evaluation results.

A performance based salary adjustment may be provided by the Employer. The final written evaluation and salary adjustment, if any, will be completed and delivered to the Employee within thirty (30) days of the evaluation meeting.

In effecting the provisions of this section, the Council and Employee mutually agree to abide by the provisions of any and all applicable laws.

Section 13: Outside Activities.

The employment provided for by this Agreement shall be the Employee's sole employment. Recognizing that certain outside consulting or teaching opportunities provide indirect benefits to the Employer and the community, the Employee may elect to accept WITH PRIOR NOTICE, limited teaching, consulting with the understanding that such arrangements shall not constitute interference with, nor a conflict of interest with his or her responsibilities under this Agreement.

Section 14: Residence.

The Employee shall not be required to establish residence within the corporate limits of the City of Monroe while serving as the City Manager. The Council expressly excuses the Employee from any requirement that may have existed or exists that the City Manager or someone serving in that position, becomes a resident of the City of Monroe.

Section 15: Ethical Commitments.

Employee will at all times uphold the tenets of the ICMA Code of Ethics, a copy of which is attached hereto and incorporated herein. Specifically, Employee shall not endorse candidates, make financial contributions, sign or circulate petitions for a candidate, or participate in funding activities for individuals seeking or holding elected office, nor seek or accept any personal enrichment or profit derived from confidential information or misuse of public time. Employer shall support commitments by refraining from any order, direction, or request that would require Employee to violate the ICMA Code of Ethics. Specifically, neither Council nor any individual member thereof shall request Employee to endorse any candidate, make any financial contribution, sign or circulate any petition, or participate in any fund raising activity for individuals seeking or holding elected office, nor to handle any matter of personnel on a basis other than fairness impartiality and merit.

Section 16: Indemnification.

Beyond that required under Federal, State or Local Law, Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as City Manager or resulting from the exercise of judgment or discretion in connection with the performance of program duties or responsibilities, unless the act or omission involved, gross negligence willful or wanton conduct. The Employee may request and the Employer shall not unreasonably refuse to provide independent legal representation at Employer's expense and Employer may not unreasonably withhold approval. Legal representation, provided by Employer for Employee, shall extend until a final determination of the legal action including any appeals brought by either party. The Employer shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs and other reasonable costs and expenses of legal proceedings including attorney's fees, and any other liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resulting from any claim, action, suit, or proceeding, actual or threatened, arising out of or in connection with the performance of his or her duties. Any settlement of any claim must be made with prior approval of the Employer in order for indemnification, as provided in this Section, to be available.

Employee recognizes that Employer shall have the right to compromise and unless the Employee is a party to the suit which Employee shall have a veto authority over the settlement, settle any claim or suit; unless, said compromise or settlement is of a personal nature to Employee. Further, Employer agrees to pay all reasonable litigation expenses of Employee throughout the pendency of any litigation to which the Employee is a party, witness or advisor to the Employer. Such expense payments shall continue beyond Employee's service to the Employer as long as litigation is pending. Further, Employer agrees to pay Employee reasonable consulting fees and travel

expenses when Employee serves as a witness, advisor or consultant to Employer regarding pending litigation.

Section 17: Bonding.

Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

Section 18: Other Terms and Conditions of Employment.

The Employer, only upon agreement with Employee, shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City of Monroe Charter, Monroe City Code, or any applicable law.

Except as otherwise provided in this Agreement, the Employee shall be entitled to the highest level of benefits that are enjoyed by other appointed officials, appointed employees, department heads or general employees of the Employer as provided in the Charter, Code, Personnel Rules and Regulations or by practice.

Section 19: Notices.

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

1. EMPLOYER:
Mayor
City of Monroe
300 West Crowell Street (28112)
Post Office Box 69
Monroe, North Carolina 28111-0069
2. EMPLOYEE:
City Manager
Brian J. Borne
410 West Fifth Avenue
Gastonia, North Carolina 28052

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 20: General Provisions.

- A. Integration. This Agreement sets forth and establishes the entire understanding between the Employer and the Employee relating to the employment of the Employee by the Employer. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated and made a part of this Agreement.
- B. Binding Effect. This Agreement shall be binding on the Employer and the Employee as well as their heirs, assigns, executors, personal representatives and successors in interest.
- C. Effective Date. This Agreement shall become effective upon the date of execution of the same by the appropriate officers of the City of Monroe.
- D. Severability. The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

IN WITNESS WHEREOF, the City of Monroe has caused this Agreement to be signed and executed in its behalf by its appropriate officers and duly attested by its City Clerk, and the Employee has signed and executed this Agreement, both in duplicate, the day and year first above written.

By: 
Marion L. Holloway, Jr., Mayor

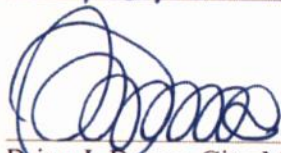
Date: 06/15/2022

Attest:

By: 
Bridgette Robinson, City Clerk

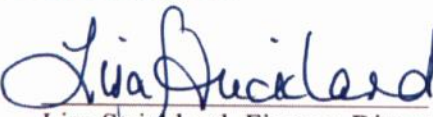


Date: 06/15/2022

By: 
Brian J. Borne, City Manager

Date: June 15, 2022

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: 
Lisa Strickland, Finance Director

Date: 6-15-22



ICMA Code of Ethics with Guidelines

The ICMA Code of Ethics was adopted by the ICMA membership in 1924, and most recently amended by the membership in June 2020. The Guidelines for the Code were adopted by the ICMA Executive Board in 1972, and most recently revised in June 2020.

The mission of ICMA is to advance professional local government through leadership, management, innovation, and ethics. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

Tenet 1. We believe professional management is essential to efficient and democratic local government by elected officials.

Tenet 2. Affirm the dignity and worth of local government services and maintain a deep sense of social responsibility as a trusted public servant.

GUIDELINE

Advice to Officials of Other Local Governments. When members advise and respond to inquiries from elected or appointed officials of other local governments, they should inform the administrators of those communities in order to uphold local government professionalism.

Tenet 3. Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships in order that the member may merit the trust and respect of the elected and appointed officials, employees, and the public.

GUIDELINES

Public Confidence. Members should conduct themselves so as to maintain public confidence in their position and profession, the integrity of their local government, and in their responsibility to uphold the public trust.

Length of Service. For chief administrative/executive officers appointed by a governing body or elected official, a minimum of two years is considered necessary to render a professional service to the local government. In limited circumstances, it may be in the best interests of the local government and the member to separate before serving two years. Some examples include refusal of the appointing authority to honor commitments concerning conditions of employment, a vote of no confidence in the member, or significant personal issues. It is the responsibility of an applicant for a position to understand conditions of employment, including expectations of service. Not understanding the terms of employment prior to accepting does not justify

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premature separation. For all members a short tenure should be the exception rather than a recurring experience, and members are expected to honor all conditions of employment with the organization.

Appointment Commitment. Members who accept an appointment to a position should report to that position. This does not preclude the possibility of a member considering several offers or seeking several positions at the same time. However, once a member has accepted a formal offer of employment, that commitment is considered binding unless the employer makes fundamental changes in the negotiated terms of employment.

Credentials. A member's resume for employment or application for ICMA's Voluntary Credentialing Program shall completely and accurately reflect the member's education, work experience, and personal history. Omissions and inaccuracies must be avoided.

Professional Respect. Members seeking a position should show professional respect for persons formerly holding the position, successors holding the position, or for others who might be applying for the same position. Professional respect does not preclude honest differences of opinion; it does preclude attacking a person's motives or integrity.

Reporting Ethics Violations. When becoming aware of a possible violation of the ICMA Code of Ethics, members are encouraged to report possible violations to ICMA. In reporting the possible violation, members may choose to go on record as the complainant or report the matter on a confidential basis.

Confidentiality. Members shall not discuss or divulge information with anyone about pending or completed ethics cases, except as specifically authorized by the Rules of Procedure for Enforcement of the Code of Ethics.

Seeking Employment. Members should not seek employment for a position that has an incumbent who has not announced his or her separation or been officially informed by the appointive entity that his or her services are to be terminated. Members should not initiate contact with representatives of the appointive entity. Members contacted by representatives of the appointive entity body regarding prospective interest in the position should decline to have a conversation until the incumbent's separation from employment is publicly known.

Relationships in the Workplace. Members should not engage in an intimate or romantic relationship with any elected official or board appointee, employee they report to, one they appoint and/or supervise, either directly or indirectly, within the organization.

This guideline does not restrict personal friendships, professional mentoring, or social interactions with employees, elected officials and Board appointees.

Influence. Members should conduct their professional and personal affairs in a manner that demonstrates that they cannot be improperly influenced in the performance of their official duties.

Conflicting Roles. Members who serve multiple roles – either within the local government organization or externally – should avoid participating in matters that create either a conflict of interest or the perception of one. They should disclose any potential conflict to the governing body so that it can be managed appropriately.

Conduct Unbecoming. Members should treat people fairly, with dignity and respect and should not engage in, or condone bullying behavior, harassment, sexual harassment or discrimination on the basis of race, religion, national origin, age, disability, gender, gender identity, or sexual orientation.

Tenet 4. Serve the best interests of the people.

GUIDELINES

Impacts of Decisions. Members should inform their governing body of the anticipated effects of a decision on people in their jurisdictions, especially if specific groups may be disproportionately harmed or helped.

Inclusion. To ensure that all the people within their jurisdiction have the ability to actively engage with their local government, members should strive to eliminate barriers to public involvement in decisions, programs, and services.

Tenet 5. Submit policy proposals to elected officials; provide them with facts, and technical and professional advice about policy options; and collaborate with them in setting goals for the community and organization.

Tenet 6. Recognize that elected representatives are accountable to their community for the decisions they make; members are responsible for implementing those decisions.

Tenet 7. Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

GUIDELINES

Elections of the Governing Body. Members should maintain a reputation for serving equally and impartially all members of the governing body of the local government they serve, regardless of party. To this end, they should not participate in an election campaign on behalf of or in opposition to candidates for the governing body.

Elections of Elected Executives. Members shall not participate in the election campaign of any candidate for mayor or elected county executive.

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Running for Office. Members shall not run for elected office or become involved in political activities related to running for elected office, or accept appointment to an elected office. They shall not seek political endorsements, financial contributions or engage in other campaign activities.

Elections. Members share with their fellow citizens the right and responsibility to vote. However, in order not to impair their effectiveness on behalf of the local governments they serve, they shall not participate in political activities to support the candidacy of individuals running for any city, county, special district, school, state or federal offices. Specifically, they shall not endorse candidates, make financial contributions, sign or circulate petitions, or participate in fund-raising activities for individuals seeking or holding elected office.

Elections relating to the Form of Government. Members may assist in preparing and presenting materials that explain the form of government to the public prior to a form of government election. If assistance is required by another community, members may respond.

Presentation of Issues. Members may assist their governing body in the presentation of issues involved in referenda such as bond issues, annexations, and other matters that affect the government entity's operations and/or fiscal capacity.

Personal Advocacy of Issues. Members share with their fellow citizens the right and responsibility to voice their opinion on public issues. Members may advocate for issues of personal interest only when doing so does not conflict with the performance of their official duties.

Tenet 8. Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

GUIDELINES

Self-Assessment. Each member should assess his or her professional skills and abilities on a periodic basis.

Professional Development. Each member should commit at least 40 hours per year to professional development activities that are based on the practices identified by the members of ICMA.

Tenet 9. Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10. Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

GUIDELINE

Information Sharing. The member should openly share information with the governing body while diligently carrying out the member's responsibilities as set forth in the charter or enabling legislation.

Tenet 11. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

GUIDELINE

Equal Opportunity. All decisions pertaining to appointments, pay adjustments, promotions, and discipline should prohibit discrimination because of race, color, religion, sex, national origin, sexual orientation, political affiliation, disability, age, or marital status.

It should be the members' personal and professional responsibility to actively recruit and hire a diverse staff throughout their organizations.

Tenet 12. Public office is a public trust. A member shall not leverage his or her position for personal gain or benefit.

GUIDELINES

Gifts. Members shall not directly or indirectly solicit, accept or receive any gift if it could reasonably be perceived or inferred that the gift was intended to influence them in the performance of their official duties; or if the gift was intended to serve as a reward for any official action on their part.

The term "Gift" includes but is not limited to services, travel, meals, gift cards, tickets, or other entertainment or hospitality. Gifts of money or loans from persons other than the local government jurisdiction pursuant to normal employment practices are not acceptable.

Members should not accept any gift that could undermine public confidence. De minimus gifts may be accepted in circumstances that support the execution of the member's official duties or serve a legitimate public purpose. In those cases, the member should determine a modest maximum dollar value based on guidance from the governing body or any applicable state or local law.

The guideline is not intended to apply to normal social practices, not associated with the member's official duties, where gifts are exchanged among friends, associates and relatives.

Investments in Conflict with Official Duties. Members should refrain from any investment activity which would compromise the impartial and objective performance of their duties. Members should not invest or hold any investment, directly or indirectly, in any financial business, commercial, or other private transaction that creates a conflict of interest, in fact or appearance, with their official duties.

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In the case of real estate, the use of confidential information and knowledge to further a member's personal interest is not permitted. Purchases and sales which might be interpreted as speculation for quick profit should be avoided (see the guideline on "Confidential Information"). Because personal investments may appear to influence official actions and decisions, or create the appearance of impropriety, members should disclose or dispose of such investments prior to accepting a position in a local government. Should the conflict of interest arise during employment, the member should make full disclosure and/or recuse themselves prior to any official action by the governing body that may affect such investments.

This guideline is not intended to prohibit a member from having or acquiring an interest in or deriving a benefit from any investment when the interest or benefit is due to ownership by the member or the member's family of a de minimus percentage of a corporation traded on a recognized stock exchange even though the corporation or its subsidiaries may do business with the local government.

Personal Relationships. In any instance where there is a conflict of interest, appearance of a conflict of interest, or personal financial gain of a member by virtue of a relationship with any individual, spouse/partner, group, agency, vendor or other entity, the member shall disclose the relationship to the organization. For example, if the member has a relative that works for a developer doing business with the local government, that fact should be disclosed.

Confidential Information. Members shall not disclose to others, or use to advance their personal interest, intellectual property, confidential information, or information that is not yet public knowledge, that has been acquired by them in the course of their official duties.

Information that may be in the public domain or accessible by means of an open records request, is not confidential.

Private Employment. Members should not engage in, solicit, negotiate for, or promise to accept private employment, nor should they render services for private interests or conduct a private business when such employment, service, or business creates a conflict with or impairs the proper discharge of their official duties.

Teaching, lecturing, writing, or consulting are typical activities that may not involve conflict of interest, or impair the proper discharge of their official duties. Prior notification of the appointing authority is appropriate in all cases of outside employment.

Representation. Members should not represent any outside interest before any agency, whether public or private, except with the authorization of or at the direction of the appointing authority they serve.

Endorsements. Members should not endorse commercial products or services by agreeing to use their photograph, endorsement, or quotation in paid or other commercial advertisements,

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marketing materials, social media, or other documents, whether the member is compensated or not for the member's support. Members may, however, provide verbal professional references as part of the due diligence phase of competitive process or in response to a direct inquiry.

Members may agree to endorse the following, provided they do not receive any compensation: (1) books or other publications; (2) professional development or educational services provided by nonprofit membership organizations or recognized educational institutions; (3) products and/or services in which the local government has a direct economic interest.

Members' observations, opinions, and analyses of commercial products used or tested by their local governments are appropriate and useful to the profession when included as part of professional articles and reports.



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, City Manager

DATE: July 12, 2022

FROM: Matthew Black, Downtown Director

PREPARED BY: Matthew Black, Downtown Director

SUBJECT: NC Main Street Annual Agreements

SUMMARY STATEMENT

All designated Main Street and Small Town Main Street Communities are required to sign an Annual Agreement from Elizabeth Parham, Director, NC Main Street & Rural Planning Center, NC Department of Commerce, Rural Economic Development Division prior to the FY 2022-23.

REVIEW

All designated Main Street and Small Town Main Streets are required to sign a Memorandum of Understanding with NCMS. The memorandum, is a requirement of the NCMS, outlining the requirements and benefits of being designated as a Main Street Community.

Requirements are basic best practices for operating a Main Street program and broadly follows the National Main Street Accreditation standards. The benefits section outlines partnership, training, technical assistance, network, funding, resource, economic impact and recognition benefits offered to Main Street communities; and the Menu of Services document outlines Training and Education, Strategic Planning, Downtown Management, and Grants and Funding Services that our team provides.

There is no additional financial obligation associated with the signing of this agreement.

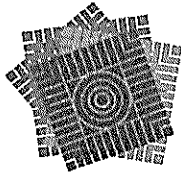
Monroe has been a designated community since 1998 and has signed an annual agreement with NCMS since 2015.

RECOMMENDATION

Staff requests Council authorize the Downtown Director and the City Manager sign the Annual Agreements.

There is no additional financial obligation associated with the signing of this agreement.

Attachment(s):
2022-2023 Annual Agreement, NCMS Designation
Main Street Trademark Agreement



NC MAIN STREET

Designated Community

Name of City/Town: _____

Date: _____

2022-23 Annual Agreement North Carolina Main Street® Designation

Designated Main Street communities (Main Street Director and the City/Town Manager) must sign this document and return to the NC Main Street & Rural Planning Center no later than June 30, 2022, to remain active in the program.

A signed document confirms that the local Main Street program has a thorough understanding of the benefits and requirements of active participation in the NC Main Street program. The Main Street Director should share a copy of the signed document with the Main Street Board of Directors.

Program Background

Nationally:

Main Street America™ has been helping revitalize older and historic commercial districts for more than 40 years. Today it is a network of more than 1,200 neighborhoods and communities, rural and urban, who share both a commitment to place and to building stronger communities through preservation-based economic development. Main Street America is a program of the nonprofit National Main Street Center, a subsidiary of the National Trust for Historic Preservation.

Main Street America is a mark of distinction. It is a seal, recognizing that participating programs, organizations, and communities are part of a national movement with a proven track record for celebrating community character, preserving local history, and generating impressive economic returns. Since 1980, over 2,000 communities have been part of Main Street, bringing renewed energy and activity to America's downtowns and commercial districts, securing more than \$89.57 billion in new investment creating 687,321 net new jobs and rehabilitating 303,836 buildings.

Main Street America is a time-tested strategy. Main Street America communities are encouraged to make use of a time-tested approach, known as the Main Street Approach. The Main Street Approach is rooted in a commitment to broad-based community engagement, a holistic understanding of the factors that impact the quality of life in a community, and strategic focus on the core principles of downtown and neighborhood revitalization: Economic Vitality, Quality Design, Effective Promotion, and Sustainable Organization. For more information, visit www.mainstreet.org.

In North Carolina:

The NC Main Street & Rural Planning Center within the N.C. Department of Commerce is the licensed agency that is charged with administering the Main Street program throughout the state. The Center is committed to following the

NC Main Street & Rural Planning Center
NC Department of Commerce – Rural Economic Development Division-
4346 Mail Service Center, Raleigh NC 27699-4346 (919) 814-4658 5/12/2022

program guidelines and licensing agreement as outlined by the National Main Street Center and signed by the N.C. Department of Commerce.

The N.C. Department of Commerce designates communities as a “North Carolina Main Street community”. When designated, the local city or town government, and specifically the chief elected official, is notified of the designation. The city or town government determines who will administer the Main Street program at the local level and the city or town manager communicates that information to the N.C. Main Street & Rural Planning Center. From time-to-time, that administration may change. If there is a change, this document outlines the steps that must be followed for a change in local administration to occur.

Since 1980, over 115 communities have directly benefitted from the North Carolina Main Street program, bringing economic strength to North Carolina’s downtown commercial districts, securing \$4.08 billion in new investment creating more than 30,234 net new jobs and rehabilitating 7,199 buildings.

Benefits for NC Main Street Communities

North Carolina Main Street communities’ benefit from the following:

Partnership:

- Communities selected to participate in the Main Street program become partners with the North Carolina Department of Commerce, NC Main Street & Rural Planning Center in a long-term, asset-based economic development effort that has proven to have a positive impact on investment and job creation.
- Main Street communities are limited in number and therefore receive focused and personal attention from NC Main Street staff.
- North Carolina communities are selected through a competitive process and only a few are designated; therefore, Main Street designation is an honor bestowed upon only a few special communities.
- In the first several years of a local Main Street program, the state of North Carolina invests approximately \$100,000 in on-site visits, training, and technical assistance. After the initial start-up phase, the state annually invests approximately \$5,000 in each Main Street community in the form of ongoing town-specific technical assistance, and statewide and on-site training for directors and volunteers.

Training:

- Main Street communities are eligible to attend and participate in the NC Main Street Conference, NC Main Street Basic Training, Board and Committee Training, NC Main Street Directors’ Meetings, Biannual Regional Meetings, and subject specific workshops.
- Designated North Carolina Main Street communities receive two free registrations to the North Carolina Main Street Conference held in March.

Technical Assistance:

- The North Carolina Main Street program staff guides designated communities through a strategic planning process which helps communities create a vision, develop economic development strategies that will transform downtown, and produce action plans so that limited resources are focused, and results are magnified.

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- The North Carolina Main Street staff guide participating communities through board development, volunteer development and downtown director training.
- The North Carolina Main Street staff provide guidance and support to communities on ways to find and develop financial resources.
- Property and business owners in Main Street cities receive free building exterior design recommendations from design specialists at the UNC-Greensboro Department of Interior Architecture, in collaboration with the NC Main Street & Rural Planning Center staff.
- The North Carolina Main Street staff provide guidance and training on the best practices for leveraging tourism based economic development in association with the NC Main-to-Main Trail, an initiative of the NC Main Street & Rural Planning Center.
- North Carolina Main Street staff has extensive experience in organizational development and nonprofit management, historic preservation, building rehabilitation, investment tax credits, incentive programs, tourism development, marketing, image building, special event development, communications, and a range of other pertinent areas.
- The North Carolina Main Street staff is among the nation's leading authorities on downtown development with experience helping North Carolina towns with revitalization challenges.
- The North Carolina Main Street staff assists communities with Main Street Director recruitment process.
- The North Carolina Main Street staff conducts an annual program assessment and review of each Main Street program.
- The North Carolina Main Street staff conducts an annual budget and salary analysis of Main Street programs.
- The North Carolina Main Street staff conducts an annual statistical data collection and analysis.

Network:

- North Carolina Main Street communities may use the Main Street trademarks on materials designed to promote the work of their program in collaboration with the State of North Carolina and the National Main Street Center.
- The North Carolina Main Street network possesses some of the most experienced downtown development professionals in the country.
- Main Street communities may take advantage of and participate in a special network of Main Street cities statewide and nationally, with over 1,200 communities across the nation, and 45 city, state, and regional Coordinating Programs, that participate in the Main Street program. This allows them to learn best practices, techniques, and strategies for downtown development.

Funding:

- When available, Main Street communities are eligible to apply for downtown revitalization funding programs to assist small business development and property rehabilitation.
- When available, Nationally **Accredited** Main Street communities are eligible to apply for funding programs through the National Main Street Center.
- The NC Main Street & Rural Planning Center maintains and distributes a funding guide of federal, state, corporate and foundation sources commonly used for funding downtown projects.

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Resources:

- Through the North Carolina Main Street program, communities can identify resource people, consultants, and specialists on topics of interest to the community.

Economic Impact:

- Since 1980 when the program began, Main Street communities in North Carolina have had over \$4.08 billion in new investment in their downtowns, a net gain of over 7,151 new businesses and a net gain of over 30,234 new jobs. This is serious economic development!
- The North Carolina Main Street staff facilitate statewide economic impact studies and collects data to determine trends in Main Street and Small Town Main Street communities.

Marketing & Recognition:

- Designated North Carolina Main Street communities are eligible to receive statewide recognition through the North Carolina Main Street Awards and Main Street Champions programs.
- In addition, designated communities are eligible for recognition by the National Main Street Center as a Nationally Accredited or Affiliate Main Street community.
- North Carolina Main Street communities receive marketing and recognition offered through the NC Main-to-Main Trail, an initiative of the NC Main Street & Rural Planning Center.
- Nationally Accredited Main Street communities are eligible to apply for national recognition through the Great American Main Street Awards® (GAMSA), a program of the National Main Street Center.
- North Carolina Main Street communities receive publicity about their programs through press releases distributed through the N.C. Department of Commerce, NC Main Street & Rural Planning Center updates and annual reports, Main Street presentations, and the NC Main Street social media sites.

*Note – in the event of a natural disaster or pandemic event, programs and services may be changed, conducted virtually, or cancelled in accordance to recommended guidelines from the Center for Disease Control and NC State Emergency Management.

Requirements of Designated N.C Main Street Communities

Main Street communities must be 50,000 and under in population at the time of designation.

1. Participate in all services provided to the local community by the NC Main Street & Rural Planning Center.
2. Employ a full-time - 40 hours/week paid professional Main Street Director, who is dedicated to downtown and will coordinate and facilitate the work of the program. Communities with a population of 5,001-9,999 MAY employ two or more persons that equal one or more full-time equivalent position(s). One of the positions must be designated as the director. Communities with a population of 5,000 or less MAY employ a part-time - 20+ hours/week position paid professional Main Street Director.
 - The Main Street Director should be paid a salary consistent with those of other community development professionals within the city, state, or region in which the program operates.
 - The Director should be adequately trained — and should continue learning about revitalization techniques and about issues affecting traditional commercial districts.

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- The Director should have a written job description that correlates with the roles and responsibilities of a Main Street Director.
 - There should be a formal system in place for evaluating the performance of the Director on an annual basis.
 - Adequate staff management policies and procedures should be in place.
3. Obtain a 501(c) 3, 4, or 6 nonprofit designation OR be designated as a department of the local municipal government.
4. Establish broad-based support for the commercial district revitalization process with strong support from both the public and private sectors.
- The Main Street organization should have the active participation of various stakeholders at the committee and board levels.
 - Participants should contribute financial, in-kind, and volunteer support for the revitalization program.
 - Participants should look for, and act on, opportunities to make connections between other programs or organizations to form partnerships that help further the revitalization process.
 - The program should include an ongoing process for volunteer recruitment, orientation, and recognition, constantly refreshing its pool of volunteers and involving new people each year.
 - The revitalization program has broad-based philosophical support from the community.
 - Municipal government demonstrates a philosophical commitment to commercial district revitalization.
5. Establish and maintain an active Board of Directors and Committees using the Main Street Four-Point Approach® and develop a comprehensive Main Street Work Plan using the Main Street Four-Point Approach®.
- Main Street revitalization by nature is a community-driven process. Therefore, community members must take an active role in leading and implementing positive change. While the Director is responsible for facilitating the work of volunteers, this staff member is not tasked with single-handedly revitalizing the commercial district. The direct involvement of an active board of directors and committees are keys to success.
- If a Main Street organization is housed within another entity (e.g., a community development corporation), it is still important to have its own board of directors and committee structure.
- The board is a working, functional board that understands its roles and responsibilities and is willing to put forth the effort to make the program succeed.
 - Committee members assume responsibility for the implementation of the work plan.
 - The program has a dedicated governing body, its own rules of operation, its own budget, and its own bylaws, and is empowered to carry out Main Street's mission, even if the Main Street program is a part of a larger organization.
 - The board has well-managed, regular monthly meetings, with an agenda and regular distribution of minutes.
 - Committees have regularly scheduled monthly meetings with an agenda that addresses the committee work plan.
6. Establish an annual work plan/planning process for downtown.
- A comprehensive annual work plan provides a detailed blueprint for the Main Street program's activities; reinforces the program's accountability both within the organization and in the broader community; and provides measurable objectives by which the program can track its progress.

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- The work plan should contain a balance of activities in each of the four broad program areas that comprise the Main Street approach — Economic Vitality, Quality Design, Effective Promotion, and Sustainable Organization.
- The work plan should contain measurable objectives, including timelines, budgets, desired outcomes, and specific responsibilities.
- The work plan should be reviewed, and a new one should be developed annually.
- Ideally, the full board and committees will be involved in developing the annual work plan. At a minimum, the full board should adopt/approve the annual work plan.
- The work plan should distribute work activities and tasks to a broad range of volunteers and program participants.
- There has been significant progress in each of the four points based on the work plan submitted for the previous year.

7. Adopt and exhibit a Historic Preservation Ethic and design management program.

Historic preservation is central to the Main Street program's purpose and is what makes historic and traditional commercial districts authentic places. Historic preservation involves saving, rehabilitating, and finding new uses for existing buildings, as well as intensifying the uses of the existing buildings, through building improvement projects and policy and regulatory changes that make it easier to develop property within the commercial district.

- The program has, or is working toward putting in place, an active and effective design management program (which may include financial incentives, design assistance, regulatory relief, design review, education, and other forms of management).
- The program encourages appropriate building renovation, restoration, and rehabilitation projects.
- When faced with a potential demolition or substantial structural alteration of a significant, historic, or traditional building in the Main Street district, the program actively works to prevent the demolition or alteration, including working with appropriate partners at the state, local, or national level to attempt to stay or alter the proposed activity; developing alternative strategies for the building's use; and/or educating local leaders about the importance of retaining existing buildings and maintaining their architectural integrity.
- The program works to find creative adaptive use, financing, and physical rehabilitation solutions for preserving old buildings.
- The program recognizes the importance of planning and land-use policies that support the revitalization of existing commercial centers and works toward putting planning and land-use policies in place that make it as easy (if not easier) to develop property within the commercial district as it is outside the commercial district. Similarly, it ensures that financing, technical assistance, and other incentives are available to facilitate the process of attracting investment to the historic commercial district.
- The program builds public awareness for the commercial district's historic buildings and for good design.

8. Demonstrate an established vision for downtown and a mission that defines the role of the organization that will manage the downtown initiative.

- The organization has an appropriate written mission statement.
- The mission statement is reviewed annually and updated as appropriate.
- The organization has an appropriate written vision statement for downtown that is reviewed annually and updated as appropriate. The vision statement should define the economic potential of downtown.

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9. New Main Street Director attendance at Main Street Orientation, held virtually each month, within three months of start date (if not previously attended).
10. Main Street Director attendance at Main Street Basic Training each time there is a change in management (if not previously attended).
11. Fund the local Main Street program through both public and private partnerships at a level allowing for full implementation of the program based on the Four-Point Approach® and the adopted annual work plan. The Main Street program's budget should be adequate to achieve the program's goals. The dollar amount that is "adequate" for a program budget may vary.
 - The budget should be specifically dedicated to revitalizing the commercial district.
 - The Main Street program's budget should contain funds adequate to cover the salary and benefits of staff; office expenses; travel; professional development; and committee activities.
 - Revenue sources are varied and broad-based, including appropriate support from the municipal government.
 - There is a strategy in place to help maintain stable funding.
 - There is a process in place for financial oversight and management.
 - Regular monthly financial reports are made by the treasurer to the board.
12. Main Street Director's attendance at Main Street Directors' Meeting held once a year in August. (In the case of a vacancy or illness/emergency, a substitution for the director may be made for this meeting).
13. Main Street Director (or Volunteer if Director cannot) attendance at a minimum of one of two bi-annual regional meetings each year. (Held in May and October/November.) *It is recommended that the Director attends both meetings, not just one.
14. Main Street Director and a minimum of one volunteer attendance at the annual NC Main Street Conference - (NCMS provides each designated MS community with two complimentary registrations).
15. Maintain and update as appropriate your community's Main to Main Trail information on your website which is linked to the ncmainstreetandplanning.com website.
16. Submit annual statistical data in July and Budget & Salary information and Program Assessment Survey in January, as requested, to the NCMS&RP Center.
17. Maintain an annual membership with the National Main Street Center at a \$375 Main Street America Community Member level.
18. Reimbursement of NC Main Street & Rural Planning Center's travel expenses, when traveling to the local community, at the IRS state rate plus meals at the state per diem rate and lodging in accordance with the NC Main Street & Rural Planning Center Travel Policy.
19. Place the *Designated NC Main Street Community* logo on the Main Street program website and use the logo when appropriate on social media, email, and marketing materials.

- 20.** Main Street Program must also sign and follow the attached National Main Street sublicense agreement and must comply with all Accredited or Affiliate community requirements. Logos and Website language will be sent following receipt of signed agreements.

Documents Needed for a Change in Administration of the Local Main Street Program, including if the organization changes from a nonprofit, government, or quasi-public-private structure to a different structure:

- The City/Town Council has the authority to designate another agency/entity to administer the Main Street program.
 - North Carolina Main Street Center requires:
 - A resolution from the City/Town Council that authorizes this change.
 - Minutes of the City/Town Council Meeting clearly demonstrating the majority vote.
 - Documentation demonstrating how the entity that will be administering the Main Street Program will address the items listed under the requirements section of this document.

*These documents must be emailed to the Director of the NC Main Street & Rural Planning Center within two months of a change in administration.

Benefits of Membership with The National Main Street Center

Designated Main Street Member

(Required for all active, designated N.C. Main Street and Small Town Main Street communities)

As a designated Main Street Member, your program, is a recognized leader among the largest network of commercial district organizations in the world. Tap into the expertise of our large network of Main Street Programs, BIDs, CDC's, planners, local government agencies, consultants, and others to learn, research and share useful experience with each other. This guide explains the benefits of membership and how to access these tools.

We want you to get as much out of your membership as possible! Please contact us if you require any assistance with your benefits.

Your benefits include:

- Exclusive eligibility to be recognized as an Affiliate or Accredited Main Street America program.
- Exclusive eligibility to enter into a Licensing Agreement with the NMSC, or your Coordinating Program, to use Main Street America™ name and logo.
- Eligibility to apply for the Great American Main Street Awards and other special awards and grant programs.
- Up to six free sub-memberships to share access to resources with your team
- Access to The Point, our exclusive online member networking platform.
- Access to *Main Street News*, a weekly newsletter on new trends, stories from the field, and need-to-know information for those in the commercial district revitalization field.
- Members-only rates at the annual Main Street Now Conference, and the Main Street America Institute.
- *State of Main*, our annual printed publication.
- Access to our digital library of must-read revitalization publications and resource guides, including exclusive training materials on the Main Street Approach and full archives of the Main Street Now journal.
- Free online training opportunities.
- Full access to the Main Street Resource Center with sample documents, articles, reports, and more from your peers and experts in the field—all at your fingertips.
- Ability to post job openings for your local program through the National Trust for Historic Preservation's online Career Center.
- Access to tailored insurance products from the National Trust Insurance Services, LLC.
- Family level membership with the National Trust for Historic Preservation including a subscription to *Preservation* magazine.
- And more!

Annual Dues: \$375

Information from:

<https://www.mainstreet.org/join>

Signature Page

1. Designated Main Street City/Town: _____

2. Name of Local Main Street Administrating Organization: _____

3. Check Which One Applies:

☐ Public (City/Town) Administered

☐ Private (Non-Profit) Administered

☐ Quasi: Public-Private (Town/Non-Profit) Administered

4. Name of Main Street Director: Matt Black

Title: _____

Signature: _____

Date: _____

5. Name of City/Town Manager: _____

Title: _____

Signature of City/Town Manager: _____

Date: _____

TRADEMARK SUBLICENSE AGREEMENT

This Trademark Sublicense Agreement ("Sublicense Agreement") is entered into between _____ ("**Coordinating Program**") and _____ ("**Sublicensee**"), effective as of the last date written below. For good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. Background.

A. The National Main Street Center, Inc. ("NMSC") operates a membership program called MAIN STREET AMERICA™. As a part of that program, MAIN STREET AMERICA™ Coordinating Program Membership is available to statewide, regional or citywide organizations that oversee multiple local downtown and neighborhood programs within their service area and work to preserve and revitalize commercial districts. Local Program membership in the MAIN STREET AMERICA™ program is available at the Affiliate or Accredited levels to individual programs or organizations that satisfy the membership eligibility criteria described on the NMSC website (currently located at: [https://higherlogicdownload.s3.amazonaws.com/NMSC/390e0055-2395-4d3b-af60-81b53974430d/UploadedImages/Join/Main Street America Tier System Overview - 2019 Update.pdf](https://higherlogicdownload.s3.amazonaws.com/NMSC/390e0055-2395-4d3b-af60-81b53974430d/UploadedImages/Join/Main%20Street%20America%20Tier%20System%20Overview%202019%20Update.pdf)).

B. Organization is a Coordinating Program member of NMSC in good standing and has entered into a Trademark License Agreement with the NMSC which grants to the Coordinating Program the right to sublicense to its Local Programs the use of the NMSC name and trademarks described below.

C. Sublicensee is a Local Program Member in good standing of the MAIN STREET AMERICA™ program at the Accredited level. Sublicensee is also located within the Coordinating Program's geographic service area. Therefore, Sublicensee has the opportunity to enter into this Trademark License Agreement, which grants certain rights to use the NMSC's name and trademarks, including MAIN STREET AMERICA™ and MAIN STREET®, as described below.

D. The NMSC's parent entity, the National Trust for Historic Preservation ("National Trust"), owns the following registered trademarks, which it has delegated to the NMSC the right to sublicense. NMSC and Coordinating Program have entered into a Trademark Licensing Agreement which grants the Coordinating Program the right to sublicense the following registered trademarks:

Mark	U.S. Registration Number
MAIN STREET	Reg. Nos. 3,365,568 and 2,057,207
NATIONAL MAIN STREET CENTER	Reg. No. 2,013,837

These registered trademarks owned by the National Trust, together with the MAIN STREET AMERICA™ word marks and logos referred to in Section 2.A.1 below, the NATIONAL MAIN STREET CENTER logo referred to in Section 2.A.ii below are referred to herein as the "Trademarks."

E. The Trademarks are well known and recognized by the general public and associated in the public mind with the NMSC and the National Trust. The Coordinating Program and the Sublicensee recognize the mutual benefits that accrue from the Sublicensee's use of the Trademarks in accordance with the terms and conditions of this Sublicense Agreement, including the recognition and credibility brought to the Sublicensee through its use of these Trademarks and the benefit to the Coordinating Program and NMSC from association with high-performing Local Programs.

**National Main Street Center
Local Program Accredited Member Sublicensing Agreement**

2. Grant of Sub-License.

A. Subject to the terms and conditions of this Sublicense Agreement, the Coordinating Program hereby grants the Sublicensee the non-exclusive right and license to use the Trademarks to identify and promote its participation in the MAIN STREET AMERICA™ program, as well as its relationship and association with the Coordinating Program and NMSC, in connection with the following activities:

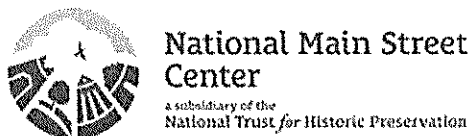
- i. **MAIN STREET AMERICA™ word and logo marks.** The Sublicensee's rights to use the MAIN STREET AMERICA™ word mark and the following MAIN STREET AMERICA logo are limited to Sublicensees which are members in good standing at the Accredited membership level of the MAIN STREET AMERICA™ program:

For use by Local Programs who are Designated Members at the Accredited Level:



As a Main Street America™ Accredited program, INSERT NAME HERE is a recognized leading program among the national network of more than 1,200 neighborhoods and communities who share both a commitment to creating high-quality places and to building stronger communities through preservation-based economic development. All Main Street America™ Accredited programs meet a set of National Accreditation Standards of Performance as outlined by the National Main Street Center.

- ii. **NATIONAL MAIN STREET CENTER® word and logo marks.** The Sublicensee's right to use the NATIONAL MAIN STREET CENTER word mark and the following NATIONAL MAIN STREET CENTER logo solely and exclusively to indicate its association with the National Main Street Center:



- iii. **MAIN STREET® word mark.** The Sublicensee's right to use the MAIN STREET trademark is limited to use made to identify Sublicensee and/or its activities, including as part of the name of the Licensee (e.g. "Main Street Iowa"), in connection with commercial district revitalization and related consultation, education, and training.

3. Scope of and Limitations on Use. Use of the Trademarks by the Sublicensee will be subject to the following limitations:

A. Sublicensee must display the Accredited level MAIN STREET AMERICA membership mark on their website. All uses of the MAIN STREET AMERICA word mark and logo by Sublicensee must follow the specific mark, color, and character usage set forth in the Brand Identity Guidelines which are incorporated by reference as if fully set forth herein. Sublicensee will not use or develop any different

**National Main Street Center
Local Program Accredited Member Sublicensing Agreement**

logos or designs (including any symbols or stylized presentations), in connection with the MAIN STREET AMERICA mark or logo. Use of the MAIN STREET AMERICA word mark and logos by Sublicensee is a mandatory condition of membership in the MAIN STREET AMERICA program.

B. The MAIN STREET mark, as part of the name and identity of Sublicensee's organization, programs, and activities, can be used on materials designed to promote the work of Sublicensee (e.g., website, brochures, newsletter, letterhead or other printed promotional materials). The right to use the MAIN STREET mark by the Sublicensee is an optional benefit of membership in the MAIN STREET AMERICA program.

C. All uses of the NATIONAL MAIN STREET CENTER logo by Sublicensee must follow the specific mark, color, and character usage set forth in the Brand Identity Guidelines attached as Exhibit A, which are incorporated by reference as if fully set forth herein. Sublicensee will not use or develop any different logos or designs (including any symbols or stylized presentations) in connection with the NATIONAL MAIN STREET CENTER mark. Use of the NATIONAL MAIN STREET CENTER logo by Sublicensee is an optional benefit of membership in the MAIN STREET AMERICA program.

D. This Sublicense Agreement is subject to the terms, conditions, and limitations of the Trademark License Agreement between NMSC and the Coordinating Program.

E. Sublicensee will not apply to register any of the Trademarks, or any other trademark that incorporates any part of the Trademarks or "National Trust for Historic Preservation." Sublicensee will not state or imply that it owns any such trademarks.

F. The Sublicensee will not use the Trademarks in combination with or in juxtaposition with other trademarks except as may be approved in writing by the NMSC. The Sublicensee will apply and display the ® symbol and the ™ symbol next to or with respect to the Trademarks as directed by the Coordinating Program.

G. Other than as specifically provided herein, Sublicensee is not granted any other rights to use, license or sublicense the Trademarks.

4. Term. This Sublicense Agreement will become effective immediately upon the date of last signature below, and, unless terminated early under Sections 5 or 10, will be effective through April 30, 2023, at which time it may be renewed by mutual written agreement of the parties hereto.

5. Conditions. This Sublicense Agreement between Coordinating Program and Sublicensee is conditioned upon Sublicensee having an active MAIN STREET AMERICA membership at the Accredited level with NMSC. The requirements of this membership are currently available at: [https://higherlogicdownload.s3.amazonaws.com/NMSC/390e0055-2395-4d3b-af60-81b53974430d/UploadedImages/Join/Main Street America Tier System Overview - 2019 Update.pdf](https://higherlogicdownload.s3.amazonaws.com/NMSC/390e0055-2395-4d3b-af60-81b53974430d/UploadedImages/Join/Main%20Street%20America%20Tier%20System%20Overview%202019%20Update.pdf), and are incorporated herein by reference.

6. Acknowledgment of Ownership. Use of the Trademarks indicates acknowledgment by the Sublicensee of the NMSC's and the National Trust's rights and title to the Trademarks, (i.e. MAIN STREET AMERICA, NATIONAL MAIN STREET CENTER, and MAIN STREET), and that Sublicensee will not at any time do, or permit to be done, any act or thing that will in any way impair the rights of the NMSC or the National Trust. All use of the Trademarks by the Sublicensee will inure to the benefit of the NMSC and the National Trust.

**National Main Street Center
Local Program Accredited Member Sublicensing Agreement**

7. Good will and promotional value. Sublicensee recognizes and acknowledges the value of good will associated with the Trademarks and agrees that it will not conduct any activity, provide any service, or produce or distribute goods which in any way damages or reflects adversely upon the NMSC or the National Trust.

8. Non-assignment. This Sublicense Agreement is personal to the Sublicensee, and may not be assigned to any other individual, program, organization, or agency. Any attempted assignment will be null and void.

9. Compliance Verification. It is the responsibility of the Sublicensee to verify compliance with the terms of this Sublicense Agreement, and to provide complete and accurate usage reports to the Coordinating Program. If the Coordinating Program or the NMSC has reason to believe that the Sublicensee is in violation of this Sublicense Agreement, the Coordinating Program or NMSC shall have the right to make inquiries with Sublicensee as necessary to determine compliance. In such case, the Sublicensee will cooperate with the Coordinating Program and/or NMSC in its investigation and provide in a timely fashion any and all information that is requested.

10. Termination.

A. Coordinating Program may terminate this Sublicense Agreement if the Sublicensee violates any of the provisions of this Sublicense Agreement or fails to satisfy the membership criteria established by the NMSC for Accredited Local Programs. Such termination will be effective thirty (30) days after the Coordinating Program sends written notice of such termination to Sublicensee. During this thirty (30) day period, Sublicensee may attempt to cure such violation. If the violation is not cured during this period, the termination will be effective upon the expiration of the thirty (30) day period.

B. This Sublicense Agreement will automatically terminate immediately without any notice required, notwithstanding the above paragraph, if the Coordinating Program or NMSC determines: (i) that sublicensee's actions could negatively affect the goodwill, image, or reputation of the NMSC, the National Trust for Historic Preservation, the Coordinating Program, or any of the Trademarks; (ii) the Sublicensee discontinues all or a significant portion of its business; (iii) the National Trust terminates, revokes, or fails to renew the NMSC's rights to use, license, or sublicense the Trademarks; or (iv) the NMSC terminates, revokes or fails to renew the Coordinating Program's rights to use, license or sublicense the Trademarks.

C. Upon the expiration or early termination of this Agreement, the Sublicensee will discontinue use of the Trademarks and will destroy and delete tangible and electronic documents and files containing any such marks, except for a limited number of copies retained for archival purposes only.

11. Governing Law. This Agreement is entered into in the District of Columbia and will be governed by and construed in accordance with the laws of the District of Columbia, USA, without giving effect to conflict of laws provisions.

12. Annual Report, Notices, Other Communication. Upon request by the Coordinating Program or NMSC, Sublicensee shall submit samples of any materials on which the Trademarks licensed under this agreement were used during the year. Such samples shall be submitted within ten business days of receipt of a written request from the Coordinating Program or NMSC.

13. Notices. Any notices which either party is required or may desire to serve upon the other party shall be in writing and may be served either personally or by depositing the same in the mail (first class



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, CMSM, MBA, BLA, City Manager

DATE: July 12, 2022

FROM: Sarah McAllister, P.E., Engineering Director

PREPARED BY: Sarah McAllister, P.E., Engineering Director

SUBJECT: Ordinance to Amend Traffic Code – Chapter 76 Parking Schedules, Schedule I. Parking Prohibited at All Times and Schedule VI. Tow-Away Zones

SUMMARY STATEMENT

City Council is requested to consider amending Schedule I. Parking Prohibited at All Times and Schedule VI: Tow-away Zones to add Corporate Center Drive from Goldmine Road to its western end.

REVIEW

Monroe Union County Economic Development has requested to have both sides of Corporate Center Drive from Goldmine Road to its western end signed as No Parking and Tow-Away Zone. This is to prevent tractor trailers from using the public street for long term parking. Therefore, the attached Ordinance Amendment (O-2022-56) would update the ordinances to reflect the request. Engineering Staff will work with the Economic Development Staff to install all signage once adopted.

The above was presented at the Public Safety Committee meeting on July 11, 2022 and recommended for approval.

RECOMMENDATION

The Public Safety Committee and Staff recommend amending Chapter 76 Parking Schedules, Schedule I. Parking Prohibited at All Times and Schedule VI: Tow-away Zones to add both sides of Corporate Center Drive from Goldmine Road to its western end.

Attachments:
Ordinance (O-2022-56)
Corporate Center Drive Picture

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE VII: TRAFFIC CODE
CHAPTER 76: PARKING SCHEDULES
O-2022-56

BE IT ORDAINED by the City of Monroe Council that Title VII: Traffic Code, Chapter 76 – Parking Schedules of the City of Monroe Code of Ordinances is amended as follows:

Section 1. Amend **SCHEDULE I. PARKING PROHIBITED AT ALL TIMES** to add:

Street Name	Side	From	To
Corporate Center Drive	Both	Goldmine Road	1,000 feet west of center line of Goldmine Road

Section 2. Amend **SCHEDULE VI. TOW-AWAY ZONES** to add:

Parking Lot or Location
Corporate Center Drive from Goldmine Road to 1,000 feet west of center line of Goldmine Road

Section 3. This Ordinance shall be effective upon adoption.

Adopted this 12th day of July, 2022.

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk

Corporate Center Drive – Example Picture





STAFF REPORT

TO: City Council

VIA: Brian Borne, City Manager

DATE: July 12, 2022

FROM: Ryan Jones, Parks and Recreation Director

PREPARED BY: Ryan Jones, Parks and Recreation Director

SUBJECT: Phil Bazemore Active Adult Center Audio/Visual Equipment

SUMMARY STATEMENT

City Council is requested to consider awarding the contract for the purchase and installation of audio/visual equipment for the Phil Bazemore Active Adult Center rehabilitation project in the amount of \$159,483.41.

REVIEW

City Council adopted a Capital Project Budget Ordinance (BO-2022-04) on March 8, 2022 in the amount of \$622,609 for services and items including cabling/security cameras and system card access, audio visual equipment, furnishings, kitchen equipment, fitness equipment and computers. Staff is requesting council approval of the contract for the purchase and installation of audio/visual equipment for the Phil Bazemore Active Adult Center rehabilitation project.

The following proposals were received for this project:

Company	Bid Award
Solutionz	\$122,002.24
Inter Technologies Corporation	\$159,483.41
Trace#	\$179,240.18

Staff recommends the award of the contract to Inter Technologies Corporation. While Inter Technologies Corporation did not submit the lowest cost proposal, their proposal provided the lowest responsible equipment implementation solutions and better fits the functionality needed for this facility. Inter Technologies' technicians visited the site and designed a proposal that was considerate of the facility's activities and visitors. This vendor's proposal provided a more

inclusive equipment setup strategy utilizing larger display screens and a robust sound system that staff feels will eliminate additional costs and modifications.

RECOMMENDATION

In accordance with Section 34.01-G of the City of Monroe Code of Ordinances, City Council is required to authorize all purchases exceeding \$100,000. Therefore, the General Services Committee and Staff recommend that City Council approve the awarding audio/visual equipment contract for the Phil Bazemore Active Adult Center to Inter Technologies Corporation in the amount of \$159,483.41 and authorize the City Manager to execute any and all necessary documents to execute this contract.

Attachment: Contract with Inter Technologies Corporation

CONTRACT FOR AUDIO VISUAL EQUIPMENT & INSTALLATION
CONTRACT DATED JUNE 29, 2022

This Contract is made and entered into as of the 29th day of June, 2022, by the City of Monroe ("City") and Inter Technology Technologies Corporation ("Contractor"), (X) a corporation, () a professional corporation, () a professional association, () a limited partnership, () a sole proprietorship, or () a general partnership; organized and existing under the laws of the State of ~~North Carolina~~. Virginia

Section 1. **Background and Purpose.** *Provide and install audio visual equipment in new Phil Bazemore Active Adult Center*

Section 2. **Services and Scope to be Performed.** The Contractor shall *provide and install audio visual equipment in new facility located at 500 W. Jefferson St., Monroe, NC per proposal.* In this contract, "Work" means the services that the Contractor is required to perform pursuant to this contract and all of the Contractor's duties to the City that arise out of this contract. Any amendments, corrections, or change orders by either party must be made in writing signed in the same manner as the original. (This form may be used for amendments and change orders.) The City reserves the right to refuse payment for any work outside that authorized herein or pursuant to a duly approved amendment or change order.

Section 3. **Complete Work without Extra Cost.** Unless otherwise provided, the Contractor shall obtain and provide, without additional cost to the City, all labor, materials, equipment, transportation, facilities, services, permits, and licenses necessary to perform the Work.

Section 4. **Compensation.** The City shall pay the Contractor for the Work as follows: *\$159,483.41 upon satisfactory completion of installation, receipt and approval of invoice by City staff.* The City shall not be obligated to pay the Contractor any payments, fees, expenses, or compensation other than those authorized by this section.

Section 5. **Vendor's Billings to City.** Vendor shall submit an original invoice to the Accounting Division at the City of Monroe. Vendors can expect payment within 30 days.

FOR CONSTRUCTION CONTRACTS ONLY:

Contractor's Billings to City. Contractor shall submit an original pay request to the City construction inspector or project manager. It is suggested the Contractor superintendent meet with the City's construction inspector or manager prior to submitting the pay request to verify quantities of work completed, materials, and values. The pay request shall contain the

following items, all submitted on City forms (digital forms are available upon request):

- a. Recommendation for payment – all fields complete including history of change orders as appropriate;
- b. Affidavit and Lien Waiver or Release – Notarized original with all fields complete;
- c. Tax Statement and Certification – Notarized original with all fields complete;
- d. Tax Table listing itemized invoices and showing county where tax was paid. Include copies of invoices that are itemized in the tax table. Submit notarized originals. If claiming no tax for the period, submit the statement and certification with table and note “no sales tax for this period” on the form.

Upon receipt of the above the City will verify the amounts and if all of the forms are correct and the amounts correct, the Contractor can expect payment within 15 days. For final payment after acceptance of the work by the City, submit an official pay request as outlined above. In addition, the request shall include an Affidavit of Final Payment (notarized original with all fields complete), and a Consent of Surety to Final Payment (notarized original with all fields complete) if applicable.

Section 6. **Insurance.** Contractor shall maintain insurance policies at all times with minimum limits as follows:

COVERAGE	MINIMUM LIMITS
Workers’ Compensation	Statutory Limits
Employers’ Liability	\$500,000
General Liability	\$1,000,000 per occurrence/\$2,000,000 aggregate
Automobile Liability	\$1,000,000
Professional Liability (E & O)	\$1,000,000 per occurrence/\$2,000,000 aggregate

Contractor shall provide the City with a Certificate of Insurance for review prior to the issuance of any contract or Purchase Order. This should be an ACORD form (example attached). All Certificates of Insurance will require thirty (30) days written notice by the insurer or contractor’s agent in the event of cancellation, reduction or other modifications of coverage. In addition to the notice requirement above, Contractor shall provide the City with immediate written notice of cancellation, reduction, or other modification of coverage of insurance. Upon failure of the Contractor to

provide such notice, Contractor assumes sole responsibility for all losses incurred by the City for which insurance would have provided coverage. The insurance certificate shall be for the initial contract period of one (1) year and shall be renewed by the contractor for each subsequent renewal period of the contract.

The City shall be named as an additional insured and it is required that coverage be placed with “A” rated insurance companies acceptable to the City. Statement should read “City of Monroe is to be added as an additional insured as evidenced by an endorsement attached to this certificate.” Failure to maintain the required insurance in force may be cause for contract termination. In the event that the contractor fails to maintain and keep in force the insurance herein required, the City has the right to cancel and terminate the contract without notice.

Contractor shall provide proof that a Drug-Free Workplace Program is in place and that drivers meet DOT/CDL licensing requirements.

Section 7. **Performance of Work by City.** If the Contractor fails to perform the Work in accordance with the schedule referred to in Section 2 above, the City may, in its discretion, in order to bring the project closer to schedule, perform or cause to be performed some or all of the Work, and doing so shall not waive any of the City’s rights and remedies. Before doing so, the City shall give the Contractor reasonable notice of its intention. The Contractor shall reimburse the City for all costs incurred by the City in exercising its right to perform or cause to be performed some or all of the Work pursuant to this section.

Section 8. **Attachments.** The following attachments are made a part of this contract and incorporated herein by reference:

Attachment A: *Certificate of Insurance*

Attachment B: *Inter Technology Corporation proposal*

In case of conflict between an attachment and the text of this contract excluding the attachment, the text of this contract shall control. Any attachment which materially alters the standard terms contained herein must be reviewed pursuant to the City’s Contract Review Procedure.

Section 9. **Notice.**

- a. All notices and other communications required or permitted by this contract shall be in writing and shall be given either by personal delivery, fax, or certified United States mail, return receipt requested, addressed as follows:

To the City:

(By hand delivery, overnight delivery services, or other methods requiring a physical address):

City of Monroe
300 West Crowell Street
Monroe, NC 28112

(By United States Postal Service):

City of Monroe
P.O. Box 69
Monroe, NC 28111-0069

Fax Number: (704) 290-1818

To the Contractor:

~~InterTechnology~~
Technologies Corporation
Corporation
c/o Randy Scott
P O Box 1832
South Bend, IN 46634

- b. Change of Address, Date Notice Deemed Given: A change of address, fax number, or person to receive notice may be made by either party by notice given to the other party. Any notice or other communication under this contract shall be deemed given at the time of actual delivery, if it is personally delivered or sent by fax. If the notice or other communication is sent by US Mail, it shall be deemed given upon the third calendar day following the day on which such notice or other communication is deposited with the US Postal Service or upon actual delivery, whichever first occurs.

Section 10. **Indemnification.** To the maximum extent allowed by law, unless otherwise prohibited under applicable limitations in Chapter 22B-1 of the North Carolina General Statutes, the Contractor shall defend, indemnify, and save harmless the City of Monroe, its agents, officers, and employees, from and against all charges that arise in any manner from, in connection with, or out of this contract as a result of the acts or omissions of the Contractor or subcontractors or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable except for damage or injury caused by the negligence of the City its agents, officers, or employees. In performing its duties under this section, the Contractor shall at its sole expense defend the City of Monroe, its agents, officers, and employees with legal counsel reasonably acceptable to City. As used in this subsection – “Charges” means claims, judgments, costs, damages, losses, demands, liabilities, duties, obligations, fines, penalties, royalties, settlements, expenses, interest, reasonable attorney’s fees, and amounts for

alleged violations of sedimentation pollution, erosion control, pollution, or other environmental laws, regulations, ordinances, rules, or orders. Nothing in this section shall affect any warranties in favor of the City that are otherwise provided in or arise out of this contract. This section is in addition to and shall be construed separately from any other indemnification provisions that may be in this contract. This section shall remain in force despite termination of this contract (whether by expiration of the term or otherwise) and termination of the services of the Contractor under this contract.

Section 11. **E-Verify Requirement.** The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if the Contractor utilizes a subcontractor, the Contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.

Section 12. **Miscellaneous.**

- a. Choice of Law and Forum. This contract shall be deemed made in Union County, North Carolina. This contract shall be governed by and construed in accordance with the law of North Carolina. The exclusive forum and venue for all actions arising out of this contract shall be the appropriate division of the North Carolina General Court of Justice, in Union County. Such actions shall neither be commenced in nor removed to federal court. This section shall not apply to subsequent actions to enforce a judgment entered in actions heard pursuant to this section.
- b. Waiver. No action or failure to act by the City shall constitute a waiver of any of its rights or remedies that arise out this contract, nor shall such action or failure to act constitute approval of or acquiescence in a breach thereunder, except as may be specifically agreed in writing.
- c. Performance of Government Functions. Nothing contained in this contract shall be deemed or construed so as to in any way estop, limit, or impair the City from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions.
- d. Severability. If any provision of this contract shall be unenforceable, the remainder of this contract shall be enforceable to the extent permitted by law.
- e. Assignment, Successors and Assigns. Without the City's written consent, the Contractor shall not assign (which includes to delegate)

any of its rights (including the right to payment) or duties that arise out of this contract. Unless the City otherwise agrees in writing, the Contractor and all assigns shall be subject to all of the City's defenses and shall be liable for all of the Contractor's duties that arise out of this contract and all of the City's claims that arise out of this contract. Without granting the Contractor the right to assign, it is agreed that the duties of the Contractor that arise out of this contract shall be binding upon it and its heirs, personal representatives, successors, and assigns.

- f. Compliance with Law. In performing all of the Work, the Contractor shall comply with all applicable law.
- g. City Policy. THE CITY OPPOSES DISCRIMINATION ON THE BASIS OF RACE AND SEX AND URGES ALL OF ITS CONTRACTORS TO PROVIDE A FAIR OPPORTUNITY FOR MINORITIES AND WOMEN TO PARTICIPATE IN THEIR WORK FORCE AND AS SUBCONTRACTORS AND VENDORS UNDER CITY CONTRACTS.
- h. EEO Provisions. During the performance of this Contract the Contractor agrees as follows:
 - (1) The Contractor shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. The Contractor shall take affirmative action to insure that applicants are employed and that employees are treated equally during employment, without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. The Contractor shall post in conspicuous places available to employees and applicants for employment, notices setting forth these EEO provisions;
 - (2) The Contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap.
- i. No Third Party Right Created. This contract is intended for the benefit of the City and the Contractor and not any other person.
- j. Principles of Interpretation. In this contract, unless the context requires otherwise, the singular includes the plural and the plural the

singular. The pronouns "it" and "its" include the masculine and feminine. Reference to statutes or regulations include all statutory or regulatory provisions consolidating, amending, or replacing the statute or regulation. References to contracts and agreements shall be deemed to include all amendments to them. The word "person" includes natural persons, firms, companies associations, partnerships, trusts, corporations, governmental agencies and units, and any other legal entities.

- k. Modifications, Entire Agreement. A modification of this contract is not valid unless signed by both parties and otherwise in accordance with requirements of law. Further, a modification is not enforceable against the City unless the City Manager or other duly authorized official signs it for the City. This contract contains the entire agreement between the parties pertaining to the subject matter of this contract. With respect to that subject matter, there are no promises, agreements, conditions, inducements, warranties, or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in this contract.

IN WITNESS WHEREOF, the City of Monroe and the Contractor have caused this contract to be executed under seal by their respective duly authorized agents or officers.

CITY OF MONROE

BY: _____
() _____, Department Head
() Brian J. Borne, City Manager

CONTRACTOR: **Inter**
Technology Corp Inter
Technologies Corporation

BY: Randy Scott
() President, () CEO,
() Partner, () Owner
(X) Other: Southeast
Regional Director of Sales

ATTEST:

*Gail Scott
Secretary

(CORPORATE SEAL)

This Instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Officer: _____
Lisa Strickland

DATE: _____



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, CMSM, MBA, BLA, City Manager

DATE: July 12, 2022

FROM: Sarah McAllister, P.E., Engineering Director

PREPARED BY: Sarah McAllister, P.E., Engineering Director

SUBJECT: NPDES Phase II Permit Audit

SUMMARY STATEMENT

City Council is requested to approve Resolution (R-2022-51) affirming City Council's support of a compliant NPDES MS4 Stormwater Program.

REVIEW

The City of Monroe is currently authorized to discharge stormwater from the City's municipal separate storm sewer system (MS4) in accordance with discharge limitations, monitoring requirements and other conditions set forth in the City's permit (MS4 permit No. NCS000482). The North Carolina Department of Environmental Quality (NCDEQ) recently conducted an audit of the City of Monroe's program and issued a Notice of Violation (NOV-2022-PC-0287) for deficiencies with certain components of the MS4 Permit on June 6, 2022. As part of the requirements of the NOV, Council must adopt a resolution in support of a compliant stormwater management program. Therefore, Resolution (R-2022-51) is attached for your reference.

As part of the NOV, staff must also perform a self-audit of permit components that were not reviewed by NCDEQ staff and draft an updated Stormwater Management Plan which will detail specific actions, measurable goals, and implementation timelines to bring the stormwater management program into compliance with NPDES MS4 requirements over the new 5-year permit term. Staff is preparing to submit the necessary documentation within the required timeline. The identified deficiencies were mostly concerning Standard Operating Procedures and Program Plans that were still in draft form and had not been finalized.

At a minimum, the updated Stormwater Management Plan and renewal permit application must address the following six minimum measures:

- Public Education and Outreach on Stormwater Impacts
- Public Involvement and Outreach
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post-Development Stormwater Management in New Development and Redevelopment
- Pollution Prevention/Good Housekeeping for Municipal Operations

Staff will respond accordingly to the NOV and work with NCDEQ staff to work towards a final DEQ approved Stormwater Management Plan to obtain the new 5-year NPDES MS4 permit.

Due to the cancellation of the July 5, 2022 Public Enterprise Committee Meeting, the Chair has approved moving this item forward to the consent agenda for the July 12, 2022 City Council meeting.

RECOMMENDATION

Staff recommends approval of the attached Resolution (R-2022-51) affirming City Council's support of a compliant NPDES MS4 Stormwater Program.

Attachments:
Notice of Violation (NOV-2022-PC-0287)
Resolution (R-2022-51)

cc: Sarah McAllister

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

BRIAN WRENN

Director

NORTH CAROLINA
Environmental Quality

June 6, 2022

**CERTIFIED MAIL**
RETURN RECEIPT REQUESTED

7017 2620 0000 6788 2060

City of Monroe
 Attention: Brian Borne, City Manager
 Post Office Box 69
 Monroe, North Carolina 28111-0069

Subject: NOTICE OF VIOLATION (NOV-2022-PC-0287)
City of Monroe
NPDES MS4 Permit No. NCS000482
Union County

Dear Mr. Borne:

On May 24, 2022, staff from the North Carolina Department of Environmental Quality (DEQ) conducted a compliance audit of subject National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit. The audit identified major deficiencies with the specific components of the MS4 permit that were reviewed, as provided in the attached DEQ MS4 Permit Compliance Audit Report. This report lists and describes the serious deficiencies with certain components of the MS4 permit, which constitutes a violation of the Clean Water Act and is grounds for enforcement action.

In accordance with Part VI of the permit and DEQ policy, a new 5-year MS4 permit will be issued in response to the audit. As such, the permittee is required to complete the following actions:

1. Respond in writing within thirty (30) calendar days from the date of receipt of this notice to acknowledge these requirements and the intent to comply.
2. Adopt a Council Resolution within sixty (60) calendar days from the date of receipt of this notice. The resolution must declare support for a compliant stormwater management program. A sample council resolution with the minimum requirements is enclosed with this letter. An original signed document must be submitted to DEQ.
3. Submit documentation for review and comment within one hundred twenty (120) calendar days from the date of receipt of this letter:
 - a. The Illicit Discharge Detection and Elimination Program Plan, as required in Part II, Section A.7. and Section D.2.a. of the current permit.
 - b. The MS4 Operation and Maintenance Program Plan, as required in Part II, Section A.7. and Section G.2.f. of the current permit.



North Carolina Department of Environmental Quality Division of Energy, Mineral and Resources
 Mooresville Regional Office 410 East Center Avenue, Suite 301 Mooresville, North Carolina 28115
 704.663.1699

MS4 Audit
City of Monroe
June 6, 2022
Page 2 of 3

- c. The Municipal SCM Operation and Maintenance Program Plan, as required in Part II, Section A.7. and Section G.2.h. of the current permit.
 - d. Self-evaluate the permit components that were not reviewed by DEQ for compliance and submit the results within one hundred twenty (120) calendar days from the date of receipt of this letter. The Part II of the MS4 Phase II Audit Template on the DEQ stormwater web site can be used for this purpose. The specific sections that should be self-audited include:
 - i. Section E: Construction Site Runoff Controls;
 - ii. Section F: Post-Construction Site Runoff Controls;
 - iii. Section H: Total Maximum Daily Loads.
 - e. Develop a Draft Stormwater Management Plan (SWMP) which details specific actions, measurable goals, and implementation timelines to bring the stormwater management program into compliance with NPDES MS4 requirements over the new 5-year permit term. The SWMP must be documented utilizing the DEQ Phase II MS4 SWMP Template. The SWMP must address all known compliance deficiencies including, at a minimum, the items detailed in the DEQ MS4 Program Audit Report and the self-audit.
4. Submit an NPDES MS4 permit application for whichever comes first:
 - a. At least one hundred eighty (180) days prior to permit expiration, or
 - b. Within thirty (30) days of receiving written DEQ concurrence that the submitted SWMP documents a compliant stormwater management program and the MS4 should submit the application including a signed Final Draft SWMP. A new 5-year NPDES MS4 permit will be public noticed along with the Draft Final SWMP.
 5. Respond to comments on the Draft Final SWMP and submit a signed Final SWMP for DEQ approval and final permit issuance. The final DEQ-approved SWMP shall become an enforceable component of the NPDES MS4 permit and an Annual Self-Assessment Template that corresponds to the approved SWMP will be provided.

Required documentation shall be submitted via e-mail to Jeanette.Powell@ncdenr.gov, or to:

DEQ-DEMLR Stormwater Program
Attention: Jeanette Powell
1612 Mail Service Center
Raleigh, North Carolina 27699-1612

If the MS4 fails to meet the aforementioned requirements and/or submits a significantly noncompliant Draft SWMP, DEQ may proceed with enforcement. As is stated in Part V, Section A.1(c) of the permit:

Under state law, a daily civil penalty of not more than twenty-five thousand dollars (\$25,000) per violation may be assessed against any person who violates or fails to act in accordance with the terms,



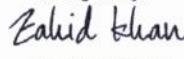
North Carolina Department of Environmental Quality Division of Energy, Mineral and Resources
Mooresville Regional Office 810 East Center Avenue, Suite 301 Mooresville, North Carolina 28115
704.663.1699

MS4 Audit
City of Monroe
June 6, 2022
Page 3 of 3

conditions, or requirements of a permit [North Carolina General Statute 143-215.6A]. Please note that compliance with the requirements of this notice and/or issuance of civil or criminal penalties levied by DEQ does not preclude the EPA from carrying out its own enforcement case against the permittee.

Thank you for your attention to this matter. Should you have any questions, please contact Jesse McDonnell at (704) 677-0598 or jesse.mcdonnell@ncdenr.gov or the MS4 Program Coordinator at Jeanette.Powell@ncdenr.gov.

Sincerely,

DocuSigned by:

42CFABFC5B8C459...

Zahid S. Khan, CPM, CPESC, CPSWQ
Regional Engineer
Land Quality Section
Department of Environmental Quality

Enclosures:

DEQ MS4 Permit Compliance Audit Report
Example Council Resolution

c: Sarah McAllister, smcallister@monroenc.org, City of Monroe
DEMLR Stormwater Program Supervisor
Jeanette.Powell@ncdenr.gov, DEMLR MS4 Program Coordinator
DEMLR NPDES MS4 Permit Laserfiche File



North Carolina Department of Environmental Quality Division of Energy, Mineral and Resources
Mooresville Regional Office 810 East Center Avenue, Suite 301 Mooresville, North Carolina 28115
704.663.1699

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)
PROGRAM AUDIT REPORT**

NPDES PERMIT NO. NCS000482

Monroe, NORTH CAROLINA

300 west Crowell Street

Audit Date: May 24, 2022

Report Date: June 6, 2022

North Carolina Department of Environmental Quality
Division of Energy, Mineral & Land Resources Stormwater Program
512 N. Salisbury Street, 9th floor
1612 Mail Service Center
Raleigh, NC 27699-1612

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DISCLAIMER

This audit consists of an evaluation of program compliance with the issued permit and implementation of the approved Stormwater Management Plan. This audit report does not include a review of all program components, and program deficiencies in addition to those noted may be present. The permittee is required to assess program progress and permit compliance, and to implement the approved Stormwater Management Plan in accordance with the issued permit.

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Audit Details

Audit ID Number:

NCS000482_Monroe MS4 Audit_20220530

Audit Date(s):

May 24-25, 2022

Minimum Control Measures Evaluated:

- ☒ Program Implementation, Documentation & Assessment
- ☒ Public Education & Outreach
- ☒ Public Involvement & Participation
- ☒ Illicit Discharge Detection & Elimination
- ☐ Construction Site Runoff Controls – No delegated Sediment and Erosion Control Program
- ☐ Construction Site Runoff Controls – Delegated Sediment and Erosion Control Program
- ☐ Post-Construction Site Runoff Controls
- ☒ Pollution Prevention and Good Housekeeping for Municipal Operations
- ☐ Total Maximum Daily Loads (TMDLs)

Field Site Visits:

- ☒ Municipal Facilities. Number visited: 2
- ☒ MS4 Outfalls. Number visited: 2
- ☐ Construction Sites. Number visited: Choose an item.
- ☐ Post-Construction Stormwater Runoff Controls. Number visited: Choose an item.
- ☐ Other: _____ . Number visited: Choose an item.
- ☐ Other: _____ . Number visited: Choose an item.

Inspector(s) Conducting Audit

<u>Name, Title</u>	<u>Organization</u>
Jesse McDonnell, Environmental Senior Specialist	NCDEQ
Zahid Khan, Regional Engineer	NCDEQ
Audit Report Author: Jesse McDonnell	Date:
Signature <u>Jesse M McDonnell</u>	6/6/2022
Audit Report Author: Zahid Khan	Date:
Signature <u>Zahid S. Khan</u>	6/6/22

Permittee Information

MS4 Permittee Name: City of Monroe	Permit Effective Date: February 20, 2017	Permit Expiration Date: February 19, 2022
Mailing Address: P.O. Box 69 Monroe, North Carolina 28111-0069	Date of Last MS4 Inspection/Audit: June 25, 2009	
Co-permittee(s), if applicable:		
Permit Owner of Record: Brian Borne, City Manager		

Primary MS4 Representatives Participating in Audit

<u>Name, Title</u>	<u>Organization</u>
Sarah McAllister, Director of Engineering	City of Monroe
Ellen Dowling, Environmental Educator	City of Monroe
Vitaliy Chepel, Inspector	City of Monroe
Sam Starnes, Construction Inspector	City of Monroe
Zach Ross, Construction Inspector	City of Monroe
Jennifer Wagner, Construction Inspector	City of Monroe

MS4 Receiving Waters

<u>Waterbody</u>	<u>Classification</u>	<u>Impairments</u>
Richard Creek (Lake Lee)	WS-IV; CA	Chlorophyll a
Richardson Creek	C	Benthos Fair
Richardson Creek (Lake Monroe)	WS-IV; CA	Chlorophyll a
South Fork Crooked Creek	C	Benthos Poor
Stewarts Creek	WS-III	Benthos Fail
Stewarts Creek (Lake Twitty)	WS-III; CA	Chlorophyll a
Bearskin Creek	C	None Known
Horsepen Branch	C	None Known
Camp Branch	C	None Known
Dry Fork	C	None Known
East Fork Stewarts Creek	WS-III	None Known

Lick Branch	WS-III	None Known
Stumplick Branch	WS-III	None Known
East Fork – 12 Mile Creek, Tributary 3	C	None Known
East Fork – 12 Mile Creek, Tributary 5	C	None Known

List of Supporting Documents

Item Number	Document Title	When Provided (Prior to/During/After)
1	2021 Stormwater Management Plan	Prior to
2	Stormwater Management Ordinance	Prior to
3	City of Monroe BMP Map	Prior to
4	Draft Illicit Discharge Detection and Elimination Program Manual	Prior to
5	Major Outfall Maps	Prior to
6	Regional Stormwater Partnership Memorandum of Understanding	Prior to
7	Stormwater Infrastructure Map	Prior to
8	City of Monroe Website https://www.monroenc.org/Departments/Engineering/Stormwater-Services	Prior to
9	2017-2021 Annual Reports	After
10	Flyer/Mailer Examples	After
11	Public Education Distribution Spreadsheet	After
12	Public Enterprise Meeting Minutes	After
13	IDDE Third Party Scope of Work	After
14	IDDE Tracking Sheet	After
15	Staff Training Records	After
16	IDDE Report Standard Operating Procedures	After
17	List of Municipally Owned Facilities	After
18	Draft Operation and Maintenance Plan	After
19	Stormwater Pollution Prevention Plan Example	After
20	Street Sweeper Records	After
21	Street Sweeper Standard Operating Procedures	After
22	Post Construction BMP Inspections	After
23	Pesticide License	After
24	Vehicle and Equipment Washing Standard Operating Procedures	After
25	Minimum Control Measures SOPs	After

Program Implementation, Documentation & Assessment

Staff Interviewed: Sarah McAllister, Director of Engineering
(Name, Title, Role) Ellen Dowling, Environmental Educator

Permit Citation	Program Requirement	Status	Supporting Doc No.
II.A.1 Staffing and Funding	The permittee maintained adequate funding and staffing to implement and manage the provisions of the Stormwater Plan and meet all requirements of the permit.	No	---
	The Stormwater Plan identifies a specific position(s) responsible for the overall coordination, implementation, and revision to the Plan.	Yes	1
	Responsibilities for all components of the Stormwater Plan are documented and position(s) assignments provided.	Yes	1
	The permittee is current on payment of invoiced administering and compliance monitoring fees (<i>see stormwater e-payments on DEMLR MS4 web page</i>).	Yes	BIMS

Comments: The permittee has 6.5 fulltime positions dedicated to the stormwater program. However, the program currently has 1.5 staff dedicated to the program. Once fully staffed, the program will be sufficiently staffed. The stormwater program is funded by a stormwater fee of \$5.25/Equivalent Residential Unit (ERU), resulting in approximately a \$3million budgeted that grows each year. The Stormwater Management Plan (SWMP) identifies specific positions and responsibilities for the implementation of the program.

II.A.2 Stormwater Plan Implementation and Evaluation	The permittee evaluated the performance and effectiveness of the program components at least annually.	No	---
	If yes, the permittee used the results of the evaluation to modify the program components as necessary to accomplish the intent of the Stormwater Program.	Not Applicable	---
	Did the permitted MS4 discharges cause or contribute to non-attainment of an applicable water quality standard?	No	---
	If yes, did the permittee expand or better tailor its BMPs accordingly to address the non-attainment?	Not Applicable	---

Comments: The permittee did not evaluate the components of the stormwater program annually. The permittee did not contribute to non-attainment of any water quality standards.

II.A.3 Keeping the Stormwater Plan Up to Date	The permittee kept the Stormwater Plan up to date.	Partial	1
	The permittee notified DEMLR of any updates to the Stormwater Plan.	Yes	1

Comments: The permittee updated the SWMP one time during this permit cycle. The updated plan from August 2021 was submitted to NCDEQ.

	The permittee kept an up-to-date version of its Stormwater Plan available to the Division and the public online.	Yes	8
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Program Implementation, Documentation & Assessment			
II.A.4 Availability of the Stormwater Plan	The online materials included ordinances, or other regulatory mechanisms, or a list identifying the ordinances, or other regulatory mechanisms, providing the legal authority necessary to implement and enforce the requirements of the permit.	Yes	8
Comments: The permittee maintained an updated version of the SWMP, ordinances, and other stormwater resources online for the public to access.			
II.A.3 & II.A.5 Stormwater Plan Modifications	Did DEMLR require a modification to the Stormwater Plan?	No	---
	If yes, did the permittee complete the modifications in accordance with the established deadline?	Not Applicable	---
Comments: No modifications were required to the SMWP.			
II.A.6 Sharing Responsibility	Are any control measures implemented by an entity other than the permittee?	Partial	6
	If yes, is there a written agreement in place?	Yes	6
Comments: The permittee utilizes resources provided by and through the Regional Stormwater Partnership. The partnership assists with education and outreach; however, the permittee does not rely fully on the partnership for education and outreach.			
II.A.7 Written Procedures	The permittee maintained written procedures for implementing the six minimum control measures.	Yes	25
	Written procedures identified specific action steps, schedules, resources and responsibilities for implementing the six minimum measures.	No	---
Comments: The permittee maintained written procedures for implementing the six control measures. These procedures do not include specific action steps.			
III. A Program Documentation	The permittee maintained documentation of all program components including, but not limited to, inspections, maintenance activities, educational programs, implementation of BMPs, enforcement actions etc., on file for a period of five years.	Partial	1-25
Comments: The permittee does not have documentation for all minimum control measures.			
III.B Annual Report Submittal	The permittee submitted annual reports to the Department within twelve months from the effective date of the permit (<i>See Section III.B. for the annual reporting period specific to this MS4</i>).	Yes	9
	The permittee submitted subsequent annual reports every twelve months from the scheduled date of the first annual report submittal.	Yes	9
	The Annual Reports included appropriate information to accurately describe the progress, status, and results of the permittee's Stormwater Plan, including, but not limited the following:		
	1. A detailed description of the status of implementation of the Stormwater Plan as a whole. This will include information on development and implementation of each major component of the Stormwater Plan for the past year and schedules and plans for the year following each report.	Not Reviewed	---

Program Implementation, Documentation & Assessment

	2. An adequate description and justification of any proposed changes to the Stormwater Plan. This will include descriptions and supporting information for the proposed changes and how these changes will impact the Stormwater Plan (results, effectiveness, implementation schedule, etc.).	Not Reviewed	---
	3. Documentation of any necessary changes to programs or practices for assessment of management measures implemented through the Stormwater Plan.	Not Reviewed	---
	4. A summary of data accumulated as part of the Stormwater Plan throughout the year along with an assessment of what the data indicates in light of the Stormwater Plan.	Not Reviewed	---
	5. An assessment of compliance with the permit, information on the establishment of appropriate legal authorities, inspections, and enforcement actions.	Not Reviewed	---

Comments: The permittee submitted annual report for all years of the permit cycle.

IV.B

Annual Reporting

The Annual Reports document the following:

1. A summary of past year activities, including where applicable, specific quantities achieved and summaries of enforcement actions.	Not Reviewed	---
2. A description of the effectiveness of each program component.	Not Reviewed	---
3. Planned activities and changes for the next reporting period, for each program component or activity.	Not Reviewed	---
4. Fiscal analysis.	Not Reviewed	---

Comments: Not reviewed at the time of this audit.

Public Education and Outreach			
Staff Interviewed: (Name, Title, Role)	Sarah McAllister, Director of Engineering Ellen Dowling, Environmental Educator		
Permit Citation	Program Requirement	Status	Supporting Doc No.
II.B.2.a Goals and Objectives	The permittee defined goals and objectives of the Local Public Education and Outreach Program based on community wide issues.	Yes	1
Comments: The permittee defined goals and objectives of the Education and Outreach Program within the SWMP.			
II.B.2.b Target Pollutants	The permittee maintained a description of the target pollutants and/or stressors and likely sources.	Yes	1
Comments: The permittee maintained a description of target pollutants and stressors within the SWMP.			
II.B.2.c Target Audiences	The permittee identified, assessed annually and updated the description of the target audiences likely to have significant storm water impacts and why they were selected.	Partial	1
Comments: The permittee did not identify or assess target audiences annually. However, the permittee did review once this permit cycle.			
II.B.2.d Residential and Industrial/ Commercial Issues	The permittee described issues, such as pollutants, the likely sources of those pollutants, potential impacts, and the physical attributes of stormwater runoff in their education/outreach program.	Yes	1, 10
Comments: The permittee described pollutants, potential impacts, and physical attributes of stormwater within the SWMP and within stormwater educational materials that have been distributed.			
II.B.2.e Informational Web Site	The permittee promoted and maintained an internet web site designed to convey the program's message.	Yes	8
Comments: The permittee maintained a web site that conveyed the programs message.			
II.B.2.f Public Education Materials	The permittee distributed stormwater educational material to appropriate target groups.	Yes	8, 11
Comments: The permittee distributed stormwater education materials to target groups via the website, flyers, mailers, and social media.			
II.B.2.g Hotline/Help Line	The permittee promoted and maintained a stormwater hotline/helpline for the purpose of public education and outreach.	Yes	8
Comments: The permittee maintained a stormwater hotline on the website and within educational materials.			
II.B.2.h Public Education and Outreach Program	The permittee's outreach program, including those elements implemented locally or through a cooperative agreement, included a combination of approaches designed to reach the target audiences.	Yes	11
	For each media, event or activity, including those elements implemented locally or through a cooperative agreement the permittee estimated and recorded the extent of exposure.	Yes	11
Comments: The permittee used multiple different outreach methods. Extent of exposure of the mailers, social media posts, and flyers are recorded.			

Public Involvement and Participation

Staff Interviewed: Sarah McAllister, Director of Engineering
(Name, Title, Role) Ellen Dowling, Environmental Educator

Permit Citation	Program Requirement	Status	Supporting Doc No.
II.C.2.a Volunteer Community Involvement Program	The permittee included and promoted volunteer opportunities designed to promote ongoing citizen participation.	Yes	8
Comments: The permittee promoted activities such as stream clean up, storm drain markings, and water quality monitoring program. All activities are promoted on the permittee website.			
II.C.2.b Mechanism for Public Involvement	The permittee provided and promoted a mechanism for public involvement that provides for input on stormwater issues and the stormwater program.	Yes	8, 12
Comments: The permittee has a public enterprise committee that meets once a month and will discuss stormwater issues. This committee meets publicly and is promoted on the website.			
II.C.2.c Hotline/Help Line	The permittee promoted and maintained a hotline/helpline for the purpose of public involvement and participation.	Yes	8
Comments: The permittee maintained and promoted a hotline for public involvement and participation.			

Illicit Discharge Detection and Elimination (IDDE)			
Staff Interviewed: (Name, Title, Role)	Sarah McAllister, Director of Engineering Ellen Dowling, Environmental Educator		
Permit Citation	Program Requirement	Status	Supporting Doc No.
II.D.2.a IDDE Program	The permittee maintained a written IDDE Program.	Partial	4
	If yes, the written program includes provisions for program assessment and evaluation and integrating program.	Yes	4
Comments: The permittee has a draft Illicit Discharge Detection and Elimination (IDDE) program. The draft was created in January of 2022. This draft does have provision to review and update annually.			
II.D.2.b Legal Authorities	The permittee maintained an IDDE ordinance or other regulatory mechanism(s) that provides the legal authority to prohibit illicit connections and discharges to the MS4.	Yes	2
	If yes, the ordinance applies throughout the corporate limits of the permittee. [Permit Part I.D.]	No	---
Comments: The permittee has maintained an IDDE ordinance; however, this ordinance does not apply throughout the corporate limits.			
II.D.2.c Storm Sewer System Map	The permittee maintained a current map showing major outfalls* and receiving streams.	Yes	5
Comments: The permittee has maintained a current map of major outfalls.			
II.D.2.d Dry Weather Flow Program	The permittee maintained a program for conducting dry weather flow field observations in accordance with written procedures.	Yes	13
Comments: The permittee has maintained a dry weather flow program. The permittee has contracted a third-party engineering firm to conduct the inspections. Inspections will be reported back to the stormwater program staff. If a potential illicit discharge is observed, stormwater program staff will conduct a follow up inspection of the outfall.			
II.D.2.e Investigation Procedures	The permittee maintained written procedures for conducting investigations of identified illicit discharges.	Partial	4
Comments: Investigation procedures on recorded in the draft IDDE program manual.			
II.D.2.f Track and Document Investigations	For each case of an illicit discharge or potential illicit discharge, the permittee documented and tracked the following:		
	1. The date(s) the illicit discharge was observed	Yes	14
	2. The results of the investigation	Yes	14
	3. Any follow-up of the investigation	Yes	14

Illicit Discharge Detection and Elimination (IDDE)

	4. The date the investigation was closed	Yes	14
Comments: The permittee has maintained a tracking sheet for all potential illicit discharges that includes the date of incident, results of investigation, follow-up, and the date the investigation was closed.			
II.D.2.g Employee Training	The permittee implemented and documented a training program for appropriate municipal staff who, as part of their normal job responsibilities, may come into contact with or otherwise observe an illicit discharge or illicit connection.	Yes	15
Comments: The permittee maintained and implemented an annual IDDE and Good Housekeeping training.			
II.D.2.h Public Education	The permittee informed public employees of hazards associated with illegal discharges and improper disposal of waste.	Yes	15
	The permittee informed businesses of hazards associated with illegal discharges and improper disposal of waste.	Yes	10
	The permittee informed the general public of hazards associated with illegal discharges and improper disposal of waste.	Yes	10
Comments: The permittee informed public employees and businesses of hazards associated with the illegal disposal of waste. Municipal staff were informed during annual trainings and businesses were informed via flyers and mailers.			
II.D.2.i Public Reporting Mechanism	The permittee promoted, publicized, and facilitated a reporting mechanism for the public to report illicit discharges.	Yes	8
	The permittee promoted, publicized, and facilitated a reporting mechanism for staff to report illicit discharges.	Yes	8, 15
	The permittee established and implemented response procedures for citizen requests/reports.	Partial	16
Comments: The permittee promoted, publicized, and facilitated a stormwater hotline for municipal staff and the general public to call to report any IDDE related incidences. The response procedures for staff are in draft form.			
II.D.2.j Enforcement	The permittee implemented a mechanism to track the issuance of notices of violation and enforcement actions administered by the permittee.	Yes	14
	If yes, the mechanism includes the ability to identify chronic violators for initiation of actions to reduce noncompliance.	Yes	14
Comments: The permittee uses an Excel Spreadsheet to track all incidents of IDDE reports and investigations. This report allows for the permittee to review chronic violators and locations.			

Pollution Prevention and Good Housekeeping for Municipal Operations			
Staff Interviewed: (Name, Title, Role)	Sarah McAllister, Director of Engineering Ellen Dowling, Environmental Educator		
Permit Citation	Program Requirement	Status	Supporting Doc No.
II.G.2.a Facility Inventory	The permittee maintained a current inventory of facilities and operations owned and operated by the permittee with the potential for generating polluted stormwater runoff.	Yes	17
<i>Comments:</i> The permittee maintained an inventory of all municipally owned and operated facilities.			
II.G.2.b Operation and Maintenance (O&M) for Facilities	The permittee maintained and implemented an O&M program for municipally owned and operated facilities with the potential for generating polluted stormwater runoff.	Partial	18
	If yes, the O&M program specifies the frequency of inspections.	Partial	18
	If yes, the O&M program specifies the frequency of routine maintenance requirements.	Partial	18
	If yes, the permittee evaluated the O&M program annually and updated it as necessary.	Partial	18
<i>Comments:</i> The permittee has a draft operation and maintenance (O&M) program for owned and operated facilities.			
II.G.2.c Spill Response Procedures	The permittee had written spill response procedures for municipal operations.	Yes	19
<i>Comments:</i> The permittee has written spill response procedures that are specific for each facility.			
II.G.2.d Streets, Roads, and Public Parking Lots Maintenance	The permittee evaluated existing and new BMPs that reduce polluted stormwater runoff from municipally-owned streets, roads, and public parking lots within its corporate limits annually.	Yes	20
	If yes, the permittee evaluated the effectiveness of existing and new BMPs based on cost and the estimated quantity of pollutants removed.	Yes	20
<i>Comments:</i> The permittee operates a sweeper truck to clean the streets and parking lots. The effectiveness has been evaluated.			
II.G.2.f O&M for Catch Basins and Conveyance Systems	The permittee maintained and implemented an O&M program for the stormwater sewer system including catch basins and conveyance systems that it owns and maintains.	Yes	21
<i>Comments:</i> The permittee maintained an O&M program for maintenance of storm sewer system.			
II.G.2.f Structural Stormwater Controls	The permittee maintained a current inventory of municipally-owned or operated structural stormwater controls installed for compliance with the permittee's post-construction ordinance.	Yes	7
<i>Comments:</i> The permittee maintained a current map of all SCMs that are owned and operated by the municipality.			

Pollution Prevention and Good Housekeeping for Municipal Operations

II.G.2.e O&M for Structural Stormwater Controls	The permittee maintained and implemented an O&M program for municipally-owned or maintained structural stormwater controls installed for compliance with the permittee's post-construction ordinance. If yes, then:	Yes	3
	The O&M program specified the frequency of inspections and routine maintenance requirements.	Yes	3
	The permittee documented inspections of all municipally-owned or maintained structural stormwater controls.	Yes	22
	The permittee inspected all municipally-owned or maintained structural stormwater controls in accordance with the schedule developed by permittee.	Yes	22
	The permittee maintained all municipally-owned or maintained structural stormwater controls in accordance with the schedule developed by permittee.	Yes	22
	The permittee documented maintenance of all municipally-owned or maintained structural stormwater controls.	Yes	22
Comments: The permittee maintained an O&M program for all municipally owned and operated SCMs.			
II.G.2.f Pesticide, Herbicide and Fertilizer Application Management	The permittee ensured municipal employees are properly trained in pesticide, herbicide and fertilizer application management.	Yes	23
	The permittee ensured contractors are properly trained in pesticide, herbicide and fertilizer application management.	Not Applicable	---
	The permittee ensured all permits, certifications, and other measures for applicators are followed.	Yes	23
Comments: The permittee ensures all staff who apply pesticides, herbicides, and fertilizers are properly licensed and trained. No outside contractors apply on the municipality behalf.			
II.G.2.g Staff Training	The permittee implemented an employee training program for employees involved in implementing pollution prevention and good housekeeping practices.	Yes	15
Comments: The permittee conducted annual IDDE and Pollution Prevention and Good Housekeeping trainings.			
II.G.2.h Vehicle and Equipment Cleaning	The permittee described and implemented measures that prevent or minimize contamination of stormwater runoff from all areas used for vehicle and equipment cleaning.	Yes	24
Comments: The permittee maintained a standard operating procedure for all vehicle and equipment washing to be done at wash bay areas.			

Site Visit Evaluation: Municipal Facility No. 1	
Facility Name: City of Monroe Operation Center	Date and Time of Site Visit: May 24, 2022, at 1:45pm
Facility Address: 2401 Walkup Avenue	Facility Type (Vehicle Maintenance, Landscaping, etc.): Vehicle maintenance, storage
Name of MS4 inspector(s) evaluated: Ellen Dowling Sarah McAllister	Most Recent MS4 Inspection (List date and name of inspector):
Name(s) and Title(s) of Facility Representative(s) Present During the Site Visit:	
Name Ricky	Title Garage Superintendent
Observations	
Facility Documentation/Training	
Does the facility have a Stormwater Pollution Prevention Plan (SWPPP) or similar document? Is it facility-specific? Yes, the facility has a SWPPP that is site specific.	
What type of stormwater training do facility employees receive? How often? Facility staff obtain IDDE, and Pollution Prevention and Good Housekeeping training conducted by the city annually.	
Inspector Training/Knowledge	
What type of stormwater training does the MS4 inspector receive? How often? The inspectors obtain IDDE, and Pollution Prevention and Good Housekeeping training conducted by the city annually.	
Did the MS4 inspector appear knowledgeable about Permit requirements for pollution prevention and good housekeeping? Yes.	
Did the MS4 inspector appear knowledgeable about stormwater pollution prevention and good housekeeping? Yes.	
Inspection Procedures	
Does the MS4 inspector's process include the use of a checklist or other standardized form? Yes.	
Does the MS4 inspector's process include taking photos? Yes.	
Does the MS4 inspector's process include reviewing the facility's SWPPP (or similar document)? Yes.	
Does the MS4 inspector's process include walking the entire facility and inspecting all points of discharge? Yes.	
Did the MS4 inspector miss any obvious areas of concern? If so, explain: No.	
Does the MS4 inspector's process include presenting the inspection findings to the facility contact? Yes, the facility contact walked the site during the inspection.	
Inspection Results	
Did the facility inspection result in any corrective actions to be implemented? If so, for what issue(s)? Yes, the facility conducts vehicle maintenance but does not have a general stormwater permit issued by the state.	
If compliance corrective actions were identified, what timeline for correction/follow-up was provided? The facility will apply for NCG080000 coverage as soon as possible.	

Site Visit Evaluation: Municipal Facility No. 2

Facility Name: City of Monroe Facilities Maintenance	Date and Time of Site Visit: May 24, 2022, at 2:55pm
Facility Address: 335 East Franklin Street	Facility Type (Vehicle Maintenance, Landscaping, etc.): Landscaping facility
Name of MS4 inspector(s) evaluated: Ellen Dowling Sarah McAllister	Most Recent MS4 Inspection (Date and Entity):
Name(s) and Title(s) of Facility Representative(s) Present During the Site Visit:	
Name	Title
Jeff	Facility Superintendent
Observations	
Facility Documentation/Training	
Does the facility have a Stormwater Pollution Prevention Plan (SWPPP) or similar document? Is it facility-specific? Yes, the facility has a SWPPP that is site specific.	
What type of stormwater training do facility employees receive? How often? The facility staff obtain IDDE, and Pollution Prevention and Good Housekeeping training conducted by the City annually.	
Inspector Training/Knowledge	
What type of stormwater training does the MS4 inspector receive? How often? The inspectors obtain IDDE, and Pollution Prevention and Good Housekeeping training conducted by the city annually.	
Did the MS4 inspector appear knowledgeable about Permit requirements for pollution prevention and good housekeeping? Yes.	
Did the MS4 inspector appear knowledgeable about stormwater pollution prevention and good housekeeping? Yes.	
Inspection Procedures	
Does the MS4 inspector's process include the use of a checklist or other standardized form? Yes.	
Does the MS4 inspector's process include taking photos? Yes.	
Does the MS4 inspector's process include reviewing the facility's SWPPP (or similar document)? Yes.	
Does the MS4 inspector's process include walking the entire facility and inspecting all points of discharge? Yes.	
Did the MS4 inspector miss any obvious areas of concern? If so, explain: No.	
Does the MS4 inspector's process include presenting the inspection findings to the facility contact? Yes, the facility contacted walked the site at the time of the inspection.	
Inspection Results	
Did the facility inspection result in any corrective actions to be implemented? If so, for what issue(s)? The inspection resulted in two follow up investigations that are necessary. One is to ensure all pesticide, herbicide, and fertilizes are stored in proper areas. The other is to look into additional paving for the parking lot. There are a lot of fine particles that could reach the storm sewer system from broken asphalt or gravel parking lots.	
If compliance corrective actions were identified, what timeline for correction/follow-up was provided? As soon as possible.	

Site Visit Evaluation: MS4 Outfall No. 1		
Outfall ID Number: 000		Date and Time of Site Visit: Mat 24, 2022, at 4:00pm
Outfall Location: 1031 Wind Carved Lane		Outfall Description (Pipe Material/Diameter, Culvert, etc.): ~42" RCP
Receiving Water: Bearskin Creek		Is Flow Present? If So, Describe (Color, Approximate Flow Rate, Sheen, Odor, Floatables/Debris, etc.): Flow was present at the time of this inspection. Flow was clean and clear from any visible issues.
Most Recent Outfall Inspection/Screening (Date): 		
Days Since Last Rainfall: Zero days	Inches: ~0.78"	
Name of MS4 Inspector(s) evaluated: Zach Ross, Construction Inspector Jennifer Wagner, Construction Inspector		
Observations		
Inspector Training/Knowledge		
What type of stormwater training does the MS4 inspector receive? How often? The inspector obtains IDDE, and Pollution Prevention and Good Housekeeping training conducted by the City annually.		
Did the MS4 inspector appear knowledgeable about illicit discharge indicators and investigations? Yes.		
Inspection Procedures		
Does the inspector's process include the use of a checklist or other standardized form? Yes.		
Does the inspector's process include taking photos? Yes.		
Did the MS4 inspector miss any obvious potential illicit discharge indicators or maintenance issues? If so, what were they? No.		
Inspection Results		
Did the outfall inspection result in any work orders or maintenance requests? If so, for what issue(s)? No.		
Will a follow-up outfall inspection be conducted? If so, for what reason? Yes, periodic reinspection.		

Site Visit Evaluation: MS4 Outfall No. 2

Outfall ID Number: 2812	Date and Time of Site Visit: May 24, 2022, at 4:25pm
Outfall Location: 146 Cedar Street	Outfall Description (Pipe Material/Diameter, Culvert, etc.): ~36" Plastic Pipe
Receiving Water: Bearskin Creek	Is Flow Present? If So, Describe (Color, Approximate Flow Rate, Sheen, Odor, Floatables/Debris, etc.): Flow was present at the time of this inspection. Flow was clean and clear from any visible issues.
Most Recent Outfall Inspection/Screening (Date):	
Days Since Last Rainfall: Zero days	Inches: ~0.78"

Name of MS4 Inspector(s):
Zach Ross, Construction Inspector
Jennifer Wagner, Construction Inspector

Observations

Inspector Training/Knowledge

What type of stormwater training does the MS4 inspector receive? How often?

The inspector obtains IDDE, and Pollution Prevention and Good Housekeeping training conducted by the City annually.

Did the MS4 inspector appear knowledgeable about illicit discharge indicators and investigations?

Yes.

Inspection Procedures

Does the inspector's process include the use of a checklist or other standardized form? Obtain copy.

Yes.

Does the inspector's process include taking photos?

Yes.

Did the MS4 inspector miss any obvious potential illicit discharge indicators or maintenance issues? If so, what were they?

No.

Inspection Results

Did the outfall inspection result in any work orders or maintenance requests? If so, for what issue(s)?

No.

Will a follow-up outfall inspection be conducted? If so, for what reason?

Yes, periodic reinspection.

APPENDIX A: Photograph Log



Photograph 1: Overview of Monroe Operations Center.



Photograph 2: Additional overview of Monroe Operation Center.



Photograph 3: View of bulk oil and hydraulic fluid storage at the Operation Center.



Photograph 4: Inside the Operation Center maintenance building.



Photograph 5: Overview of Facilities Maintenance storage yard.



Photograph 6: Additional overview of Facilities Maintenance storage area.



Photograph 7: View pesticide and herbicide storage at Facilities Maintenance without secondary containment.



Photograph 8: View of fuel island at Facilities Maintenance.



Photograph 9: View of outfall number 000.



Photograph 10: View of outfall number 2812.

**RESOLUTION AFFIRMING SUPPORT OF CITY OF MONROE
REGARDING IMPLEMENTATION OF A COMPLIANT
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PROGRAM
R-2022-51**

A RESOLUTION to develop and implement a compliant stormwater management program that meets the requirements of the City of Monroe's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit number NCS0000482 to discharge stormwater, inclusive of the required Stormwater Management Plan to be prepared by the City of Monroe and approved by the North Carolina Department of Environmental Quality.

WHEREAS, section 402(p) of the federal Clean Water Act requires NPDES permits for stormwater discharges from municipal separate storm sewer systems; and

WHEREAS, in North Carolina, NPDES Permits are issued by the North Carolina Department of Environmental Quality; and

WHEREAS, the North Carolina Department of Environmental Quality issued the City of Monroe its third NPDES MS4 Permit for discharge of stormwater on February 20, 2017; and

WHEREAS, the City of Monroe was issued Notice of Violation number NOV-2022-PC-0287 on June 6, 2022 for noncompliance with the issued NPDES MS4 Permit; and

WHEREAS, the City of Monroe acknowledges the specific Notice of Violation requirement to conduct a self-audit of permit compliance for the balance of permit requirements not specifically audited by the North Carolina Department of Environmental Quality, and to develop a draft Stormwater Management Plan to comply with Section 402(p)(3)(B)(iii) of the Clean Water Act, 40 CFR 122.34(b) and NPDES MS4 Permit requirements, and to submit its draft Stormwater Management Plan to the North Carolina Department of Environmental Quality no later than October 4, 2022 for review and approval; and

WHEREAS, the City of Monroe acknowledges the requirement to provide adequate funding and staffing to implement a Stormwater Management Program that complies with its NPDES MS4 Permit and approved Stormwater Management Plan; and

WHEREAS, the City of Monroe acknowledges that North Carolina Department of Environmental Quality enforcement action and penalties could result from non-compliance with the specific requirements in Notice of Violation number NOV-2022-PC-0287; and

WHEREAS, the City of Monroe acknowledges that any North Carolina Department of Environmental Quality enforcement action and penalties may not prohibit the U.S.

Environmental Protection Agency from taking its own enforcement action for non-compliance with the issued NPDES MS4 Permit.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Monroe hereby affirms its support for development and implementation of a compliant NPDES MS4 Stormwater Program.

Adopted the 12th day of July, 2022.

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, City Manager

DATE: July 12, 2022

FROM: Lisa Strickland, Finance Director

PREPARED BY: Lisa Strickland, Finance Director

SUBJECT: Approve Transfer of Economic Development Vehicles/Equipment

SUMMARY STATEMENT

The City of Monroe and Union County have approved a new interlocal agreement for Monroe-Union County Economic Development (MUCED). MUCED has separated from the City and formed a new entity called Monroe-Union County Economic Development Commission (MUCEDC). The city department currently has two vehicles, an enclosed trailer and a smart board that they use to conduct business. The City would like to transfer these assets to this new government entity.

REVIEW

The City of Monroe and Union County have approved a new interlocal agreement for Monroe-Union County Economic Development (MUCED). MUCED has separated from the City and formed a new entity called Monroe-Union County Economic Development Commission (MUCEDC). The city department currently has two vehicles, an enclosed trailer and a smart board that they use to conduct business. Pursuant to NC General Statute 160A-274, the City would like to transfer these assets to this new government entity. The vehicles are a 2018 Toyota 4Runner Serial #JTEBU5JR0J5531626 (electric asset) and a 2021 Toyota 4Runner Serial #JTERU5JR2M5898546 (MUCED asset). The enclosed trailer is a MUCED asset and the smart board is an electric asset. The new organization MUCEDC will continue to serve the needs of the City and staff feels it is appropriate to transfer the assets in order for them to continue to perform their duties.

RECOMMENDATION

General Service Committee and staff recommend transfer of the above-mentioned assets to MUCEDC.

**MINUTES OF THE
BOARD OF ADJUSTMENT MEETING
DECEMBER 16, 2021 at 6:30 P.M.
Council Chambers
300 West Crowell Street
Monroe NC**

To S. Laney – e-mailed 12-17-21

Item 1. **Call to Order**

Chairman George Massey called the December 16, 2021 meeting to order at 6:30 p.m. The Clerk of the Board called the roll. Mr. Massey noted that there was a quorum present with five members.

Members Present: George Massey, Kenneth Deal, Lou Philippi, William Draper and George Smith

Members Absent: None

Staff Present: Doug Britt, Senior Planner; Keri Mendler, Senior Planner; William Nance, Planning Technician; Megan Brightharp, Planner I; Albert Benshoff, BOA Attorney; Ashley Britt, Assistant City Attorney and Maryann Brown, Administrative Assistant

Guests: See attached list

Item 2. **Approval of Minutes – Minutes of August 26, 2021 Meeting**

Approval of the minutes for the meeting was requested.

Motion: William Draper moved to approve the minutes of the August 26, 2021 Meeting.

Second: Kenneth Deal

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: **George Massey, Kenneth Deal, Louis Philippi, William Draper and George Smith**

NAYS: **None**

Item 3. **Conflicts of Interest**

Mr. Massey asked if there were any conflicts of interest. There were none.

Louis Philippi asked Mr. Massey if we were not supposed to set a policy on Conflicts of Interest since there was an incident with him two (2) meetings ago. He said he was recused and there was no reason whatsoever given by anybody. He said it was kind of humiliating since he still does not know why

he was recused. He said we should set up a policy whereby if someone is recused there is a reason given. He said, otherwise, anyone can be recused for anything. Mr. Massey said we will consult with the Attorney after the meeting and moving forward, that will be taken care of. He said we will always ask if there is a conflict of interest when opening a meeting.

Item 4. CASE PLSUP-2022-00080 – Chairman said the applicant, Matthew Ruggiero, on behalf of Better Path Homes, LLC, is requesting a Special Use Permit to construct a new single-family home at the property located at 605 Winchester Avenue (Tax ID #09-228-143)

Mr. Massey said that anyone who is going to give testimony in this case needs to be administered the oath. Keri Mendler, Senior Planner, Matthew Ruggiero and John Harris came forward and were sworn.

Mr. Massey said for the record, when you come to the podium please give your name and address.

Keri Mendler, Senior Planner, said tonight she is here to present a Special Use Permit for a single-family home to be built at 605 Winchester Avenue, which is located within the Winchester Overlay District. She said at this time she will introduce the Proposed Findings:

Proposed Findings:

1. The property at 605 Winchester Avenue is currently owned by Better Path Homes, LLC and is zoned R-10 (Residential - High Density) The property is also located in the Winchester Overlay District. (Exhibit 1, 2, 3)
2. According to Section 156.124, Overlay Districts, all principal developments in the Winchester Overlay District shall obtain a Special Use Permit. This section has several other requirements; however, due to state law changes, many can no longer be enforced. Each requirement has been addressed below (Exhibit 4):
 - a. The construction or renovation as proposed and designed will be compatible in the neighborhood, and along the street with which it is located.
-This requirement can no longer be enforced due to G.S. 160D-702 as it is considered a design standard, which cannot be used unless the applicant voluntarily consents to it.
 - b. The construction or renovation as proposed and designed fulfills the intent of §156.132 of the City of Monroe Code of Ordinances.
-This standard applies only to commercial properties.
 - c. The construction or renovation as proposed and designed will not substantially injure the value of adjoining or abutting property.
-This standard is addressed in the Special Use Permit standards.
 - d. The construction or renovation as proposed maintains the historic character and integrity of the infill neighborhood in which it is located.
-This requirement can no longer be enforced due to G.S. 160D-702 as it is considered a design standard, which cannot be used unless the applicant voluntarily consents to it.

- e. The construction or renovation as proposed shall adhere to the strategies and objectives outlined in the City of Monroe Land Development Plan.
-This standard is addressed in the Special Use Permit standards.
 - f. Duplexes may be allowed on corner lots.
-The applicant is not proposing a Duplex.
 - g. All principal developments shall obtain a Special Use Permit.
 - h. Mobile homes shall not be permitted.
-The applicant is not proposing a mobile home.
3. The applicant submitted a Special Use Permit Application on October 28, 2021 requesting to construct a new single family home on the property. The home is 1,290 heated square feet with a 109 square foot front porch. (Exhibit 5 and 6)
 4. A Comparative Market Analysis was completed by Rebekah Sosa of Allen Tate Realtors. (Exhibit 7)
 5. All adjoining property owners have been properly notified of this Special Use Permit. (Exhibit 8 and 9)

Keri said a worksheet has been completed by staff for your use and is located behind the staff report for reference.

Keri said she will be glad to answer any questions and the applicant is here to answer any questions as well.

Mr. Massey asked Keri if this particular case come up before. Keri said yes, it was just over a year ago. She said it was denied by the Board of Adjustment. She said since then, a year has passed and the applicant has submitted a new application.

Kenneth Deal asked Keri if there are any substantive changes between this submission and the last submission. Keri said they are both single-family houses and as far as the specific house size, she does not recall the house sizes on the applications but they were single-family houses on individual lots and they are still a single-family houses on individual lots.

Louis Philippi asked Keri if the single-family houses were one (1) story and now they are two (2) story. Keri said she believes one (1) house was a one (1) story and the other was a two (2) story on the applications that came before you last year.

Mr. Massey said it looks like nothing has changed other than the time. Keri said there has been a year in-between but they are requesting a single-family house on an individual lot. She said according to the Winchester Overlay District, a Special Use Permit must be obtained for any principal development, which would be the house.

William Draper asked what was the significance with the star on the map. Keri said that is the Adjoining Property Owner Map so the star indicates the subject property.

Mr. Massey asked Keri if she had received any calls either for or against the request. Keri said she received one (1) phone call yesterday and she called back today. She said the caller was not in favor of this request. She said she told the caller that she could come to this meeting and provide any testimony tonight.

Mr. Massey asked if there was anyone who wanted to provide testimony at this time.

Mr. Matt Ruggiero, COO of Better Path Homes, came forward and said there are a couple of changes from last year. He said they chose a slightly smaller plan and a little bit skinnier floor plan. He said the other plan was about 17-feet wider. He provided a drawn survey as well as a plan drawn by an engineer.

Mr. Ruggiero said they feel very strongly about the type of market that this type of house demands. He said they finished about 50-55 houses in the one (1) year that has gone by. He said this is a local Charlotte builder and our houses have sold very well. He said they are in high demand from the first-time homebuyer, single mothers, single fathers, veterans, etc.

Mr. Ruggiero said we believe that it is not necessarily the plans that have changed too much but the situation in Monroe, Charlotte, Gastonia, and Huntersville. He said there is a real estate agent here tonight to give some quick testimony as far as the market. He said another concern that the Board had with this was what happened if the house did not sell, would this become a rental etc.

Louis Philippi asked if this house would be sold to an owner-occupant, not to an investor. Mr. Ruggiero said if the only offer they received was from an investor, which he finds hard to believe, we would consider it. He said we have sold out most of their houses, all but probably two (2).

Mr. Ruggiero said his Project Manager has a final walk-through with the buyers and we are very involved with the whole process. He said people are very happy to get a house that is brand new. He said many of these people put every dollar they have into these houses. He said the houses have a very good warranty.

Louis Philippi said to Mr. Ruggiero that if we approve this there would have to be a provision that the house be sold to an owner-occupant and not an investor. He asked Mr. Ruggiero if that would work for you. Mr. Ruggiero said absolutely. He said this is something that has been discussed. He said most of the houses they have put on the market have anywhere from 20-30 showings in the first couple of days. He said we usually make a decision within three (3) days.

William Draper said to Mr. Ruggiero that he had a problem before with the house closest to John Street in that the side yard looks like it is right up to that piece of property. Mr. Ruggiero said there is a 13.1 and 13.3 slope gap between the house and the side house. He said a lot of the houses we build do have to be squeezed into a tighter area. He said the last time we submitted it our application he believes we had a ten (10) foot space. He said he definitely understands your concern.

Kenneth Deal said to Mr. Ruggiero that he appreciated the survey that was provided.

Mr. Massey asked if there were any further questions. There were none.

Ms. Rebekah Sosa of Allen Tate Realty came forward and gave a marketing presentation on homes being sold in this area. She said she has been working with Better Path Homes for two (2) years. She distributed material that has the house plan and a booklet of what is in the homes. She said out of the 26 that she has sold for Better Path Homes over the last year, only two (2) have sold to investors looking to rent them out.

Ms. Sosa said she really believes in their product. She said they sell homes that are affordable in the Charlotte region. She said she can testify that she has many buyers over the last year and a half that have been extremely disheartened by our market. She said in this region it is extremely difficult to find a home that buyers can afford without competing with 50-70 other offers on the table, often times they being cash offers. She said thankfully companies like Better Path have come along, they have seen the need and they are providing a quality home with a ten (10) year structure warranty and a full two (2) year warranty on the property. She said she it is extremely said what is happening throughout our region. She said we are pushing affordable housing out of our region. She said if we don't allow companies like this to build, and these are the kind of lots they can find, everything else is being sold to really large companies like Lennar or DL Horton.

Mr. Massey asked Ms. Sosa what the average price of these homes would be and the median income for Monroe, Union County and how do they compare Ms. Sosa said the homes that she has sold have all been less than \$245,000 throughout the Charlotte region. She said the comps for this region show about \$235,000 which is an extremely affordable home in our market and very difficult to find. She said it would be less than a \$1,500 a month payment if you are a vet and need 100% financing.

Mr. Massey asked if there were any further questions. There were none.

Mr. Massey asked if there was anyone else who would like to give testimony.

Mr. John Harris of 2501 King Arthur Drive, Monroe, came forward and said his parents own 601 Winchester Avenue, which is the property adjoining 605 Winchester Avenue. He said he is also speaking on behalf of the neighbors that are homeowners nearby, the Morrow family, Ms. Alberta Wilson on John Street and also Hubert Harris, the owner of the property next door. He said we went through this last year. He said we are all about people in the Winchester neighborhood getting affordable houses. He said there was one (1) house sitting on the lots. He said talking with people in the neighborhood, we don't mind people building a house on the lot that is affordable, but not trying to squeeze two (2) houses on that little small lot. He said Winchester Avenue is a thoroughfare, a gateway coming from Hwy 74 downtown. He said he appreciated this Board last year and he hopes that the Board denies this again tonight because the only thing that they are doing is coming in and squeezing two (2) houses on a piece of property, getting their money, and leaving. He said they do not have to live here, we do, every day. He said in speaking on behalf of the homeowners, we hope you deny this. He said if they want to build a house they can build a single dwelling house that is affordable for some family to live in.

Mr. Harris asked how big the house was going to be. Someone said 1,200 square feet. Mr. Harris asked everyone if they would invest over \$200,000 in a 1,200 square foot house to live in.

Kenneth Deal asked Keri if this lot has been subdivided into two (2) lots or has it always been two (2) lots. Keri said staff did look into this and went to old parcel data and there has been two (2) individual lots for at least the last twenty years. She said that is the most information we could find. She said it has been two (2) individual lots since about 2000 and they are proposing to do one (1) house on an individual lot. She said there would be two (2) individual lots with one (1) house on each lot.

Kenneth Deal asked Keri if there was a house there previously. Keri said she cannot speak to that but it sounds like there may have been. She said she does not know if it was built over the property line. She said there certainly are houses out there, historic homes or just older homes, that were built over property lines. She said they did not have the same regulations that we have today.

Mr. Harris came forward and said there was one (1) house on that lot and a strip of land that was 15 feet wide. He said if they go back and look through the records they will find this. He said a lady approached him about buying the strip of land probably back in the early 1990s. He said he thinks she just went ahead and just gave it to Jeff when he bought the land. He said it was only a driveway in width and property. He said that house was the only thing there.

Mr. Massey asked if the applicant would like to respond. Mr. Ruggerio said the property was purchased as two (2) separate lots from the seller. He said he understands that it is a little tight. He said, however, if the price of everything goes up, unfortunately the sales price will also increase a little in this market. He said they are still trying to keep the median price in this market to \$285,000 for a house of this size.

Ms. Betty Williams came forward and was sworn in. She said she is a resident of the Winchester neighborhood. She said she is the lady that called the planning department this morning. She said she was very firm and matter-of-fact about the builders not getting a special permit to build two (2) houses on that small plot of land. She said as a social worker she sees that dysfunction that is pouring into the neighborhood. She said the City of Monroe is allowing all kinds of little, teeny houses, she calls them chicken coups, to be built and after they are built, the builders are gone. She said she lived in Monroe for 35 years and she has never been able to afford a house in Monroe because the prices are too high. She said the price of the houses is too high for this neighborhood. She said there are a lot of old people there who have been living in that neighborhood all their lives. She said the houses that they are living in are falling apart. She said instead of building these small houses that you can barely breathe in, do something for the older people that are living there. She said they can't move out of their homes. She said they cannot afford \$190,000 house.

Ms. Williams suggested that instead of building two (2) houses on this small plot of land, why don't they fix it up. She said it would be good for respite, walking, for old people to gather and talk during the day, and for children to play. She said it should be fixed up in honor of Robert Franklin Williams.

Ms. Williams said when the land is developed it should be called "Good Trouble". She said there should be a plaque for Robert Franklin Williams and maybe another plaque for Martin Luther King, Jr.

Mr. Massey asked if there were any questions. Mr. Benshoff asked what is the average size lot in the neighborhood. Keri said staff did take a look at this earlier because she knows it was a concern last time. She said the Winchester Overlay is made up of a number of residential single-family parcels and some multi-family parcels. She said there are some duplexes and some commercial. She said they tried to capture just the single-family parcels. She said there were about 376 lots with single-family homes within the Winchester Overlay District. She said what was calculated with the tax data was that the average lot size was .24 of an acre, which is about 10,454 square feet. She said this lot is 8,276 square feet so it is slightly less than the average lot size but in line with the average. She said she does not have the ranges of the lots but there were 370 lots.

Louis Philippi asked Mr. Massey if there could be limited discussion before this Board makes a decision. He said he would like to comment that he was one of the people that led in getting this request disapproved a year ago. He said his dream was to get just one (1) house on the lot. He said he would like to see a house that he is accustomed to but the fact is that one of the big things that stifles crime is when people live in a home that they own. He said you would be less likely to allow your kids be criminal, or yourself, because you got too much to lose. He said let them put a house up that was discussed but sell it to an owner-occupant, not to an investor. He said then we are giving that neighborhood a shot at more stability, even if it is not as pretty as we would like for it to be.

Kenneth Deal said to Mr. Philippi that he agrees with what he has said. He said any stipulation that we put on this builder does not convey to any future owners.

Mr. Massey said there are certain standards that this Board has to look at and have to be met and that is what we need to deal with:

A. The use will not materially endanger the public health or safety if located, designed, and proposed to be operated according to plan.

Motion: William Draper made a motion that this standard is **not met** because 13 feet is not enough separation.

Second: George Smith

Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith

NAYS:

Mr. Benshoff said we need a clear vote for the record. He said he will poll the Board and ask again that all of you in favor of the motion that the standard is not met, say aye.

Motion: William Draper made a motion that this standard is **not met** because 13 feet is not separation.

Second: George Smith

Action: The motion was denied with the following votes:

AYES: George Massey and Louis Philippi

NAYS: Kenneth Deal, William Draper and George Smith

Mr. Benshoff reiterated that the motion was that the standard is not met. He said if you voted for the motion, you are saying that the standard is not met. He said the secretary needs to have the names of the people who said the standards is not met.

B. The use or development complies with all regulations and standards of the City of Monroe Zoning Ordinance, as well as any other state or local rule or regulation governing the development of land.

Motion: George Smith made a motion that the standard **is met** because

Second: Kenneth Deal

Action: The motion to approve passed with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith

NAYS: William Draper

- C. **The use or development will not adversely impact surrounding property and will not substantially injure the value of adjoining property.**

Motion: Kenneth Deal made a motion that the standard is met based on the CMA (Property Values).
Second: Louis Philippi
Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith
NAYS: None

Discussion was held on who seconded this motion. Maryann Brown had Louis Philippi and Keri had William Draper. Both denied seconding the motion. Kenneth Deal said he would ask the Board to take the time and read the standards before you make a motion. He said this standard is clearly stated based on value and we have a CMA as part of the package that supports the petitioner's value statement. He said that statement has been met. He said he will restate the motion:

Motion: Kenneth Deal made a motion that the standard **is met** based on the CMA (Property Values).
Second: George Smith
Action: The motion to approve passed with the following votes:

AYES: Kenneth Deal, Louis Philippi and George Smith
NAYS: George Massey and William Draper

- D. **The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Monroe Land Development Plan.**

Motion: Kenneth Deal made a motion that the standard is **not met** based on the testimony of the surrounding residents and the character of the surrounding residences.
Second: Louis Philippi
Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith
NAYS: None

Mr. Massey asked for a motion to grant or deny the Special Use Permit request.

Motion: George Smith made a motion to deny the issuance of the Special Use Permit.
Second: William Draper
Action: The motion to deny the Special Use Permit passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith
NAYS: None

Mr. Massey said the Special Use Permit CASE PLSUP-2022-00080 request has been denied.

Item 5. CASE PLSUP-2022-00081 – The applicant, Matthew Ruggiero, on behalf of Better Path Homes, LLC, is requesting a Special Use Permit to construct a new single-family home at the property located at 607 Winchester Avenue (Tax ID #09-228-144)

Request was withdrawn by Matthew Ruggiero. Mr. Benshoff said this withdrawal needs to be writing. Mr. Ruggiero said he would e-mail the withdrawal to Keri.

Item 6. CASE PLZNA-2022-00099 – Chairman said the applicant, Stafford Street Monroe, LLC, is requesting a Variance to install an eight (8) foot chain-link fence with 12” inches of barbed wire on top for a total of nine (9) feet and to remove four (4) trees over seventy-five (75) inches in circumference at 1912 Stafford Street Extension/2026 Skyway Drive (Tax ID #09-180-004-90, 09-180-004-H-80, & 09-180-004-H-90)

Mr. Massey said that anyone who is going to give testimony in this case needs to be administered the oath. Doug Britt, Senior Planner, Chris Platè, Monroe-Union County Economic Development, Darius Olesky, Suncap, Wes Faulk, Plyer Trust, Donna Plyer and Emily Parks came forward and were sworn.

Doug Britt, Senior Planner, said this is a Variance request by Stafford Street Monroe, LLC to install an 8-foot chain-link fence with 12” of barbed wire on top for a total of nine (9) feet, as well as to remove four (4) trees over seventy-five inches in circumference. He proceeded to enter the Proposed Findings into the record:

Findings:

1. The property located at 1912 Stafford Street Extension/2026 Skyway Drive is owned by Dorothy Plyler Trustee and William Franklin Plyler and is zoned R-20 (single family residential). (Exhibit 1, 2)
2. A rezoning application was submitted in October of 2021 to rezone the subject properties from R-20 (single family residential) to GI (General Industrial). The request will be considered by City Council at the January 11 City Council meeting.
3. On November 11, 2021, the applicant submitted a variance application to request a variance from Sections 156.136 (A)(2) and 156.136 (B)(10) titled Fences and Walls and Section 156.221 titled Tree Preservation in order to install an eight (8) foot chain-link fence with 12” inches of barbed wire on top for a total of nine (9) feet and to remove four (4) trees over seventy-five (75) inches in circumference. (Exhibit 3, 4)
4. Sections 156.136 (A)(2) and 156.136 (B)(10) stipulate, the maximum height of a fence or wall in an industrial district shall be eight (8) feet and that barbed wire fencing is prohibited except in the R-40 and R-20 district, where it may be used in conjunction with bona-fide farming activities. (Exhibit 5)
5. Section 156.221 (A) stipulates trees seventy-five (75) inches in circumference must be preserved and shall not be removed. (Exhibit 5)

6. All adjacent property owners have been notified of the variance request. He said there were approximately 97 properties notified for tonight's meeting. (Exhibit 6, 7)

Doug said staff is recommending one (1) condition if the Board chooses to grant the Variance: Variance approval will be contingent upon the rezoning that will be considered by City Council at the January 11, 2022 City Council meeting. He said if the Variance is not approved, the Variance will be null and void. He said if the rezoning is approved, then the Variance will be approved contingent upon that rezoning being approved by City Council.

Doug said he would be glad to answer any questions at this time and the applicants are here as well. He passed out the Variance worksheet for the Board's consideration. He said the questions in the packet will help to assist you through this process.

Mr. Massey asked Doug if he received any calls from the adjoining property owners. Doug said staff received one (1) call. He said it was in opposition of the request.

Mr. Massey asked if there was anyone who would like to give any testimony.

Mr. Darius Olesky came forward and said he represents the applicant. He said his address is 6101 Carnegie Boulevard, Charlotte, NC 28209. He said he is here to answer any questions. He said Doug did a good job in his presentation. He said we are asking to remove four (4) trees, three (3) of which are in the path of the sewer line which is coming from Highway 601 into the property and back to the building. He said the fourth tree is being removed because of the pond on the site plan and also for the access drive that surrounds the property. He said we tried to save the tree but based on the grading and the route zone any attempts to save the tree would fail. He said the barbed wire fence is a standard security detail for this type of user, which is warehouse distribution. He said it is only proposed around the truck court. He said it is not proposed anywhere around the perimeter of the property or for employee parking, but strictly just for where the warehousing and distribution activities occur, one side which is van accessible and the other side which is tractor trailer accessible.

Louis Philippi said to Mr. Olesky that this is a 337,000 square foot distribution center. He said the only people he knows that are that big are Amazon, UPS and Fed Ex. He asked if this would be one of them. Mr. Olesky said he is under a non-disclosure agreement but yes, that would be the type of user that we are targeting for this facility.

Louis Philippi said that without the applicant being here, there cannot be a lot of discussion of what they can put up and what they cannot. Mr. Olesky said he is the applicant. Mr. Philippi said if this is not approved, the applicant can move to Wadesboro and Monroe would lose 300-400 jobs. Mr. Olesky said any one of the users that you mentioned know best how to operate their business. He said they require security. He said unfortunately we need to have security fencing to protect the packages that are being delivered to you and my home. He said concerning the packages, some are large, some are small but expensive. He said this is their best attempt in keeping the packages inside the facility.

Mr. Massey said it says that the maximum height is 8-feet for a business or industrial district. He asked Mr. Olesky if there would be a problem to have the fence 7-feet and the barbed wire top 12 inches. He said in this way you would be within the Ordinance. Mr. Olesky said there are two (2) requests. He said 8-foot tall is the minimum height and barbed wire is simply not allowed. He said the Variance request is asking for a 9-foot total height and for barbed wire. He said he would be open to suggestions. George Smith said he thinks, when looking at industry around Monroe, they have 8-foot fences with barbed wire fences.

Kenneth Deal said part of the reason for the barbed wire going on top of an 8-foot fence is to ensure that there is no incidental damages to people or wildlife that may come and encounter it. George Smith said you don't want someone to run into barbed wire.

Kenneth Deal said should this be approved tonight, he asked Mr. Olesky if he would have any problem with this Board adding a stipulation that none of this work is to commence until City Council has ruled on the rezoning. Mr. Olesky said he is perfectly fine with that.

Mr. Massey asked if there was anyone else who wanted to give testimony.

Mr. Wes Faulk came forward and said his business address is 309 Post Office Drive in Indian Trail, NC 28079. He said he is an attorney representing the owner of the property on behalf of the owner in office support for the Variance request and speak in favor of it. He said the owner is a Trust and the Trustee and sole beneficiary of that Trust is Dorothy Moser Plyler. He said Mrs. Plyler is his Grandmother. He said also here are certain members of the family, children and grandchildren, who are also in favor of the request.

Mr. Faulk said Miss Plyler chose to be home and settle down by this time of the evening. He said she did provide a written statement to him which she asked to be presented to the Board for its consideration. He distributed copies of the signed statement to the Board.

Mr. Faulk said to the Board, as you can see Miss Plyler has signed the statement and there is reference to an amendment to the current underlying agreement between the owner and the buyer. He said anticipating some potential opposition, we referenced that because there may be some opposition from certain parts of the adjoining property owners. He said there has been an amendment to the current contract that would remove a part of that property of the adjoining property to the Trust. He said that is on the 601 side of the lake. He said if an adjoining owner might have had any argument or opposition that would be meritorious, the carve out would effectively nullify that and make it moot and address it. He said again, he recommends the Variance request in full support of Miss Plyler as the Trustee and sole beneficiary of the Trust, and it also has support of several of the adjoining owners who are several of her children and grandchildren. He said he would be happy to answer any questions regarding this.

Chris Platè came forward and said he was the Director of Economic Development for the City of Monroe and Union County. He has been working with the end-user of the project as well as the applicant. He said this project is significant to the benefit to the City of Monroe and all of its residents. He said it could be as high as \$70,000,000 of investment on this property, generating over \$350,000 in property taxes per year, which is equivalent to one (1) penny of the tax rate that would be reduced. He said you are talking about several hundred jobs.

Mr. Platè said the area between Hwy. 601 and Hwy. 200 and North of Sutherland up to the Expressway has been targeted for industrial from the time that he has been here as the future growth for the City. He said knowing the Expressway was going to be built even in 1999 and 2000, we were targeting this area. He said with all of the projects he has worked on, well over \$2 billion in investment in Union County, specifically into Monroe, not a single one has been identical to the previous one. He said they all have their special needs and they all have special requirements, specifically around security. He said almost every one of those projects have an 8-foot fence with barbed wire attached. He said all of the companies have different types of requirements; this is no different and falls right in line with what you would have as reasonable accommodation and an expectation for a company coming into a community.

Mr. Platè said with that, and for the benefit of all the residents here, we are very much in favor of this project and Variance.

Mr. Benshoff asked if there was a representative here from Stafford Street Monroe LLC. Mr. Darius Olesky came forward. Mr. Benshoff said we have heard representations that the Variance request covers a smaller piece of property than the application details. He asked Mr. Olesky if he could amend the application to strike out the properties that are now not subject to the contract. He said, otherwise, the Board will have to consider all the properties despite the representations that we have that there is an amended contract. He said the Board has to consider the application that it has.

Mr. Olesky said the contract is for two (2) properties, one (1) of which is fronting on Hwy 601 and the second property is the remainder, which is straddled on either side of Stafford Street. He said the amended contract is still with those two (2) properties. He said basically what the contract amendment does is take Plyler Lake out of the contract. Mr. Benshoff said the application lists four (4) tax map numbers. Mr. Olesky said that is right. Mr. Benshoff said to Mr. Olesky that he is saying that all four (4) of the tax map numbers are subject to the application. Mr. Olesky said that is right, and they will continue to be subject. Mr. Benshoff said the four (4) tax map numbers are not the properties show on the screen. Mr. Olesky said they still comprise of four (4) tax map numbers. Mr. Benshoff asked Mr. Olesky what property does your application cover. Mr. Olesky indicated the property on the screen.

Mr. Benshoff asked Mr. Olesky which representations about the contract changing the application are not correct. Mr. Faulk said the contract is going to be amended to take a portion of the property out of the contract, but none of that portion of the property is part of the site plan that is showing right now. He said it is not changing the site plan but what it is doing is taking the lake out. He said while we had done the contract amendment as an accommodation, if it makes it more difficult for the Board to understand it, we can ignore it for now or we can change the application, whichever is easier to digest. He said it is going to be the same for parcel numbers; a portion of one of those parcel numbers, which is the entirety of Plyler Lake, is going to be removed. He said this was done as a concession to adjacent property owners that have concerns about their access to the lake which we don't want to. Mr. Benshoff asked Mr. Faulk if it was his application. Mr. Faulk said yes. Mr. Benshoff said that is up to you whether you want to amend it or not. He said he just trying to clarify what this Board is being asked to do.

Mr. Massey asked if there was anyone else who would like to speak in opposition.

Ms. Emily Plyler Parks came forward and said she grew up at 2040 Skyway Drive and she lives at 2042 Skyway Drive, right beside her Mom and Dad. She has a husband and two young kids. She said she understands that this company wants to put up an 8-foot fence with an additional 1-foot of barbed wire on top. She said her concern is that while it is proposed right now to be just around the building, what kind of assurances does she and her family have that the fence will not enter into her backyard. She said currently, her back fence on her property is at least 70 feet from the lake. She said if that fence is put up, her property value is ruined. She said who is to say that within five (5) years if they see her kids on a paddleboat that is a liability. She said she knows they said they are taking the lake out of the contract, but today it is still in the contract. She said she did not want to be here tonight but she has to fight for her property and what she thinks is right. She said if there is a fence there, her children will not be able to fish or feed the ducks. She said it will be turned upside down. She asked the Board to consider denying this until the lake is taken out of the contract. She said once the lake is taken out, they will not have any problem.

Ms. Parks said she just took the Variance application over to her Grandmother at 10:30 a.m. She said she handed the application to her Grandmother and her Grandmother looked at her and said she had never seen it before. She also said the sale of this would devastate her property more than it would affect anyone else or properties involved.

Kenneth Deal asked Ms. Parks to indicate on the map where her home is on the map. He also asked Ms. Parks if the sale of the property is pending on City Council's rezoning action. Ms. Parks said yes.

Doug Britt said the Variance request, as advertised, includes all four (4) parcels. He said the site plan the shows the approximate location of the fence. He said when a Variance is approved, it would be for the entire property advertised unless the Board placed a condition on the approval.

Kenneth Deal said if so stipulated than they would have to come back for an amendment.

Ms. Donna Plyler came forward and said she lives at 2040 Skyway Drive. She said her husband is Aaron Plyler Jr. She said all this stems from a contract that was signed on July 4, 2021. She said Dorothy Plyler is the seller and she owns the family farm. She said she (Dorothy Plyler) signed a contract to sell the family farm, but she did not know when she signed it that it included her backyard, her daughter's backyard and the whole lake. She said they have been trying since July 10, 2021 to have all property, her backyard and her daughter's backyard, to have Wes Faulk, the attorney, to have this property pulled out. She said this morning, when we realized the meeting was tonight, we went to her house this morning at 10:30 a.m. to talk to her about this Variance application. She said her Grandmother did not know anything about it. She said she had never seen the form, she didn't know it was tonight, she didn't know anything about it. She said her Grandmother thought the land had already been pulled out and she wanted the lake to be pulled out. She said the lake was built by her husband, the late Aaron Plyler, 70 years ago.

Ms. Plyler said this Variance application is premature. She said their goal is just to get their property pulled out of this contract and they have been trying since July 10, 2021. She said an hour before she was to come to this meeting she got an e-mail from Wes Faulk which showed a map and some documentation that Dorothy Plyler had signed but the buyer hadn't signed.

Ms. Plyler said they are concerned if this Variance is approved and they do not get their land pulled out, then they could put up a fence wherever they want to.

William Draper asked Ms. Plyler if her house was on land she did not own. Ms. Plyler said no. She said they cleared out all property down to the lake. She said from her house you can see the lake. She said we use the lake, her grandchildren fish there. She said they did not know that behind their house is being sold. Ms. Parks said the Trust property runs all the way around their entire backyard.

Ms. Plyler said she cannot support anything until that land is taken out of the contract. She said the document that Wes Faulk sent her tonight will have to be shown to an attorney. She said she is not against the sale of the land but is against our backyards being owned by Suncap.

Mr. Massey suggested to the Board that since the approval of the rezoning by City Council may affect this one way or another, would you have any problem if this was delayed until City Council makes its decision.

Louis Philippi said [could not hear everything] he would like to protect the community and restrict them to what they can do on this property. He said he does not want to lose this tremendous asset for Union County

Mr. Massey said to Mr. Philippi that he hears his concern but his concern is if we act on this Variance request and City Council does not approve it, we are back at square one. William Draper agreed and made the following motion:

Motion: William Draper made a motion to table this Variance hearing until after City Council meets on January 11, 2022.

Second: George Smith

Mr. Benshoff suggested to Mr. Draper that he move to “continue” the hearing until the January meeting. Doug Britt said staff also recommended that this be continued without further advertising. Mr. Benshoff said if it is continued, it does not have to be advertised.

Motion: William Draper made a motion to continue this Variance hearing until after City Council meets on January 11, 2022.

Second: George Smith

George Smith asked about the second pond on the map. Kenneth Deal said that is stormwater management. Mr. Smith asked if there would be fences around these ponds. Mr. Olesky said if they are required by the State, they will be four (4) foot fences.

Mr. Faulk said he has a fully executed amendment to the contract that carves out 22.4 acres of the exact property that Ms. Parks and Plyler are referencing. He said it is their concern that somehow the fence could be “impactful” on Trust-owned property that adjoins their property. He said it is not their property, it is Trust-owned property that adjoins their property. He said that problem is solved with this legally binding amendment to the contract which has been duly executed by Mrs. Plyler and a representative of the buyer. He said the only objection or voice of opposition has been heard on that basis. He said that problem is in every manner solved by reason of the amendment to the contract.

He said if we pull that property out, it will never be conveyed. He said it still involves the same parcels as Mr. Olesky touched on but the only point of dispute is fully rectified and resolved by the amendment to the contract. He said he sees no reason why there should be any delay or continuance when that problem has been addressed and there is overwhelming support, approval or agreement on behalf of the owner and the applicant.

Mr. Benshoff asked Mr. Faulk if he heard the conversation that he had with the representative of the applicant. Mr. Faulk said yes. Mr. Benshoff said this Board has an application, submitted by the applicant, and the applicant has to amend the application for a smaller footprint of the property or the Board has to consider the application before it. He said he does not doubt that you have a signed contract, but that is not an evidence before the Board. He said we have your statement that it was signed, but until the Board sees the contract, it is not an evidence. He asked again, does the applicant wish to amend their application. Mr. Faulk said he would be happy to hand out the fully executed contract for review if it is allowable, he said he means the amendment. Mr. Benshoff said it is allows if you want to make than an exhibit.

Mr. Olesky said if the motion is going to be to continue this until after the City Council meeting, he is fine in doing that. He said if we have to clean-up the application prior to that, we can do that. He said we are trying to be as easy to work with as possible in trying to get these two (2) Variances heard and

approved. He said if that means that, we wait until after the Council meeting, that is fine and we will leave the application as is.

Ms. Donna Plyler asked that we have a chance to look at the contract and have an attorney on our behalf review the contract. Mr. Benshoff said that is not a decision the Board can make.

Doug said staff wanted to point out that the staff had no involvement in the property.

Kenneth Deal said he is not comfortable going forward when there is a dispute over boundaries of property unless the applicant wants to provide proof that it has been taken out of the equation as our attorney stipulated.

William Draper was asked to restate his motion:

Motion: William Draper made a motion to continue this Variance hearing until after City Council meets on January 11, 2022.

Second: George Smith

Action: The motion to adjourn passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper and George Smith

NAYS: None

Item 7. **CASE PLSUP-2022-00100** – Chairman said the applicant, Ken Hammond, is requesting a Special Use Permit to allow for a reduction of the front yard setback from 85 feet to 41 feet in order to build a new single-family residence at the property located at 1100 Leewood Drive (Tax ID #09-159-033)

Mr. Massey said that anyone who is going to give testimony in this case needs to be administered the oath. William Nance, Planning Technician, and Ken Hammond came forward and were sworn.

William Nance, Planning Technician, said tonight he will be presenting a Special Use Permit request by Ken Hammond to allow for the reduction of the front setback from 85 feet to 41 feet at the property located at 1100 Leewood Drive. He said at this time he will introduce the Proposed Findings:

Findings:

1. The property is located on Leewood Drive and is zoned R-20 (Residential – Low Density). (Exhibit 1 & 2)
2. According to Section 156.131 (2)(B)(i) of the Unified Development Ordinance titled *Supplementary Standards for Single Family and Infill Lot in Single Family Residential Districts*, the front setbacks for single family infill shall be computed as an average of the dwellings on the lots immediately adjacent to either side of the subject property. If the adjacent lots are undeveloped, the setback can be computed using the dwelling units within 100 feet. (Exhibit 3)
3. The only dwelling unit within 100 feet of the subject property has an approximate front setback of 85 feet. Therefore, the proposed home on the subject property would be required to have an 85-foot front setback. (Exhibit 4)

4. On November 30, 2021, Ken Hammond submitted a complete application for a Special Use Permit to reduce the front yard setback to 41-feet. (Exhibit 5-7)
5. All adjoining property owners have been properly notified of this Special Use Permit. (Exhibit 8-9)

William said a worksheet has been completed by staff for your use and is located in your staff report.

William said he will be glad to answer any questions and the applicant is here to answer any questions as well.

Kenneth Deal asked William if he could provide what the flood plain looks like. William said there is a blue line stream that runs at the back of this property (he pointed out the location on the map). He said he is not sure where the flood plain is on the property.

Mr. Benshoff asked William to show where the stream is on the topo map. William identified where the stream is located.

Mr. Massey asked if there were any further questions. There were none.

Mr. Massey asked anyone who would like to speak to come forward.

Mr. Ken Hammond came forward and said he is with True Homes. His address is 2649 Brekonridge Centre Drive in Monroe. He said they have the topographical survey with one (1) foot contour lines. He said the lot falls from the front to the back. He said every line represents one (1) foot until it gets into the creek bed and then it goes up on the other side. He said we pushed the house back as far as physically possible so it would not fall off a cliff. He said we were also very concerned about the creek and potentially flooding and all of the negatives that would go along with that.

Mr. Hammond said the only thing we are asking for here is to change the front setback from what would normally be 85 feet to 41 feet. He said the 85 feet is not a static setback that the rest of this neighborhood has to adhere to. He said the front setback is determined solely by how far back your neighbors are set. He said it is supposed to be an average of the two (2). He said there is a vacant lot to their left, so the City defaulted to the house that is next to them, which is 85 feet back. He said there are several homes in the neighborhood that are a lot closer than even the 41 feet that we are asking for. He said there are some homes that are 30 feet to the street, some that are 25 feet, so this would not be an anomaly in a neighborhood where all the homes are setback and we would be up front. He said they would be closer to the street than their neighbor and that is all. He said it is because of the natural topographic layout of the site---it is an active creek. He said we don't necessarily have any reason to ask for the house to be closer to the street other than that. He said the house will fit in really well as far as the shape, design and the size.

Mr. Hammond said there will be no negative impacts or detriments to the properties. He said it will be just the opposite. He said 41 feet is a decent setback from the street just based on the market and even for this neighborhood.

Kenneth Deal asked Mr. Hammond how many feet wide is your lot. Mr. Hammond said about 180 feet wide.

Louis Philippi said it looks like it is pretty cut and dry to him. He said this neighborhood appears to be a decent neighborhood and this house will not be a problem whatsoever.

Kenneth Deal said he agreed and if you look at houses in the back on Pamela Drive, they look very close to that setback as well. He said the house is in harmony with the surrounding area.

Mr. Massey asked if there was anyone else who would like to speak. There was no one.

Mr. Massey said there are certain standards that this Board has to look at and have to be met and that is what we need to deal with:

A. The use will not materially endanger the public health or safety if located, designed, and proposed to be operated according to plan.

Motion: Louis Philippi made a motion that this standard **is met**.

Second: George Smith

Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith

NAYS: None

B. The use or development complies with all regulations and standards of the City of Monroe Zoning Ordinance, as well as any other state or local rule or regulation governing the development of land.

Motion: Kenneth Deal made a motion that the standard **is met**.

Second: William Draper

Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith

NAYS: None

C. The use or development will not adversely impact surrounding property and will not substantially injure the value of adjoining property.

Motion: George Smith made a motion that the standard **is met**.

Second: Kenneth Deal

Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith

NAYS: None

D. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Monroe Land Development Plan.

Motion: Kenneth Deal made a motion that the standard **is met**.

Second: William Draper

Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith
NAYS: None

Mr. Massey asked for a motion to grant or deny the Special Use Permit request.

Motion: William Draper made a motion to grant the issuance of the Special Use Permit.
Second: George Smith
Action: The motion to grant the Special Use Permit passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith
NAYS: None

Mr. Massey said the Special Use Permit Case PLSUP-2022-00100 request has been granted.

Item 8. CASE PLSUP-2022-00101 – Chairman said the applicant, Amber Martin, is requesting a Special Use Permit to allow an Event Center/Multipurpose space in the GB (General Business) zoning district at the property located at 103 Wilkes Drive, Unit H (Tax ID #09-222-057A)

Mr. Massey said that anyone who is going to give testimony in this case needs to be administered the oath. William Nance, Planning Technician, Randy Martin and Amber Martin came forward and were sworn.

William Nance, Planning Technician, said tonight she will be presenting a Special Use Permit request by Amber Martin to allow an event center in the General Business zoning district located at 103 Wilkes Drive. He said at this time he will introduce the Proposed Findings:

Findings:

1. The property at 103 Wilkes Drive is zoned GB (General Business). (Exhibit 1, 2)
2. The applicant submitted a Special Use Permit Application on November 1, 2021 requesting to operate an Event Center/Multipurpose space on the property. (Exhibit 3)
3. According to Section 156.110 of the City of Monroe Unified Development Ordinance titled “Table of Permissible Uses”, Event Facilities are only allowed in the GB zoning district with the issuance of a Special Use Permit from the Board of Adjustment. (Exhibit 4)
4. A Standard 5 Appraisal Impact Study was completed by Morrison Appraisal, Inc. It is the opinion of Morrison Appraisal, Inc. that the proposed Event Center use will not adversely affect the value of the adjoining properties. (Exhibit 5)
5. All adjoining property owners have been notified of this special use permit. (Exhibit 6,7)

William said a worksheet has been completed by staff for your use and it is located behind your staff report. He said he would be happy to answer any questions and the applicant is also here to answer any questions.

Mr. Massey asked William if he received any calls from any of the adjoining property owners. William said he did not receive any phone calls. Keri said she received one (1) call and she returned the call and left a message. She said she did not get a return call.

William Draper asked if the parking lot is striped. William said yes.

Ms. Amber Martin came forward and said it was actually just paved last month. She said the property had a fire about a year ago. She said the owner had to redo everything so a lot of the building is a rebuild and the parking lot is newly paved with new lines. She said a lot of the former tenants have moved out due to the fire. She said only the bingo space is a pre-existing tenant. She said everyone else is new.

Kenneth Deal asked Ms. Martin if the structure inside the parking lot is a fuel pump. Ms. Martin said there is a gas station on the corner and directly across the street is another gas station. She said they will take up what was once several units of the parking lot. She said someone just got a permit to open an ice cream store. She said there is a new beauty salon, two (2) churches back-to-back and then there is Bingo, which takes up two (2) units.

Ms. Martin explained that she and her husband, Randy, do events. She said they will be doing all-inclusive events. She said the next step for them is to own a space.

Mr. Massey asked Ms. Martin for the approximate capacity of the space. Ms. Martin said she did not know. Keri came forward to answer and was sworn in. She said any new business will have to go through the permit process with our Permit Center. She said that is where Ms. Martin will meet with Fire, Building and the other departments. She said the Fire Code will ultimately set her occupancy.

Randy Martin came forward and said some of the things they will do will vary. He said some will be instructional classes. He said there could be 15-30 people. He said some small events will be 50 people. He said this is why it will be a multipurpose place.

Ms. Martin said it will be a blanket space that you can transform into what you would need.

Kenneth Deal asked Ms. Martin what kind of hours was she looking at operating. Ms. Martin explained the hours, depending upon the event. Mr. Deal asked Ms. Martin if she would have some after dusk events. Ms. Martin said yes. Mr. Deal asked about lighting in the parking lot. Ms. Martin said because there is a gas station there, as well as a storage facility behind the strip mall, the area is well lit.

Mr. Massey said there are certain standards that this Board has to look at and have to be met and that is what we need to deal with:

A. The use will not materially endanger the public health or safety if located, designed, and proposed to be operated according to plan.

Motion: Kenneth Deal made a motion that this standard **is met**.

Second: Louis Philippi

Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith
NAYS: None

- B. The use or development complies with all regulations and standards of the City of Monroe Zoning Ordinance, as well as any other state or local rule or regulation governing the development of land.**

Motion: Kenneth Deal made a motion that the standard **is met**.
Second: George Smith
Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith
NAYS: None

- C. The use or development will not adversely impact surrounding property and will not substantially injure the value of adjoining property.**

Motion: George Smith made a motion that the standard **is met**.
Second: Louis Philippi
Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith
NAYS: None

- D. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Monroe Land Development Plan.**

Motion: Louis Philippi made a motion that the standard **is met**.
Second: William Draper
Action: The motion to approve passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith
NAYS: None

Mr. Massey asked for a motion to grant or deny the Special Use Permit request.

Motion: Kenneth Deal made a motion to grant the issuance of the Special Use Permit
Second: William Draper
Action: The motion to grant the Special Use Permit passed unanimously with the following votes:

AYES: George Massey, Kenneth Deal, Louis Philippi, William Draper, and George Smith
NAYS: None

Mr. Massey said the Special Use Permit Case PLSUP-2022-00101 request has been granted.

Item 9. Other

Mr. Massey said this is his last meeting as he will be rotating off the Board. He wanted to thank each one of you for having served. He said he is quite sure you will handle everything appropriately.

Louis Philippi said he wanted to welcome the new Board Attorney. He said he is as sharp as a tack and he is glad to have him here. Mr. Benshoff said thank you.

Keri introduced Megan Brightharp. She said she is one of our new planners and she will be doing some Board of Adjustment cases so you will be seeing some more of her in the future. She said she comes from Carbondale, Illinois. She said she started just last week.

Doug said this is Maryann's last meeting. He said she is retiring after 21 years on January 21, 2022.

Item 10. Next Meeting – January 27, 2022

Item 11. Adjournment

Motion: Kenneth Deal made a motion to adjourn the meeting.

Second: William Draper

Action: The motion to adjourn passed unanimously with the following votes:

AYES: **George Massey, Kenneth Deal, Louis Philippi, William Draper and
George Smith**

NAYS: **None**

The meeting was adjourned at 8:48 p.m.

Respectfully submitted,

George Massey
Chairman

Maryann Brown
Clerk of the Board

**MINUTES OF THE
BOARD OF ADJUSTMENT MEETING
February 24, 2022 at 6:30 P.M.
Council Chambers
300 W. Crowell St.
Monroe, NC**

To S. Laney – e-mailed 3-08-22

Item 1. Call to Order

Chairman Kenneth Deal called the February 24, 2022 meeting to order at 6:32 p.m. and noted that there was a quorum present with 4 members. Doug Britt, Senior Planner, called the roll.

Members Present: Kenneth Deal, Lou Philippi, William Draper and George Smith

Members Absent: None

Staff Present: Doug Britt, Senior Planner; Megan Brightharp, Planner I; Albert Benshoff, BOA Attorney; Ashley Britt, Assistant City Attorney

Guests: Symetha Blake, Barbara Faulk, William Plyler, Diane Plyler Hough, Alan Plyler, Wes Faulk, Darius Olesky

Item 2. Approval of Minutes – Minutes of December 16, 2021 Meeting

Doug Britt recommended minutes be tabled until the next meeting to make some corrections that we've received this afternoon. Kenneth Deal said it's been requested that the Minutes from the December 16, 2021 were tabled until the next meeting. Kenneth Deal asked if anyone objected. There was no one. The minutes will be tabled.

Item 3. Conflicts of Interest

Chair asked if there were any conflicts of interest. There were none.

Item 4. CASE PLZNA-2022-00099 – Chairman said the applicant, Stafford Street Monroe, LLC, is requesting a Variance to install an eight (8) foot chain-link fence with 12" inches of barbed wire on top for a total of nine (9) feet and to remove four (4) trees over seventy-five (75) inches in circumference at 1912 Stafford Street Extension/2026 Skyway Drive (Tax ID #09-180-004-90, 09-180-004-H-80, & 09-180-004-H-90) Continued from December 16, 2021 Meeting

Chair said that anyone who is going to give testimony in this case needs to be administered the oath. Doug Britt, Senior Planner, Wes Faulk, Plyler family attorney, and Darius Olesky, with Suncap Properties came forward and were sworn.

Doug Britt, Senior Planner, said this is a Variance request by Stafford Street Monroe, LLC to install an 8-foot chain-link fence with 12” of barbed wire on top for a total of nine (9) feet, as well as a variance to remove four (4) trees over seventy-five inches in circumference. He proceeded to enter the proposed Findings into the record:

Proposed Findings:

1. The property located at 1912 Stafford Street Extension/2026 Skyway Drive is owned by Dorothy Plyler Trustee and William Franklin Plyler and is zoned R-20 (single family residential). (Exhibit 1, 2)
2. A rezoning application was submitted in October of 2021 to rezone the subject properties from R-20 (single family residential) to GI (General Industrial). The request was modified to rezone a portion of parcel 09-180-004-90 to GI (General Industrial) and was approved by the City Council at the January 11th City Council meeting.
3. On November 11, 2021, the applicant submitted a variance application to request a variance from Sections 156.136 (A)(2) and 156.136 (B)(10) titled Fences and Walls and Section 156.221 titled Tree Preservation in order to install an eight (8) foot chain-link fence with 12” inches of barbed wire on top for a total of nine (9) feet and to remove four (4) trees over seventy-five (75) inches in circumference. (Exhibit 3, 4)
4. Sections 156.136 (A)(2) and 156.136 (B)(10) stipulate, the maximum height of a fence or wall in an industrial district shall be eight (8) feet and that barbed wire fencing is prohibited except in the R-40 and R-20 district, where it may be used in conjunction with bona-fide farming activities. (Exhibit 5)
5. Section 156.221 (A) stipulates trees seventy-five (75) inches in circumference must be preserved and shall not be removed. (Exhibit 5)
6. The variance requests will only be for the properties or portions of property that are zoned GI (General Industrial).
7. All adjacent property owners have been notified of the variance request. (Exhibit 6, 7)

Doug Britt concludes the presentation.

Mr. Deal asks if anyone would like to speak for this project to come forward. Speakers will need to state their name and address for the record.

Darius Olesky with SunCap Properties representing the applicant at 6101 Carnegie Blvd. Ste. 180, Charlotte, NC 28209. Olesky states that last time he was before the Board, there was some confusion over the extent and the boundary of what the variance would apply to. Mr. Olesky stated that we have since modified the rezoning application to carve out a piece of property that was objectionable to neighbors, which included the lake. That portion of the project/property was carved out of the rezoning and it was successful in having the project rezoned to Industrial. Mr. Olesky states he is back before the Board to ask for the variance just on the Industrial zoned portion of project for two things, 1) as Doug said, the 4 trees of which 3 are in the path of the sewer route. The path was designed as a gravity sewer route and the most direct path to existing utilities is along Skyway Dr. Unfortunately, there are 3 trees over 24 inches in that path, the remainder of trees are staying, so we are only clearing for sanitary sewer. Mr. Olesky references

an exhibit that Doug had used in his presentation [Exhibit 4, Site Plan] and states the part highlighted in green are the areas of trees that are on the property that are not going to be disturbed so that you can see the path of the sanitary sewer minimally going from Skyway to the back of the property. Mr. Olesky asks if there are any questions regarding the tree portion of the variance application?

Mr. Deal asked if there are any questions.

Mr. Philippi states that he cannot see that map and asks how many trees that are over 25 years old that are not being removed?

Mr. Deal asks 24 inches in diameter?

Mr. Olesky clarifies and says yes, they are 24 inches and states they only did a tree survey on the portion of the trees that are required to be surveyed. He states he does not know a number.

Mr. Philippi asks Mr. Olesky to eyeball the amount because he cannot walk the land.

Mr. Olesky shows Exhibit 4 again that shows the area in green that is not being cut down. He stated that he doesn't know if it's 1,000 trees or 2,000 trees.

Mr. Philippi says the point that he is trying to make is that there is a regulation on cutting down trees of that size unless it's absolutely necessary. If there is only 3 trees on the whole lot, I would like a little bit of explanation. If there are 12 trees on the whole lot, but we only have to cut 3 down, understand that?

Mr. Olesky, says that's right. Mr. Olesky states that there is 14 acres of wooded area, of that 14 acres, we are proposing to clear 2.6 acres. Of that 2.6 acres, there is only four trees subject to the ordinance. In addition to the 4 trees that are coming down, we are installing 1,900 trees and large shrubs. Of that, there is almost 500 trees is being installed. Mr. Olesky states that again, I don't know the exact number of trees that we surveyed.

Phillips says, as long as there is one.

Mr. Olesky and Mr. Philippi go back and forth to the effect that as long as there is one and there is no way around you have to take them down.

Olesky states that along this path, it's a direct path to the sanitary sewer that comes back to the property, points to the map and says three trees here and one additional tree.

Mr. Deal, states that it is still a considerable amount of trees.

Mr. Philippi agrees.

Mr. Olesky states again that he didn't complete a tree survey.

Mr. Deal asks if there are any other questions/discussions?

Mr. Olesky states if there are no further questions/discussions, he will switch to the second part of his application which is the fencing. Goes on to say as Doug showed the fence in question is securing the property, starts at the building and wraps around secured trough and comes back to the property. It's a standard detail for our client, it's (fence) 8 ft. tall with a foot of single strand barbed wire. Not concertina

wire. Mr. Olesky passes along an example [photograph, Exhibit 9] of fencing that includes barbed wire. It is a galvanized fence, 8 ft. tall with additional foot of 3 strand barbed wire at the top.

Mr. Draper states, it's not razor wire?

Mr. Olesky states that it's barbed wire and not concertina wire, that's correct and it's to prevent climbing over top. States that it's been found to be a safety deterrent across the country on facilities of this type that my client has used. Mr. Olesky asks respectively that we asked for a waiver on this grounds. Asks is there are any questions on this portion?

Mr. Deal asks is there are any questions/discussions?

Mr. Philippi asks even though we aren't allowed to know what that warehouse is, will it have small items in it.

Mr. Olesky states that the use is a small package warehouse.

Mr. Philippi confirms so the higher the fence, the more secure it is from someone stealing something.

Mr. Olesky states that there are plenty of security measures inside to prevent small packages from ending up in the bathroom or something like that. This takes the security measure outside to prevent things.

Mr. Philippi says that they are not storing bags of concrete,

Mr. Olesky says no.

Mr. Deal asks if there are anyone else with questions?

Mr. Benshoff asks that we have at least one of the pictures of the fencing to put in the record. [Photo of fencing example, Exhibit 8].

Mr. Deal asks if there are anyone else that would like to speak for this project.

Wes Faulk approached, and stated he is at 309 Post Office Dr. Indian Trail NC 28079. He says he is an attorney representing the trust involving this matter and wanted to rise to express our unanimous support and approval of this variance. Mr. Faulk states he has a statement from the trust sent from Mrs. Plyler that she had signed and notarized. He submits it into the record and states that on behalf of family and Mrs. Plyler we are in whole support and he is happy to answer any questions.

Mr. Deal asks if anyone else has any questions.

Mr. Benshoff requests the statement from Mrs. Plyler be submitted into the record. [Sworn statement from Dorothy Moser Plyler, Exhibit 9]

Mr. Smith asks if this is the same thing she signed in the previous meeting?

Mr. Faulk says yes, and it was notarized.

Mr. Deal asks is there anyone else that would like to speak for the project. There was none. He then asks if anyone would like to speak against the project? There was none.

Mr. Deal says very well and asks if there are any further questions from the Board?

Mr. Phillips states that he would like to give his two cents in this and explains how he goes from place to place on Goldmine Rd to Lancaster Hwy and it's residential/industrial and they have more fences out there with barbed wire than you can shake a stick at. He says that every-body uses the darn thing and being used in yards with trucks and things out there and he says he has seen some 8 ft. fences with 3 ft. of barbed wire on top. That's always used on electrical and gas lines as well. If this is a fence built on an industrial building where they don't own the land around it and where they have small packages, he thinks it is necessary for them to secure the freight because we do want the jobs and we want them to be there and pay taxes and hire our people.

Mr. Deal asks is there are any other discussions? Mr. Deal asks Mr. Olesky to step back up for a minute for clarification. Mr. Deals says he would like to make it clear that this is the only area that we are granting a variance for this fence is the fence shown on the site plan?.

Mr. Olesky says correct.

Mr. Deal says if there is any additional fencing that does over the standard regulations, you would have to come back.

Mr. Olesky says that's correct and if there is any other fencing on the property, it's going to meet the code and it's typically surrounding the storm water ponds and of 4 ft. height. Mr. Olesky says, we are only asking for the variance in this specific location.

Mr. Deal asks if there is a motion on conclusions.

Mr. Benshoff asks for the floor for a moment and says the findings presented to you, are the staff's proposed findings and it's the Board's job to find the findings of fact. The findings of fact are used to justify the conclusions of why that you find next. Mr. Benshoff recommends that the minutes state that the findings of fact were the staff's suggested findings and that they are not the findings of fact until they are adopted by this Board.

Mr. Deal asks that if you turn back to page one of the hand out that Doug Britt gave you, you have findings of fact 1-7.

We would like a motion on whether to accept these 7 findings of fact as a matter of record. Mr. Philippi asks if we should do it as bulk or individually. Mr. Deal says in bulk is fine, unless there is one you object to.

Motion: Mr. Philippi a motion to find these findings in fact correct

Second: Mr. Smith

Mr. Deal states that the motion has been made to accept findings 1-7 as a matter of record and they have been properly seconded

Action: The motion to accept findings 1-7 passed unanimously with the following votes.

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith

NAYS: None

Mr. Deal states based on the findings, that we are now moving on to the conclusions.

Conclusions:

1. It is the Board's CONCLUSION, that unnecessary hardship (**would**/~~would not~~) result from the strict application of the ordinance.

Motion: Mr. Smith made a motion that the unnecessary hardship would result from the strict application of the ordinance.

Second: Mr. Draper

Mr. Benshoff states before you vote on that, are there any facts that support that conclusion? It's a requirement of our law that the Board states facts support each conclusion.

Mr. Smith states that it is the most economical to extend utility by cutting trees and not zig zagging; The fence provides security.

Mr. Philippi asks when did trees come in?

Mr. Smith says we have 2 issues here, one for the fence and one for the trees and we have to address both of them.

Mr. Philippi confirms for the necessary hardship and Mr. Smith concurs.

Mr. Deal states if I am hearing correct, it would be an unnecessary hardship to re-route sewer and electrical lines to get around these trees, financially and time-wise.

Philippi and Smith agree.

Mr. Philippi also says the fence provides security for the merchandise inside of the building and putting a fence that was not adequate to do the job would cause unnecessary hardship.

Action: The motion passed unanimously with the following votes:

AYES: **Kenneth Deal, William Draper, Louis Philippi and George Smith**

NAYS: **None**

2. It is the Board's CONCLUSION, that the hardship (**is**/~~is not~~) peculiar to the applicant's property.

Motion: Mr. Draper made a motion that the hardship is peculiar to the applicant's property because the trees exist, so they are particular to the applicants location and the fence is necessary to protect the property and what's inside.

Second: Mr. Philippi

Action: The motion passed unanimously with the following votes:

AYES: **Kenneth Deal, William Draper, Louis Philippi and George Smith**

NAYS: None

3. It is the Board's CONCLUSION, that the hardship (~~is~~/is not) the result of the applicant's own actions.

Motion: Mr. Draper made a motion that the hardship is not the result of the applicant's own actions because the trees come with the land and the type of structure that is proposed, and what they are going to do inside the fences make the fence a necessary evil to accommodate the proposed use.

Second: Mr. Smith

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith

NAYS: None

4. (a) It is the Board's CONCLUSION, that the variance (~~is~~/is not) consistent with the spirit, purpose, and intent of the ordinance.

Motion: Mr. Philippi made a motion that the variance is consistent with the spirit, purpose and intent of the ordinance. There is no indication that there is anybody who has any dislike for trees or would like to build a fence to the sky. This is what's necessary (the tree removal and fence construction) to be done to create the jobs and do the business. The ordinance is not being injured in any shape or form. The fence is necessary and you've got to have it there or they cannot do business.

Second: Mr. Smith

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith

NAYS: None

- (b) It is the Board's CONCLUSION, that in granting of the variance, the public safety (~~will~~/will not) be secured and substantial justice (~~will~~/will not) be achieved.

Motion: Mr. Smith made a motion that in the granting of the variance will conform and it will improve the neighborhood or the property. It does the public good.

Second: Mr. Draper

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith

NAYS: None

5. The variance (~~will~~/will not) result in the extension of a nonconforming situation in violation of 156. and it (~~will~~/will not) authorize the initiation of a nonconforming use of land.

Motion: Mr. Philippi made a motion that the variance will not result in the extension of a nonconforming situation in violation of Section 156.90 and it will not authorize the initiation of a nonconforming use of land. They are conducting business in a normal

manner and enriching the community.
Second: Mr. Smith
Action: The motion passed unanimously with the following votes:

AYES: William Draper, Louis Philippi, George Smith, and Kenneth Deal
NAYS: None

Mr. Deal asked for a motion to grant or deny the variance request

Motion: Mr. Draper made a motion to grant this variance based on the information provided.
Second: Mr. Smith
Action: The motion to grant the variance passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith
NAYS: None

THEREFORE, on the basis of all foregoing, IT IS ORDERED that the application Variance PLZNA- 2022-00099 be (**approved/denied**).

Item 5. **CASE PLSUP-2022-00122** – The applicant, Symetha Blake, is requesting to modify the conditions of an existing Special Use Permit to operate a Childcare Center for ages 6 weeks to 12 years old Monday – Friday from 6:30 a.m. to 6:00 p.m. on the property located at 1103 Icemorlee Street (Tax ID #09-270-049)

Mr. Deal asks that Megan Brightharp and Symetha Blake be administered the oath. The came forward and were sworn.

Megan Brightharp, Planner I, introduced the findings.

Proposed Findings:

1. The property at 1103 Icemorlee Street is owned by Southgate Properties, LLC and is zoned CD (Conditional District) Icemorlee Business Center (Exhibit 1, 2).

2. A Special Use Permit was approved at the July 26, 2007 meeting with the following conditions (Exhibit 3):

- That the maximum number of children to be served by this facility not exceed 25
- That the ages of the children range from 5-17
- That the hours of operation for this facility be Monday- Friday 7:00 a.m.- 6:00 p.m.

3. The applicant, Symetha Blake, submitted a Special Use Permit application to the Planning Department on January 27, 2022 to deviate from the original conditions as follows (Exhibit 4):

- Allow children from 6 weeks to 12 years of age
- Allow the hours of operation to span from 6:30 a.m. to 6:00 p.m.

- Allow the number of children permitted to coincide with the limit set by the building and fire codes to be determined through the change of use permit process

4. A Standard 5 Appraisal Impact Study was completed by Morrison Appraisal, Inc. It is the opinion of Morrison Appraisal, Inc. that a childcare/recreational facility will not adversely affect the value of the adjoining properties. (Exhibit 5)

5. All adjoining property owners have been notified of the Special Use Permit application. (Exhibit 6&7).

Megan Brightharp, Planner I, concludes her presentation.

Mr. Deal asks if any inquiries were received regarding the change?

Ms. Brightharp said no.

Mr. Philippi says the only difference here is that they want a half hour of more operating time and the age limits for the kids.

Ms. Brightharp confirms.

Mr. Smith responds and states his son used to attend, they handle special needs within that age window. He states it's more than a daycare, because these children are watched closer. Mr. Smith continues to explain how it puts a little less stress on neighbors and says it's just from his knowledge from his son.

Ms. Brightharp states that the application is addressing the number of children being served, the age range and the time frame in which they will be open for business.

Mr. Philippi says the regulation of whose in there and how many of them and how they are cared for and what kind of furniture they have is handled by a different agency, but to insure the safety of the children, is that correct.

Symetha Blake of 1103 Icemorlee St. Monroe NC 28110, confirms that it handled by Social Services.

Mr. Philippi says in other words you are under government regulations for the manner in which you handle children and you are inspected by property inspectors of those agencies (State).

Mr. Philippi says our only concern here is can she have her lights on a half hour longer.

Mr. Deal states it's an arbitrary number that isn't supported by the specifications of access.

Ms. Blake states that the building inspectors give her that number and she has to follow whatever they say.

Mr. Philippi says if she is satisfied with the results of the building inspectors, then he doesn't see any questions here.

Mr. Benshoff asks Ms. Blake if the 2007 Special Use Permit was for all the building or some of the building.

Ms. Blake responds and says it was for the whole building, the total building.

Mr. Benshoff asks if this updated permit is for the total building or some of the building,

Mr. Deal responds and says this is to modify the already existing Special Use Permit.

Ms. Blake confirms that previously there was 2 sections of the building and now it's for the whole building.

Mr. Draper asks if the building has a sprinkler system?

Ms. Blake says no, we are an educational facility which does not require the sprinklers.

Doug Britt says any of that stuff whether it's required or not would come out when they submit plans to go through the building permit. The Fire Department will confirm the occupant load, all that will be reviewed. But, this is just the zoning of use, not whether the building is sprinklered, and can she modify the Special Use Permit, which is what was originally approved with what she's asking for tonight.

Mr. Benshoff wants to clarify if the footprint of the Special Use Permit is being expanded?

Doug Britt responds and says Ms. Blake is requesting this for the entire building.

Mr. Benshoff says ok and thank you.

There is a discussion amongst the Board Members.

Doug Britt mentioned that we advertised for the entire portion of the property.

Mr. Deal says it clearly states 1103 with no sub suite numbers, so that is the entire building.

Mr. Benshoff agrees.

Mr. Deal asks if there are any questions?

Mr. Deal says the Board of Adjustment is here to make a decision concerning the proposed Special Use Permit and we shall consider the following staff findings. The application is complete and the jurisdiction proper. Under section 2 Special Use General Standards, the use will not endanger the public health or safety of located, designed, and proposed to be operated in accordance with the plan.

Mr. Deal asks if we have a motion to whether this standard has been met or not met.

Mr. Benshoff interjects and says this should be approved the same way as the previous item. The findings of fact should be adopted first and says the petitioner has done an excellent job of stating why this should be approved in her response and if you agree with her, you could find that the standards are met for the reasons stated in the petitioners response.

Mr. Deal says based on that, do I have a motion to approve the findings of fact, items 1-5?

Motion: Mr. Philippi made a motion to approve the findings of fact.

Second: Mr. Draper

Action: The motion to approve the findings of fact passed unanimously with the following

votes:

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith
NAYS: None

Special Use General Standards-

- 1. The use will not materially endanger the public health or safety if located, designed, and proposed to be operated according to plan.**

Motion: Mr. Philippi moved that the proposed amendment will not materially endanger the public health or safety if developed as presented based on the findings.
Second: Mr. Smith
Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith
NAYS: None

- 2. The use or development complies with all regulations and standards of the City of Monroe Zoning Ordinance, as well as any other state or local rule or regulation governing the development of land.**

Motion: Mr. Philippi made a motion that the standard is met based on the findings. All ordinances are met.
Second: Mr. Smith
Action: The motion that the standard is met passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith
NAYS: None

- 3. The use or development will not adversely impact surrounding property and will not substantially injure the value of adjoining property.**

Motion: Mr. Smith made a motion that the standard is met based on the findings of fact.
Second: Mr. Draper
Action: The motion that the standard is met passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith
NAYS: None

- 4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Monroe Land Development Plan.**

Motion: Mr. Draper moved that the location and character of the use will be in harmony with the neighborhood in which it is located and in conformity with the Monroe Land Development Plan because the use already exists in an existing building, whose exterior will not be changed.

Second: Mr. Smith

Action: The motion that the standard is met passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith

NAYS: None

Mr. Deal asked for a motion to grant or deny the modification request of the Special Use Permit

Motion: Mr. Philippi made a motion to great the Special Use Permit modification request.

Second: Mr. Smith

Action: The motion to grant the Special Use Permit modification passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper, Louis Philippi and George Smith

NAYS: None

Item 6. **Procedural Discussions**

Mr. Benshoff gave suggestions and said some communities do things a little differently. The attorney prepares an Order for consideration that states the findings of fact and states the conclusions of law and the reasons why the conclusions of law are met, one pro and one against. I can't speak for the staff, I can't tell them to do that, but I would be happy to do that for you for a couple meetings to see how it goes. Mr. Deal said I am willing to try. Mr. Benshoff said because what you did tonight will be turned into an Order that will be recorded with the Register of Deeds and it doesn't really matter when it's prepared, provided that you adopt the word of edits that it should order. Now about the findings and fact and conclusions of law, in the good old days, the Boards of Adjustments just made conclusory conclusions and they said the standards of the ordinance are met because the standards of the ordinance are met. Eventually the court of appeals sent those cases back and said you can't do that, you have to state reasons why the standards of the ordinance were met. In an unsupported conclusion of law is not valid and then after a while the courts just got frustrated and just said were not going to send it back, we are just going to issue the order ourselves and tell the city what to do. Generally, the cities don't like that, they would prefer to keep the power of control local and that's why you go through that process. Frankly, it doesn't matter if an application is approved and everyone is happy. The problem comes when an application is denied or it's contested and there's opponents and they will appeal it to the courts, and then you need to have done it correctly so if you practice for all the cases that are not hotly contested, it will be easier when you get one where the auditorium is packed with angry people and there's lawyers on both sides and they're cross-examining witnesses and they're making motions to strike evidence. That's why I started tonight, I didn't want to start in December because the Chairman was going out and it was his last meeting. So, that's why I said what I said. Now, if you would like, in addition to preparing the model Order for your next case, The Brough Law Firm has a training module for Boards of Adjustment that I can present to you sometime when you have a relatively short meeting. It's about an hour and we could break it up into a couple segments and I have to say that Boards of Adjustment have a hard job because they are a panable court in North Carolina and they're not lawyers and they're not judges. They kind of get thrown in, to figure it out. So, I have a lot sympathy for the position that you're in.

Mr. Philippi said I do appreciate it and I wish I would have brought last month's packet, but it's sitting on my desk because I kept it for a lot of reasons. If you give us the ayes and nays on two separate sheets, we don't necessarily always agree. At least if you're in opposition, you can look in front of you and see what

the pros and what the cons are in logic. Then other Board members can have their say as well, I think it's a wonderful idea. We appreciate that and we appreciate that class.

Mr. Deal said I would also like to add that we've gotten frustrated in some of the meetings when it's clear to me that the Board is not in favor of the position does not mean that the Board and I feel like we don't like this and we want to disapprove this. So, we're going to say everything is not met, when in some of the items they've met the standards. We had one gentleman that wanted to develop a couple of side by side homes, he had met some of the standards but he only needs to fail in one standard to get a denial. Because we are a quasi-judicial order and we have been challenged in court in the past, not very often, but it has happened. We need to be clear, every time we say no, because that's what they run to court for, the no's and not the yes's.

Mr. Smith said I welcome everything you just said.

Mr. Philippi said it's funny you just mentioned this, I remember I was the one that approved one of the things, because I can't say it's not true, it's true. (Rest of sentence inaudible). The fact is there is one thing I had to approve, that is correct.

Mr. Smith said that would be a safe house on that lot, but the neighbors hate it. But, that would mean it meets all zoning requirements and everything like that, but the neighbors all came out against it.

Mr. Benshoff said finally I'll make a plug for a book from the School of Government *Quasi-Judicial Handbook: A Guide for Boards Making Development Regulation Decisions*, that's you. It was published in 2021 by the School of Government Professors Owens and Lovelady. I don't know what the City's budget is, but I would recommend this book to you.

Doug Britt said the City can cover the books.

Item 7. **Meeting Time Discussion**

Doug Britt said some of our other meetings start at 6:00 p.m. and we didn't know if this would be a possibility for the attorney as well to meet at 6:00 p.m.

Mr. Benshoff said that's ok with me.

Mr. Deal says he likes the 6:00 time.

Mr. Smith says if we get out a half earlier rather than later, I'll be fine.

Mr. Deal asked if we have a motion to move the Board of Adjustment Meetings from 6:30 p.m. to 6:00 p.m.

Motion: Mr. Philippi made a motion to move the Board of Adjustment meeting from 6:30 p.m. to 6:00 p.m.

Second: Mr. Smith

Action: The motion to move the meeting time to 6:00 p.m. passed unanimously with the following votes:

AYES: **Kenneth Deal, William Draper, Louis Philippi and George Smith**

NAYS: None

Item 9. Next Meeting – March 24, 2022

Item 10. Adjournment

Motion: Mr. Draper made a motion to adjourn the meeting.

Second: Mr. Smith

Action: The motion to adjourn passed unanimously with the following votes:

AYES: Kenneth Deal, Louis Philippi, William Draper and George Smith

NAYS: None

The meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Kenneth Deal
Chair

Ashlyn Penegar
Clerk of the Board

**MINUTES OF THE
BOARD OF ADJUSTMENT MEETING
March 24, 2022 at 6:30 P.M.
Council Chambers
300 W. Crowell St.
Monroe, NC**

To S. Laney – e-mailed 4/13/2022

Item 1. Call to Order

Chairman Kenneth Deal called the March 24, 2022 meeting to order at 6:02 p.m. and noted that there was a quorum present with 3 members. Ashlyn Penegar, Administrative Assistant, called the roll.

Members Present: Kenneth Deal, William Draper and George Smith

Members Absent: None

Staff Present: Doug Britt, Senior Planner; Megan Brightharp, Planner I; Albert Benshoff, BOA Attorney; Ashley Britt, Assistant City Attorney; Ashlyn Penegar, Administrative Assistant

Guests: Ryan Price, J.H. Dickerson

Item 2. Approval of Minutes – Minutes of December 16, 2021 & February 24, 2022

Motion: Mr. Draper made a motion to approve the minutes of the December 16, 2021, and February 24, 2022, meetings.

Second: Mr. Smith

Action: The motion approve the minutes passed with the following votes:

AYES: **Kenneth Deal, William Draper and George Smith**

NAYS: **None**

Item 3. Conflicts of Interest

Chair asked if there were any conflicts of interest. There were none.

Item 4. CASE #: PLZNA 2022-00148– Variance Request- The applicant, Monroe Biomedical Research, is requesting a variance for the property located at 343 Venus St. from section 156.140 to modify setback requirements for a proposed building addition. (Tax ID # 09-156-029)

Chair said that anyone who is going to give testimony in this case needs to be administered the oath. Megan Brightharp, Planner I and Ryan Price came forward and were sworn.

Megan Brightharp, Planner I, said this is a Variance request by Monroe Biomedical Research to modify setback requirements in order to accommodate a proposed building addition. She proceeded to enter the proposed Findings into the record:

Proposed Findings:

1. The property located at 343 Venus Street is owned by Monroe Biomedical Research, LLC and is zoned GB (General Business). (Exhibit 1 and 2)
2. Monroe Biomedical Research, LLC is a North Carolina limited liability corporation whose principal office is 343 Venus Street, Monroe, NC.
3. A variance application was submitted on March 1, 2022 by Owner Benjamin Karsai as the “Monroe Medical Investors Member, Chief Operating Officer” to modify the setback requirements in order to build a 590 square foot addition to the existing building. (Exhibit 3)
4. Monroe Medical Investors, LLC is a North Carolina limited liability corporation whose principal office is located at the address for Monroe Biomedical Research, LLC. Benjamin Karsai is the registered agent and a member. (Exhibit 4)
5. Unified Development Ordinance (UDO) § 156.140(e) entitled “Building Setback Requirements” reads “... setbacks from all property lines shall be a minimum of ten feet.” UDO § 156.90 states in relevant parts:

(A) Except as specifically provided in this section, no person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming situation. In particular, physical alteration of structures or the placement of new structures on open land is unlawful if such activity results in:

(1) An increase in the total amount of space devoted to a nonconforming use; or

(2) Greater nonconformity with respect to dimensional restrictions such as setback requirements, height limitations or density requirements or other requirements such as parking requirements.

....

(D) The volume, intensity, or frequency of use of property where a nonconforming situation exists may be increased and the equipment or processes used a location where a nonconforming situation exists may be changed if these or similar changes amount only to changes in the degree of activity rather than changes in kind and no violations of other paragraphs of this section occur.
(Exhibit 5 and 6)

6. In order to construct the addition, the applicant requests a side yard setback reduction from ten feet to 4.74 feet. (Exhibit 7)

7. All adjacent property owners have been notified of the proposed variance. (Exhibit 8 and 9)

Chair asked Megan Brightharp if any inquiries were received from the public or adjacent property

owners.

Megan Brightharp said no.

Chair asked if there were any questions.

William Draper asked Megan Brightharp if the applicant had permits for the new building.

Megan Brightharp said they would have to be granted a variance before they can go through the permitting process.

George Smith (Vice Chair) asked Megan Brightharp if there is any way to structure the addition so that it wouldn't be so close to the line? Megan said she would defer to the applicant for that question.

Chair said now we will entertain comments for those who are in favor of the project and please approach the podium and give your name and address.

Ryan Price stated his name and said his legal address is 10875 Hartsell Rd., Midland, NC.

Ryan Price asked the Board if he should respond to the question?

Mr. Benshoff asked Ryan Price if he was the applicant?

Ryan Price said no, the applicant was not available to be here tonight. I am the General Contractor.

Mr. Benshoff asked if he (Ryan Price) is the agent of applicant?

Ryan Price said correct.

Mr. Benshoff asked if there is any evidence that you are the agent of the applicant?

Ryan Price asked what would you be looking for?

Mr. Benshoff said a letter of agency or a contract.

Ryan Price said there is evidence, but I do not have it with me.

Mr. Benshoff said just so you understand, it is your job to present enough evidence to this Board that they can grant the variance to you. So, it's your job to present the facts as you see them to the Board, so they can deal with the variance. Of course, they can ask you questions, if you don't have a prepared presentation.

Ryan Price said I do not have a prepared presentation. But I can go over the information that we put together for the application and give you a little bit of background on the owner of the business and what we are wanting a variance for.

Chair said understand that you are basically testifying as a witness and not as the applicant. The applicant is absent, but we have a properly submitted application for consideration.

George Smith (Vice Chair) said looking at the structure, it looks like one side is between the building and the property line and on the other side, you're right up against the property line. Do you have to sit it that way due to function?

Ryan Price said yes, sir. It is due to the location with the building. They have multiple work functions separating various areas.

Chair said I understand that looking at the drawing, basically you are marrying into an existing encroachment into the 10 foot easement off of the property line that was part of the original construction of the building.

Ryan Price said that is correct.

Chair asked Ryan Price what exists there now? Is there equipment, like external equipment like air conditioning compressors or something like that?

Ryan Price said no sir, the area is now what you would consider a courtyard with concrete in the area. The intent would be to take the existing courtyard and close it to give them more interior space for their operation. You will note that the extent of the building, which I think you have already stated, the extent of the encroachment would not increase, it would mirror the existing encroachment into the property line. I would also bring to your attention that the area of encroachment is directly bordered by a 20 ft. utility easement.

William Draper said you have 2 curb cuts on one side, that's where that building is going to go, and you will take one curb cut out? The curb cut you are proposing is on Venus Street?

Ryan Price said I don't remember anything about a curb cut in the plans. The designer is here if he can speak, but if not, I'm relatively certain there is no curb cuts.

Board discusses.

Chair asks if there are any questions.

Board discusses.

George Smith (Vice Chair) asked if there was a variance given for the initial conception the way it is?

Chair said it is currently a non-conforming situation. But, whether or not it was granted back then...

Megan Brightharp said we don't have a variance on file for that. However, our standards have changed over time, so whatever the setback requirement may have been at that time, it more than likely has changed to what it is now.

Ryan Price asked if the designer is allowed to speak.

Chair said anyone is allowed to speak. But you will have to come up and get sworn in.

John Dickerson with MBR came forward and was sworn by the Chair.

John Dickerson came forward and stated his name and that he was at 423 Ridgewood Dr. Monroe, NC. He said I am speaking as a witness, and I am with Dickerson Architecture. We actually prepared the original plans for this building in the 1980's. I can't say for sure, but I'm almost certain that there was no encroachment at that time and matter of fact, the property line that you see on your plat, I don't think that was there when we built the building. I think Union Orthopedics built the first building and they developed that whole hilltop sort of building area. The Dialysis Clinic, which it was originally, was the second building that was built there, and that property line has an irregular shape to it, and I can't say for certain, but I'm pretty sure that the building was not a variance at the time. I'm wondering if that property line was added later, after the building was built and I'm not sure what those circumstances were. But as Ryan mentioned, the two factors in this, one, the small addition they are wanting and that's all this construction application is for, it's about 500 square foot addition. There is no site work or whatnot, other than filling in that courtyard. Again, the main point is that the addition does not encroach any more on that property line than the existing building and I do not think that was built in violation of any zoning setbacks. So, the main thing is that it doesn't do that. The second thing is there is a 20 foot utility easement opposite and that's important for the health, safety and welfare, which is my understanding is that most of these regulations are really to protect the health, safety and welfare of the public. There is nothing that can be put in that 20 ft. easement, and I think those are two of the main issues. It doesn't encroach any more than the existing building and there is a 20 ft. utility easement in front of it. That's all I want to say and if you have any questions, I'll try to answer them.

Chair asks if there are any questions.

John Dickerson said I would appreciate it if you could approve this variance, it would help the client very much.

Chair asks if there are any questions. There were none.

Mr. Benshoff said Mr. Chairman, as I've mentioned at the last meeting. I've prepared a worksheet. A different worksheet for you and this has the findings of fact that Ms. Brightharp read, except that it has a 7th condition in case the witnesses said anything that needs to be entered as a fact. Then on page two, there is Conclusions of Law in favor of granting the variance and then there is Conclusions of law to deny the variance.

Chair said excellent.

Mr. Benshoff said I did this so you can see both. I think the facts would be the same, in either case, it's just a question of how you interpret the facts and how you apply the facts to the conclusions.

Chair asked if there are any discussions. There were none.

Chair said since there are no discussions, I'm going to cover the Findings of Fact for the record. We would like a motion on whether to accept these Findings of Fact as a matter of record.

1. The property located at 343 Venus Street is owned by Monroe Biomedical Research, LLC and is zoned GB (General Business). (Exhibit 1 and 2)
2. Monroe Biomedical Research, LLC is a North Carolina limited liability corporation whose principal office is 343 Venus Street, Monroe, NC.
3. A variance application was submitted on March 1, 2022, by Owner Benjamin Karsai as

the “Monroe Medical Investors Member, Chief Operating Officer” to modify the setback requirements in order to build a 590 square foot addition to the existing building. (Exhibit 3)

4. Monroe Medical Investors, LLC is a North Carolina limited liability corporation whose principal office is located at the address for Monroe Biomedical Research, LLC. Benjamin Karsai is the registered agent and a member. (Exhibit 4)

5. Unified Development Ordinance (UDO) § 156.140(e) entitled “Building Setback Requirements” reads “... setbacks from all property lines shall be a minimum of ten feet.” UDO § 156.90 states in relevant parts:

(A) Except as specifically provided in this section, no person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming situation. In particular, physical alteration of structures or the placement of new structures on open land is unlawful if such activity results in:

(1) An increase in the total amount of space devoted to a nonconforming use; or

(2) Greater nonconformity with respect to dimensional restrictions such as setback requirements, height limitations or density requirements or other requirements such as parking requirements.

....

(D) The volume, intensity, or frequency of use of property where a nonconforming situation exists may be increased and the equipment or processes used a location where a nonconforming situation exists may be changed if these or similar changes amount only to changes in the degree of activity rather than changes in kind and no violations of other paragraphs of this section occur.

(Exhibit 5 and 6)

6. In order to construct the addition, the applicant requests a side yard setback reduction from ten feet to 4.74 feet. (Exhibit 7)

7. All adjacent property owners have been notified of the proposed variance. (Exhibit 8 and 9)

I want to propose a new Finding of Fact, number 8.

8. This application of a non-conforming standard has in my opinion (Chair) no additional impact on the adjoining property than the existing setback has in that it is aligned with the existing elevation of the building and it is located within the property boundaries as established in the application.

Chair then added a second new Finding, number 9.

9 By demonstration on numerous occasions by the Mayor and City Council of Monroe, when deemed appropriate, they have felt it amenable to waive the 10 ft. setbacks on other properties that have been approved at the Council level, setting a legal precedence for waiving said setback rules.

Chair said now I ask for a motion on whether to approve the aforementioned Findings of Fact.

Mr. Benshoff asked the Chair if there can be a discussion before the motion.

Chair said certainly.

Mr. Benshoff said I believe it's a misstatement of North Carolina law to say that the Mayor and City Council's actions in a legislative proceeding to waive a setback is precedent for the Board of Adjustment.

Chair asked Mr. Benshoff even though their rules/actions have overridden their own UDO (Unified Development Order) in doing that? Which is what this is based on?

Mr. Benshoff said without the case and the context, I can't really answer that. But, I can say as a general rule, the Mayor and the City Council make legislative decisions, this is not a legislative decision, this is a quasi-judicial decision. The Mayor and the City Council are not a court, you're a court. Precedent does not apply to legislative actions, by the Mayor and the City Council. So what they did has no precedential value for the Board of Adjustment. I would caution you that I think that's a misstatement of the law to make the 9th conclusion. I suggest that you just note that the Mayor and the City Council have relaxed setbacks in the past, but not that it's a precedent.

Chair said good point, I will accept that.

George Smith (Vice Chair) said if they do it, it's a point of law, if we do it, it's a judgment.

Mr. Benshoff said if they do it... Chair said legislative.. Mr. Benshoff continued and said they don't have to hear testimony, they don't make Findings of Fact, they don't make Conclusions of Law. They have a different standard.

George Smith (Vice Chair) said they just make the law.

Mr. Benshoff said it's like the difference between Congress and the Supreme Court.

William Draper asked if going from 10 ft. to 4.74 ft., is that a hazard to get fire equipment in there?

Chair said not looking at the diagrams in my opinion, because the adjacent buildings aren't close by.

George Smith (Vice Chair) said they are no more hazard than it is right now.

Chair agreed and said we are not increasing the encroachment, we are only paralleling the encroachment.

William Draper agreed.

Chair said based on that, I will relent on Finding of Fact #9, let's just strike it to alleviate any confusion on the findings. With that stricken, we have 8 Findings of Fact.

Motion:	Mr. Smith made a motion to approve the Findings of Fact 1-8.
Second:	Mr. Draper
Action:	The motion to approve the Findings of Fact 1-8 passed unanimously with the following votes:
AYES:	Kenneth Deal, William Draper and George Smith
NAYS:	None

Chair states based on the findings, that we are now moving on to the conclusion phase on whether to grant or deny the request for the variance.

Conclusions:

1. It is the Board's CONCLUSION, that unnecessary hardship (**would**/~~would not~~) result from the strict application of the ordinance.

Motion: Mr. Draper made a motion that it would be a unnecessary hardship on the building and what they want to do with the property.

Second: Mr. Smith

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith

NAYS: None

2. It is the Board's CONCLUSION, that the hardship (**is**/~~is not~~) peculiar to the applicant's property.

Motion: Mr. Smith made a motion that the hardship is peculiar to the applicant's property because the existing building encroached into the setback of the same amount as the requested variance, it's something that's already in the cards.

Second: Mr. Draper

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith

NAYS: None

3. It is the Board's CONCLUSION, that the hardship (~~is~~/**is not**) the result of the applicant's own actions.

Motion: Mr. Draper made a motion that it is the Board's conclusion that it would be a hardship not on a result of anything the applicant has done and using that with the existing structures that are there.

Second: Mr. Smith

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith

NAYS: None

4. (a) It is the Board's CONCLUSION, that the variance (**is**/~~is not~~) consistent with the spirit, purpose, and intent of the ordinance.

Motion: Mr. Smith made a motion that it is the Board's conclusion that the variance is consistent with the spirit, purpose, and intent of the ordinance because it is the smallest variance it could be granted in order for the development to be built.

Second: Mr. Draper

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

- (b) It is the Board's CONCLUSION, that in granting of the variance, the public safety (**will**/~~will not~~) be secured and substantial justice (**will**/~~will not~~) be achieved.

Motion: Mr. Smith made a motion that it is the Board's conclusion that in granting of the variance, the public safety will be secured and substantial justice will be achieved because of the de minimus increase in the building will not affect the public good.

Second: Mr. Draper

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

5. The variance (~~will~~/**will not**) result in the extension of a nonconforming situation in violation of 156.90 and it (~~will~~/**will not**) authorize the initiation of a nonconforming use of land.

Motion: Mr. Draper made a motion that the variance will not result in the extension of a nonconforming situation in violation of the ordinance 156.90 because it is an expansion of the permit by UDO, and it will not authorize the initiation of a nonconforming use of land because the business is an existing nonconforming to the side yard setback.

Second: Mr. Smith

Action: The motion passed unanimously with the following votes:

AYES: William Draper, George Smith, and Kenneth Deal
NAYS: None

Chair asked for a motion to grant or deny the variance request

Motion: Mr. Smith made a motion to grant this variance based on the information provided.

Second: Mr. Draper

Action: The motion to grant the variance passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

THEREFORE, on the basis of all foregoing, IT IS ORDERED that the application Variance *PLZNA- 2022-00148* be (**approved**/~~denied~~).

Mr. Benshoff suggests one more motion and that is to permit the Chair to sign the orders out of session of the Board of Adjustment. He said I would also suggest that the motion allows the Chair to sign all future variance orders out of session of the Board of Adjustment because they are often modified during the meeting and the final version is not prepared, and that would allow you to come in and sign before the next meeting.

Motion: Mr. Smith made a motion that would permit the Chair to sign all future orders out of session of the Board of Adjustment.

Second: Mr. Draper
Action: The motion to permit the Chair to sign passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

Item 5. **Procedural Discussions**

Mr. Benshoff gave a slideshow presentation on the role and duties of the Board of Adjustment. (Slideshow attached)

Item 6. **Next Meeting – April 28, 2022**

Item 7. **Adjournment**

Motion: Mr. Draper made a motion to adjourn the meeting.
Second: Mr. Smith
Action: The motion to adjourn passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Kenneth Deal
Chair

Ashlyn Penegar
Clerk of the Board



**Monroe Airport Commission Regular Meeting
City Hall Conference Room
5:00 pm – April 11, 2022**

Chair: Mr. Lynn Keziah

Attending Members: Mr. David Dotson, Mr. Gary Wilfong, Mr. John Stephens, Mr. John Wiggins (arrived 5:02), Mr. Patrick Furr, Ms. Hayden Desio-Munn

Staff in Attendance: Mr. Peter Cevallos, Mrs. Carmen Crump, Mr. Brian Borne, Mrs. Ashley Britt

Engineer of Record Attendee: Mr. Pat Turney

Guest: Mr. Howard Heda

1. Call to Order and Welcome Guests

Chairman Lynn Keziah called the meeting to order at 5:00 pm on April 11, 2022, welcoming the Commissioners and Staff in attendance.

2. Minutes for Approval

a.) Approval of the minutes for the February 14, 2022 meeting was requested.

Motion: Mr. Gary Wilfong made the motion to approve the minutes of the February 14, 2022 meeting.

Second: Ms. Hayden Desio-Munn

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: Mr. David Dotson, Mr. Gary Wilfong, Mr. John Stephens, Mr. Patrick Furr, Ms. Hayden Desio-Munn

NAYS: None

3. Department Reports

Presenter:

Mr. Peter Cevallos

a.) Operations

Summary:

Mr. Cevallos briefed the following for monthly operations: There are four (4) active Notice-to-Airmen (NOTAMs): one for the advisory on radio altimeter use being unreliable (this is a blanket advisory the FAA has issued in light of the 5G rollout); three “FDC” NOTAMs for adjustments being made to the Airport’s instrument approaches. Mr. Cevallos briefed aircraft operations for March totaled 4,497 operations, the highest since October- specifically, there were 2,230 take-offs and 2,267 landings, with 793 departures and 812 arrivals; an average of 75 operations per day. Mr. Cevallos made a comparison for the different number of monthly operations for the entire fiscal year, stating that this past month was the highest since last July 2021. Board member Ms. Hayden Desio-Munn asked Mr. Cevallos what the reason is for the increase in operations, fuel sales during the month of October 2021. Mr. Cevallos responded that he did not have a definitive answer but he surmised it was because of good weather conditions for that time of year.

Under Aircraft Services, Mr. Cevallos briefed the following for September: 625 customers fueled, 718 were towed, and 339 were provided other services. Fuel totals for March are 52,229.5 gallons of fuel being dispensed with 13,420.5 being AVGAS and 38,809.0 Jet-A. Current fuel prices are \$6.10 for Self-Service AVGAS and \$6.70 for Full-Service AVGAS; for JET-A, prices are \$5.40 for Self-Service, and \$6.80 for Full-Service. This is a substantial increase from the previous report as prices have been affected by recent world events. Mr. Cevallos concluded his report briefing current occupancy as 70 tie-downs, 20 T-hangars, and 48 leasing hangar and office space; 174 transient customers overnighted in March 2022, with 87 being hangared.

Of interest, Mr. Cevallos briefed the Commission that he and Dawn Robinson, Lead Customer Service Representative, attended the 2022 National Business Aviation Association’s Schedulers and Dispatchers Conference, held in San Diego, California. The Airport had a booth on the exhibitors’ hall where they were able to promote the facility to potential new corporate clients and re-kindle relationships with current clients. The event is an international event that had more than 3,000 delegates attending from all sectors of the corporate aviation industry.

b.) Financial

Summary:

The Year-to-Date Budget Report for March shows that the Airport’s revenues and expenditures trended slightly below forecast.

c.) Project/Grant Status

Summary:

The following is being reported for the current airfield projects:

- Airport Layout Plan Update: The Airport Engineers and staff are still awaiting any review comments from the FAA; Once received, the plan will be finalized for presentation and acceptance by the City.
- Quonset Hangar Reactivation: the second floor work is on-going; anticipation for work completion is within the next 30 days.
- Runway 05/23 Obstruction Removal Project: the project scope of work is being finalized for submittal to NCDOT for review; the trees on the Runway 23 end have been “topped”, the FAA has been notified and the approach restriction for that runway end has been removed.
- The Rehab of Aprons D, E, F: the project scope of work is being finalized for submittal to NCDOT for review

4. Request for Aircraft Awning – Ricardo Traven

Presenter:

Mr. Peter Cevallos

Summary:

Mr. Cevallos summarized this request from Mr. Ricardo Traven to install an aircraft awning over his aircraft. Mr. Ricardo Traven is a based customer that parks his aircraft on the open ramp. The aircraft is parked on the ramp by the vehicular gate adjacent to the Customs terminal. He is charged \$130 per month which is the rate for a twin engine tie-down. For the past year the City received approximately \$8,800 in revenue from Mr. Traven. Mr. Traven’s aircraft footprint takes up approximately 1,950 square feet of ramp, and to fulfill his request approximately 3,000 square feet of ramp is needed to install this fabric hangar. The structure is engineer certified as “hurricane” rated and utilizes an anchoring system of 42-inch spiral anchors that are screwed into the ground. Mr. Traven stated that the company, located in Charleston, has erected these pre-fab hangar structures in the NC, SC and GA region; specifically, at military bases in our area, at MCAS Cherry Point and Jacksonville NC. He’s asking for a 5-year lease at the current lease rate he is charged. The area where he parks his aircraft is the area where transient aircraft park; further any rate determined for this lease would have to be uniquely calculated as there currently is no established rate for ramp space. The City entertains long-term leases when there is substantial investment made. This long-term lease request would also have to be advertised and taken to Council as it is longer than one year.

Mr. Cevallos offered the pros and cons for accommodating a structure such as this fabric hangar. He explained that a structure of this nature would offer an alternative solution for either other based aircraft, or as temporary cover for transient corporate aircraft during inclement weather. The drawback to having this structure is that it sets a challenging precedent for Airport staff as it would limit the flexibility Airport staff is afforded to arrange aircraft parking during busy periods of daily operations. In addition, Mr. Cevallos also stated that this structure does not meet the current Airport policy for minimum hangar construction, and that those standards are very specific to the type of material for hangar walls and roof: “Galvalume” sheet metal panels. Mr. Cevallos stated that the only locations that have these types of structures are at the military bases of Camp Lejeune and Cherry Point. He said he confirmed with the Airport Engineer that there was not any type of these structures located at any civilian, general aviation airports.

The request was deliberated among the Commission, discussing the points presented. There was concern about the impact this structure would have to the ability to park aircraft, and it was recommended that it would be better served if there was an area on the ramp where this structure would be out of the way. However, given the ramp’s space limitation, there was not another location where this could be placed. Further there was concern about the precedent it would set with allowing a structure, as this could open the door to other individuals asking for the same type of structure over their aircraft. Lastly, it was pointed out during the discussion that Mr. Traven is requesting a five-year lease, which would require this being advertised with public notice and sent up to City Council for approval.

At the end of the discussion, the Airport Commission concluded that while they appreciate Mr. Traven wanting to shield his aircraft with this fabric structure, they disagreed with the request to allow this structure being installed on the Airport’s ramp.

Motion: Mr. John Wiggins made the motion to deny the requested authorization to install a fabric hangar over his aircraft parked on the Airport ramp and the associated five-year lease.

Second: Ms. Hayden Desio-Munn

Action: The motion to deny Mr. Traven’s request passed unanimously with the following votes:

AYES: Mr. David Dotson, Mr. Gary Wilfong, Mr. John Stephens, Mr. John Wiggins, Mr. Patrick Furr, Ms. Hayden Desio-Munn

NAYS: None

5. Approval of Terminal Space Lease Agreement – The Hertz Corporation

Presenter:

Mr. Peter Cevallos

Summary:

Mr. Cevallos summarized this request by Hertz Corporation for a lease agreement to occupy space in the terminal lobby. Mr. Cevallos explained Hertz and Enterprise are the two car rental companies at the airport that support Airport customers. Hertz has expressed an interest to further enhance their presence by having an on-site office in the Airport terminal. As there is no provision for a car rental booth in the terminal, nor available office space, staff is prepared to offer some space in the lobby where Hertz could install a free-standing kiosk/booth, at no cost to the City. Hertz has agreed to this concept and is prepared to pay for the space at the lease rate established in the City of Monroe Fees Schedule, \$12 per square foot, per year. They would man this booth at least 5 days a week, and possibly on weekends as well, depending on the amount of business. In addition, the lease authorizes Hertz to have a total of 8 parking spaces available to pre-position rental vehicles, and allows Hertz to stage Tesla electric vehicles and install charging station to support these vehicles. A two-year lease for this presence in the lobby has been drafted and signed by Hertz. In addition, Mr. Cevallos explained that as part of the negotiation, Hertz has offered to update the FBO Concession Agreement to coincide with the new lease terms. The new Concession Agreement will provide the City a concession fee equal to ten percent of the monthly net time and mileage changes generated by the rentals that are conducted through the Airport.

The Commission discussed the request, asking Mr. Cevallos if Enterprise has expressed a similar interest to have on-site representation. Mr. Cevallos stated that they have not approached him, but he is willing to offer the same size space should they have an interest to install a like structure in the lobby. Board member Desio-Munn asked how the rented vehicles were going to be safeguarded. Mr. Cevallos responded that current protocol is for the keys to vehicles to be under constant control, either by Hertz and/or Airport staff. In addition, Mr. Cevallos mentioned that there is a Monroe Police Officer assigned to the Airport for security.

At the end of the discussion, Airport Commission all agreed that this two-year lease agreement for Hertz to have a booth in the terminal lobby would be a benefit to the Airport, and it should be forwarded to City Council for their approval.

Motion: Mr. John Wiggins made the motion to recommend to City Council Hertz's request of a two-year lease for a kiosk for their approval and to authorize the City Manager to sign the lease agreement.

Second: Mr. John Stephens

Action: The motion to approve Hertz's request passed unanimously with the following votes:

AYES: Mr. David Dotson, Mr. Gary Wilfong, Mr. John Stephens, Mr. John Wiggins, Mr. Patrick Furr, Ms. Hayden Desio-Munn

NAYS: None

Additional Discussion:

The following items were presented and discussed:

- Board Member Wiggins stated that at the February 14, 2022, Airport Commission meeting, the Airport Commission took action to recommend Mr. Gary Wilfong be appointed as Airport Commission Vice-Chair. Mr. Wiggins requested that this action be changed to Mr. Gary Wilfong being made Airport Commission Chair, and that Chair Lynn Keziah be made Vice-Chair. Chair Keziah agreed with this change, and there was no objection from the Commission. City Manager Borne said that the original recommendation would be withdrawn from Council's agenda, and this new recommendation would be sent to the Citizen's Appointment Committee for consideration, followed by Council.
- Board Member Mr. Patrick Furr asked Mr. Cevallos his thoughts on Tinker Belle, and if it was an asset to the Airport. Mr. Cevallos explained that Tinker Belle was managed by Mr. Pete Hovanec, and it was more appropriate for Mr. Hovanec to address the Airport Commission on the value of Tinker Belle, and that he would gladly invite Mr. Hovanec to address the Airport Commission at the next meeting. Mr. Cevallos offered his opinion stating that the aircraft is an important historical asset but that it does require much maintenance and effort to keep it running. He stated while the aircraft itself does occupy the equivalent of four tie-down spaces, the related hangar that is used by the Warrior & Warbird Group that manages the aircraft is leased by Mr. Hovanec and he pays the market rate for the hangar, \$1,500 a month. Mr. Cevallos stated that if Mr. Hovanec was not in the hangar, he would be able to lease out that space for general aircraft storage. Mr. Cevallos reiterated that he would speak with Mr. Hovanec to speak to the Airport Commission at the next meeting.
- Board member Mr. Gary Wilfong stated the point was made at the February Commission meeting that to further grow the airport, maintenance would be needed on the airfield. He asked of staff if there was any consideration to engage South Piedmont Community College to have a mutual arrangement where the college would set up a training program whereby maintenance technicians could be trained, which in turn, Aerowood would be able to benefit with qualified workers. Mr. Cevallos related his experiences at his previous airport where a similar arrangement was in place with the local technical college being a "pipeline" to companies that could utilize trained aircraft mechanics. City Manager Mr. Brian Borne stated that there are very preliminary on-going discussions to see the feasibility of this type of program in the area.

- Chair Lynn Keziah asked about the status to complete the Quonset Hangar renovations. Mr. Cevallos stated that the inspections for the electrical and the mechanical have been completed, and the general contractor Thomas Construction is currently working on finishing the second floor. When asked the estimated completion of the renovations, Mr. Cevallos stated that he needed to confirm with the contractor but his hope was to have the work completed by the end of the month.

6.) Adjourn

The Chair Lynn Keziah requested a motion to adjourn.

Motion: Mr. John Wiggins made the motion to adjourn.

Second: Mr. Patrick Furr

Action: The motion to adjourn passed unanimously with the following votes:

AYES: Mr. David Dotson, Mr. Gary Wilfong, Mr. John Stephens, Mr. John Wiggins, Mr. Patrick Furr, Ms. Hayden Desio-Munn

NAYS: None

City of Monroe
Downtown Monroe Advisory Board
300 W Crowell Street, Monroe, NC 28112
City Hall Conference Room
5:30 p.m.

Tuesday, February 22, 2022
Meeting Minutes

DAB Members: Chair: Joyce Rentschler, Co-Chair: Jason Walle, Carley Englander, Marie Starnes, Michele King, Heather Reagor, Caroline Brown, Kay Klaren

Staff Present: Matthew Black, Downtown Director

Visitors Present: Kevin Donaldson, Dionne Zick Reep

Member(s) Absent:

The Downtown Monroe Advisory Board met on **February 22, 2022** at 5:30 pm.

Item 1: Call to order

Joyce Rentschler called the Tuesday, **February 22, 2022** Downtown Advisory Board meeting to order at 5:30 pm

Item 2: Roll Call

Roll was conducted with a sign- sheet of the members that were present.

Item 3: Approval/Acceptance of Minutes (Action Required)

Joyce Rentschler submitted the Minutes of the Downtown Monroe Advisory Board Regular Meeting on October 26, 2021 and requested a motion to approve minutes.

Motion: Jason Walle made a motion to accept the October 26, 2021 Downtown Advisory Board meeting minutes as submitted.

Second: Marie Starnes

Action: The motion to accept the **October 26, 2021** Downtown Advisory Board meeting minutes as submitted passed unanimously.

Item 4: Façade Incentive Grant for 354 E. Franklin Street (Action Required)

Joyce Rentschler introduced this item.

Staff has reviewed the façade incentive grant for 354 E. Franklin Street and is recommending approval of the grant pending the following stipulations are met:

- I. Adding new storefront windows with new trim to match the new siding.

No code compliance issues were found during the review. The project requires a permit and permit center review. Permits are the responsibility of the applicant.

This project is eligible for matching grant funds up to the qualifying \$8,000.00, reimbursable upon compliance with grant requirements, guidelines, conditions and City permitting requirements.

Motion: Michele King made the motion to approve the façade incentive grant for 354 E. Franklin Street.

Second: Carley Englander

Action: The motion to approve the Façade Incentive Grant passed unanimously.

Item 5: Economic Development Incentives for 200 N. Main Street (Action Required)

Joyce Rentschler introduced this item.

Bowhaus Boutique owner, Kevin Donaldson, has signed a three-year lease, to operate a retail business. The new business project totals approximately 1,730 square feet of retail space and is in the Downtown Master Plan area.

It is the recommendation of staff that the Downtown Advisory Board makes a recommendation of approval to General Services and City Council as outlined with the following stipulations:

- I. Grant funds for the PRONTO is to not exceed \$5,190.00, payable over a year period in one-fourth increments upon proof of paid invoices towards rent.
- II. Grant funds for the Meet Me Downtown Grant is to not exceed \$5,000 and is paid out upon proof of paid invoices for any marketing material proposed in the grant application.
- III. Total grant funding is to not exceed \$10,190.00

Motion: Jason Walle made the motion to recommend the economic development incentives to General Services and City Council.

Second: Carley Englander

Action: The motion to recommend the economic development incentives passed unanimously.

Item 6: Update on the Social District

Joyce Rentschler introduced this item.

The Downtown Director gave an update on the status of the social district application. The application was originally submitted on February 2, 2022, and the Director has made an effort to call every day to see what the holdup is in the process.

Once the application is approved, there will be a rollout to allow businesses time to prepare for possible use of the district. This includes strict guidelines and specific cups that have the social district logo on them.

Carley Englander requested clarification on certain aspects of the Social District and asked if businesses did not participate if there was a way to denote those who were willing participants.

Michele King asked if the logo had been revised as previously discussed in the last meeting. Jason Walle responded that he worked with the Downtown Director to make the necessary changes.

Item 7: Other

Joyce Rentschler introduced this item.

The Downtown Director asked if there were any other questions or updates, which could be addressed. Carley Englander suggested none of the wayfinding signs in downtown pointed towards the “Shops and Restaurants” along E. Franklin Street. The Downtown Director explained the processes to implement the wayfinding signs and that there were at least 2 signs which pointed people to E. Franklin Street.

Carley Englander suggested this was a bigger problem and that the city only focused on Main Street. The Downtown Director listed ways the City was focusing on revitalizing all parts of the Central Business District and not just “Main Street.” Projects such as the Science Center, Social District, Police Station, Senior Center, and repaving of Franklin parking lot were ways the city is investing in the downtown area.

Item 8: Adjourn (Action Required)

Joyce Rentschler introduced this item.

Motion: Kay Klaren

Second: Caroline Brown

The meeting adjourned at 6:20 pm.



**CITY OF MONROE
GENERAL SERVICES COMMITTEE MEETING**

City Hall Conference Room
300 W. Crowell Street
Monroe, NC 28112
June 2, 2022 4:00 PM

MINUTES

Present: Committee Member Lynn Keziah (Chairman), Committee Member Mayor Pro Tem Gary Anderson

Absent: Committee Member Julie Thompson

Staff: Brian Borne, Interim City Manager; S. Mujeeb Shan-Khan, City Attorney; Lisa Strickland, Finance Director; Amy Austin, Accounting Analyst IV; Ryan Jones, Parks & Recreation Director; Matt Black, Downtown Director; Peter Cevallos, Airport Manager; Angela Duncan, Budget Analyst PT; Mary Lou Connelly, Senior Budget Analyst

Visitor(s): None

The General Services Committee met in the City Hall Conference Room at 4:00 p.m. on June 2, 2022. A quorum was present. Chairman Lynn Keziah presided.

Item 1. General Services Committee Meeting Minutes from May 5, 2022.

The minutes from the May 5, 2022 General Services Committee meeting were presented for the Committee's approval.

Mayor Pro Tem Anderson moved to approve the Minutes of the General Services Committee Meeting of May 5, 2022.

Chairman Keziah seconded the motion, which unanimously passed with the following votes:

AYES: Chairman Keziah, Mayor Pro Tem Anderson

NAYS: None

Item 2. Grant from United States Tennis Association.

Parks & Recreation Director Ryan Jones presented a request for the Parks & Recreation department to accept the Parks and Recreation Grant from the United States Tennis Association in the amount of \$2,000.00.

The Parks and Recreation Department has received a grant in the amount of \$2,000.00 from the United States Tennis Association. These funds will allow staff the opportunity to equip and provide camps and clinics for youth and adults within the community. This grant will allow our department the ability to provide members of the community the opportunity to play tennis in a safe and meaningful way.

Staff requests approval from the General Services Committee to accept funds associated with the USTA Southern Parks and Recreation Grant.

Mayor Pro Tem Anderson moved to approve and forward to City Council for approval.

Chairman Keziah seconded the motion, which unanimously passed with the following votes:

AYES: Chairman Keziah, Mayor Pro Tem Anderson

NAYS: None

Item 3. Centralina Area Agency on Aging Grant.

Parks & Recreation Director Ryan Jones presented a request to accept the 2022 Older American's Act allocation from the Centralina Area Agency on Aging in the amount of \$500.00 and requests a budget amendment.

The Parks and Recreation Department has received a grant in the amount of \$500.00 from the Centralina Area Agency on Aging. These funds will allow staff the opportunity to equip and provide active adult programs within the community. This grant will allow our department the ability to provide members of the community the opportunity to enjoy programs and facilities at a high quality level.

Staff requests approval from the General Services Committee to accept funds associated with the Centralina Area Agency on Aging Grant.

Mayor Pro Tem Anderson moved to approve and forward to City Council for approval.

Chairman Keziah seconded the motion, which unanimously passed with the following votes:

AYES: Chairman Keziah, Mayor Pro Tem Anderson

NAYS: None

Item 4. Senior Center to Phil Bazemore Active Adult Center.

On December 3, 2019, City Council approved revisions to the naming of the renovated Enquirer Journal building to the Phil Bazemore Senior Center. Staff seeks approval to revise the naming of the renovated facility from the Phil Bazemore Senior Center to the Phil Bazemore Active Adult Center.

At the December 3, 2019, City Council meeting, Council approved revisions for naming the renovated senior center building (formerly the Enquirer Journal Building) to the Phil Bazemore Senior Center. At the conclusion of the Enquirer Journal building renovation, the current Senior Center facility, which is named the Ellen Fitzgerald Senior Center, will no longer be utilized as a senior center. However, the name of that building will remain named for Ellen Fitzgerald. Staff is requesting that the new facility that was approved to be named the "Phil Bazemore Senior Center" be revised to the "Phil Bazemore Active Adult Center". Current recreation trends have shown that previously named senior centers are better received by appropriate age groups utilizing these types of centers as active adult facilities. It is also worth noting, that the scope of activities offered at the new facility will include more opportunities for exercise and will focus on the member's access to active living programs and projects. The facility will remain true to the foundation of adult programming that provides opportunities for all skill and mobility levels, as well as, passive and active recreational activities. The new facility allows staff to broaden program offerings that include a focus on active lifestyles and will be more attractive to those within the demographic who are looking for more programming related to physical activity.

Staff requests that the General Services Committee recommend Council approval to revise the current name of the new "Senior Center" (formerly the Enquirer Journal Building) from the Phil Bazemore Senior Center to the Phil Bazemore Active Adult Center.

Mayor Pro Tem Anderson moved to approve and forward to City Council for approval.

Chairman Keziah seconded the motion, which unanimously passed with the following votes:

AYES: Chairman Keziah, Mayor Pro Tem Anderson

NAYS: None

Item 5. Budget Ordinance – Grant modification for the Apron Rehabilitation.

Airport Manager Peter Cevallos requested committee approval for a budget Ordinance to receive federal grant funds and appropriate the necessary local matching funds for the Apron Rehabilitation Project (Areas A, B and Half of C) at the Charlotte-Monroe Executive Airport.

To close out the Apron Rehabilitation Project (Areas A, B and Half of C) at the Charlotte-Monroe Executive Airport, the City has to make a budget adjustment showing the receipt of additional grant funds of \$17,780, for additional pavement marking and aircraft tie-down work approved by the State and accomplished during the project. This grant requires a local match by the City of \$1,976.

Staff requests that the General Services Committee recommend to City Council to approve the budget Ordinance to receive federal grant funds in the amount of \$17,780 and appropriate the necessary local matching funds in the amount of \$1,976 for the Apron Rehabilitation Project (Areas A, B and Half of C).

Mayor Pro Tem Anderson moved to approve and forward to City Council for approval.

Chairman Keziah seconded the motion, which unanimously passed with the following votes:

AYES: Chairman Keziah, Mayor Pro Tem Anderson

NAYS: None

Item 6. Various Budget Adjustments for Budgetary Compliance for Fiscal Year 2022 Budget.

Finance Director Lisa Strickland presented a request for various adjustments be made to the fiscal year 2022 budget in order to recognize activity that was unanticipated and maintain budgetary compliance. All adjustments are outlined below.

Budget Amendment for various items as follows:

1. Due to an increase in fuel sales at the Charlotte-Monroe Executive Airport, a budget amendment is requested to adjust the expense budget in the amount of \$500,000 for fuel purchases. The offset to this increase is fuel sales.
2. Amendment proposed to cover higher than anticipated collections for water and sewer capacity fees in the amount of \$2,400,000. Water and sewer capacity fees are required by NC General Statute 162A-207(b) to be used for capital improvements related to new development and are transferred to the capital reserve fund to achieve this requirement.
3. Natural gas pricing has been at all-time historic lows from 2015-2021. The cost of natural gas has increased on average 70-80% this year over last fiscal year. As a result, a budget amendment to cover the natural gas purchases account budget in the amount of \$2,530,000 is requested. The City calculates natural gas customer rates on a monthly basis. This allows the City to accurately adjust for market pricing of natural gas purchases and recover market increases as part of natural gas revenue. The offset for this adjustment is the natural gas fee revenue.
4. Donations totaling \$303,395 have been received for both the Science Center and the Center Theatre. The donations and corresponding expense need to be adjusted with a budget amendment. Donations were designed for specific items by the donors in many cases or split between the two projects. The final amounts (net of administrative fees) were \$20,650 for Science Center Exhibits, \$5,826 for the Science Center pavers and programs and \$276,919 for the Center Theatre programming and pavers.
5. Center Theatre was not at full capacity during the fiscal year. Revenue losses from ticket sales and facility rentals will need to be covered by the General Fund fund balance and Theatre donations. The amount of the projected loss for the fiscal year is \$186,000 and a budget amendment to cover this amount is recommended. \$126,000 of this amount is from the General Fund and \$60,000 is from the Theatre Fund balance.

Staff recommends approval of the attached budget amendment containing various budget adjustments for Fiscal Year 2022. Staff shortages are the cause for low income on the theater. Some pavers are missing and Interim City Manager Brian Borne is going to look into it.

Mayor Pro Tem Anderson moved to approve and forward to City Council for approval.

Chairman Keziah seconded the motion, which unanimously passed with the following votes:

AYES: Chairman Keziah, Mayor Pro Tem Anderson

NAYS: None

Item 7. Ratify Annual Service Contracts over \$100,000.

Finance Director Lisa Strickland presented a request that City Council approval is necessary for renewal of reoccurring service contracts for fiscal year 2023. Details are outlined below.

Chapter 34 of the Monroe Code of Ordinances dictates that it is necessary to seek City Council approval on purchases in excess of \$100,000. They are as follows:

FY2023 Services Exceeding \$100,000			
Company Name	FY22 Expenditures	FY2023 Expenditures	Synopsis
Data Prose	\$164,200	\$167,484	Bill printing services for cycle bills (128,800) late notices (27,570) and tax statements (9235) Postage is included.
Green's Commercial Cleaning	\$428,988	\$441,857	Cleaning of city facilities. 3% increase from last year.
Lewis Tree Service Inc. (Formerly Carolina Tree Care)	\$389,988	\$438,520	Tree trimming services for electric right of ways. A 4% increase is expected by the contractor in FY2023.
Hinson Services	\$120,000	\$120,000	For maintenance, repair, and replacement of city HVAC systems. Amount may increase or decrease based upon the need of repairs and replacements.
Interlocal Risk Financing Fund of NC	\$528,000	\$607,000	The Property and Liability premium for all City Departments for FY2022 was \$528,000. The amount indicated is the amount budgeted for FY2023 and will not be exceeded.
Dawn Development	\$2,417,873	\$2,659,660	Construction services for electric and natural gas line installation. Cost increase due to services to growth and new subdivisions. With inflation and the rising cost of energy an increase near 10% is expected.
Tyler Technologies	\$220,000	\$220,000	City financial software maintenance and support fees.
Underground Solutions	\$119,800	\$119,800	The water main pipe bursting strategic initiative was implemented by the Water Resource Department in April 2014 and was designed to help close the infrastructure replacement gap for water mains. The trenchless pipe bursting technology requires fusible pipe materials. Currently, there is only one manufacturer of fusible PVC pipe (FPVC), Underground Solutions Inc., and the Water Resources Department is working with them as a sole source provider of the needed pipe materials. Pricing has been stable since April 2014. Quantities of the 6-inch and 8-inch pipe may vary slightly due to field condition encountered. Purchases will be made based on unit prices provided, and will not exceed available budgeted funds without additional approvals.

The contracts listed above are annual service contracts that reoccur each year. Funds for these contracts are included in the recommended fiscal year 2023 budget.

Staff recommends the General Services Committee forward to City Council for approval of the proposed service contracts and authorize the Interim City Manager to execute necessary contracts for fiscal year 2023.

Mayor Pro Tem Anderson moved to approve and forward to City Council for approval.

Chairman Keziah seconded the motion, which unanimously passed with the following votes:

AYES: Chairman Keziah, Mayor Pro Tem Anderson

NAYS: None

Item 8. Budget Amendment for Downtown Dedication Bench.

Downtown Director Matt Black requested The General Services Committee to consider approval of a Budget Amendment and to appropriate funds received to the Downtown Department.

The Downtown Department has devised a commemorative bench program and has received a check in the amount of \$2,000 to be allocated back into the departments account.

Staff requests that the General Services Committee recommend to Council approval of the attached Budget Amendment and appropriate these funds to the Downtown account.

Mayor Pro Tem Anderson moved to approve and forward to City Council for approval.

Chairman Keziah seconded the motion, which unanimously passed with the following votes:

AYES: Chairman Keziah, Mayor Pro Tem Anderson

NAYS: None

Other:

None

There being no further business the meeting adjourned at 4:15 p.m.

Committee Chairman, Lynn Keziah

HISTORIC DISTRICT COMMISSION MINUTES

MONDAY, MARCH 14, 2022 AT 6:30 PM

COUNCIL CHAMBERS - CITY HALL

300 West Crowell Street, Monroe, North Carolina

ITEM 1: Call to Order.

Richard F. Ali, Chairman, called the meeting to order at 6:30 p.m. Ashlyn Penegar called the roll.

Members Present: Richard F. Ali (Chairman), Bob Bullard (Vice Chair), Jennifer Smith and Archie Morgan

Members Absent: None

Staff Present: Keri Mendler, Senior Planner; Ashley Britt, Assistant City Attorney; William Nance, Planning Technician; and Ashlyn Penegar, Administrative Assistant

Guests: Nancy McHale, Deborah Rudy, Kevin McGuire, Paula McGuire, Hugo Ochoa, and Cindy Alvarado

Housekeeping.

Chairman said before we get started, I'm going to do a little bit of housekeeping. We're been operating under a mandatory mask policy for the Historic District Commission, but I think with a lot of things going on and the relaxing of those rules, I'm inclined to entertain a motion to do away with the mask policy.

Motion: Bob Bullard (Vice Chair) moved to remove the mask policy for the Historic District Commission

Second: Archie Morgan

Action: The motion to remove the mask mandate policy for the Historic District Commission passed unanimously with the following votes:

AYES: Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan

NAYS: None

Chairman said you are more than welcome to continue to wear your mask, but it is no longer required. A couple other things, I want everyone to remember that we are a quasi-judicial body and we are to make our decisions solely based on what we hear and the evidence presented by the applicants at this meeting. Because of this, as we move forward, we are going to try to do away with disruptions of testimony that are caused by us interrupting and engaging in conversations amongst ourselves and looking for solutions on our phones. That's not what we're here to do. Another point I would like to bring up are conflicts of interest. We need to be mindful that when we are having conversations, we cannot have ex parte conversations about a pending case or even a potential case, down the road. Any of those conversations must be disclosed, and the Board will decide if that member will need to recuse themselves, when and if that COA comes before us. If they do go undisclosed, then we stand the possibility that the applicant could come back and take an appeal to the Board of Adjustments based on a conflict of interest.

Chairman said we did not have meetings in January and February of this year, so the minutes that we have before us are from the December 6, 2021 meeting.

ITEM 2: Approval of Minutes.

Chairman asked the Board if there were any questions, additions or deletions to the minutes of the December 6, 2021 Meeting. He called for a motion to approve the minutes of the meeting.

Motion: Jennifer Smith moved to approve the minutes of the December 6, 2021 meeting.
Second: Archie Morgan
Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan
 NAYS: None

ITEM 3: Conflicts of Interest.

There were no conflicts of interest.

ITEM 4. **COA PLHR-2022-00146 Certificate of Appropriateness – The Historic District Commission is requested to consider a Certificate of Appropriateness request from Hugo Ochoa and Cindy Alvarado for approval of previously removing one window on the right elevation, two windows and one door on the left elevation and covering with vinyl siding, requesting approval to construct an addition on the left and rear elevation, as well as requesting approval of previously installed handrails and shutters on the front elevation at the property located at 501 S. College St. (Tax ID #09-235-199).**

Chairman asked any parties offering testimony to come forward and be sworn. Keri Mendler, William Nance, Hugo Ochoa and Nancy McHale came forward and were sworn.

Keri Mendler, Senior Planner, introduced this item and said this plain, one-story frame bungalow was occupied by E. H. McKenzie, a clerk at Efird's, in 1922. Although now vinyl sided, the house retains its form and basic detailing. The main roof is cross gable, with a broad rear gable roof. There is an engaged front porch with widely spaced pyramidal columns on brick piers, and a shed dormer, its vent now covered with siding. The front door is flanked by paired one over one windows. At this time, she said she will introduce the findings:

Findings:

1. The subject property located at 501 S. College Street is owned by Cindy Alvarado and Hugo Ochoa and is zoned R-10 (Residential-High Density). (Exhibit 1, 2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On February 21, 2022, the applicant submitted an application for the following projects:
 1. Request approval for previously removing one (1) window on the right elevation and covering with vinyl siding;
 2. Request approval for previously removing two (2) windows and one (1) door on the left elevation and covering with vinyl siding;

3. Request to construct an addition on the left and rear elevation with vinyl siding, two (2) wood windows on the left elevation, one (1) wood window on the rear elevation, asphalt shingle roofing, and a brick foundation. The addition must be at least 10-feet from all property lines;
 4. Request approval of previously installed wood handrails on the front porch (completed by the previous owner); and
 5. Request approval of previously installed shutters on the front windows (completed by the previous owner). (Exhibit 4-10)
4. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.
 5. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 11-12)

Chairman asked when was the work done that included covering the windows with the siding.

Keri Mendler said William Nance, Planning Technician, was out driving around doing inspections and noticed that work was being done on the exterior on January 14, 2022. That is when we initiated the process as far as sending a letter and trying to get in contact with the property owner.

Chairman asked so this was just done this year?

Keri Mendler said that is when we noticed it, it was in progress at that time. So, I would say somewhere in between the end of last year (2021) and the beginning of this year (2022). Staff noticed the work in progress on January 14, 2022.

Chairman asked if we knew why it was done?

Keri Mendler said I don't know if they knew they were in the Historic District, if that's what you are asking, but as far as why, I think just wanting to make changes, but I will defer to the applicant on that. Chairman said the rear elevation, I'm having a hard time judging, is there enough room to add what they are wanting to add and keep the appropriate distance from the property line?

Keri Mendler said yes, I think the rear would certainly be fine, based off of the dimensions they gave. The side would also be fine, but there is plenty of space in the rear yard. But, that would certainly be addressed during the permitting stage.

Jennifer Smith asked if this is a primary residence?

Keri Mendler said I will defer to the applicant on that.

Archie Morgan asked Keri if any of the improvements being made to the house, if they were to have done a COA, wanting to do those things. Are any of those items that have already been done something that we wouldn't have approved?

Keri Mendler said I can't speak for what the commission would have approved or not.

Archie Morgan said the type of window, was there shutters on the house before? Keri responds and said not that we are aware of, no.

Keri Mendler said the windows, they were removed and covered with siding, so they didn't necessarily replace those windows, they were just completely removed.

Archie Morgan said they were covered up.

Keri Mendler said yes.

Archie Morgan said the windows they want to replace now, they are replacing them with like windows, right?

Keri Mendler said yes, that was done at staff level.

Archie Morgan said I am just wondering if any of these improvements goes against the Historic District, like the handrail, what's the guidance on handrails? We are trying to fix this after the fact and I'm wondering if these are all things we would have approved anyways.

Keri Mendler said honestly, I can't speak for what you can do, but I can tell you the design standards on page two of your staff report, it does talk about covering up windows or door openings. Number two on page two of your staff report says it is not appropriate to fill in or cover the existing windows or door openings if it would compromise the architectural integrity of the district building. Obviously that is something that the Commission would need to look at.

Archie Morgan said I think it plainly compromises that. When you take windows away and cover them with siding.

Jennifer Smith said and the door.

Keri Mendler said that is why we are here tonight, so you guys can make that judgment call.

Archie Morgan said we are not in the position to make homeowners pay more money, but at the same time, we have a COA process and this is why we have it.

Keri Mendler said yes, that is why we are here, for the Board to make their decision.

Chairman said we might have more questions answered if we go to the applicant themselves. Would you like to come forward and answer some questions that we may have for you and just state your name for the record?

Hugo Ochoa came forward and stated his name.

Chairman said are you living in the house? Are you the resident of the house?

Mr. Ochoa said we bought it for living, but we are not living in it right now. We live in Charlotte, NC. We are trying to move here. The reason we cancelled the door and two windows is because there is a little bathroom in there, and we are trying to have that room for my kids. They are 3 years old and a baby. In the backroom, where we are trying to do the addition, we are just trying to make it bigger to have another bathroom in the future.

Chairman asks the Board if there are any questions.

Jennifer Smith said that house was built in 1922, so it is a Historical home.

Mr. Ochoa said to be honest with you, we didn't know anything about the Historic thing. I know we made a little mistake by cancelling the door. The plan was just the door, but then one of the windows broke by the guy who was fixing it.

Jennifer Smith asked where are you putting these new windows, the ones that are existing, you are replacing those?

Mr. Ochoa said we covered that door and the windows.

Jennifer Smith said no I am talking about these right on the back, were you putting new windows in?

Mr. Ochoa said yes.

Jennifer Smith said where?

Mr. Ochoa said in almost the same place, but obviously it's going to be an addition, so it's going to be like 10 foot out.

Jennifer Smith asked if this is just on the addition that you are putting new windows in?

Mr. Ochoa said yes and we would make them look how they are.

Jennifer Smith asked if the replacements were wood.

Mr. Ochoa said yes.

Board members discuss.

Bob Bullard (Vice Chair) said the windows on the back part, are they the same size?

Mr. Ochoa said yes, they are the same size.

Mr. Ochoa said the shutters and the handrails, when I bought it (the house), it was already like that. They are old, very old.

Jennifer Smith asked if the handrails were already there.

Mr. Ochoa said the handrails were already there and they are very old.

Archie Morgan said the shutters were already on? Mr. Ochoa confirms.

Chairman said what is the construction of the house, what is the material for the remainder of the house? Is it all vinyl?

Mr. Ochoa said all the outside is vinyl and there is wood siding underneath.

Chairman asks if there are any other questions.

Jennifer Smith said I just have a problem with removing the door and the windows and covering them up with siding. In our guidelines it's just not allowed.

Bob Bullard (Vice Chair) said I have the same problem.

Mr. Ochoa said there is no way, can we cancel the door and put the 2 windows back?

Jennifer Smith said you actually really need to put it back the way it was.

Chairman said put the two windows back that were covered over. Mr. Ochoa agrees and says the door was kind of hard for me, because someone can open that up right where my kids are.

Archie Morgan said we fully get that, we understand.

Mr. Ochoa said if I had to do the windows to make it look how it was, I can put wood windows, no problem.

Archie Morgan said being in the Historic District, you can't just change a house anyway you want it, as if it were in the country somewhere. We see what your intentions were, but we have a responsibility of keeping the Historic District the Historic District and when you go taking out windows and doors and covering them up with vinyl, it does against our guidelines.

Chairman said when did you want to have this work completed.

Mr. Ochoa said if you guys are going to make me, I guess it will be completed in less than 30 days. But, I am trying to move, I'm paying a mortgage for here and rent in Charlotte. It's kind of frustrating.

Archie Morgan said we get that too. I'm really thinking that you're going to have to put those windows and door back in.

Chairman said from what I'm hearing, we are going to have to make a formal decision, but it sounds like, you restoring back what has already been done, which should be taking the vinyl off of the windows, putting back in the appropriate windows and door.

Mr. Ochoa said there is no way that we can do away with the door?

Chairman said cover the door?

Chairman said he wanted to do know if there is any way... Mr. Ochoa said I can put the windows back, but is there any way that you guys can skip that?

Archie Morgan said the problem is that it had a door and it's in the Historic District. If it has a door, it has to maintain a door, that's our guidelines.

Jennifer Smith said the steps are there even still.

Bob Bullard (Vice Chair) said I have been by your house, and I think it has great potential. I think you are going to be very pleased living there. But, I would like to see the 2 windows and door put back, the shutters on there are not in the correct style, so I would like to see them removed. The 10 x 10 addition, I

don't have a problem with that at all. Leaving the rail at the front, I don't have a problem with that, although that's not original.

Jennifer Smith said I don't think it goes with the architecture of the house.

Bob Bullard (Vice Chair) asked have you been curious enough to climb up there on the roof to see the vent/dormer where it has been covered over?

Jennifer Smith asked did you take it off? Is that still present?

Archie Morgan said it's a current picture.

Mr. Ochoa said I don't know.

Keri Mendler said the photo in the staff packet was just taken 2 weeks ago.

Bob Bullard (Vice Chair) said somebody, not him, but the previous owner, put vinyl and covered up, probably a window there.

Jennifer Smith said I'm sure it was.

Bob Bullard (Vice Chair) said I'd surely like to see that put back in original shape, which I think would mean, just taking the vinyl off of that.

Mr. Ochoa said I don't pay attention to that little thing on the roof, I don't even know if it's there to be honest with you.

Bob Bullard (Vice Chair) said I've ridden by there, it's still there. Jennifer Smith said I've rode by as well.

Archie Morgan said our point is, is that it was probably once a window, and so it needs to be a window.

Jennifer Smith said when you bought the property, did your realtor not disclose that you had to get approval.

Mr. Ochoa said no. What happened is I knew this guy... Jennifer Smith said you bought it directly from the person that owned it, I see.

Archie Morgan asked Keri, do realtors representing homes in the Historic District have a responsibility to the homeowner to let them know about the COA process?

Keri Mendler said typically it's the homeowners' responsibility for due diligence, but I can't really say what's real estate law and what's required.

Jennifer Smith said I've always said if they would put these guidelines, and attach them in the deed room, people would know when they bought the property, then and there.

Mr. Ochoa said we are happy there and we would be happy to do it the way you want it. We just don't want the kids to come out.

Chairman said to Nancy McHale in the audience, you asked to be sworn in. Do you have comments in favor or opposed? Before you get started, can you come up and give us your name and address for the record.

Nancy McHale came up and said that she is at 405 S. College Street and in the purple house across the street to the house. I want to know how close to the street the addition will be because there really isn't a lot of room. There seems to only be ten feet there now.

Mr. Ochoa said I measured from the wall and to the little gate in the back, if you go straight from the wall to that, it's 22 feet, plus four.

Ms. McHale said are you talking about the gate or the actual fence.

Mr. Ochoa said yes, the actual fence.

Ms. McHale said that is awfully close to that street, that's like a foot away from the street.

Mr. Ochoa said I'm not going to be like 8 feet from there.

Ms. McHale said no offense because we are going to be neighbors, but I already have issues with where the cars are parked, not now, but previously. In the makeshift driveway, that wasn't there when I moved in, the cars coming up and down the street would come over into my yard. They would dig ruts and you can see the ruts now if you drive by. That's my lawn. The one thing when you were talking about the little peak/dormer on the front of the house, I moved into my house about 22 years ago, it was like that then. It was like it is then, there was no window. We were not put into the Historic District until 10-12 years ago. I don't know if that would mean that he would have to do that, I think it would be nice if he did. But, I just don't know if that's a requirement since there was no window there when I moved in. There was also no railings around and I think the shutters might have been there, but they were only in the front. Also, the addition on the side that they are talking about, is that going to take over the three windows that are already on the side? Because I can't tell from the picture.

Mr. Ochoa said there is two windows now.

Ms. McHale said no, there is three. I've got a picture on my phone. As you can see in one of the pictures, there is three, but currently today, there are only two and they have put siding down the middle window. I have a picture of that in my phone if you want. In the original picture you will see three windows, it's a thing.

Archie Morgan said the middle one has been covered up.

Ms. McHale said the middle one has been covered up. I don't think it was replaced because as you can see where the black paint of the surrounding, that was covered up. I think they added rooms to the inside of the house. The last time I was inside the house, that front room was wall to wall, windows to windows and the door was there. It was just one big long, but it sounds like someone has chopped it up inside, which is why they want to remove the door, but that's all I can tell you for that. I'm just real worried about how far it's going to come into the street, because if the City decides to put sidewalks down that side, there is not going to be room for it. That's my side, so I just wanted to bring that to your attention.

Bob Bullard (Vice Chair) said according to code, it can't be closer than ten feet, can it Keri?

Keri Mendler said correct, the set back is ten feet minimum, so it would have to be at least ten feet from their property line.

Ms. McHale said to the street.

Keri Mendler said no, from their property line. The addition has to be at least ten feet away from the property line.

Ms. McHale said ok, so it can't be a 10 x 10 then. Because there isn't 20 feet between there.

Keri Mendler said the question about the three windows, staff was aware of that, however the addition would be covering that up anyways, so that's why it wasn't included in the request. Because the addition would be basically making that part, I don't want to say irrelevant, but that's what they're requesting is the addition. It would be over that back portion and the other question about the dormer wasn't part of the request, so you guys can't really request them to make changes to the dormer.

Archie Morgan asked, can you tell us where this addition is going to be on this picture (in the staff report)?

Keri Mendler said yes, this back portion and points to the photo in the staff report.

Bob Bullard (Vice Chair) asked if it's coming out towards the street?

Keri Mendler said to Mr. Ochoa to correct me if I'm wrong, but when we talked in the office, you said it would stick out an additional three feet from the house.

Mr. Ochoa said now, it's like four feet.

Board members discuss further.

Keri Mendler said this addition will be on this back portion (shows site plan on projector) and will come out straight and it will go back towards the back. Just to show you again, the site plan. This is where the door and the two windows were that were removed, the addition is that dashed line here on the site plan.

Archie Morgan said it would cover up those three windows anyways.

Keri Mendler said yes. It goes straight out towards Efir Street and then follows back towards the back of the house and then a small portion that will be basically on the back of the house. (Shows aerial view)

Archie Morgan said you are saying that there is plenty of room to put that addition.

Keri Mendler said when we measured from this point here to the property line (points to site plan), there is a little over 20 something feet, and so they could certainly go out and still meet the ten foot setback. That would certainly be confirmed through the permitting process and we do require foundation surveys as well for additions, so once they did the foundation, they would have to submit a survey from a surveyor that says it's ten feet off the property line. If it's not ten feet off the property line, then we would be going through a different process so they would have to tear it down.

Archie Morgan said these three windows would be moot because they are going to add the addition there. Will the addition have windows?

Keri Mendler said yes. It'll be two windows on the one wall (shows Exhibit 8), this portion that's blank here, is where the two windows and the door were removed, this would be the addition as seen by Efir Street with two new windows. Then there would be a window on the rear elevation that you wouldn't be able to see unless you are in their backyard. Does that make more sense?

Archie Morgan said it does to me.

Jennifer Smith said they (windows) are going to be long, to match these other ones? The windows themselves?

Keri Mendler said I think that's what he said, (Mr. Ochoa) that they would be the same size.

Mr. Ochoa said they would be the same size.

Archie Morgan said if we approve this addition, it makes those windows a moot point, anyways because they are going to be covered up. I think we are leaning towards replacing those two windows and the door and getting it back to how it was.

Mr. Ochoa said that's no problem.

Chairman says do you want to make a motion to that?

Jennifer Smith said what about that railing up front?

Archie Morgan said Bob mentioned those shutters up front.

Bob Bullard (Vice Chair) said I still would like to see, and I understand that this would be a voluntary action, but I would like to see that dormer on top restored to something.

Keri Mendler said it was not advertised and it would be a change, so it can't really be voluntary unless he comes back and asks for permission to do it. It wasn't an advertised request.

Archie Morgan said I'm going off what she said (Nancy McHale) that she has one too and it's been that way and never had a window in it.

Nancy McHale said that house never had a window up there, since I've been there, and I've been there for 22 years and that was prior to when we were annexed into the Historic District.

Archie Morgan said what is its (dormer) purpose?

Keri Mendler said it's an irrelevant discussion because it can't be discussed.

Archie Morgan said it can't be discussed anyways.

Chairman said really the only other thing to discuss are the shutters.

Archie Morgan said the shutters and the railing. Is that railing going to be painted? Or would you leave it like it is?

Mr. Ochoa said are you talking about the handrail?

Archie Morgan said yes, the handrail.

Archie Morgan said you said the handrail was old anyways, so what kind of shape is it in? Not good?

Mr. Ochoa said I think it's 10-15 years old.

Jennifer Smith asked if it was rotted.

Mr. Ochoa said yes, kind of.

Jennifer Smith said take it out.

Archie Morgan said I think you should remove it. It doesn't match the house anyways. As far as the shutters...Mr. Ochoa said when we can do the next one (Historic District Commission meeting), if we need something changed.

Archie Morgan said it's the Historic District, I build houses where I can do what I wanted and you're wanting to do what you want with this house, but you can't do that in the Historic District. There is guidelines and you can't just put up a handrail and some shutters. It doesn't work that way. I put shutters on my house, I would have to research and I had to find the shutter that was originally on the house to begin with before I could do it.

Mr. Ochoa said I understand.

Archie Morgan said I wouldn't have been able to do it if there were never any shutters on the house.

Mr. Ochoa said we're not opposed to that. If we want to do it in the future, how long does it take to have another meeting?

Archie Morgan said you have to do a COA with any of these changes.

Chairman said any changes to the outside of the house needs to have a COA and there is two kinds, depending upon what it is. If you are doing a repair or some replacements with like materials, they can be approved at the staff level. If it's anything more than that, then the staff will do what we are doing here tonight.

Mr. Ochoa said ok, let's say if you want to keep it. We can't like fight it and pull down the walls.

Jennifer Smith said you are talking about a railing? You're wanting to keep a railing?

Mr. Ochoa said yes.

Jennifer Smith said it's not original to the house.

Archie Morgan said it should have never been added, just like the shutters. They don't match the house and that's what we do in the Historic District.

Mr. Ochoa said however you guys want it, we will take it down. I wanted to keep it for my kids, so they don't run away or go across the street.

Archie Morgan said you've been in your house 22 years (to Nancy McHale), did it have shutters?

Ms. McHale said I don't recall if it had shutters or not, I think it did. But, the side never did, so it definitely wasn't there. They were added on. But the railing was added on recently with very bad wood. So, that was not there at the time, so I don't see why he can't take those down.

Board members discuss.

Archie Morgan said I can't speak to the architectural integrity of these shutters matching the house, I will say that I think the house looks better with those shutters on it than if we took them down.

Ms. McHale said I don't have shutters on mine and mine is original.

Archie Morgan said I like shutters, I just think it cleans it up a little bit. But, as far as we know now Keri, they weren't original to the house.

Keri Mendler said not that I'm aware of.

Jennifer Smith said I've lived here 36 years and I've never seen them on it.

Archie Morgan said part of this sir, we've got to get your house back to where it was. Addition aside, we've got to get those 2 windows and the door back. We've got to get rid of this handrail and the shutters.

Bob Bullard (Vice Chair) asked (to Nancy McHale) is your house to the right as your facing this house?

Ms. McHale said if you've seen this house, when you're facing it, I'm the purple house to the left. You can't miss it.

Chairman said Archie, based on what you've said, are you prepared to make a motion? Any motions need to be related to the appropriate guidelines.

Keri Mendler said if I can make a suggestion or recommendation/request, if you will go through each of the items in your staff report, one by one and whether you are recommending or making a motion to approve the modifications or deny that would be really helpful for staff to just know where everybody's at.

Motion: Archie Morgan moved that the Historic District Commission find as a fact that the proposed COA, PLHA 2022-001465 if constructed according to the plans reviewed at the meeting and as we have discussed, part of it is congruous and part of it is not. The application as written is not generally in harmony with the special character of the neighboring properties, but will be with these changes. We are requesting:

1. The door and two windows that were removed and covered with vinyl siding, be put back. Same size windows, same door, the stoop is still there. We just need it back the way it was.
2. The handrail to be removed, it's not congruous with the house, as well as the shutters have to be removed.
3. The windows that you use for the addition, need to be one over one pane, just like the other windows of the house. All of them need to be the same wood windows.
4. The window that was previously removed on the right elevation and covered with vinyl siding needs to be put back the way it was. A wood window to match the other ones.

5. As far as the addition, we are going by what the city says, as far as the setbacks, I don't know that any of us have a problem with the addition, there was concerns about its proximity to the street, but the city has their own setbacks and we can't change that. The city will call for a survey and we know the setbacks will be right and it can't be any closer than 10 feet.

Bob Bullard (Vice Chair) said Archie, let me ask you a question. The windows on the left side, that have been removed, isn't that where the addition is going to be?

Archie Morgan said those three windows, there's two now, the third has been covered with vinyl, but all that is a moot point because that's where the addition is going to go and it's going to cover those up.

Bob Bullard (Vice Chair) said on the addition, on that side, will there be the windows and the door?

Archie Morgan said you will have that door and two windows that he's going to put back and beside of it, will be the addition, which will cover up those three windows. They don't matter anymore. He's putting two windows on the side of the addition and one in the front.

Jennifer Smith said they are the same as what they were, size-wise, whatever they were.

Second: Jennifer Smith

Action: The motion to adopt the Findings of Fact passed with the following votes:

AYES: Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan

NAYS: None

Chairman asked for a motion to approve the Certificate of Appropriateness.

Motion: Archie Morgan moved that based on the preceding findings of fact, that the Historic District Commission grant the Certificate of Appropriateness regarding the proposals as shown in this application and the changes that were made. Such certificate to be subject to the conditions contained in the previous motion and as discussed here tonight.

Second: Richard Ali

Mr. Ochoa said when you guys were talking about the windows, it's just going to be a wood window, the same style. The windows, they are just going to be wood window?

Keri Mendler said a wood window, not just wood trim, but actual wood window.

Mr. Ochoa said the way you open it, it's going to be the same as it was before?

Keri Mendler said a wood window that is actually constructed of wood material.

Mr. Ochoa said I understand that.

Keri Mendler said what you applied for was the double hung.

Archie Morgan said one over one.

Keri Mendler said it was wood, double hung with the natural interior, light wood. So, it has to be a wood, one over one window.

Action: The motion to approve the Certificate of Appropriateness with the conditions stated in the previous motion passed with the following votes:

AYES: Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan
NAYS: None

Chairman said I know it's kind of complicated what we came around to, but you will be getting a letter from staff that will lay it all out to you.

Mr. Ochoa said when can we start?

Chairman you will get the letter in the next three to four days. You will get the letter this week. Thank you for coming.

ITEM 5. COA PLHR-2022-00147 Certificate of Appropriateness- The Historic District Commission is requested to consider a Certificate of Appropriateness request from Kevin McGuire for approval to replace portions of the asphalt shingle roof with a standing seam metal roof for the property located at 700 South Hayne Street. (Tax ID# 09-235-033).

Chairman asked any parties offering testimony to come forward and be sworn. Megan Brightharp, Keri Mendler and Kevin McGuire came forward and were sworn. Megan Brightharp, Planner I, introduced herself and said this is a Certificate of Appropriateness request from Kevin McGuire at 700 South Hayne Street. She said at this time she would introduce the findings:

Findings:

1. The subject property located at 700 South Hayne Street is owned by Kevin McGuire and is zoned R-10 (Residential-High Density). (Exhibit 1, 2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On February 25, 2022, the applicant submitted an application to request approval to replace portions of the asphalt shingle roof above the lower roof and over two side stoops on the right side of the home with a standing seam metal roof for the property located at 700 South Hayne Street. (Exhibit 4-7)
4. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.
5. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 8, 9)

Chairman asked if there are any questions for Megan.

Archie Morgan said they basically want to take an asphalt shingle roof and replace it with a metal roof.

Megan Brightharp said yes, portions of the roof.

Archie Morgan asked not all?

Megan Brightharp said just the lower roof and two of the stoops.

Archie Morgan asked, the rest would remain the shingles that are currently on or would they get new shingles?

Chairman said why don't we ask the applicant.

Kevin McGuire stood up and introduced himself and said he lived at 700 S. Hayne St. This portion of the roof, the porch around the front and the sun room on this side and the two stoops. We would love to do it all in standing seam, but it's an expensive roof. We have a leak and we have rot on all three sides of the soffit and fascia and they are going to have to fix that to put any other roofs up, because you can't put the drip rail up until the fascia is fixed. But, we have a leak into the sun room, when it rains. We had four companies come out and give us prices, two of them said you aren't even supposed to have shingle on that roof, they said it's too low of a sloop and anything below 2/12 pitch is not approved for shingles and they even said you don't have to believe me, go to the website for the shingle manufacturers. So, I did and sure enough, it says anything below 2/12. So, the other thing the installers would recommend is either a rubber roof, which would look awful and I'm concerned with as many branches as we get falling when it rains and wind, when it hits that roof, puncturing that rubber. We have a camper that has the same TPO rubber roof on it and it can't take too much abuse like these branches give. But, the only other roof that's approved by the installers is standing seam, it has to be the standing seam without visible fasteners because the slope is so low, the ones with visible fasteners actually put a small dent into the metal when it's fastened down. The water will pool there and get in, even with the stuff, like the rubber roof, that they put down first, like a lining. He said his installer said even with that, the dent lets water puddle and it seeps in.

Archie Morgan said Kevin, how long have you been at that house?

Mr. McGuire said it will be 5 years in September.

Archie Morgan said ok, so you inherited this problem. Mr. McGuire said yes.

Archie Morgan said code will not allow you to do back with asphalt shingles in those areas.

Mr. McGuire said as far as the building code, I don't know. But, the installers, two of them said they would not put them up there.

Archie Morgan said obviously a metal roof is a whole lot more expensive.

Mr. McGuire said oh yes, I asked for a price for the whole house, the garage and everything re-done in shingles and then just the porch done in standing seam. He said the installer said do you want a price on the whole house and I said...Archie Morgan asked standing seam metal?

Mr. McGuire said what it is, instead of it being screwed down where you can see it, the flanges come up and there is a piece that the machine caps over that, so there is no openings for water to get in. He said he asked what a ballpark figure was, and the installer said it would be somewhere between \$50,000-\$60,000, at least to do all the roof.

Bob Bullard (Vice Chair) said it changed your plans a little bit, didn't it?

Mr. McGuire said I just started laughing and said save your time, don't even bother with the quote. That's not happening.

Archie Morgan said Kevin, do you feel like you did your due diligence with these different roofing companies?

Mr. McGuire said yes, sir. They were both like, we can't put a rubber roof up there, but I wasn't sure.

Archie Morgan said if I'm in the roofing business, I would want to sell you a metal roof myself.

Bob Bullard (Vice Chair) said you can tell that the pitch is high enough that when you're down on the ground, you can't see that it's a rubber roof.

Mr. McGuire said depending on where you are at, so the house elevation is actually a little above the road. If you are coming down Hayne, the front yard is actually a couple feet above the level of the road. Where Green comes down on the side, that starts coming up and it gets leveled out. But from the side you can see it and depending on which vehicle you are driving, you can see it coming down the road.

Jennifer Smith said I have two questions.

Bob Bullard (Vice Chair) said I just wanted to relate one experience. I live on Church Street and my house has two wings that have flat roofs on them and when we moved in, there were leaks. We didn't look at standing seam, nobody was looking at standing seam back then, but we ended up putting a rubber roof on and that was 31 years ago and we've never had a leak. Because it's flat, you can't see it from anywhere regardless of speed. We've been happy with it.

Chairman said here's the thing, he's asking for standing seam metal, you're talking about rubber, that's two different things. Neither one is what he has now.

Bob Bullard (Vice Chair) said I was speaking only on experience.

Chairman said his preference is the standing seam metal roof.

Jennifer Smith said Keri, I had a question. I thought when we went through, when Raleigh came down, the whole week of training, I thought they were outlawing standing seam metal roofs on historical homes?

Keri Mendler said no.

Jennifer Smith said when we were approving these 36 years ago, right and left, telling people that couldn't afford what was originally on there, and I understand some of these tin roofs that are beaver tailed and designed and whatever else, are \$100,000 and people can't afford them. So they were saying as long as it's metal, put them on there. They don't look right on a house that's Queen Anne, that's my problem with it, when having two different types of roofing there. My roof has the wrap around porch, has the rubber and beavertail shingles over top of it and it's been up there 15 years and I haven't had one leak, ever.

Keri Mendler said what you are referring to, as far as the metal roofing, was the multi-rib metal roofing. Because standing seam really is a historically accurate metal.

Jennifer Smith said this is what it will look like right? (Points at Exhibit 7)

Keri Mendler said right, the standing seam is where you've got that big expanse of flat and then you've got a really sharp standing seam. Literally, a standing seam. Whereas, multi-rib is what a number of houses in the Historic District did until we updated the design standards to say that multi-rib was not an appropriate replacement for a standing seam or a tin shingle, but that the multi-rib is more a commercialized, metal roofing material than a standing seam metal roof. That's where a lot of the issue was, was approving metal to metal, that's why we added in about the metal multi-rib not being an appropriate material change. Unless they had asked for tin shingles, which is different and a different look. I would say, in the past we have had similar requests and as you have pointed out, when you have a flatter roof, you have two options. Otherwise, you are going to run into issues with water not going where it's supposed to, which is going to further damage the structure underneath. Of course, he has requested the metal standing seam. The rubber was not part of the request and it wasn't advertised as such.

Chairman said we have a fairly new standing seam roof one block up the street.

Mr. McGuire said the house right next door is.

Archie Morgan said Kevin, is this what you want? The standing seam metal roof?

Mr. McGuire said yes, sir. Even the roofer said there is all different standing seams too, you have to be careful. The house next door, the upper roof is pretty steep, pyramid style roof. It actually is not, "Standing Seam", you can see the fasteners. He said you can do that on your upper roof, because of the slope, but I don't even recommend those, because the fasteners are supposed to be replaced every 10 years. They have a rubber grommet and even on the slope, the rubber grommet is shot after 10 years and you will start getting water seep in through the fasteners.

Archie Morgan said the rest of the roof is going to remain shingled?

Mr. McGuire said yes, until each needs to be replaced.

Jennifer Smith said when you get the money to do the whole thing.

Archie Morgan asked Keri what the Historic District qualifications say about asphalt shingles and metal roofing on the same house.

Keri Mendler said it doesn't really address multi types of roofing. Obviously he could come and get a staff level approval to replace it with asphalt shingles, but then there's potential for water issues that they have already experienced. Just some fun information, I remember watching a show on standing seam metal roofs and I think that even historically the type that the applicant is talking about, where they are basically interlaced is how they were built back in the olden days. Because obviously we didn't have screws and constantly screwing in things on a metal roof. It's also a really good wind resistant.

Chairman said I think what we are trying to do on this particular case, solve an issue of water leaking into the house.

Archie Morgan said I get it, but I still need a real alternative.

Chairman said the roofing material is designed or a solution to the issue, as long as it matches the color of the rest of the roof, which I am assuming is going to match with the rest of the roof.

Chairman said I am looking at the staff conclusion to replace the roof, it's up to us to decide, but I certainly think it's congruous to the design, according to the roof standards or the Historic District Standards.

Motion: Richard Ali moved that the Historic District Commission find as a fact that the proposed project **COA PLHR-2022-00147**, if constructed according to the plans reviewed at this meeting, is congruous with the character of the district because the design follows what the standards state.

Second: Archie Morgan

Action: The motion to adopt the Findings of Fact passed with the following votes:

AYES: Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan

NAYS: None

Chairman asked for a motion to approve the Certificate of Appropriateness.

Motion: Richard Ali said based on the preceding findings of fact, he moved that the Historic District Commission grant the **COA PLHR-2022-00147**. Such Certificate to be subject to the conditions contained in the previous motion.

Second: Archi Morgan

Action: The motion to approve the Certificate of Appropriateness passed with the following votes:

AYES: Richard Ali, Bob Bullard , Jennifer Smith and Archie Morgan

NAYS: None

Keri Mendler introduced Megan Brightharp and said she has been with us since December and barely missed our December meeting. You will see her sometimes, but William will be the primary person for the Historic District. Megan will primarily be with Board of Adjustment.

Bob Bullard (Vice Chair) said in the past, we used to take a tour around the Historic District. Was that the Planning Board that did that?

Chairman said it wasn't the Planning Board, maybe the Planning department if anything.

Archie Morgan said some City Council members went and the Mayor went and we walked the neighborhood.

Keri Mendler said those were put on hold due to COVID, so I don't know the status on that or exactly who has to make the request, but I can certainly find out and get back to you.

Bob Bullard (Vice Chair) said I don't have a long list, but there is a couple situations, which is certainly not something that we can change and it's not something that the Planning Board would want to go in. But, I think we can leave it to the City Council. Two houses over on Windsor Street and another on Windsor and Crawford, there is a house that has been empty for probably 20 years. It's not a good thing for the neighborhood. Then there is a house on the corner of Washington and Lancaster, facing Washington, and that house, someone is going to get killed in there. There is holes in the roof, the yellow one. It's going to be a disaster one day.

Archie Morgan said Keri, what can be done about places like that?

Keri Mendler said I have reached out to Code Enforcement on the Washington and Lancaster house. I know you guys have asked about that, so I need to follow up with them to see what's going on with that one. But, that one is for sure a Code Enforcement concern. The Windsor and Crawford, I don't know if it's just an empty house, I'm not sure if there is anything that can necessarily be done about that. But, I can find out. If you can get the address, that would be helpful, as well.

Bob Bullard (Vice Chair) said that answers one thing. There is a situation over on W. Jefferson St between Crawford and College, there is a house and the owner put a shed behind it. Then we turned down the shed, they came back with a different plan, and we approved it. Then, the next meeting, which I think was our November meeting, which was our last meeting, if I'm not mistaken.

Keri Mendler said we had a meeting in December. We have reached out to that property owner to see where they are at. They submitted a permit application with the old renderings and so they failed it because it didn't match what was approved, and so we are waiting on them to re-submit and we have been trying to get in touch with them to submit revisions.

Jennifer Smith said one of the owners has been asking why.

Chairman said you will reach out and find out if they plan on initiating those walks again?

Keri Mendler said yes, I will find out how those happen.

Chairman asked if there are any further questions.

Archie Morgan said Planning Board meets Wednesday night, that's a work session or whatever, is that open to the public?

Keri Mendler said yes, it's a public meeting, but you can't have any other discussions at the meeting. There is no action, it's just a training and that's basically all that can be discussed and I will defer to Ashley if there is anything else to add on that.

Ashley Britt said that's correct. The public can attend, but it's not interactive with the public, so they can't comment or ask questions or anything like that. They can just attend and observe.

Archie Morgan said we can ask questions, correct?

Ashley Britt said yes, you can. You just can't take any action. But, you can certainly ask questions.

ITEM 8. **Next Meeting – April 11, 2022**

ITEM 9. **Adjournment.**

Motion: Archie Morgan made a motion to adjourn this meeting.

Second: Jennifer Smith

Action: The motion to adjourn passed unanimously with the following votes:

AYES: **Richard Ali, Bob Bullard , Jennifer Smith and Archie Morgan**

NAYS: **None**

The meeting adjourned at 7:44 pm.

Respectfully submitted,

Richard F. Ali
Chairman

Ashlyn Penegar
Secretary to the Board

HISTORIC DISTRICT COMMISSION MINUTES

MONDAY, APRIL 11, 2022 AT 6:30 PM

COUNCIL CHAMBERS - CITY HALL

300 West Crowell Street, Monroe, North Carolina

ITEM 1: Call to Order.

Richard F. Ali, Chairman, called the meeting to order at 6:30 p.m. Ashlyn Penegar called the roll.

Members Present: Richard F. Ali (Chairman), Bob Bullard (Vice Chair), Jennifer Smith and Archie Morgan

Members Absent: None

Staff Present: Keri Mendler, Senior Planner; Ashley Britt, Assistant City Attorney; William Nance, Planning Technician; and Ashlyn Penegar, Administrative Assistant

Guests: Erik Kleber, Libby Helms, James Hansen

ITEM 2: Approval of Minutes.

Chairman called for a motion to approve the minutes of the meeting.

Motion: Archie Morgan moved to approve the minutes of the March 14, 2022 meeting.

Second: Jennifer Smith

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan

NAYS: None

ITEM 3: Conflicts of Interest.

There were no conflicts of interest.

ITEM 4. COA PLHR-2022-00157 Certificate of Appropriateness – The Historic District Commission is requested to consider a Certificate of Appropriateness request from Sandra Pittman to construct an addition and staircase on the rear of an existing accessory structure at 505 Parker Street (Tax ID #09-235-046C)

William Nance, Keri Mendler and James Hansen came forward and were sworn in by the Chairman.

William Nance, Planning Technician, came forward and gave his presentation.

Proposed Findings:

1. The subject property located at 505 Parker Street is owned by Sandra Pittman and is zoned R-10 (Residential-High Density). (Exhibit 1-2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On March 13, 2022, the applicant applied for a COA to request approval for a new addition to the existing garage, as well as add a staircase and door. The garage addition will be 5' x 8' with wood siding and asphalt shingles to match the existing structure. The new doors will also match the existing door, and the staircase will be wooden. (Exhibit 4-7)
4. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.
5. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 8-9)

Chairman said the Board might have a couple of questions.

Chairman asked, the construction of the stairs to the rear of the property or garage, how close is that going to be once the addition is put up, to the existing shed? It (shed) was just approved a few months ago.

William Nance said they didn't provide anything on the application as to how close it will be to the current building. Of course, they did provide setbacks, but I will defer to the applicant for the distance.

Chairman said it almost looks to me like it's going to be overlapping. The second question I have, if I read this in the application, they are doing this to use it as a "Man Cave"?

James Hansen said it's basically a pool house.

Chairman asked William Nance if that is any way counter to City occupational codes?

William Nance said no, as long as they are not using it as a dwelling unit or inhabiting it, they can do this without any rezoning from us (Planning), but that will be handled at the permitting stage, if it's approved by the Board.

Chairman asked William Nance as far as you know, it's not?

William Nance said correct, it's a pool house or man cave is what we are under the impression of.

Archie Morgan asked if we have other outside staircases in the Historic District?

William Nance said I believe there was one approved at the corner of Lancaster to add back. Jennifer Smith said there used to be one on Libby's.

Keri Mendler said yes, that is the one he (William Nance) is talking about.

William Nance said I know there was one that was approved.

Keri Mendler said Libby's, that's the one you were talking about. The blue house at the corner of Lancaster and Parker.

Jennifer Smith said yes.

Keri Mendler said they came before the Commission and requested to basically re-install the outside stairs that were originally on the house. There were some images. I know for a fact that that is there, but I'm sure there are other houses in the district that have outdoor staircases, I know that one for sure since they came before the Board.

Chairman asked if there was a reason for it not to be an interior staircase?

William Nance said that is a question for the applicant.

Chairman asked if there are any further questions for William? There were none. Chairman then asked Mr. Hansen to state his name please for the record.

James Hansen came forward and introduced himself.

Chairman said I need to ask you, you are here representing the applicant as an in fact witness and not a legal representative, correct?

James Hansen said yes. I am here for Sandra.

James Hansen said a couple questions you had about outside steps, I thought that might come up, so I did some driving around town, because I live in the Historic District and I have for 30 something years.

James Hansen said 304 W. Franklin, which is the Coca Cola Bottling company, you may be familiar with that, that is quite a large one. We are talking about one that is only going up 9 feet. 113 S. Crawford has an outside staircase similar, 500 Lancaster, 200 E. Houston. Archie, I think you have an outside stairway coming up to your back porch. If I'm not mistaken, I worked on your house before you moved in when the previous owners were there. The one drawing that we were looking at, that is totally ridiculous, don't pay it any attention. That was the best I could do on the computer. It's totally out of scale.

Chairman said my question is, is there going to be any space between the garage addition and the utility building?

James Hansen said yes. So, where that stairwell comes out, there is approximately 9 and a half feet of walkway and I think they were thinking about putting a little thing there for the dogs or something, but that's beside the point. There is plenty of room to come in and out there, and it's

well off the property line. The reason we are putting the outside steps in is to access the little attic space, so they can use it for Christmas decorations and what not.

Archie Morgan asked there is no access to that space in the interior?

James Hansen said there is from the inside, but it kind of takes up all of the space. If we put it on the outside, it frees up space. It's not a big building, it's a garage. It might have a little room in there, but basically what we are doing is just adding a 4 x 8 bump out, with a gable roof, so we can add a bathroom for a convenience for people who are hanging out.

Chairman asked once you add the 4 x 8, how much space will there be between that and the other building?

James Hansen said it's going to be about 8.5 between the buildings for a walkway.

Chairman said that's 8 and a half feet between the buildings?

James Hansen said yes.

Archie Morgan asked the Board what all are we being asked to approve?

Chairman said we are being asked to approve an addition, outside stairs and two doorways. Is that correct?

William Nance said yes.

Chairman said so, it's a 4 x 8 bump out, the stairway and the two doors.

Archie Morgan said the siding and shingles will all be the same?

James Hansen said everything will be as existing. Same colonial doors, same horizontal siding.

Archie Morgan asked, no windows?

James Hansen said we are not replacing any windows. Well, because there is a window in both of the places where the doors will be, they are already there, we are just making doors.

Jennifer Smith said the stairway is all wood, even the steps? Will there be any slats between?

James Hansen said yes, it's not very high like a lot of these other stairways going up 15-20 feet. You can see them. I'm not sure you are going to be able to see much if any of this from the street.

Chairman asked if there were any further questions for William or James Hansen?

Chairman asked if there is anybody here that would wish to speak in favor or against the COA?

Libby Helms came forward and was sworn in by the Chairman.

Libby Helms introduced herself and said I have no objection at all except that I did not receive a notice. I only knew about this because my neighbors on the other side did get a notice. So, I couldn't see up there earlier, was that a list of the people that received (notice)?

Chairman said I looked it over earlier and you were on that list.

Keri Mendler said it looks like your mailing address is 502 S. Church St.

Libby Helms said it's S. Hayne St.

Jennifer Smith said you are on it.

Keri Mendler said this is based off of the tax records, so it could be that your tax record needs to be updated with the County.

Libby Helms said ok, is my Hayne St. address on there?

Chairman said it is, you've got both Hayne and Church on here.

Libby Helms said well, I did not receive it. So, just for the record.

Chairman said ok, thank you. Any other questions? Hearing none, would somebody like to make a motion to approve the Finding of Fact, and I've got to ask that when you do so, for the Findings of Fact and the approval of the COA, that we relate it to the appropriate section to the standards that it will be covered by.

Motion: Archie Morgan made a motion that the Historic District Commission find as a fact, that the proposed project, COA application PLHR 2022-00157, if constructed according to the plans reviewed at this meeting is congruous with character of the district because the standards state that they are to locate and orient new garages and accessory structures in rear yards and in traditional relationships to the primary building as determined by historic sighting patterns in the district. The addition will match the house in siding and shingles. It is congruous with the character of the district because those standards are met with what the applicant is requesting. Therefore, the application is generally in harmony with the special character of the neighboring properties and the Historic District as a whole.

Second: Jennifer Smith

Action: The motion to adopt the Findings of Fact passed with the following votes:

AYES: Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan
NAYS: None

Chairman asked for a motion to approve the Certificate of Appropriateness.

Motion: Archie Morgan moved that based on the preceding Findings of Fact, that the Historic District Commission grant a Certificate of Appropriateness regarding the proposals as shown in COA application PLHR 2022-00157. Such certificate to be subject to the conditions contained in the previous motion.

Second: Richard Ali

Action: The motion to approve the Certificate of Appropriateness passed with the following votes:

AYES: Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan

NAYS: None

Other:

Chairman asked is there is any other business that anyone would like to discuss?

Bob Bullard (Vice Chair) said I've asked Keri and she knows the question I'm going to ask. The shed on the back of the house on Jefferson St.

Keri Mendler said they have submitted their revisions and the Permit Center has reached out to them to let them know that their permit is ready to be picked up. They have 6 months to comply with it, but we can't really do any enforcement unless that permit expires. The permit can be issued with the revised conditions that you guys placed on the approval. He just has to come in and pay for the permit and pick it up. Once he's done that and the permit has been issued, it starts the 6 month timeline for him to actually make the changes that you guys required.

Bob Bullard (Vice Chair) asked how long has it been since we approved the COA?

Keri Mendler said I'm not sure of the exact date, but the thing was that he had submitted a permit before he came to the Commission. We placed that permit on hold until the Commission approved it. Then we had to have him come back in and submit revisions. William has reached out to him a number of times through phone calls and emails, trying to get him to come in, but he just did that a couple weeks ago. We were finally able to get him to come in and do the revisions because he's already submitted a permit, so basically it's kind of in our ball court.

The Board discusses.

Chairman asked Keri if there is any kind of lis pendens we can place on this property so that if he tried to sell it, in the condition that it's in, it could be blocked?

Keri Mendler said I don't think so. He's applied for his permit, so there isn't necessarily a violation because he's applied for the required steps that he has to do at this point.

Discussion continued, and Keri Mendler explained what would happen if the COA and permit expired and it qualified for enforcement action. She said the zoning violation process is 10 days for the notice of violation, 10 days for the first citation, another 10 days and another 10 days and then we would hand it

over to the attorney's office and have them take it from there. Hopefully it doesn't get to that point, but the first fine is \$50, the second is \$100, and the third is \$500.

Bob Bullard (Vice Chair) asked if a lien is actually put on the property at some point, they would have to pay those fines?

Keri Mendler said I don't think we can do liens for zoning violations. They can do them for some code enforcement, where you abate the property, like, you go and mow the tall grass or something, but for zoning violations, I don't think we can do liens.

Discussion continued.

Keri Mendler said we would like it to be finished as well.

Jennifer Smith said Keri, that gold house that is caddy cornered, across from the funeral home, I think it's a commercial property right now. It has no steps up to it and they haven't had any steps up to it for several years, what is going on with that?

Keri Mendler said I've done some digging and they had permits and it was a similar thing where the permits were still active, at least at the time when I checked into it, so there wasn't a whole lot that we can do from a violation standpoint.

I know you guys have been asking about 505 S. Washington St., the house at the corner of Washington and Lancaster, William, Robert Rushing with Code Enforcement, and I went out and met with them. I don't I know if you've noticed, but they did fix the portion where the tree fell on the corner and then it looks like they are working on a porch roof today or recently. They have the paper down for new asphalt shingles, so hopefully we will see some more progress there. But, I did just want to let you know that we have met with them and they are making progress.

Jennifer Smith asked if he is roofing that whole thing or just patching it?

Keri Mendler said just patching it at this point, he said the roof wasn't leaking anywhere. Keri Mendler said Code Enforcement specifically asked if it was leaking inside and he said no it's dry and there is no water coming in down the walls. So, I guess that's a positive that there is no internal damage. But, yes, they are working towards that project.

Board discusses.

Chairman said I didn't bring this up, but it's already been put on the table, the word Code Enforcement.

Keri Mendler said I don't know how much I can answer, I'm in Planning.

Chairman asked Keri if she knew anything about the property at 509 Everett Street that's been boarded up for I don't know how long now? There may have been a fire there at one time.

Keri Mendler said there was a couple who came a couple years ago and they had a COA for a bunch of work and then I think they started the work and maybe stopped.

Chairman said the only reason I am asking the question is because it was sent to me a few days ago. It's this house. (Chairman shows Keri a photo on his phone)

Keri Mendler said I don't believe this is the house I thought you were talking about.

Keri Mendler said they can board up a house.

Chairman says they can board up a house?

Keri Mendler said yes, if it's to secure the house, yes.

Archie Morgan said months ago, it was brought up about Code Enforcement involving the house on the corner of Church and Sunset. They are painting contractors and they still are. I'm just curious.

Keri Mendler said I sent them a letter, because that is a zoning violation. I don't remember where it stands, but I can go back and check.

Jennifer Smith said along the side of Church and which street is it that goes over to Hayne that it sits on? They've got blue Styrofoam around the bottom, I don't understand what that is?

Keri Mendler said I think it's to keep cold air from coming into their crawl space.

Archie Morgan asked Keri if they can leave it like that?

Keri Mendler said they are trying to keep their heating bills down. I think it's an elderly couple that lives there.

Jennifer Smith said it is.

Keri Mendler said I think that's what they are trying to do.

Keri Mendler said I think we had Code Enforcement check it out a while back.

Board members discuss.

Archie Morgan said the one with the painting people, they are parking all up in the yard.

Chairman said that's a violation.

Keri Mendler said I will see if Code Enforcement can help me with that. The painting business is one thing, the parking in the front yard is a different matter.

Archie Morgan said well there is a house a few down from it and I've counted 9 vehicles.

Keri Mendler said I'll be honest, home occupations can be one of the trickiest things for us to enforce.

Chairman asked why?

Jennifer Smith said how do you prove it.

Keri Mendler said yes, I think the painters, if I'm not mistaken, they were gone between 8-5.

Archie Morgan said you prove it by all the vans with ladders on it.

Jennifer Smith said they can say that's their family members who are living with them.

Keri Mendler said Jennifer is right. It happens quite frequently. But, we do the best we can. But, sometimes it's difficult.

Board members discuss.

ITEM 5. **Next Meeting** – April 11, 2022

ITEM 6. **Adjournment.**

Motion: Archie Morgan made a motion to adjourn this meeting.

Second: Jennifer Smith

Action: The motion to adjourn passed unanimously with the following votes:

AYES: **Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan**

NAYS: **None**

The meeting adjourned at 7:02 pm.

Respectfully submitted,

Richard F. Ali
Chairman

Ashlyn Penegar
Secretary to the Board

HISTORIC DISTRICT COMMISSION MINUTES

MONDAY, MAY 9, 2022 AT 6:30 PM

COUNCIL CHAMBERS - CITY HALL

300 West Crowell Street, Monroe, North Carolina

ITEM 1: Call to Order.

Richard F. Ali, Chairman, called the meeting to order at 6:30 p.m. Keri Mendler called the roll.

Members Present: Richard F. Ali (Chairman), Bob Bullard (Vice Chair), Jennifer Smith and Archie Morgan

Members Absent: None

Staff Present: Keri Mendler, Senior Planner; Mujeeb Shah-Khan, City Attorney; and Ashlyn Penegar, Administrative Assistant

Guests: Vickie Hedgepeth

ITEM 2: Approval of Minutes.

Chairman called for a motion to approve the minutes of the meeting.

Motion: **Jennifer Smith moved to approve the minutes of the April 11, 2022 meeting.**

Second: **Archie Morgan**

Action: **The motion to approve the minutes passed unanimously with the following votes:**

AYES: **Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan**

NAYS: **None**

ITEM 3: Conflicts of Interest.

There were no conflicts of interest.

ITEM 4. COA PLHR-2022-00168 Certificate of Appropriateness – The Historic District Commission is requested to consider a Certificate of Appropriateness request from Todd Hedgepeth to approve a previously added porch/awning to the side entry, wood handrails, wood columns, and previously extending the front porch and gable and adding hardie board siding at 406A E. Talleyrand Ave. (Parcel 09-231-178).

Keri Mendler and Vickie Hedgepeth came forward and were sworn in by the Chairman.

Keri Mendler introduced herself and said she was here to present a Certificate of Appropriateness request for 406A E. Talleyrand Ave.

Proposed Findings:

1. The subject property located at 406A E. Talleyrand Avenue is owned by Youth With A Mission Inc. and is zoning RMD (Residential Medium Density). (Exhibit 1.2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On March 28, 2022, the applicant submitted an application for the following projects due to a tree falling on part of the house:
 - a. Request approval of previously added porch/awning to side entry;
 - b. Request approval of previously added wood handrails to the front porch;
 - c. Request approval of previously added gable vent;
 - d. Request approval of previously added wooden columns to the front porch;
 - e. Request approval of previously installed hardie board on the new gable of the front elevation; and
 - f. Request approval of previously extended front porch and gable. (Exhibit 4-10)
4. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 6.4 titled *Historic Districts* of the Unified Development Ordinance.
5. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 11-12)

Keri Mendler concluded her presentation to the Board and said she is happy to answer any questions you may have and of course the applicant is here as well.

Archie Morgan asked Keri if all this work was completed prior to any COA approval, yes?

Keri Mendler said yes and I think William, previous Planning Technician, he was out doing inspections and he noticed the work and that's when he reached out to the property owners.

Archie Morgan said ok, were any permits drawn to do any of the work?

Keri Mendler said I don't believe so. When we looked in our system, we didn't see any permits, so that's another thing that they will need to do once everything is sorted out here.

Archie Morgan said ok.

Bill Bullard (Vice Chair) asked Vickie if she was home when this happened?

Vickie Hedgepeth came forward and introduced herself and said she lives at 410 E Talleyrand and we were home and it happened early morning and we didn't hear it, but our neighbor from across the street came running over and said that this had happened and they were crying, but no one was staying there. The person who had been staying there had left 10 days earlier. So, we are very thankful for that. The tree actually took the front of the house and pushed it into the front and the tree overhung the back of the house.

Archie Morgan asked Vickie if this was your home?

Vickie Hedgepeth said it is a house that we own. It's Youth with a Mission and I'm one of the directors of that mission's movement.

Archie Morgan said the obvious, and asked why no COA, why no permit?

Vickie Hedgepeth said when it happened, we had an appraiser come out. I'm actually surprised that we needed a permit, that's new to me because it was repairs. I think that my husband, who is also the president of Youth with a Mission. Because it was so much devastation and it was the repairs that needed to be done, so we weren't doing new things that needed a permit, but we were just getting it covered. We had an appraiser come out within 24 hours from our insurance agency and looking at the damage from what had been done and saying that anything that would happen after this incident would have to be on Youth with a Mission to cover all the costs. Looking at future rains, our main event was to make sure that we could save the house, because that was a concern for us. It was simply getting the truces repaired, that was the first 6 truces of the house that was damaged. Getting it covered, getting a new roof and then taking care of things from there.

Chairman asked if everything was strictly a repair?

Vickie Hedgepeth said yes.

Chairman asked if there was anything added in addition to the repairs? Like that side roof.

Vickie Hedgepeth said no. Yes, that was. So, what happened is that we extended the porch out to the end of the house and yes, that would need a COA and I will have to say that I was out of the country when that was happening. Anyways, so please I ask for forgiveness for that and would that be something that could work as we go ahead with repairing the roof and adding that on. As the contractor was out looking at it, he said have you guys noticed your damage that's on the side entrance. Even though there were gutters there, the water hits the stone steps and it splashed back onto the door, so we are needing to replace the whole framework because it's completely rotted. So, we needed some sort of protection and that would need the COA as well.

Archie Morgan asked if the railings were there before?

Vickie Hedgepeth said there were no railings before. The reason we wanted railings put in is because the different ones who are coming through with disabilities, staying at the house and needing to be able to come up and down to the house. In this COA, we have the railings, extension of the porch and the side covering.

Archie Morgan asked Keri if anything has been done to this house that lies in the face of the Historic District? That goes totally against the Historic District?

Jennifer Smith said it's the guidelines you are talking about.

Archie Morgan said yes, against the guidelines that we would tend not to approve?

Keri Mendler said that is really for the Historic District Commission based off of the conclusions and standards. I think you had asbestos or Masonite siding and they went with hardie board, but of course asbestos siding probably shouldn't replace that anyways. I know that's one change that there has been discussion on in the past. It would be a case by case, for sure.

Chairman asked what was done that wasn't a repair?

Keri Mendler said extending the porch, the roof over the one entrance and the railings. There was a metal railing before on the original roof, but as Ms. Hedgepeth said, this is as far as safety and compliance.

Archie Morgan said when hurricane Hugo came through, we lived out in the country, but we had a large oak tree that came through the house and did a lot of damage. That's the first thing I thought of when I saw the pictures. So, like anybody else, we would try to get someone out there quick to get the tree off the house, stop the water and all these things to get some repairs done quickly. If we would have done the COA's ahead of time, but I'm not speaking personally, I don't see anything that's been done here that's bad that we probably wouldn't have approved anyways. A roof, an extension and some railings, especially given then thought of who occupies the house. That being said, nothing is jumping out at me that looks like this isn't the Historic District at all.

Bob Bullard (Vice Chair) said I think, with the extent of the damage, I wouldn't have wanted to wait a month or two.

Chairman said I almost feel your pain, we lost an 80 ft. black walnut two nights ago, but luckily it fell away from the house, or we would be in the same situation.

Archie Morgan said she is before us now, so can we approve the COA? Then she can get the proper permits and they will come in and inspect and if it's not right, they will have to make it right with code and that kind of thing.

Chairman said based on the comments, would you like to go ahead and make a motion?

Jennifer Smith said she had a comment. The only thing that bothers me a little bit, I'm actually ok with it. But, I don't think that railing or those posts go with that house at all. I think they would need spindles on it or some type of column other than just wood 2 x 4 thing. I know there was a metal one holding it up there before. But, the house was built in 1945.

Chairman asked if there was metal railing there before?

Vickie Hedgepeth said there was a metal ironwork, sort of work from the 70's.

Archie Morgan said yes, there is a picture of it. Sort of a trellis looking thing.

Vickie Hedgepeth said any of those asbestos siding pieces that we could save, we used to repair underneath the porch, and then we just went with the hardie board. But, we lost it and couldn't find the metal piece, so with the railing, I totally get that. I think that once it's painted, we have to wait months before it's done to be able to do it, but with it being wood, it just doesn't work. But, there is an example of it with a similar house on W. Franklin where we had gotten some design ideas from. I think once the painting is done, the landscaping, it's just a short, just the loss of that tree. It really just seems, especially after it was cleaned up, looks so desolate. Honestly, if the tree hadn't fallen and we had seen the side, all those things would have come before you. But, simply having to make some pretty fast decisions, timely decisions. But, we were wanting to do it with integrity and I know we are out of order in this piece, but I believe the integrity of the work being done is very complementary to the house itself.

Bob Bullard (Vice Chair) said well I think it looks better after than it did than before.

Jennifer Smith said true.

Vickie Hedgepeth said yes, we did have people stop by this weekend and they said this looks so much better. We have had quite a bit of people stopping to say, being able to turn lemons into lemonade, we actually like it better. We want it to be a little jewel of the street.

Chairman said the concern about the railing, or hand railing. Are you ok with it?

Jennifer Smith said I am, I just would have liked something different. Something spindle or column like or typically in these houses they have the wood base and they are kind of sculpted up and then square and not just a full round column all the way around.

Chairman asked if the porch deck was wood?

Vickie Hedgepeth said yes.

Jennifer Smith said now they have a place to sit and they have a little porch there.

Chairman said it seems to me that it's pretty close to the railing at 600 Church.

Vickie Hedgepeth said yes, it's almost identical to W. Franklin.

Archie Morgan asked if Jennifer would like to make a motion?

Motion: Jennifer made a motion that the Historic District Commission find as a fact, that the proposed project COA application PLHR 2022-00168, if constructed according to the plans reviewed at this meeting is congruous with the character of the district because the standards state it is that the applicant is requesting. Therefore the application is generally in harmony with the special character of the neighboring properties and the Historic District as a whole.

Second: Archie Morgan

Action: The motion to adopt the Findings of Fact passed with the following votes:

AYES: Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan

NAYS: None

Chairman asked for a motion to approve the Certificate of Appropriateness.

Motion: Archie Morgan made a motion based on the preceding Findings of Fact that the Historic District Commission grant a Certificate of Appropriateness regarding the proposals as shown in COA application PLHR 2022-00168. Such certificate to be subject to the conditions contained in the previous motion.

Second: Richard Ali

Action: The motion to approve the Certificate of Appropriateness passed with the following votes:

AYES: Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan

NAYS: None

Other:

Chairman asks is there is any other business that anyone would like to discuss?

Bob Bullard (Vice Chair) asked Mujeeb Shah-Khan, City Attorney, if the City of Monroe could do anything about an abandoned property at 110 S. Crawford St.

The City Attorney noted the extent of what the City could and could not do under North Carolina law based on the condition of the property. The City appeared limited as no visible violations of the minimum housing code were present.

Bob Bullard (Vice Chair) asked Keri about 607 S. Church St. and said they were running a room house, lots of cars. A lady bought that house a few years ago and she moved here from somewhere out west in California or somewhere like that. Now there are 5 to 6 cars parked there all the time. There is a lot of investment being made on Church St., so when someone comes in and buys one of these houses and turns it into a rooming house, that tends to negate some of the investments being made.

Keri Mendler explained that staff would look into the matter, but it can be difficult to prove anything in those types of cases.

City Attorney provided additional information about the fact that for the City to begin an enforcement proceeding, the City would need to have sufficient proof not based on speculation. Especially as an attempt to go into the property requires probable cause for a Magistrate Judge to issue administrative warrant. The credibility of the City before Magistrate Judges requires that the City would not seek a warrant if probable cause did not exist. The City would not be placed in the position of a Magistrate Judge denying an application for an administrative warrant.

ITEM 5. **Next Meeting – June 13, 2022**

ITEM 6. **Adjournment.**

Motion: Archie Morgan made a motion to adjourn this meeting.

Second: Jennifer Smith

Action: The motion to adjourn passed unanimously with the following votes:

AYES: **Richard Ali, Bob Bullard, Jennifer Smith and Archie Morgan**

NAYS: **None**

The meeting adjourned at 7:05 pm.

Respectfully submitted,

Richard F. Ali
Chairman

Ashlyn Penegar
Secretary to the Board

**CITY OF MONROE
PARKS AND RECREATION COMMISSION MEETING
APRIL 5, 2022
MINUTES**

The Parks and Recreation Commission of the City of Monroe, North Carolina met in the Old Armory Community Center at 500 S. Johnson Street, Monroe, North Carolina at 6:00P. M. on April 5, 2022.

Present: Chair Rhonda Griffin, Vice Chair Tiffany Wilson, Debbie Dillion

Absent: John Thomasson

Staff Present: Assistant City Attorney Ashley Britt, Ryan Jones, Darren Baucom, Fred Baber, Rae Moore, and Angie Sustar

Chair Rhonda Griffin opened the meeting and welcomed everyone in attendance.

Item No. 1. Approval of Minutes from January 4, 2022

Chair Griffin called for a motion to approve the minutes of the meeting.

Motion: Debbie Dillion moved to approve the minutes of the January 4, 2022 meeting.

Second: Vice Chair Tiffany Wilson

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: Debbie Dillion, Vice Chair Tiffany Wilson, and Chair Rhonda Griffin

NAYS: None

Item No. 2. Belk Tonawanda Park Phase IB Project Update

Parks and Recreation Director Ryan Jones provided a project update, presented an artist rendering of the “Splash” pad, and provided information on its location within the park. This project also includes a picnic shelter with adjacent restrooms, a fully inclusive fitness station and the bocce courts will be relocated.

Item No. 3. Senior Center Renovation Project Update

Mr. Jones provided a brief a project update. He advised that construction is underway and on schedule. All furnishings and audio-visual equipment will be ordered in the near future. Mr. Jones stated the new facility will provide opportunities to diversify program offerings.

Vice Chair Wilson asked when the project would be completed. Mr. Jones stated that tentatively the completion time frame is the end of summer to early fall as long as construction remains on schedule.

Item No. 4. General Program Updates

Recreation:

Mr. Jones announced Thomas Latimer has been promoted as the Recreation Centers Supervisor. He now supervises all recreation community centers. In this role, he will focus solely on the community centers and programming, and engage with the community. Mr. Jones stated that this position has been changed from what is was previously. He stated that Mr. Latimer was previously the center supervisor

at Sutton Park Community Center for over eleven years and in that time had built relationships within that community. Mr. Jones is excited to see him build relationships at the other community centers as well.

Mr. Jones announced the hiring of two center supervisors. They are: George Massey at the J. Ray Shute Community Center and Ashura Colquhoun at the Sutton Park Community Center. Mr. Massey has been a part-time employee at the J. Ray Shute Community Center for six years and has been very dedicated to that community. Ms. Colquhoun has over five years of experience working with individuals with intellectual and developmental disabilities. She holds a bachelor's degree in recreation and parks management with a concentration in recreational therapy.

Mr. Jones stated that participation numbers at the community centers are growing and enrollment for summer day camp at the Dickerson Center is underway.

Athletics and Special Events:

Athletic and Special Events Coordinator Rae Moore provided an update on athletic programs and upcoming events. She stated that athletics are in full swing in baseball with a total of nine teams which is 110 participants. She credits the increase in participants to offering sports to the younger age groups. There is also an increase in youth track and field, where there are 150 participants and 24 on the waiting list. As well, there has been increased interest in adult softball. Open pickle-ball play was offered each Wednesday in March. Ms. Moore has worked with an organization, Tennisbloc, to offer tennis and pickle-ball programming. There will be a ten-week summer session offered June through August at the Dickerson courts. Registration for the ten-week session is through Tennisbloc. Ms. Moore provided an update on the United Senior Games currently underway.

Ms. Moore stated the Easter Eggstravaganza held at the Parks Williams Athletic Complex was a great success with a huge crowd and beautiful weather. She shared the upcoming special events line up with the Car "Cruise In" 6pm – 8pm this Friday, April 8th, Music on Main is Friday, April 22nd, an outdoor movie event on Friday, April 29th at Dickerson Park, and a 5K event on May 7th at MAFC.

Chairman Griffin asked if with the Dowd Theater open downtown, is there a master calendar of special events for the City? Discussion followed.

Member Dillion asked if Parks and Recreation have anything to do with the new science center. Mr. Jones advised that the science center is under the Tourism Department and Pete Hovanec is the Director.

Mr. Jones stated that the Parks and Recreation Department manage the parks, recreation facilities, and the MAFC. He advised that the science center, The Dowd Theater, and the golf course are under Tourism.

Chairman Griffin made the suggestion that it would be help for a list of what falls under the category of Parks and Recreation be made for the advisory board members. Mr. Jones stated that he will provide the information requested. Discussion followed.

Monroe Aquatics & Fitness Center:

Interim Director Fred Baber provided a brief update on programs. Mr. Baber announced hiring Bonnie Hoag as Aquatics and Fitness Supervisor. This position was previously held by Cindy Lisk who retired

last year after twenty-two years of service. Bonnie has been with the MAFC for four years and worked with Cindy. He advised that hiring for summer positions is underway.

Parks Maintenance:

Parks Maintenance Superintendent Darren Baucom provided an update on projects that are currently underway. Staff is transitioning between winter and spring projects. He advised that the outdoor courts painting project of the resurfaced basketball courts at Dickerson Recreation Complex is almost complete. The court will feature two half courts and a full court.

Member Dillion asked if there were Pickle-Ball courts at Dickerson. Mr. Baucom stated there were six on the tennis courts.

Vice-Chair Wilson asked if the basketball courts at Sunset were the City of Monroe. Mr. Baucom stated yes and that it was in next year's budget to address.

Vice-Chair Wilson made a request for a track in the City of Monroe. She stated there's no track for children to practice on during the weekend because schools are closed. She suggested that one be put at Parks Williams Athletic Complex.

Chairman Griffin asked if the middle schools have track. Ms. Moore stated that this year track and field was offered to middle school students. Discussion followed.

There being no further business, Chair Rhonda Griffin called for a motion to adjourn this meeting.

Motion: Vice Chair Tiffany Wilson made a motion to adjourn this meeting.

Second: Member Debbie Dillion

Action: Motion to adjourn passed unanimously with the following votes:

AYES: Debbie Dillion, Vice Chair Tiffany Wilson, and Chair Rhonda Griffin

NAYS: None

Respectfully Submitted,

Angie Sustar,
Administrative Assistant
Parks and Recreation Department

PLANNING BOARD MEETING

February 2, 2022 @ 6:00 PM
City Hall – Council Chambers
300 W. Crowell Street, Monroe, NC

*To Sheri Laney on February 3, 2022
Scheduled for adoption at the March 2022 meeting*

Item 1. Call to Order/Roll Call

Chair called the February 2, 2022 meeting to order at 6:00 p.m. William Nance called the roll. Chair noted that a quorum was present.

Members Present: Richard Yercheck (Chair), Jennifer Smith (Vice Chair) (arrived 6:05), Richard Ali, Renee Hartis, Patrick Furr, Margaret Desio (arrived 6:05), Kenneth Deal, David Dotson and Archie Morgan

Members Absent:

Staff Present: Doug Britt, Senior Planner; William Nance, Planning Technician; Ashley Britt, Assistant City Attorney

Guests: Brice Dimitrik, Eagle Engineering
Matthew Kirchner, Eagle Engineering
Joe Musca, Ryan Homes
Bob Yanacsek
Angelia James, Councilmember

Item 2. Approval of Minutes of Meetings

Chair stated they were moving onto approval of the minutes from the January 5, 2022 meeting. Renee Hartis made a motion to approve the minutes, however, Richard Ali said he had a comment. Chair responded by saying he needed a second to the motion. Archie Morgan seconded. Chair then asked for any discussion or changes that would like to be made to the minutes. He asked if Mr. Ali found something that was bothering him. Mr. Ali stated that he did. Mr. Ali then stated that he knew Renee wasn't here the last meeting, but was shown to have voted. Mr. Ali stated that the incorrect motion was on page 10, showing that Renee voted in favor of the motion. Ms. Hartis said that she missed that and that it does need to be removed. Doug stated that it will be taken care of. Ashley Britt responded by saying it would be fine to approve the minutes subject to that change, and it will be fixed. Chair asked Mr. Ali if he was fine to approve the minutes subject to the change. Mr. Ali responded that he was.

Motion: Renee Hartis made a motion to approve the minutes of the January 5, 2022 meeting subject to the change.

Second: Archie Morgan

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: Richard Yercheck, Richard Ali, Renee Hartis, Patrick Furr,
Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

Item 3. Annexation of 67.376 acres located along Waxhaw Highway and further identified with Tax Parcel 09-321-003

Item 4. Zoning Map and Text Amendment request for the property located along Waxhaw Highway to annex and rezone the property from RA-20 and RA-40 (Union County Residential Low Density) to Conditional District (CD) "Waxhaw Landing Phase 3" and further identified as Tax Parcel 09-321-003

Doug Britt, Senior Planner, introduced these items together. He said this is an Annexation and Zoning Map and Text Amendment request for properties located along Waxhaw Highway. He said the applicant is requesting an Annexation and Conditional District rezoning in order to develop a 190-lot single-family detached residential subdivision. He said the total area of the project is 67.376 acres, and the area being annexed is 67.376 acres.

Doug said the subject property is zoned Union County RA-20 and RA-40. Doug said the property to the west is zoned Conditional District "Waxhaw Landing"; the property to the east is zoned Union County RA-20; the property to the north is also zoned Union County RA-20, and the property to the south is Union County RA-40.

Doug explained this was a second phase of the already approved "Waxhaw Landing Phase 1".

Doug went over the site plan and stated the developer is proposing all lots to be 51-feet wide. Doug said the developer is proposing a front setback of 20 feet, a side setback of 5 feet, a corner setback of 10 feet, and a rear setback of 20 feet. He said the applicant is proposing to install a five (5)-foot wide sidewalk on both sides of interior streets, as well as an eight (8)-foot wide sidewalk along Waxhaw Highway.

Doug said the project is required to provide at least 12.5% of open space for the land area. He said this project is providing 36% or 24.37 acres. He said the amenity area will include two gathering areas, a playground, and residents will be able to access all amenities within "Waxhaw Landing Phase 1". These amenities include walking paths, benches, exercise equipment, a playground, clubhouse, pool, and pocket parks.

Doug stated that street trees will be provided throughout the development, and each home will have at least two (2) yard trees. He stated that streams throughout the project will have a 50-foot stream buffer as required.

Doug described where the development will tie into the original "Waxhaw Landing Phase 1".

Doug said a Traffic Impact Study was required for this project as well as the first phase. He said four items were mentioned in the staff report and site plan. Doug then described the four items. He said at the intersection of NC 75 and S. Rocky River Road "Do Not Stop On Tracks" signs at the Southbound approaches before the railroad tracks will be added; at the intersection of NC 75 and Fletcher Broome Road "Do Not Stop On Tracks" signs at the Southbound approaches before the railroad tracks will be added; at the intersection of NC 75 and NC 84, a right-hand turn lane will be added; at the intersection of NC 84 and NC 200, a right turn lane will be added.

Doug said the only requirements for this project will be a left turn lane off of Waxhaw Highway, as well as a right turn lane into the site. Doug stated that regardless of the motion made on the item, staff would clarify the transportation requirements.

Doug showed the proposed elevations which were in the packet. He said as stated before, the minimum heated square footage as proposed for the homes will be 1,600 square feet, an increase from "Waxhaw Landing Phase

1". Doug said the elevation materials for the project consist of brick, fiber cement, stone and stucco. He said the developer is proposing the front façades of all homes to be at least 25% brick or stone.

Doug said all homes will be required to have two (2)-car garages with parking space in the driveway enough to accommodate two (2) additional cars.

Doug showed a Land Development Plan map, which is a future Land Use map that shows that the area is within the Suburban classification. He said the Suburban classification allows a density of 2-4 units per acre. He said the proposed project is consistent with the Land Development Plan since it is at 2.83 units per acre. He said lot sizes range from approximately 6,000 square feet to slightly under 8,000 square feet.

Doug said the applicant did hold a virtual neighborhood meeting on September 29, 2021. He said there was one household that attended this meeting.

Doug stated that as always, prior going to City Council, staff will be responsible for notifying adjacent property owners as well as posting the property.

Doug said staff does recommend approval of this project and he will be glad to answer any questions. He said the applicant is here with a presentation as well.

Archie Morgan said he had been out that way and asked Doug how many houses do we want that are side by side and from the 300s. Mr. Morgan stated there was not much land left in the vicinity and asked how many houses had already been approved in the area. Doug said he gathered information regarding the number of approved houses in the area. Doug stated that "Waxhaw Landing Phase 1" had been approved at 500 lots. Margaret Desio then asked if "Waxhaw Landing Phase 1" had been approved. Doug informed her that it had been approved, and the first phase is ready to begin construction. Doug then mentioned the other surrounding developments that have been approved. He stated Alexander Commons was approved for 77 lots and Lexington Commons was approved for 234 lots. Doug then detailed the Southwinds Townhomes and Patio Homes which were approved at a density of 4.6 and 5 units per acre. He stated Secrest Commons was approved at 472 units, but has reduced its lot count to around 372 units. Patrick Furr then asked what the total count would be. Margaret Desio then confirmed the count to be close to 1,500.

Patrick Furr then asked Doug if 1,700 starter homes would be added around the national historical homes. Doug then informed Mr. Furr that this decision is up to City Council, not planning staff.

Vice-Chair then asked Doug if the tract to the right of Browning's Greenhouse would be townhomes. Patrick Furr added that they were already grading on this property. Doug replied and said this was not a location for townhomes. Doug confirmed that the tract Vice-Chair was discussing was "Waxhaw Landing Phase 1", which was approved for single-family detached ranch homes. Vice-Chair asked how many homes were approved. Doug replied that there were 500 approved. Mr. Furr referred back to his comment and asked if this was the tract in which the grading was occurring. Doug confirmed this is the parcel that is currently being graded. Mr. Furr asked when the project was approved. Doug informed him that it was approved in 2020 and clarified the parcel.

Archie Morgan asked if roughly 1500 have been approved already. Doug confirmed this to be true.

Margaret Desio asked Doug who the builder was. Doug stated he was unsure if there was a builder yet, but the developer could answer that question during their presentation.

Margaret Desio stated that she was confused about the different phases of the project. Ms. Desio pointed out a parcel of land on the map where grading is occurring, and Doug informed her it was the approved "Waxhaw Landing Phase 1". Ms. Desio then pointed to a different property, which Doug clarified was phase two (2) of the

project. He stated that staff is still processing this portion of the development, but has not gone before the Planning Board yet. Ms. Desio asked if this was the last phase. Doug stated that he is only aware of three (3) phases.

David Dotson asked if the parcel with the greenhouse is planned for development. Doug informed him that he does not know of anything at the moment. Mr. Matthew Kirchner with Eagle Engineering said that he would be able to answer the questions. Doug said that he cannot predict when people will call in regards to new development on certain parcels.

David Dotson asked Doug if all three phases of the project were in the pipeline when the first phase was approved. Doug stated that this was Keri Mendler's project, however, he was not aware of the additional phases until shortly after "Waxhaw Landing Phase 1" was approved. He stated this was a fairly common occurrence.

Archie Morgan asked if Planning Board has seen phase two (2) of the project yet. Doug said that Planning Board has not seen phase two (2) yet. Mr. Morgan then asked how many lots this phase would be. Kenneth Deal stated this phase would be 91 lots. Doug stated this project had not gotten to Planning Board yet, and 91 lots is the current count. Doug said that the reason the project had not gotten to the Planning Board yet was because of a problem in the annexation portion.

Chair asked if there were any other questions for Doug. There were none.

Chair asked if Matthew Kirchner would like to come up to give his presentation.

Mr. Matthew Kirchner from Eagle Engineering came forward to give a presentation on the project. He said that Jim Murray of the City of Monroe Engineering Department had comments on the annexation plat for phase two (2) of the project.

Mr. Kirchner stated the developer, builder, and applicant for this phase of the project are totally different from the originally approved phase. Mr. Kirchner said that he was not involved in the first phase of the project. He stated that the first phase was by Frank Howey for 500 homes and was done through the Monroe Township LLC. He clarified that this project is with BRD Holdings.

Mr. Kirchner said that the projects were all grouped as "Waxhaw Landing" because DOT preferred these phases.

Mr. Kirchner highlighted phases one and three of the development. He then discussed Alexander Commons, pointing out that these were small entry-level homes with vinyl siding.

Mr. Kirchner said he would go through the elevations that he had, stating these will be seen in all of the phases.

Mr. Kirchner showed a colored rendering and stated that they had worked with the City to connect the phases of the project. He stated this was to allow the phases to share open space, trails, and amenities.

Mr. Kirchner then pointed to two parcels and explained that the seller of the subject property was related to the neighboring property owner. He stated this is the parcel in question from earlier. He said this family member had no interest in selling.

Mr. Kirchner said that because the property owner had no interest in selling, water was not extended to their property. He stated that the water main that will run to the subject property is currently under construction for phase one of the project. He said that they are currently working with the City to extend the water main from New Town to the first phase. Patrick Furr then asked Matt where the water main was extending from. Mr. Furr asked if it was from Martin Luther King. Mr. Kirchner informed him that it is from New Town, coming down across

and running across the front side of it. Mr. Kirchner said that there was water at Alexander Commons, however, it was the City's lower pressure system. He stated that this was as far as that specific water line could come. Mr. Kirchner then stated that they have a 12-inch water main that is extending down to Waxhaw Landing. He said that even though the water main is extending down to Waxhaw Landing, the system could only support these projects. He stated that no one else on either side will be able to obtain access due to limited capacity. He stated that even if folks wanted to come on, it is not a loop system, therefore no one else could. He said that no one would be able to develop in this area because there is no water anymore.

Mr. Kirchner continued his presentation, discussing the one community member that attended the meeting. He stated that this person was located to the south of the property. Mr. Kirchner said that the gentleman was nice on everything they discussed. He said that this gentleman is leasing property for farming. He said that the only change to the site was shifting a pond forward. He pointed to a location on the map that he indicated was a shared access that the gentleman had with the current owner of the property. He said that this shared access was in the form of a gravel path that was used to get farm equipment in and out. Mr. Kirchner said that they reached an agreement with the gentleman and they will not be using the back portion of this property at all.

Margaret Desio asked who owned a property. Mr. Kirchner responded by saying that his company did, but the gentleman uses the gravel path located on the property to access his farm fields. Matthew clarified this was the reason they decided not to touch this portion of the property.

Mr. Kirchner then showed a photo of the monument sign. He said that the signs for all these phases were similar so that they will tie together. He said the signs would be brick and stone, along with metal to draw people into the area.

Mr. Kirchner highlighted on the map the layout of the proposed development. He stated that there was a single road that comes in, working from a less dense area in the front, to a more dense area in the back. He said they were leaving more open space around the front, which would be seen from Highway 75.

Mr. Kirchner again highlighted the portion of the property on the southern border that will house the detention ponds. He emphasized the area that was being altered, saying the pond was being shifted upwards. He said this will allow for access into the fields for the gentleman who farms.

Mr. Kirchner showed street views and elevations for the proposed development. He said it was a mix between ranch-style and two-story homes. He went through some of the typical homes. He stated these homes are not like what you see in Alexander Commons, which includes a 30' product with vinyl siding. He said that this development will range from \$375,000 to \$500,000. He said that Mattamy was the builder for the first phase and will more than likely take over this phase as well.

Margaret Desio asked about exterior materials. Mr. Kirchner emphasized that no vinyl siding will be used.

Archie Morgan asked about the square footage of the homes. Mr. Kirchner said the minimum square footage will be 1,600 square feet, which is higher than that of the first phase. He said he does not know why they did 1,400 square feet as the minimum on the first phase. He said that they did not have a floor plan less than 2,000 square feet that is being offered on the first phase. Mr. Kirchner said that he did not have an elevation here that is less than 2,000 square feet.

Mr. Kirchner presented examples of the proposed homes. He stated that these examples were real houses that were currently being used as model homes. He stated that these are not renderings but they are real-life options to be shown. David Dotson asked for clarification on the elevations, as he said he did not understand. Mr. Dotson asked if these were the elevations that were in the packet. Mr. Kirchner explained that these were not the elevations in

the packets. He said that staff needs the renderings so early in the process to prepare the packets, but the elevation will be updated in the Council packets. Mr. Kirchner said this was the minimum piece, almost like the DOT portion of things.

David Dotson asked if Mattamy Homes was the builder. Mr. Kirchner responded that Mattamy Homes is the builder for phase one (1), but has not committed to phase two (2). Mr. Kirchner said although they have not committed, they have allowed them to use the elevations that are being presented, and are committed to those elevations.

Margaret Desio asked who the builder is for phase three (3). Mr. Kirchner informed her that no one will sign a contract until things are approved. He said that right now, Mattamy owns phase one (1). Mr. Kirchner said they will more than likely take over phase three (3), but cannot say they are committed to it as they have not signed any contract. He said that more than likely because they are building the first 500 houses, they will take over the additional phases as well.

Mr. Kirchner pointed out the clubhouse that is being proposed. He said as part of the phase one (1) rezoning, they agreed to put this structure up first. He said that even before the parcel is subdivided they are pulling the vertical building permit for the building underneath the overall parcel. He said this will occur before the first house even goes up.

Patrick Furr asked where the proposed clubhouse is located on the plan. Margaret Desio then replied that they want all the houses built like that. Vice-Chair concurred saying she agreed that all houses needed to be built like the clubhouse. Patrick Furr then asked again where the clubhouse will be located on the parcel.

David Dotson stated that the clubhouse is located in the middle of phase one (1). Mr. Kirchner agreed.

Mr. Kirchner asked to turn the lights off so the location could be seen easier. He then clarified which phase was being discussed tonight, where the clubhouse location was, and where the phases will tie together.

David Dotson asked Doug if he could display the color map. Doug displayed the color version.

Mr. Kirchner stated that the phase one (1) pool is being upgraded and is being built first to be able to have it sooner. He stated that phase three (3) also now has an increased amenity count.

Patrick Furr asked out of all three phases how many homes are anticipated. Mr. Kirchner said that there are 781 houses proposed.

Discussion followed. Some of the conversations were inaudible.

Archie Morgan said, "that is a lot of people sharing a pool". Mr. Kirchner said that they upgraded the pool and added more amenities.

Mr. Kirchner said he wished he would've brought out the proposed amenities for phase one (1) so the upgrades could be seen. Mr. Kirchner said just know this is a huge upgrade from what they were proposing for the first 500 lots in the original rezoning.

Margaret Desio stated that 500 lots is just scary. Patrick Furr responded by saying it is 781 total. Mr. Kirchner said that the 500 lots were already approved, construction plans were approved, and is being constructed as we speak.

Mr. Kirchner then referred back to the presentation, calling out the clubhouse. He showed where the pool area and gathering areas were. He said the things that they are adding to the phase 3 area, which is being voted on tonight, are a kids tot lot, another gathering area with a fireplace, a covered area, and trails that will all be connected.

David Dotson asked Mr. Kirchner to show him where the trails are. Mr. Dotson asked Mr. Kirchner if he could go back to the color rendering. Mr. Dotson asked him to show on the color rendering, where the trails are in phase one (1) and where they are going to connect in phase two (2). Mr. Kirchner said that he could not show him on the color but could show it on the black and white. Mr. Dotson said he could not see it, but he would try. Mr. Kirchner then came back to a color rendering, to which he stated that the trails are not shown. Mr. Kirchner said that on the black and white they have to call out. Mr. Kirchner said that wherever you see the open areas, they have another mile of trails to wrap into phase three (3).

Vice-Chair pointed to a line on the site plan and said the trails were there. David Dotson replied that what she was looking at was a utility buffer. Mr. Kirchner explained that this was the sewer line.

David Dotson clarified that he was just looking for the location of the trails.

Mr. Kirchner said that they will have fountains in all the ponds.

Richard Ali said that he had a question for Matt. Mr. Ali asked what they were looking at, and he said he was getting more and more confused as they went on. Mr. Ali stated they were talking about phase three (3), but seemed like they were hearing more about the other phases. He stated that this was causing things to get very muddled for him. Mr. Ali asked why they were not just talking about what they were looking at and what they are to approve tonight. Mr. Kirchner responded that he is proposing 189 lots. Mr. Ali asked what the pool had to do with it because it was already approved. Mr. Kirchner stated that the pool has been upgraded from what has been approved. Mr. Kirchner said that instead of having a normal, basic small pool, they had upscaled it all the way through. He stated that they had added a kitchen and gathering area to accommodate additional lots. Mr. Kirchner stated that this was done instead of having two pool areas, they delivered an extremely nice pool area at this location. He stated that the option was to do two low-end pools or one high-end pool, therefore they took the budget for a pool, and put it all towards a high-end pool. He stated this would make it more of a high-end subdivision. Mr. Kirchner then said they took the extra areas and added a kid's park as well as a gathering area with a fireplace.

Richard Ali then stated that he wanted to go back to the houses for a second. Mr. Ali said that they were not really seeing the elevations for phase three (3) tonight. Mr. Kirchner responded by showing him the phase three (3) elevations. Mr. Kirchner stated that the elevations are what they are proposing for phase three (3) and that they will be recorded if it gets approved as part of phase three (3). He stated that the only differences that can't be seen are the upgrades to the clubhouse. He stated that in the next one he will bring what they have and what they are proposing.

Richard Ali asked Matt again if these are the actual elevations. Mr. Kirchner said that these were the actual elevations for phase three (3).

Patrick Furr asked Matt to go back to the entrance. Mr. Furr then asked Matt if he built the little project that is right beside it. Mr. Kirchner asked him if he was referring to Alexander Commons. Mr. Furr confirmed that Alexander Commons was the one he was inquiring about. Mr. Kirchner told him that he did not build that one. Mr. Furr asked Matt if he saw the entrance to that. He stated that it was horrible. Mr. Kirchner referred to the image of the entrance he had presented and told him that this will be recorded. Mr. Kirchner stated that he took notes from previous meetings on entrances and that was why he added it into his presentation. Mr. Kirchner stated this will have to be done if approved. He stated that this locks it into place, and will have to be done as shown or better.

Margaret Desio asked Matt if Mattamy Homes had done this anywhere before. Mr. Kirchner said that Mattamy Homes builds all over the place. Ms. Desio asked if Matt could give her a place that she can go look, that Mattamy has already built, that is going to be like this. Mr. Kirchner stated that Indian Trail had some developments such as Braeburn that she could look at. Mr. Kirchner said that this would show her the house sizes and houses. He stated that they have two in Indian Trail, as well as one in Mint Hill. He said that he could send her a link, or do Mattamy Charlotte. Mr. Kirchner said that they did Bonterra.

Margaret Desio said that she knew they had to vote tonight, but they could be in touch with City Council. Mr. Kirchner stated that they also have phase two (2) that is coming up. Ms. Desio said that they get a lot of pretty pictures but it is helpful to be able to see what is actually going in. Mr. Kirchner responded that these are real photos, not renderings. He stated that this photo was of the model home which is why there is no driveway, but it is a built house. He said he could also send the location of where they pull the houses from. Ms. Desio said that would be great.

Archie Morgan said with all due respect to the expanded amenities, there are close to 800 homes going in there. Mr. Morgan stated that they would need at least three Olympic-size pools. Mr. Morgan said that it was a lot of people. Mr. Morgan said it was 800 homes with kids. Mr. Morgan said that he doesn't know what all has been done to the amenities, but he feels sure that it was not enough. Mr. Kirchner said that Mr. Morgan was talking about phase one (1), but he was proposing 190 homes. Mr. Kirchner stated that the 500 homes was something totally different. Mr. Morgan said that he understood that he had already been approved for the 500 homes. Mr. Kirchner clarified that he has not been approved for 500, that was a totally different person. Mr. Kirchner stated it was a Frank Howey, and a different rezoning, different person. Mr. Kirchner said this was from BRD, which is a totally separate project by itself.

Kenneth Deal said that he was going to challenge the assertion that it is a totally separate project, and the reason is that the proposal is too large to have a single entrance. Mr. Deal said that they were flowing two roads into phase one (1) to get around having an additional entrance and exit out of the development. Mr. Deal said that this adds traffic flow. Mr. Deal said that they're talking thousands and thousands of vehicles floating in the inner roads and coming out. Mr. Deal said that the people in the back are going to cut through phase one (1) to get out rather than zig-zagging all the way up to get out of their own entrance. Mr. Deal said that even though phase one (1) has been approved, it will have to be changed. Mr. Kirchner said that in working with the City, one of the things they look at is interconnectivity. Mr. Kirchner clarified that the stub-outs are already being constructed as part of phase one (1). He stated that even if phase three (3) does not go in, the stub-outs will stay.

Mr. Deal said they are using the pool from phase one (1) as an amenity to get phase three (3) approved, so they are going to ask questions about that. Mr. Kirchner said he understood. Mr. Deal said it has also been two years and so many other projects have been approved. Mr. Deal said that they have to look at the whole piece of the pie, not just a little sliver. Mr. Deal asked Mr. Kirchner to bear with them as they try to analyze how his piece of pie fits into the pizza. Mr. Kirchner said he agreed, to take their time, and he would answer any questions.

Mr. Kirchner said if you are in that area and you are looking at the ones that have just been built that we are talking about, those 1700 lots, they are low-end housing. Mr. Kirchner said he is not asking for any more low-end housing. He stated that this is a high-end subdivision he is proposing.

Mr. Kirchner said if you go out to this area and are comparing this to the other 1500 lots, not phase one (1), but Alexander Commons, those are low-end, small, vinyl-sided houses. Mr. Kirchner stated that he is proposing high-end big houses. Kenneth Deal replied that he was giving him that and that wasn't something he was debating. Mr. Deal said that he still had to consider the traffic that was coming from that and the traffic that he was pouring out.

Margaret Desio asked if they could run through one more time how many 50-foot, 60-foot lots there were. Mr. Kirchner stated that they were all 50-foot lots. Mr. Kirchner said that he took the same product from phase one (1) so the house size would be similar.

Patrick Furr asked if they were all front-loading and what the starting price-point would be. Mr. Kirchner said he was told from \$400,000 to \$500,000. Mr. Kirchner said they will all be front-loading. Mr. Kirchner stated that you really need a 75-foot lot to do a side-load.

Chair asked if there were any more questions for Matt. David Dotson said he had just one more question, but he wasn't trying to drag it out. Mr. Dotson asked if he was correct that they are upgrading the amenities in phase one (1). Mr. Kirchner clarified that it was the pool that was being upgraded. Mr. Kirchner stated there were a ton of amenities in phase one (1). Mr. Dotson asked if Planning had seen it and if everything was good. Mr. Kirchner said the rezoning for phase one (1) is a recorded piece. Doug Britt stated that what they are upgrading for phase one (1) is not going to go back. Mr. Dotson asked if it needed to be permitted differently or what. Mr. Britt said that it would not need to be permitted differently from a zoning standpoint. Mr. Britt stated that Planning would look at what was approved at a minimum and if they wanted to do more, they could. Mr. Britt said that what is being looked at is phase three (3), therefore, they cannot go back and put a condition on phase one (1). Mr. Britt said that because it was not advertised and is not under consideration tonight, we cannot hold them to that. Ashley Britt concurred. Mr. Dotson said that they have no way of holding anyone to anything for phase one (1). Mr. Kirchner stated he could probably put a budget in black and white that they will put over to this.

David Dotson said that he was still stuck on the trails, and asked Mr. Kirchner to show them to him for phase three (3). Mr. Kirchner said that he did not have them tonight, but could get them to him. Mr. Dotson said that they did not have the trails, they did not have the right elevations, and they did not have a builder for certain. Mr. Dotson said he did not know what he could do to look at the presentation and see what the final product is. Mr. Dotson said that he cannot hold him to anything but what is shown. Mr. Kirchner said that he could make recommendations. Mr. Dotson said that he was saying that his recommendation is based on what he can see. He said that City Council can only base theirs on what is approved. Mr. Dotson said his point was that there was not anything for them to see. Doug Britt said that staff provided the elevations that they had at the time. Mr. Dotson said he was not saying it was staff.

Doug Britt said that yes and no phase three (3) was linked to phase one (1). Mr. Britt said that yes it does make a connection, but even if it was called "Subdivision A", Planning Staff would want the connection. Mr. Britt stated that even if the development had two entrances on Waxhaw Highway, they would still want the interconnectivity. Mr. Britt said that obviously, this is not the most popular decision, especially with Council. Mr. Britt stated that this case is different, as this project has not been built yet, and no one is living there. Mr. Britt said that no condition could be put on phase one (1) after phase one (1) has already been done, and phase three (3) is what is up for discussion. Mr. Kirchner stated that although they cannot hold phase one (1) to anything, they could hold phase three (3). Mr. Kirchner said that they could put the condition on phase three (3) to upgrade stuff on phase one (1). Mr. Britt said that he did not think this was possible.

David Dotson stated that they have nothing to look at. Mr. Dotson pointed out how the trails were not shown, the elevations were different, and there was no confirmed builder. Mr. Kirchner responded by saying that he could show the trails, but he did not have them with him. Mr. Kirchner said that he had the elevations in front of him.

Chair said they were going in a circle.

Richard Ali asked the Chair if there were any more questions. Archie Morgan said that he had one but for Mr. Ali to go ahead. Mr. Ali then stated that the proposal seemed to be incomplete. Mr. Ali made a motion that the proposal be tabled for 30 days until it comes back with everything.

Mr. Kirchner requested to know what was incomplete about the proposal. Richard Ali responded that people had brought up questions regarding trails. Mr. Kirchner then said pretend there are no trails. Mr. Ali said it is whatever he wants to do, he is only making a motion. Mr. Ali said that maybe no one will second, but he is making a motion for the proposal to be tabled.

Mr. Kirchner said that he is very confused as to what they want these days and it is making the process very hard.

Archie Morgan asked when phase one (1) was approved. Multiple members of the board responded that it was March 2020. Doug Britt confirmed this to be true.

Archie Morgan asked if the item is tabled what will it be tabled for. Mr. Morgan asked what more they want other than the trails. Mr. Morgan asked what is incomplete.

Chair asked if there was a second to the table motion. Chair stated there were none, therefore, the motion failed.

Patrick Furr stated the Chair talked so fast. Mr. Furr stated he would like to table the proposal. Mr. Furr said that they had gone to quite an expense to do this, and to throw it down the toilet, he would like to table instead.

Chair asked Patrick Furr if he was making a motion. Mr. Furr stated that he was making a motion to table.

Chair said there was now a second motion to table. Chair asked if there was a second to the motion. Richard Ali said that he seconded the motion.

Chair stated there was a second from Rich Ali to table.

Archie Morgan mentioned discussion. Mr. Morgan stated that he was not opposed to tabling it, but asked what information is wanted from the man next month that is not being heard. Vice Chair said trails and elevations. Mr. Morgan asked what other than trails. Mr. Morgan said the man has the elevations. Kenneth Deal said he showed us the elevations. Mr. Morgan concurred.

Chair said that the only thing that will be seen are the trails. Mr. Kirchner said only trails on paper.

Kenneth Deal said that if it is being tabled they would be like to see the rest of the amenities if they are coming back.

Patrick Furr said that he thinks everyone would like to see what was approved in phase one (1). Mr. Furr stated that this was a whole new board and they have not seen it.

Mr. Kirchner said that he wished the owner was here but the contract is at its time frame. Mr. Kirchner said that it took forever to get through Jim Murray on the annexation, so if it is tabled it won't be seen again.

Mr. Kirchner said that the board has to make their decision where it is.

Richard Ali asked if they table it will they see it again.

Mr. Kirchner said that based on what the client was telling him, if it is tabled, the contract is pretty much done.

Mr. Kirchner said that with the property owner they have used every extension possible.

Chair said there was a motion to table.

Doug Britt said that as far as mentioning the amenities in phase one (1), he has already told them what the amenities are. Patrick Furr said that they have not seen them. Mr. Furr said that Mr. Britt has told them, but unfortunately, this is a brand new board. Chair said that phase one (1) does not matter. Mr. Furr said they would like to see because it is right beside phase two (2) and phase three (3). Chair said that he understood, but tonight they must vote on what is before them. Chair said they cannot focus on phase one (1), and because it was brought up, they said they were doing some other things. Chair stated the information was ancillary to the decision to be made this evening. Chair stated the decision this evening was the annexation and the text amendment.

Doug Britt said that he wanted to make clear that the promises for phase one (1) amenities are great, and if they want to do more than they were originally required that is good. Mr. Britt emphasized again that the only thing being voted on is phase three (3). Mr. Britt said there could not be a condition added to phase one (1) via phase three (3). Mr. Britt said that if the board wishes to table it that is fine, but if it comes back in 30 days, they can show anything for phase one (1), but the voting will only be for phase three (3).

Chair stated that because they were still in discussion, he is not in favor of tabling this. Vice Chair stated that she agreed.

Chair said if you like it, vote yes, if you do not like it, vote no.

Patrick Furr stated that both he and Richard Ali were both withdrawing their motions and seconds.

Chair stated there were no motions on the floor.

Chair asked Doug Britt if he had anything to add. Mr. Britt said that he did not have anything else to add.

Chair asked if any of the board members had anything else to add or any questions before they accepted other motions.

Ashley Britt reminded the Chairman that he should ask if anyone would like to speak in favor or against the project before entertaining a substantive motion. Chair apologized and said he had gotten slightly out of whack.

Chair asked if anyone would like to speak in favor of the project. No one came forward to speak in favor.

Chair asked if anyone would like to speak against this project.

Mr. Bob Yanacsek came forward and said he lives at 513 Everette Street. He said that he agrees with most of the members. He said that if you are not bringing a complete packet, why should the members be expected to vote on the proposal. He said that he understood that the first phase has nothing to do with this phase, but if it does not, why bring up the amenities. He requested a big picture of projects that have been approved, in the form of a city-wide map or at least broken down into areas. He said that would eliminate confusion on what has been approved, and what has not been approved, what has started construction. He said it would make the board's job much easier to look at the whole picture of the pie to know that a field is not empty anymore, but it is 500 homes. He said it does impact the City, which he is a part of. He said that the City has some water issues and traffic, so he would say vote no until they bring a full packet back.

Chair asked if there was anyone else who would like to speak. There was no one.

Chair stated that he will entertain a motion.

Chair stated that the first motion will relate to the annexation of 67.376 acres located along Waxhaw Highway, further identified with tax parcel 09-321-003.

Chair said that if you are making a motion to recommend or deny, please follow the rules.

Motion: David Dotson made a motion to recommend denial of the Annexation of 67.376 acres located along Waxhaw Highway and further identified with Parcel ID #09-321-003.

Second: Jennifer Smith

Action: The motion to recommend denial of the Annexation passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Renee Hartis, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

Motion: Richard Ali made a motion to recommend adoption of the Resolution Denying the Land Development Plan Compliance.

Second: Archie Morgan

Action: The motion to recommend adoption of the Resolution Denying the Land Development Plan Compliance passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Renee Hartis, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

Motion: Richard Ali made a motion to recommend denial of the Zoning Map Amendment.

Second: Archie Morgan

Action: The motion to recommend denial of the Zoning Map Amendment passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Renee Hartis, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

Item 5. Other

Doug Britt came forward and said that they were going into contract with the Centralina Council of Governments to do a training session.

He stated that they do not have a date picked out yet. Mr. Britt said that they did not want to do it if they could only get four or five people there, they wanted to do it when they could get as many people as possible. Mr. Britt said that it is hard to do these training sessions on nights of regular meetings, therefore they want to do a special meeting. He said if a special meeting is called they would have two weeks to plan for the meeting. He asked if the special meeting could be held at 4:00 PM. He said that the training session would last a maximum of an hour and a half, or no more than two hours factoring in chatting.

Doug Britt asked if the members were in agreeance with 4 o'clock. The board agreed they would be fine with the time given a two-week notice.

Chair said that depending on the date they would need to juggle schedules.

Doug Britt said they had been back and forth with Centralina but had not nailed down a date. He said staff would be in contact.

Chair said that as a new board, the training would be helpful to carry out their duties.

Item 6. **Next Meeting – March 2, 2022**

Item 7. **Adjournment**

Chair said if there were no further questions, he would entertain a motion at this time to adjourn.

Motion: Archie Morgan made a motion to adjourn the meeting.

Second: Renee Hartis

Action: The motion to adjourn passed unanimously with the following votes:

AYES: **Richard Yercheck, Jennifer Smith, Richard Ali, Renee Hartis, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan**

NAYS: **None**

The meeting was adjourned at 7:04 p.m.

Respectfully Submitted,

Richard Yercheck, Chair
Planning Board

Secretary to the Board

PLANNING BOARD MEETING

March 2, 2022 @ 6:00 PM
City Hall – Council Chambers
300 W. Crowell Street, Monroe, NC

Emailed to S. Laney on 3.17.22

Item 1. **Call to Order/Roll Call**

Chair called the March 2, 2022 meeting to order at 6:00 p.m. Ashlyn Penegar called the roll. Chair noted there was a quorum was present.

Members Present: Richard Yercheck (Chair), Jennifer Smith (Vice Chair), Richard Ali (left at 7:47), Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

Members Absent: Renee Hartis

Staff Present: Doug Britt, Senior Planner; Ashley Britt, Assistant City Attorney, Ashlyn Penegar, Administrative Assistant

Guests: Sally Debord, Charles Saleh, Taylor Prichard, Wes Bawab, Rick Kosher, Richard Haake and others who did not sign in

Item 2. **Approval of Minutes of Meeting- February 2, 2022**

Chair said he is making a motion to table the minutes since we haven't had a sufficient amount of time to really go through them to the next meeting. He said we will vote on the old minutes and the new minutes for this meeting all at the same time.

Motion: **The Chair made a motion to table the minutes of the February 2, 2022 meeting to the April 6 meeting.**

Second: **Mr. Dotson**

Action: **The motion to table the minutes passed unanimously with the following votes:**

AYES: **Richard Yercheck, Jennifer Smith, Richard Ali, Patrick Furr, Margaret Desio
Kenneth Deal, David Dotson and Archie Morgan**

NAYS: **None**

Chair said he is going to explain some new, clerical things. He said in front of you, you've got two or three 3x5 or 4x6 index cards. He said I would like to start doing something new before you leave at the end of the evening or the end of the meeting. I would like you to put your name at the top and then if we deny a project, I would like your top 3-5, I don't want you to write a book, I want bullet points and your name. He said those are then going with the minutes, so that we don't have to dig through minutes to see who was for what, who had what question, so if there was something that bothered you about a project that was presented, whatever your gut feeling was, I'd like that in a bullet point, then we will turn those in and then those going forward will be memorialized into our minutes. Chair asked, sound good, everybody ok with that? Board members said yes.

Planning Board Minutes

March 2, 2022 Meeting

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Item 3. Annexation of 85.94 acres located along Old Pageland Monroe Road and further identified with Tax Parcel # Portion of 09-087-013, 09-087-014 & 09-121-011-A

Item 4. Zoning Map Amendment and text amendment request for Conditional District “Cottage Green II” (Parcel ID #'s: 09-087-013, 09-087-014 & 09-121-011-A)

Doug Britt said we are going to talk about both line items 3 and 4 together. One presentation, 2 agenda items like we usually do it.

Planning Board is requested to consider the annexation of 85.94 acres located along Old Pageland Monroe Road and further identified with parcel ID numbers portion of 09-087-013, 09-087-014 & 09-121-011-A. NVR, Inc. is requesting annexation of 85.94 acres located along Old Pageland Monroe Road and further identified with parcel ID numbers portion of 09-087-013, 09-087-014 & 09-121-011-A. The annexation is being requested in order to develop a 259 lot single family residential subdivision.

The Planning Board is requested to consider a zoning map and text amendment for the properties located along Old Pageland Monroe Road and further identified as tax parcel #'s portion of 09-087-013, 09-087-014 & 09-121-011-A. The request is to annex and rezone the properties from R-20 City of Monroe to Conditional District (CD) “Cottage Green II”.

The applicant, NVR, Inc. is requesting a conditional district rezoning in order to develop a 259 lot residential subdivision. The total area of the project is 85.94 acres with 31.5% or 27.0 acres of open space. The density of this project is 3.01 units per acre.

Cottage Green I was approved as a conditional district rezoning in 2017 as a 218 lot age targeted single family residential subdivision. The total area of the project was 73.36 acres, with 39% or 29.65 acres of common open space. The density of the project was 2.97 units per acre.

Proposal

The applicant is requesting a conditional district rezoning in order to develop a 259 lot age targeted residential subdivision that will consist of single-family detached homes with approximately 31.5% or 27.0 acres of open space. The minimum lot size for the project will be 6,250 square feet with a range up to approximately 27,000 square feet. The developer is providing a mixture of lot types that will include 50 and 60 foot wide lots. The minimum heated square footage of the homes will be 1,425 square feet excluding the garage.

Age targeted communities target adults age 55 or older but they are not explicitly age-restricted. Residents lead an independent, active lifestyle where amenities may include a clubhouse, golf course, walking trails, and other recreational spaces. The communities do not provide health care or health-related services. Outdoor maintenance is typically included in a monthly homeowner's association fee.

The density of the project is 3.01 units per acre with the following setbacks:

Front: 20 ft.

Side: 5 ft.

Corner: 10 ft.

Rear: 30 ft.

When Cottage Green phase I was done, it was 2.97 units per acre. So, the density is very comparable.

Elevations

The exterior building materials for the proposed project will consist of brick, fiber cement, stone and stucco. The developer is proposing the front façade to consist of at least twenty-five percent (25%) brick or stone. Vinyl will only be used for eaves, soffits, trim, garage doors and windows. The minimum heated square footage as proposed for the project will be 1,425 square feet excluding the garage. Houses built on slab foundations shall have a minimum four course brick, of standard size, extending up the face of the slab on all sides. All garages shall include but not be limited to carriage style hardware.

Landscaping/Buffering

All homes will have sodded front yards prior to the issuance of the certificate of occupancy. Each single family home will be provided with one (1) yard tree at the time of the certificate of occupancy. Street trees will be provided at a rate of one (1) tree per lot throughout the development. The street tree layout and planting schedule will be finalized during the construction plan review. The developer is proposing a 50 foot undisturbed buffer around the project with the exception of the western property line, which is adjacent to Cottage Green I.

Open Space and Amenities

The project is required to provide at least 12.5% open space for the land area of the residential portion of the project, which equals 10.74 acres. The applicant is providing 31.5% or 27.0 acres of open space. The amenity area will include the following features: swimming pool with restrooms, pavilion area with picnic tables and fire pits and/or grilling area.

Parking

All of the single family detached homes will be provided with a two (2)-car garage and a paved driveway that will accommodate at least two (2) vehicles.

Schools

The proposed 259 single family lot subdivision will be within the following school attendance areas for the current school year:

Rock Rest Elementary	Currently at 85% rated capacity
East Union Middle	Currently at 62% rated capacity
Forest Hills High	Currently at 59% rated capacity

Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency. It is not expected that this development will adversely affect enrollments at the above schools.

Sidewalk

The developer is proposing to install five (5) ft. wide sidewalks on both sides of the interior streets as well as an eight (8) ft. wide sidewalk along the property frontage of Old Pageland Monroe Road.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of site plan submittal, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Stream Buffer/Flood Plain

All streams located on the site have been provided with a 50 ft. undisturbed stream buffer on both sides as required by the ordinance.

Transportation

The project is proposed to be accessed by one entrance off of Old Pageland Monroe Road as well as two internal connections to Cottage Green I. The developer is proposing for the project to have publicly maintained streets by the City of Monroe. The streets will be constructed and inspected to the City of Monroe street standards. A traffic impact study was completed for this project and was reviewed by both the City of Monroe Engineering Department and the North Carolina Department of Transportation (NCDOT). The required transportation improvements for the project are as follows:

Old Pageland Monroe Road at Project Entrance:

- Construct an exclusive southbound right-turn lane with storage
- Construct an exclusive northbound left-turn lane with storage

US 74 AND US 601:

-Channelize the existing eastbound right turn lane to allow the eastbound right turn movement to operate free flow conditions.

Land use and Transportation Plan Consistently

The Land Development Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is consistent with the Future Land Use Plan. The project is a reasonable use and in the public interest because it continues similar residential uses between the original Cottage Green project

Public Notification

The applicant sent a notification letter to the property owners within 150 feet of the subject properties and held a neighborhood meeting on Tuesday, October 14th to discuss the project. The meeting was held virtually via Zoom.

A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within 150 feet, 10 days prior to the public hearing.

Recommendation

Planning staff recommends approval of Conditional District "Cottage Green II".

Mr. Deal asked, Doug, I know you mentioned it, but what was the density on Cottage Green I?

Doug said 2.97.

Archie Morgan asks Doug if there are any figures on Cottage Green I as far as the number of vehicles.

Doug said no.

Mr. Morgan asks how many units is it and Doug said 218.

Mr. Morgan said, so it's 1 per bedroom plus a half.

Doug said he is not following the question and Mr. Morgan said he thought he was talking about spaces.

Doug said when you say one per bedroom, plus a half per unit, that's in multifamily standards, like what we are looking at for doing townhomes or apartments. For single family, there is no parking requirement for single family.

Mr. Morgan said so if you figure 2 vehicles and Doug said, yes for the average home.

Mr. Morgan said you are looking at 400 and what about Cottage Green II? Doug responds and said that is 259 lots.

Doug said if you are trying to generate numbers, that's why we do the traffic study because they have a professional to do that. Traffic studies do not fix the existing problems on the roadways, what it does is, it addresses the impact the project is having on the roadways. It requires me to have mitigation to lessen the impact and those mitigating parts was the right turn lane on Highway 74 and 601 as well as a left turn lane and a right decel lane on Old Pageland-Monroe Road. He said he doesn't go down that way, but I know 601 backs up down towards the Monroe Country Club at peak times based on the truck traffic. The requirement of the Developer is not to fix that existing problem, the requirement of the Developer is to mitigate the impact that he's going to have and that's why the DOT and the City of Monroe requires them to do a traffic study, to study that information, and that's reviewed by the DOT and our Engineering Department to approve that. Doug said that was done and what came out of that is those few traffic requirements.

Mr. Morgan said it's not getting down there that he is concerned about, it's getting from there back into town. When eating at Spiro's Hilltop, you can't get out of there now without getting on 74 and making a U-turn. You can't get out.

Mr. Ali asks Doug what the side setbacks are.

Doug said the side setback is 5 ft.

Doug said there would be 10 ft. between the homes. We are still doing permits out there and typically a lot of times, when you have a 5 ft. setback, predominately the foundation of the house will be at the 5 ft. mark because the lots are 50 ft. wide, and if you take 50 ft. wide and minus 10 ft. in setbacks, you have a 40 ft. wide product. Of that 40 ft. wide product, it has a 2 car in front garage and the garage is 20 ft., so you have 20 ft. of garage and 20 ft. of house. If it's 60 ft. wide, it has a little more space on it and it's not as tight.

The Chair asks if there are any more questions for Doug. There are none.

Developer of Cottage Green I, Charles Saleh comes up to the podium to present his Cottage Green II video to the Board.

After the video, Mr. Saleh introduces himself and said we are the ones that are working with NVR, which is Ryan Homes on Cottage Green II.

Mr. Saleh said his group wanted to be there and to present their video, because a picture is worth a thousand words. He said he is going to go through his presentation and hopefully it will answer any questions and what we wanted to do is show the Board how they are bringing value to the community and how they are building

value to the homeowners, at the end of the day how we are building value for the City of Monroe as well. Having said this, the biggest issue about this land is that it's a continuation of what we have. One of the things that you will see that isn't in the video is that already the first 2 phases and the first section has already been sold out. We are trying to keep up with what's going on over there (Collage Green I).

Mr. Saleh said the first 2 phases of Cottage I has already been sold out and said this is a continuation of what we have and we wanted to show you first hand with the video the quality of what we are trying to do and how comfortable the people who are living there are and the neighborhood. It's not what you say, it's what you do in life. When we started this project, we were one of the first projects in 18 years that happened at the time. One of the things we started was the catalyst of this project and we invested the time and money and energy to get to this point and here we are. We started this project in 2017 and it's been quite a few years in the making and a lot of energy, time and attention to details to make sure we do what we needed to do. We upgraded the signs, we have upgraded the entrance, we have upgraded the landscaping and made sure we take care of the guys who come in and buy the homes. It's not what we are going to do, we have already done it. One of the things he would like to highlight here is the fact that when you are doing a project like this, there is always speculation on the market when you invest as investors and as business people sometime you want to go spend money and you're not sure how well the investment is going to do. But, no mistake about it, is when the market tells you that you are doing the right thing and the only way it tells you is that if you sold out, that's a good thing. That means people like it and people enjoy what they have and that's what's going on. One of the things I that I remember when we started the project in 2017, one of the goals of the City of Monroe was to expand east and that means towards Pageland. Everything that Monroe had at the time was expanding West towards Charlotte and there was no expansion going East. We took a risk and we didn't know if we were going to go make that investment heading the other direction because there is nothing out there, is that how well we are going to do. The market proved that there is a demand and that's a good thing. We have accomplished a goal by going east. The houses that you saw in there (video presentation) and we are actually going to show you more houses later in this presentation, we are going to show you how they are going to be different sizes, they will range from about 1,600 square foot up to almost 2,400 square foot. Some people are going to need Ranch, Two Story, and we are going to do all that. As Doug mentioned, the lot sizes are going to range a lot. Some will be over 15,000 square foot and up to 25,000 square foot lots and there will be fairly large lots. One of the other things we wanted to do is to make sure that when the residents are living there that they have what they need, which in this case we are putting 5 amenities in there. We are going to have a clubhouse, pool, kids play area, fire pits and dog park. They are going to be distributed all over the sides so that the homeowners can enjoy the neighborhood. One of the things that we have been trying to do like I mentioned, is the price point. As you know there is a lot of marketing that goes on behind the price of the home. These homes are designed to be on the upper end, not high end, but they are not low end. These homes are very comfortable homes and they are very energy efficient and what we have found out the feedback from the market, is that people are very happy If you go see the model home, people just love it and they love the countertops and the fixtures in the bathrooms and things that they have in the homes. Mr. Selah said you have probably heard everybody that we have talked to, one of the best features of this neighborhood is that the HOA takes care of the landscaping. He asks well why is that important? He said we have age targeting and that is a welcome thing for them and you have heard how welcoming these folks are. The second big piece for the community overall is for the city, you are going to have uniformed look, you aren't going to have one person that is going to be very good at landscaping and the next that isn't going to take care of their yard. It's going to be very uniformed and look beautiful and typically you aren't going to find this in single family areas. The last thing I want to mention to you is about value and asks why it is important. It's important for everybody and this new version of Cottage II is going to add somewhere in the \$105-\$110 million dollars in asset value for the city. That means you are going to be generating that much in taxes and a lot of the input in the utilities because all of these people are going to be paying their utilities to the city. That is 2 streams of income that would come to the city on this one. Another thing about the value, is that it is very close to the downtown and the hospital area, so we are going to be adding more people that can be

going to the shopping area. It's not like they are way out west, this would be an immediate impact to the City of Monroe. Another piece that he would like to highlight if you combine the two, they are going to be somewhere in the 180 to 200 million dollar worth of investments, now why is that value. The value behind that is that all that money is being spent right here in Monroe, it's going to be spent for the GC's, for the people that work here, for the concrete people, for the workers, for everyone else it's going to be spent right here in Monroe. We have a full team here to ask questions to. We have the NVR, Ryan Home guys here, we have Rick Kosher here and we have Ryan and have Joe. These guys are here if you have any questions on the homebuilding side we have David Graffus, Engineer, Eagle Engineering, and he can answer any technical questions for you. We have on the development side, Richard Haake and Wes Bawab. So, we are here to show you and answer any questions, we want you guys to understand that we have thought just about every minute detail and we have been working with the city for about a year, going back and forth with the staff. Doug and his team has done an amazing job, they have taken us back and forth so many times for the benefit of the city and what you see today, is the result in working with the DOT, working with the staff, working with the development, working with the marketing team to get to this point. There has been a lot of things to get to this point and what I want to highlight to you (uses laser pointer and points to the site plan on projector) here is the pool, the playground, the fire pit and the dog park, then you are going to have the clubhouse. Those are the 5 amenities. As Doug mentioned, you are going to have a 50 ft. buffer all the way around, one of the things that it does not show is that we already have a 50 ft. buffer where we started the development, we didn't know that we were going to continue. We already have a 50 ft. buffer that the slide isn't showing, but the buffer is there. Mr. Saleh said one of the other things that I would like to highlight to you which I think is important is that this development is going to have the 3 entrances. So you will have 3 different locations where you can get to, one of the things that we have really spent a lot of energy and time on is, we have been working with the DOT and the entrance on 601 S., we are spending 1 million dollars on that entrance. That was a requirement by the DOT and we have to move the poles and everything, it is going to be a 1 million dollar investment for updating the entrance. The entrance on White Store Rd., has cost us a quarter of a million dollars and it's already done, so that one is in place. Mr. Saleh asks if there are any questions.

Mr. Deal asked, you have already finished one entrance, were your improvements on the entrance included to take on more traffic included on the entrance?

Mr. Saleh said yes, this one includes that because we met with the DOT and the expansions that we are doing today for the 601 S. entrance includes Cottage II.

The Chair said that we have a couple other questions, so Archie and then Richard Ali.

Mr. Ali said he already answered my question.

Mr. Morgan asks what is the minimum square footage of the homes in Cottage II?

Mr. Saleh responds and said 1,600 plus and up to 2,400.

Chair said 1,425 is what is listed in the package and you're telling us 1,600.

Doug steps up and said 1,425 is what they indicated to the city that they wanted to do now, if that want to increase that, they can, but 1,425 is what's on the site plan. Doug said it would be up to them to modify their project if they wanted to, but as indicated and what is presented to the Board, it's 1,425.

Mr. Saleh said if I'm not mistaken, the 1,425 was also in the Cottage I. Doug concurs.

Mr. Saleh asks if Rick can step up and answer this question.

Rick with NVR steps up and explains that this is age targeted and we do have some models that are going to be smaller. He said that because we are transitioning into this next phase, with larger lots, we are going to have a different mix which will go larger than 2,400 square foot. Some of the homes will be 50 ft. wide, some will be 40 ft. wide, but one of the smaller ranch style, true first floor living homes starts at 1,425 and we go up from there.

Mr. Morgan asks if this is for Collage II, and Rick said yes, it is for Cottage II.

Rick said because we have gone back and forth with a lot of the lot sizes, we've introduced some different products. We still have new products that are being created every month at our company and we try to build what the market wants and we offer a variety. So far, everything that we have sold on Cottage Green I, 60% of those homes have been first floor living with the primary bedroom on the first floor. A lot of those homes have a two story look, but they have bedrooms that are secondary, so second and third bedrooms. If a retired couple wants to live there and their family is visiting, they can stay upstairs, they never really have to use the upstairs, so you will see some true ranch homes and you will see two stories. We also have the traditional two story where the owner's bedroom is on the second floor.

Mr. Morgan asks out of the 259 lots, how many will be 1,425?

Rick responds and said he does not know as that is the smallest, we typically sell like 10% of the smallest homes. Rick said by the time we get to this phase, it's going to be a good 24 months, so I couldn't give you the percentage, but somewhere in neighborhood of the smallest product is usually 8-10%.

Mr. Saleh said if the Cottage I is any indication, it's about 10%.

Rick said if that and said we also have homes when you look at the exterior, they are mostly the same width and you wouldn't be able to tell a difference driving down the street if you're looking at a 1,425 house or a 1,900 square foot home, if it was a true ranch home. There will be a variety and the idea is to make them look different and feel different so that we aren't doing cookie cutter designs.

Vice Chair asks what the price point is of the 1,425 and the other.

Rick said right now, everything is starting in the 300's and our average sale price in the last 8 months in this community is \$355,000.

Vice Chair said for the ranch.

Rick said for the average of what we are selling, but everything starts in the \$300's. In the new phase, we are anticipating the average sale prices above \$400,000, so we are trending based on interest rates and material costs. But, we will see prices push into \$500,000's I'm sure. We normally have low \$300's, but right now we are not open for sale.

Vice Chair asks if there are any restrictions or guidelines on how many cars people can have, is it two per driveway. What I'm seeing like in St. Johns Forrest and some of these subdivisions where the houses are so close together and they have teenagers that are getting ready to drive, there are cars backed up on either side of the road and you can't hardly get down the road. They obviously do more than two, since they are parked in the front yard practically.

Mr. Saleh said most of these homes, if not all of these homes have the 2 car garage, but again the best answer is why we were wanting to show the video. If you look at the existing, what we have in Cottage I.

Ms. Smith (Vice Chair) said we have been out to see it.

Mr. Saleh said you don't have that issue.

Ms. Smith said not right yet.

Rick said I don't know if there is a restriction off the top of my head, I will have to get back to you on that. What I will say is that every home, there is a 2 car garage and there is 2 car parking, so it can accommodate 4 spots.

Ms. Smith said as the subdivision ages and gets older, they're parked up and down both sides of the road. It looks like a used car lot.

Rick said yes, especially during the holiday season when folks are coming over and throwing parties and so forth, you are going to see some more traffic and cars in the community. Every home comes with 4 parking spaces, 2 in the garage and 2 in the driveway, at least 2, and some of the driveways are wide enough to allow more vehicles.

Chair asks if there are any more questions?

Ms. Desio asks how many more phases are planned for Cottage Green.

Rick said what we are proposing this evening is the final phase.

Ms. Desio asks what the homeowner's dues are and Rick said the Homeowners Association fees are \$120 per month.

Ms. Smith asks if it's to maintain all these yards and everything?

Mr. Saleh responds and said yes and if you own your home and you want to buy lawn care, for \$100...

Ms. Smith asks so if any landscaping dies out, you guys just automatically replace it?

Mr. Saleh confirms.

Mr. Ali asks is that the total HOA fee and does it include the pool?

Mr. Saleh responds and said yes, it includes everything.

Mr. Furr said he has several questions and asks Mr. Saleh and Rick to stay where they are at the podium. Number one on your parking, phase 1 had concrete driveways and this one you said it's going to be paved and I'm sure you didn't mean to put that in the presentation. Are they going to be pavement or concrete?

Mr. Saleh said concrete.

Mr. Furr said number 2, a lot of people come to us and we're going to landscape and we're going to do this and we're going to do that, and I don't see any, yes, I see your project. But, I sure would like to have a landscape

plan sitting in front of me so we can see what it is that you're proposing to do. Mr. Furr asks do you have a landscape plan with you?

Mr. Saleh said we are going to show you a partial plan.

Mr. Furr says in addition, our ordinances are pretty meek and it would help you with your sales if we can upgrade the size of the trees going in there to 2-2.5 caliper to give us a more mature look in phase II.

Rick says we can look into that for sure, I would have to look at the plan.

Mr. Furr says you did a very good job on the front, but a lot of the developers are trying to hoodoo us, so to speak, and put in little teeny tiny things and get back as little as they can. I would like to see some mature trees in there before I say hey let's pass it on.

Rick says can we agree that we'll do the same or better than what we are currently doing now.

Mr. Furr says I think what the Board is trying to do and what the City of Monroe is trying to do is get a more uniform look throughout all of these projects, where it gives you that visual impact, no matter what the house's curb appeal. In Monroe, they tried to get away with as little as possible. Mr. Saleh says we don't want to do that and says he teaches his kids all the time that you've got to do what you say you're going to do.

Mr. Furr said we would like to see it on a plan. Mr. Saleh said we can put it on the plan, and when I started this, I mentioned it's not what we're going to do, we've already done it, but we're going to improve on it.

Rick said one thing that is really critical, if you guys are concerned about the curb appeal of the communities and it sounds like you are, is that the lawn maintenance that adds a very unique element to maintain.

Mr. Furr said he couldn't agree more. Before I sign off on anything, we would like to see it. Are the front yards irrigated or is it just the entrances?

Mr. Saleh said the entrances are.

Mr. Furr said the street lighting is spaced accordingly and one other thing that I would like to see is and you've got to understand our position, we're going to have parks, show me a plan, where are the pictures.

Mr. Saleh said we are going to show you.

The Chair said that Archie had a statement that he wanted to make.

Mr. Morgan said I was privileged to be the chairman of the Union County 2050 plan. We worked 14 months on it to guide growth to the year 2050 and I can tell you from what we learned in that, this is what people now are looking for. They don't want to spend their weekends working on the yard, they want amenities like pools, clubhouses and dog parks. I'm of the age where I'm looking for a house on an acre or two, but in today's world this is what they're looking for. I'm concerned about all of that traffic that's trying to get on 74 and it's a lot of vehicles and you can't get out of Hilltop as it is now. Mr. Morgan said I'm concerned about that, but other than that, to me this checks all of the boxes of what people are looking for these days.

Mr. Furr said I have one more, the buffer, I'd like to see a plan on that.

Doug Britt said I want to remind you that this is conceptual, they're not going to do the full landscape plan until it's approved at the building permit stage. So what they provided here and what is in your packet shows a landscape plan. Because the area to the south and to the east, is existing, they are proposing to leave it as it is with the 50 ft. buffer. Doug said the part on the top (points to site plan on projector screen), there is an area that is being left as is and one that has a variety of trees and shrubs. When they submit for the project to be approved, it means undisturbed. That's why there is no landscape plan along the south and east because it's existing wooded and the only true landscape plan would be the portion shown on the screen. When I say there is nothing there, there is nothing there.

Mr. Saleh said if you would like more of an explanation regarding this, we can get someone up here.

Mr. Furr said please.

David Graffus, Civil Engineer for Cottage Green I and II, said he just briefly wanted to elaborate on the landscape plan that's in front of you right now, which is kind of a supplemental drawing that we provided Doug in the packet. As Doug showed on the site plan slide, this portion as Doug mentioned has no woods there, and the other property line buffers are existing vegetation which will remain undisturbed and heavily wooded. Mr. Graffus said here is a blow up of the landscaping that we will be supplementing in this area with canopy trees, deciduous trees and a mixture of evergreen trees for further buffering. Along Pageland-Monroe Rd will be proposed landscaping as well.

Mr. Furr said along Pageland-Monroe Rd. that's your curb appeal area to bring them in.

Mr. Graffus said that's right.

Mr. Furr said that's what he's concerned with.

Mr. Graffus said this site plan shows all the street trees in the development as well.

Mr. Saleh said this map in front of you shows the different lots and what we have done here is you have the yellow, which is the 50 ft. lots, you have blue, which is the big lots and they can range up to 25,000-27,000 feet and then the 60 ft. lots. We tried to mix it up for the homeowners because some people would probably like the ranch and some people like the 2 story. We have the different sizes in the project and you can see here in the open space (12 1/2 – 13 acres).

Rick said in terms of the overall open space, it's 29.7 %, which is again 25-26 acres total. Rick said that includes the buffers and the BMP areas and the active amenity spaces.

Mr. Dotson said he has a question and said what you have dedicated to actually be used as open space comes out to about 3.46 acres. I would be curious if you would add more open space and I can give you the lots if you can enlarge that (points to site plan on projector) to add open space that can be utilized by people who are about 30 houses on the other end and down at the bottom of the plan. All of your open space seems to be dedicated towards one side and the dog park is all the way at the entrance. Is there somewhere to put more open space at the bottom of the site plan and to spread the houses out just a little bit?

Mr. Saleh said well you're going to have this big open space here (points to screen on projector) and the big open space where the pool is going to be, then the children's play area and then the dog park and the clubhouse.

Mr. Dotson said if I lived in the middle of the top 2 roads on there, I'm going to have to walk to the dog park there and then the clubhouse here or the pool, correct?

Mr. Saleh said yes.

Mr. Dotson asks is there any way to put some type of walking path through the middle BMP that would lead to the pool, towards the clubhouse and connect some of those areas together?

Mr. Saleh said we're going to be putting in sidewalks on both sides of the street, so if you want to walk, you can walk on the sidewalks. The idea behind distributing this all over the place is because if you're living on one end, you can't put it all in one location. We are distributing this so that people can have access to this across the whole development, versus one area versus the other.

Mr. Dotson said my thought process was if you targeted towards people who don't want to do their own lawn work, it may or may not be targeted towards the more senior part of their life. They aren't going to want to walk to the entrance to go walk their dog, it would be nice if they had some place else dedicated.

Mr. Saleh said sure.

Mr. Dotson said golf carts are nice.

Mr. Saleh said when we finish, I'm going to ask Richard (Haake) to highlight to you what we have done, and I think it's an answer to your question about HOA restrictions. I think it's important for you to know how we can control what goes on in the HOA, which is something that we really take very seriously. So, to answer your question, we were going to put a pool in the clubhouse and we asked the existing people during a meeting and the HOA said no. They wanted a different location, but my point to you, sometimes we think we know what the customer wants and what the neighbors want, but after researching we find out that people want different things. So that's one thing.

Chair said Charles, that's going to be a long way to go for a bathroom, from the pool to the clubhouse.

Mr. Saleh said no, we are going to have bathrooms in the clubhouse and at the pool. So these are some of the looks and you can see different colors (shows pictures of houses on slideshow presentation) and the different looks and porches.

Mr. Dotson said those examples are different than what we have in our packets, is that a fair representation of what you are going to build?

Mr. Saleh said yes.

Mr. Dotson said so not what's in our packets?

Mr. Saleh said this project has been going on for a while.

Mr. Dotson said those (in the presentation) are beautiful.

Rick said we had some feedback and we have been listening to what's been happening in the city and we kind of wanted things to be trending in this direction. Because of the bigger lots, we are bringing in some different product with some unique elevations to really listen to your needs. We have other projects that we have been working on and listening to you.

Mr. Furr said I am seeing brick and stone on the different houses, very good it's about time.

Mr. Saleh said these are some nice homes.

Ms. Smith said so they are sitting further back off because the lots are wider and not up on the curb.

Mr. Saleh said yes.

Board members discuss the houses.

Mr. Saleh said all of these houses can be built on the 60 ft. lots.

Mr. Dotson said once you take out all of the setbacks, you only have about 4,300 square foot to build a house on.

Mr. Saleh said it's what we call the envelope, yes, it's got to fit in the envelope. Here is a picture of the pool. Board members discuss the amenities.

Mr. Saleh said this will be the playground and here is the fire pit.

Mr. Furr said I think what Dave down there was asking, that's a great looking fire pit, if you had something like that on down on the other side as well. You've got those in one or two places.

Mr. Saleh said Richard (Haake) has corrected me, we have two fire pits.

Mr. Dotson said my problem is there is 477 residents and they're all going to come over to use one pool. I don't know what the amenities are in section I. I don't know if there are fire pits, but my idea is, if you put at least some open space towards Cottage Green I, you can have something that can be utilized by all 477 residents versus leaning everything to one side and putting the pool in the middle. You have open space that can be utilized if you use it as passive, walking trails, sitting benches, those kind of things.

Mr. Saleh said we are going to have sitting benches. The idea if you think about it this way, when we started in 2017, a lot of these things were not brought forth into the discussion and as this thing is evolving and we are getting feedback from the customers, that's why you are seeing the new designs of the homes.

Mr. Dotson said I just want people to move in and stay. I don't want people to, in 3 years from now they have outgrown their house and there is nothing for them in the neighborhood and they are just going to move out.

Mr. Saleh said yeah, yeah.

Mr. Dotson said I realize there are some seniors, but you also have a playground, which means you are going to have a certain number of children and you can't just leave out the families.

Chair said thank you and we can continue that, but we are holding up the presentation.

Mr. Saleh said before I leave, I want to give you a two minute version of the HOA.

Ms. Smith asks if this is 55 and older, are they in a separate section or are they all together?

Mr. Saleh said like the lady in the video presentation, she talked about having mentors next to her and people that can help her next door with the kids.

Ms. Smith said ok.

Richard Haake said he is the Acquisition Guide for the development and oversees the deed restrictions and HOA documents/bylaws/restrictions. He said he has been doing this for 40 years in the Charlotte/ Monroe area and when Charles (Saleh) and I talked about this early on, I said Charles, this is a seed development for us. We are in our 60s and we are trying to create something that we can be proud of and so, if you look at our entrance monuments, a lot of thought went into this and the signage we do, and even the stop signs have backers on them, and the posts and the street lights were the nicest street lights James at the utility department could give us.

Mr. Haake said we are not cutting corners. We are proud of the way we develop it, and we want it to look good for years to come, believe you me. I have eliminated certain breeds of dogs that people are scared of, that just is one thing. The fencing, I approve every single fence in there and if you've gone through, it's that wrought iron aluminum fencing that really looks sharp. We aren't allowing people to put up stockade and wood fences that are going to warp and need staining and all of these things. You know we are maintaining all of the yards, the front and the back. We created this enormous berm that really wasn't in the original plan to create it, but we wanted to have some sound deadening from Hwy 601. Then we put shrubbery along it. When you come in, we want you to see that we have thought this out. We want everyone to maintain their house and their yard and they come to me with these ideas about can I put this little fence around this and I say sorry. I want it to look sharp in the back yard. I want it to look sharp in the front yard, and that's the kind of development that we are doing and that we have agreed to do, and I just want you to know that Cottage Green II is going to be an extension of this with even more improvements and maybe even some new and more stricter restrictions as we get feedback from you and other people that are wanting us to do certain things. You know we listened to Doug and his team. I have worried him to death over the last few years coming in, but he will always see me and talk to me about this and about that. It's been great to work with you guys. We love building down here in Monroe, and thank you for your time.

Mr. Morgan said it's a great product and the homes look nice and the buffer and all that looks great. My concern is if we are looking at 3 vehicles per home and it could be more than that, we are looking at 1,500 vehicles. Not many are going to turn left and go to Pageland, they are going to turn right to get on 601. Who can address traffic, because that's my main concern.

Mr. Saleh said that was the TIA (Traffic Impact Analysis) and that's what they did, and we paid a lot of money for that TIA. Mr. Furr said concrete barriers. Believe it or not as well, there is a good portion of the people that live there that go towards Pageland, because from Pageland to here, there is nothing, so that's why they want to be on this side. That was one of the goals of the city, to grow east so they can have traffic that way.

The Chair said Richard (Haake), when do you turn the HOA over to the community and you guys get out of it?

Mr. Haake said well as late as possible so that we can be a positive influence, but we also want them to be self-governed at some point and so we are getting their feedback, and we have had one first meeting and we've heard some concerns that we have tried to address.

The Chair said just wondering when you get 80% sold or if you're waiting until you get 100% sold.

Mr. Haake said yeah, I think it's somewhere around 80% or 100%.

The Chair said that's what I was asking. Mr. Selah said we wanted to make sure that it stays good.

The Chair said that's fine, that's what I wanted.

Mr. Saleh asks are there any other questions?

Ms. Smith asks the restrictions, are they recorded at the Register of Deeds?

Mr. Saleh said oh yeah, you can't sell the first lot before your HOA restrictions are part of the deed.

Mr. Haake said we've gotten good feedback from the retirees there and part of what we want, we want it to look great. With these park benches, your ideas and things like that, these are things that are in here and all of us are trying to incorporate. These kinds of ideas will make it really a pleasant place.

The Chair and Ms. Smith say thank you.

The Chair asks if there are any other questions for Charles (Haake) or the rest of the team?

Mr. Saleh said we need your support, that's all I can tell you.

The Chair asks do I have anyone that would like to speak in favor of this project, outside of the team that's here that I know is going to speak in favor of the project?

Sally Debord at 1779 Slippery Rock Rd. Monroe, NC 28112 came forward and said she lives in Cottage Green I. I like the development, my major, major concern is the traffic because right now everything is being made so we have to exit from Cottage Green to go north on Pageland Hwy. They have made the exit on White Store Rd. and you have to turn right, which means it has to turn right onto Pageland, so all the traffic has to go north on Pageland Hwy to 74 and that is a real big concern of mine. There is just too much traffic, and I know they said they did the study with the DOT, but to me it's just way, way too much traffic going along there. The subdivision, I'm not against it at all, and I think it will be great. There is no irrigation in these lots at all and I wanted to mention that. The width of the streets, you can barely get two cars down, so if you park on the street at all because there are houses that have four cars that are parked in the driveways and they park on the street and in the yards, that is a big problem with parking and the width of the streets. I'm new to Monroe, so I don't know if that's something to do with the city, but the streets are very, very narrow and like I said, barely 2 cars can get through the streets. To have that exit from Cottage Green to 601, that's very narrow and if you are going to have all that traffic coming out that one street, it's going to be very hard. That is my main concern, just the traffic is going to be absolutely horrible along there on 601 and 74.

Mr. Saleh said one thing I was going to mention is all the entrance issues that were mentioned were designed by the DOT and not by us, so we have nothing to do with how the traffic flows, and that was a result of the DOT. As far as the width of the street, that's by code, so it's by code that we have to do that, and I just wanted to address these two points.

The Chair asks, are they going to do Michigan turn lanes on any of 601 coming into 74 because I know all of 74's getting those intersections.

Doug said not that I recall, I will say one thing too, about the HOA doing all this. I just want to remind you all, the HOA is done by the HOA and not by the City of Monroe. So it can have a longer list of requirements, but in North Carolina municipalities, they do not enforce HOAs. This is not a City of Monroe thing to enforce HOAs, the city does not get involved. The dues, their fences, and their yards, that's strictly a neighborhood thing and for them to figure out as they proceed, and it will eventually be turned over to the neighbors and not by the city.

The Chair says we are taking the maintenance of the roadways, is that correct.

Doug responds and says yes, they will be a publically maintained road.

The Chair says will they be to the city's standards and Doug says yes.

Doug says the driveway width is based on the number of houses on the street. There is a city ordinance that's enforced by the police department and they are required to maintain 16 feet in clearance, but obviously people park on Friday night and Saturday afternoons, I know how that happens.

Mr. Furr asks Doug what was the Fire Department's opinion of this?

Doug says they didn't have any comments and says fire and building standards go back and forth and what happens is if the project is approved by City Council, then they go to a full design. This tonight is conceptual, and when they go to full design, it will look very similar, but it won't look exactly like this. This is not the exact thing, but it's a very, very good indication. When they submit erosion control plans, this will allow them to start running and grading. This is kind of like the tip of the iceberg and from the planning stand point, what we look at when they submit that erosion control plan, we go back to look at the conditions that it was approved with to make sure it's a consistent layout. It should look fairly consistent with what you all will see and what the City Council ultimately approves. Remember this was one presentation for two items.

The Chair asks if there is anyone else that would like to speak for or against the project? There is no one. He said I would entertain a motion if it was in favor that would include the same size or better trees as phase I. The Chair says do I have a motion?

Motion: Richard Ali makes a motion to recommend approval of the annexation

Second: Ms. Smith

Action: The motion to recommend approval of the annexation passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

The Chair said now we are moving to the resolution and I would need a motion to approve the resolution, and I would like it to include the same or better on the tree size.

Doug asks can we just say 2 inch caliper?

Mr. Furr said 2-2.5 inch caliper if you don't mind, that's standard.

Doug asks what your wishes with the elevation are because the elevations I have are the ones in your packet.

The Chair said the second elevation that he showed us is going to be the new plan, and that's what's going to be submitted to City Council. The Chair said the elevations presented or better.

Doug said to make it clear, I will not be including the elevations which you all gave me in their packet.

Mr. Furr mentions the paved/concrete typo and the Chair said it was just a typo.

Motion: Richard Ali made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with the conditions that the elevations are as shown in the presentation on the screen, and that the calipers of trees on the buffer are 2-2.5 inches.

Second: Margret Desio

Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with the conditions that the elevations are as shown in the presentation on the screen, and that the caliper of trees on the buffer are 2-2.5 inches passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

Motion: Richard Ali made a motion to recommend adoption of the Ordinance amending section 156.98 Conditional Districts Established and section 156.106 Official Zoning Map

Second: Jennifer Smith

Action: The motion to recommend adoption of the Ordinance amending section 156.98 Conditional Districts Established and section 156.106 Official Zoning Map passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

The Chair took a 7 minute break at 7:20 p.m. and resumed the meeting at 7:27 p.m.

Item 5. **Zoning Map and Text Amendment request for Conditional District “Sutton Place Townhomes” (Parcel ID #: 09-156-002 & 09-156-002- E)**

Doug Britt said the applicant, Seamon Whiteside, is requesting a conditional district rezoning in order to develop an 85 lot single family attached townhome subdivision. The total area of the project is 10.02 acres with 48% or 4.81 acres of common open space. The density of this project is 8.48 units per acre.

Conditional District “Aaronfield at Sutton Place” authorized the development of sixty (60) age restricted residential apartments (55+) and was approved by City Council in 2016. The project consisted of one three-story apartment complex with twenty-four 1-bedroom and thirty-six 2-bedroom units. The exterior materials were limited to a mix of brick and fiber cement.

Proposal

The applicant is requesting a conditional district rezoning in order to develop an 85 lot single family attached townhome subdivision that will include 48% or 4.81 acres of common open space. The lot sizes for the development will range from approximately 1,540 square feet to 1,925 square feet. The developer is proposing the minimum lot width to be 20-feet wide. The minimum heated square footage of the townhomes will be 1,432 square feet excluding the garage.

Density & Dimensional Standards

The density of the total project is 8.48 units per acre.

Setbacks

Single Family Lots

Front/Corner: 10 ft.

Interior Units: 0 ft.

Side (end units): 5 ft.

Rear: 20 ft.

Maximum Height: 45 ft.

Elevations

The exterior building materials for the proposed project will consist of brick, fiber cement, stone and stucco. The developer is proposing the front façades of all homes to consist of at least twenty-five percent (25%) brick or stone. Vinyl will only be used for eaves, soffits, trim and windows. The minimum heated square footage as proposed for the homes will be 1,432 square feet excluding the garage. The homes constructed on slab foundations shall have a minimum of four courses of brick of standard size extending up the face of the slab on the front and side elevations.

Landscaping

All single family homes will have sodded front yards prior to the issuance of the certificate of occupancy. Street trees will be provided throughout the development. A 50-foot perimeter is being provide along the northern and eastern property line as required by the ordinance.

Open Space and Amenities

The project is required to provide at least 50% open space which would equal 5.01 acres. The applicant is providing 48% or 4.81 acres of common open space. The amenities being offered for the project include: walking trails, gazebo with benches/picnic table, and a playground area.

Parking

All townhomes will be provided with a one (1) car garage. All front load garages will have carriage style trim and/or hardware that mimics carriage style doors. Driveways for the interior units will be able to accommodate at least one (1) vehicle and driveways for the exterior units will be able to accommodate at least (2) vehicles.

Schools

The proposed 85 single family attached lot subdivision will be within the following school attendance areas for the current school year:

Rock Rest Elementary	Currently at 83% rated capacity
Monroe Middle	Currently at 88% rated capacity
Monroe High	Currently at 71% rated capacity

Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency. It is not expected that this development will adversely affect enrollments at the above schools.

Sidewalk

The developer is proposing to install five (5) ft. wide sidewalks on both sides of the interior streets.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of site plan submittal, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Stream Buffer/Flood Plain

All streams located on the site have been provided with a 50 ft. undisturbed stream buffer on both sides as required by the ordinance.

Transportation

The developer is proposing for all streets to be constructed to the City of Monroe street standards and maintained by the City of Monroe. Due to the number of proposed lots, the City's Engineering Department did not require a TIA for this project. There are no required street improvements for this project.

Land Use and Transportation Plan Consistency

The Land Development Plan indicates this area is within the Medical District as well as a Neighborhood Mixed-Use Center. The Medical District area is anchored by Carolinas Healthcare System – Union and includes various uses such as primary care, outpatient surgery, and other specialty services. This area should address the needs of the hospital, including research and development and other medical activities. The inclusion of land uses that support the medical focus of this area such as hotels, service-oriented businesses, child care, assisted living, and long-term care facilities are suitable. Ideally, buildings are oriented in a campus setting, with large buildings connected via walkways, structured parking, or an internal network of streets for circulation. The Medical District is distinguished from the Community Corridor by its emphasis on medical-related land uses and emphasis on a campus-style development pattern, but a campus setting is not a requirement for approval. Neighborhood Mixed-Use Centers provide neighborhood retail, professional office, service, and other community-oriented activities and uses for surrounding residential areas. In general, these centers are smaller in scale than Regional Mixed-Use Centers. The center's proximity to residential areas requires design to be integrated with and at a scale compatible with nearby residential development. These centers measure half-a-mile across, representing approximately a 10-minute walking distance. The design transitions effectively between residential and nonresidential uses, and includes safe and convenient pedestrian and bicycle access for nearby residents. While commercial uses are likely to be prominent, these centers should emphasize a mixture of uses and residential housing units where possible. Single-family residential should be discouraged but may be used as a transition between land uses or to maintain continuity between the surrounding neighborhoods. For some centers, housing may include upper story residential and office uses. Site designs should minimize the impact of cut-through traffic on nearby neighborhood streets by orienting vehicle access and circulation away from surrounding neighborhoods.

The Medical District does not permit multi-family residential; however, the Neighborhood Mixed-Use Center permits multi-family residential with no cap on density allowance. The density of this project is 8.48 units per acre; therefore, the project is consistent with the Future Land Use Plan. The proposed project is a reasonable use and in the public interest because the use of multi-family will provide additional housing opportunities in proximity to large employers, such as the hospital and nearby medical offices with additional services nearby, such as shopping.

Public Notification

A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within at least 150 feet, 10 days prior to the public hearing.

Ms. Smith said Doug, can I ask a question? There is a shooting range down further from the project, what kind of noise level would that have for the people living in this?

Doug said it's the City's shooting range.

The Chair said they aren't shooting out there every day.

Doug said he is not aware and he knows the shooting range is down there and it's the City's, but I know that it's outside. But to say how much noise it is, I know there are no residents down there.

Doug continues presentation.

Recommendation

Staff recommends approval of Conditional District "Sutton Place Townhomes" with the following conditions:

1. Install a five (5) foot sidewalk along Venus Street and the improved portion of Sutton Place.
2. Install an over flow parking lot of no more than 20 parking spaces.

Mr. Morgan said I am not much of a mathematician, but there is not enough parking spaces for this development, so there is an additional parking lot, where some people are going to have to park and walk?

Doug said that is why staff is recommending approval, but with the added condition that they provide a parking lot of at least 20 spaces to accommodate the overflow because staff feels that there is not enough parking out there. I realize not everyone who has a bedroom is going to drive.

Mr. Morgan said do we know where that would be located or no?

Doug said no, that would be for them to figure out because they would be losing a building, at least. If the Board would like to recommend approval, it would be for them to address it, and they can address it before going to Council or they can leave it like it is.

Mr. Morgan said he has another question because of the name Sutton, you know if you go down 74 and all that land is cleared there and I think that's the Moser Group that has that and that's Sutton something.

Doug said this is Sutton Place, and I don't know the history of Sutton Place in Monroe.

Mr. Morgan asks if that has already been approved?

Doug said the stuff they have cleared they are doing. The Board has done one Conditional District that was done there that was for a nursery.

Board discusses.

Doug said they've got office warehouse units on the portion that the Board didn't do. The portion the Board approved was for the nursery, and there is another place right beside that with the office warehouse units. In the middle of that, there is going to be a camp or parking, and beside that they are going to do a large cold storage

warehouse that will be used in conjunction with Tyson. Doug said that concludes my presentation, and I would be glad to answer any questions you might have.

Ms. Desio asked, did you say that in 2017 there was an apartment building, and does conditional districts ever run out of time or is it there forever until we change it?

Doug said it's there forever until we change it. There is not a whole lot of conditional districts out there now. I can probably think of 2 or 3 residential projects, but commercial projects, I don't know, there is probably several. There is a subdivision off Poplin Road across from Glendalough that's called Poplin Ridge, and it was a subdivision about 195 lots that had the layout, but no one has ever developed it yet, and the ones that are on the ground right now and approved, they would remain on the ground forever. In the new ordinance, they won't expire.

The Chair asks if anyone has any further questions for Doug. There are none. Would anyone like to speak in favor of this project?

Mr. Saleh comes up and starts the video presentation.

Taylor Prichard came forward and said he is the Landscape Architect and Office Leader for the Charlotte office. I know you guys have a little bit of context here, so I will try to be short and sweet with this presentation. We really feel like this project is in a really good location, the proximity to the Hilltop Plaza shopping center to the hospital. We really feel like this project is defined by convenience. It really provides the opportunity for people to live within walking distance to the hospital, to the shops, and where they can possibly work. You don't always get that in areas around town, but this will provide that opportunity, and you can't always define or dictate what people are going to do from a walking or driving standpoint, but at the very least this does provide that opportunity for people to walk. The inner circle on the site plan is a 5 minute walk or a quarter of a mile and right outside of that, you could reach the hospital or the shopping center is within that boundary. The outer circle doubles out to be a ten minute walk and that's well within the range of the hospital. Doug did a great job walking through the site plan, and he's spot on and we did go through this a good little bit. Obviously with the townhome product, you are a little bit challenged with some of the code requirements and just to speak about some of the parking, we went through various options where having a three-bedroom product and trying to get into meeting that code requirement of one vehicle per bedroom and a half space per building really limits your opportunities to have street trees and front yard trees. Because of the width of the driveways that you have and going back and forth with staff, we came to the solution that it made sense to provide one car driveways with the garage for the interior townhome units and the two car driveways with the garage for the exterior units. We really feel comfortable that it would meet the needs of the market of who is going to be living in this area, especially with the convenience of the possibility of walking to work. We have split the site into two areas defined by the natural spring with the 50 ft. buffer, as Doug mentioned. This area currently being wooded today has some concerns, safety concerns, and with the existing conditional use of multifamily for rent, we do feel like this is an improvement on that from a for sale product. The two areas, the townhome community is defined by streetscape, street trees. The street trees we are showing right now are code minimum requirements and we are also providing amenity options, a walking trail with an undisturbed 50 ft. buffer towards the rear across the natural feature. Up towards the main street, we have an entry focal park area that we have defined some programs for, but we haven't quite gotten to a design yet. That is intended to be programmed open space, and there will be a kiosk there for each of those areas, along with the code required and engineered storm water products. Does anyone have any questions so far? There are none.

Mr. Morgan said to continue.

Mr. Prichard continues to the last slide of the presentation, showing an example of the outside of the project.

Mr. Saleh comes up and said obviously this project is a lot different than Cottage Green II. It is much smaller and it's in a difficult area. That piece of land is in a tough location and it's right behind the shopping center and right behind that is all industrial. The more we started thinking about the project, this product fits that area, and the more we talk to the staff and to the folks around the location, we found what else are you going to do with that land. When we started walking the land, we found a tremendous amount of homeless people in there and we've had to clean it up several times. The police don't like it, the staff doesn't like it.

The Chair said Charles (Saleh), let me ask you a question, for me I like the project, and are you guys amenable to adding the sidewalks and finding some more parking spaces?

Mr. Saleh said yes.

The Chair said if we were to approve this, you would add 20 parking spaces and the 5 ft. sidewalks, as presented by Doug?

Mr. Saleh said yes.

Ms. Smith asks what your price point is for these units.

Rick with NVR Ryan Homes said the product has changed multiple times and we started off with a smaller less curb appeal product, but these home range from 1,691 square feet to about 1,900 square foot. The average sale price will be \$265,000.

Mr. Morgan said it appears that you have squeezed more townhouses in and what's suffering is the parking.

Rick said there is one parking space within the home and one in the driveway and each of the end units has a double wide space, so each of the end units has 3 car parking.

Mr. Saleh said what we heard is that the city doesn't want to see a lot of rentals, and this today is zoned for multi families and by right that you can put multi families in there. So the question for us was, do we really want to add more rentals or do we want to have home buyers in there. That was the discussion had and we thought people who owned their homes and people who lived there would take care of the property a whole lot better than the people who are going to rent. That was the biggest discussion that we had.

Mr. Morgan said the City is recommending an overflow parking for people who have to park, so where would it go? Show me on the map where this would go.

Mr. Prichard returns to show the site map with the proposed parking lot.

Mr. Saleh said we have looked at different ways to add more parking, and we have had a discussion with the owners of the shopping center (Food Lion) as an overflow, we will be able to add more parking behind the shopping center, so that we can add more parking.

The Chair asks do we have that in writing from the shopping center folks that that's going to be a thing?

Mr. Saleh said we can get it as a condition if that's what you want.

Mr. Haake comes up and said right before we purchased this property, Charles looked at me and said I'm going to ask you the same question I ask all the time, if it was your money, would you do this? I said yes, Charles, I would do this and 40 years ago, I renovated the first home in a neighborhood called Dilworth, and I love this area,

but we are going to be improving it. I've talked to the shopping center owner and unfortunately he didn't get me his email, which I could present to you today, but he has offered us a tract of land on the end of our project. The owner of the shopping center wants to sell it to us. We aren't talking about parking behind the shopping center, we are talking about creating a space and he is very bought into this because it's like homeowners living behind the shopping center that are going to shop at the Food Lion. The owner sees it as a big positive thing, and that's why he offered it to us.

The Chair asks Richard (Haake) how long it will take to get that done and to get a letter of intent.

Mr. Haake said I can have it by tomorrow if I pushed him, but I told him I didn't think we needed it.

Mr. Morgan said if they are parked on the end, they have to walk all the way down there with groceries. You've squeezed in too many townhomes when one of those sections needs to be a parking lot. That's a long walk, with kids and groceries and everything else, and the reason there's not enough parking is because you have squeezed in every single bit of townhouse you can on that property.

Doug said let me remind you the paved portion of Sutton Place stops right here. (Points to site plan)

The Chair said we're going to have to build something to get them up there, they can't just walk behind.

Doug said they will have to build a street.

Board members talk amongst themselves.

Mr. Dotson said you have two sections of this and if you provide parking for one, you need to provide parking to the other. I can tell you beyond a certainty that if you are having problems with homeless people there, you are just displacing them and when they watch those people get out of their car at 8:00 at night and start walking towards their houses, as soon as they clear the corner of that building, they're going to break into their cars. I can tell you that with absolute certainty, if you leave your car at the end of the road and you walk 2 blocks away.

Mr. Haake said one of the things we haven't done is, we've just talked about one parcel here with the owner of the Food Lion. I'm not sure what he would sell us or give us behind the shops.

The Chair said I'm going to make a recommendation guys and it's probably not exactly what you want to hear this evening, but I'm going to recommend we table your project until next month and let you go and get a letter of intent from the owner of the Food Lion and to come back and have all that. I think you guys can keep presenting, but from the vibe I'm getting, you're not going to like the outcome, and it's been a good evening so far for you.

Doug said the staff is not going to settle for a letter of intent because the shopping center could be sold.

Mr. Morgan said even then you're talking about all the way down at the end of the site plan and people parking there at night and having to walk all the way back up, and that's not doable anyways.

The Chair said let me ask this question, do you want us to table you for 30 days or 90 days and you can come back whenever, or do you want us to table you until you meet with staff again and you're ready to present a different parking plan?

Mr. Saleh said 30 days.

Ms. Desio said I'm suggesting this while you have 30 days. We are seeing a tremendous amount of investor buy up in our market and in the HOAs, is there any way that you can put in there that only 15% can be rented? Because we will have investors buying up and it'll become an apartment complex rather than a condo.

Rick with NVR said before he agrees to that, I think one thing that has occurred during the great recession that we all live through is that many people became landlords by circumstance and not by choice. So the percentage, what I would ask we amend the HOA docs to say that you have to have homeownership for so many years before you can actually turn it into a rental. This prevents investors and it alleviates the concern of a person who is strapped financially who can't afford to sell if they paid \$260,000 and the market is telling them that it's only worth \$200,000. They will have to show up to the table with cash.

The Chair said I think this evening, right at this point, we aren't going to worry about trying to put in.

Rick said I understand, but I still kind of want to be conservative and before somebody agrees to something, we want to stand behind it.

Ashley Britt said that if the HOA wants to have something on rentals, they can do that, but we as a city, we cannot enforce that, and we can't have that as a condition. We can't regulate the form of ownership, only the use.

Ms. Desio said I just don't want it to become an apartment complex rather than a condo.

Mr. Morgan said I think you need to take out that middle section (on the site plan) and make it a parking lot for centralized parking for everybody there.

Mr. Furr asks Mr. Prichard to step back up and asks can you have me a landscape design in detail for this project? It's not going to change that much in variation from that section to what you've got now, but I want a real landscape plan for when you come back with your proposal. I own a bunch of nurseries, so I know what it is you're doing.

The Chair said Charles (Saleh), thank you and we are going to go ahead and vote and asks can I have a motion?

Motion: Mr. Morgan makes a motion to table this project for 30 days until the next meeting, April 6th to figure out the parking, which does not include getting a certificate or letter of intent, because the City won't approve of that anyways.

Second: Mr. Dotson

Action: The motion to table the project until the next general meeting (April 6th meeting) passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

Item 6. **Next Meeting – March 16, 2022**

Doug said we are going to have a workshop that will be put on by Centralina Council of Governments, and the director there, she is coming to do training. It will be on March 16 from 5:30-7, it's 2 weeks from today. We will provide supper.

Mr. Morgan ask if it will be here?

Doug said yes, it will be held here.

Mr. Furr said what day is that on and Doug said Wednesday, and it's 2 weeks from today.

Mr. Morgan asks if it will be open to the public, and Doug said yes.

Ms. Desio asks what the work shop is on, and Doug said they will talk about your responsibilities, legislation, just training.

The Chair said everybody leave your cards and pens, they will be given back out in April. He asks if anybody has anything they would like to add or comment on before we adjourn?

Mr. Furr said he would like to tell everybody on this Board that we are making progress. That wasn't a bad little project that we passed tonight. It's what people want nowadays.

Mr. Morgan said it's exactly what young people are wanting these days, and they don't want yard work, or any of that stuff.

Item 7. **Adjournment**

Chair said if there were no further questions, he would entertain a motion at this time to adjourn.

Motion: Mr. Dotson made the motion to adjourn.

Second: Mr. Morgan

Action: The motion to adjourn passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

The meeting was adjourned at 8:05 p.m.

Respectfully Submitted,

Richard Yercheck, Chair
Planning Board

Ashlyn Penegar
Secretary to the Board

PLANNING BOARD SPECIAL MEETING

March 16, 2022 @ 6:00 PM
City Hall – Council Chambers
300 W. Crowell Street, Monroe, NC

Call to Order/Roll Call

Chair called the March 16, 2022 meeting to order at 5:30 p.m. Ashlyn Penegar called the roll. Chair noted there was a quorum was present. Chair noted that the public can sit and listen, but they cannot interact; there was no scheduled time for questions or participating with guests and staff.

Members Present: Richard Yercheck (Chair), Jennifer Smith (Vice Chair) (Vice Chair), Richard Ali, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

Members Absent: Renee Hartis

Staff Present: Lisa Stiwinter, Director of Planning and Development; Doug Britt, Senior Planner; Keri Mendler, Senior Planning; William Nance, Planning Technician; Megan Brightharp, Planner I; Ashley Britt, Assistant City Attorney; Ashlyn Penegar, Administrative Assistant

Guests: Michele Nance (Centralina Regional Council), Pam Duda (Union County Planning Board Member)

Welcome and Introductions- Lisa Stiwinter

Lisa Stiwinter introduced Michele E. Nance with Centralina Regional Council. Said Ms. Nance is the Regional Planning Director for the Centralina Regional Council, providing planning services to nine counties in the greater Charlotte region. Michele is the former Director of Planning and Development Services for the City of Gastonia, and has over 25 years of experience in state, regional, and local government planning and economic development. Michele holds a Master of Public Administration and BS in Urban and Regional Planning from East Carolina University and is a graduate of the UNC School of Government Public Executive Leadership Academy. She is a past president of the NC Chapter of the American Planning Association and a member of the American Institute of Certified Planners (AICP).

Michele Nance thanked Lisa for the introduction and began her presentation.

1. Agenda Review
2. Roles & Responsibilities

WHO: Civic-minded residents appointed to be the care takers of community growth.

WHAT: Creating Communities with lasting value.

WHY: Understand the community, the people, adopted growth policies.

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HOW: Play an important role in a much larger context of growth and development.

Planning Board Duties:

- Prepare, review, maintain, and recommend updates to community plans.
- Ongoing research, data collection, mapping and analysis.
- Coordinate public engagement and participation.
- Recommend policies, ordinances, procedures to carry out plans.
- Advise governing board on implementation of plans.
- Review and comment on text and map amendments.
- Other duties as assigned by the governing board.

3. State & Local Legislation

How are Planning Laws Made:

- NC General Assembly
 - Enabling Legislation
 - County & municipal Statutes : G.S. 160D
 - Previously: G.S. 153A & 160A
- Local Legislation
 - Special Legislation
 - Local plans
 - Local ordinances
 - Local Ordinances, codes, regulations

4. Development Process & Roles

- City Council
 - Legislative Decisions
 - Adopts ordinances
 - Amendments
 - Policy statements
 - Budgets
 - Approves requisitions
 - Makes appointment to other bodies
 - Planning Board
- Planning Board
 - Advisory Decisions
 - Reviews development proposals
 - Sponsors planning studies
 - Recommends policies
 - Coordinate public participation
- Board of Adjustment
 - Quasi-Judicial Decisions
 - Hears zoning appeals, variances, special use permits
- Staff
 - Administrative Decisions
 - Issues permits
 - Runs developmental processes
 - Conducts technical studies

- Initials enforcement
- Advises manager

Lisa Stiwinter said she had a couple little points that were to Monroe, specifically.

All developments are strongly encouraged to have neighborhood meetings. With the Technical Review Committee, we are also unique compared to other municipalities because we are a full service city. We have our own water, sewer, electric, gas, erosion control, stormwater, building, fire, planning and zoning. We have a whole team that reviews each development project as it comes through the planning process and then the construction and design process, if it's approved to be built. Not a lot of municipalities are set up that way. We are a population of 35,000 and we are still a small town, but we operate like a large city because we are a full service city.

5. Land Use Policy/Comprehensive Plans

The Land Use Plans Should Address:

- The community
- Where it wants to go
- How it will get there and next steps
- Offers guidance for community leaders, planners, and developers when making land use decisions or proposals
- Include all maps and texts
- All zoning decisions must reference consistency with the LUP and other officially adopted plans that are applicable.

6. Local Codes/Permitting

Zoning:

- Regulates land use
- For the purpose of “promoting health, safety, morals, general welfare of the community
- May regulate/restrict:
 - Height, materials and size of buildings (conditional zoning typically)
 - Lot size
 - Size of yards, courts, and other open space
 - Location and use of buildings, structures, and land
- Compliments and comprehensive plan
- Consist of text and an official map
- General standards regardless of districts
- Broad subject matter
 - Definitions
 - Process, hearing requirements
 - Parking Standards
 - Landscaping standards
 - Signs
 - Standards for particular uses

Zoning-Conventional Districts

- Within District, variety of uses are allowed as permitted uses (by right) or with a special use permit
- Base districts with base regulations
- Conventional districts and zoning regulations set the bar for development

- Add or remove districts in code
- Make changes in districts in code
 - Increased flexibility
 - Narrow uses allowed
 - Amend specifications

Table of Uses

- Outlines uses allowed in each zone
- Some permitted by right
- Some permitted with “extra” or “supplemental” regulations
- Some permitted only with a special use permit

Typical Zoning Districts Types

- Agricultural
- Residential
- Civic/Institutional
- Retail
- Office
- Industrial
- Mixed Use

Zoning-Overlay District

- Different requirements are imposed on certain properties within one or more conditional districts
 - Historic district overlay
 - Central business district overlay
 - Watershed overlay

Zoning- Conditional District

- District where a site plan or individualized development conditions are imposed
 - Property owners must agree
 - Conditions agreed to in writing
 - Conditions related to conformance with plans, ordinances, or reasonable impacts of use
 - No conditions on taxes, impact fees

Chairman asked when was the last time someone pursued impact fees with the state legislature to re-look at the impact fees?

Michele Nance said I know that it’s a constant issue that comes up. The League of Municipalities, especially have been a supporter of that concept, but the development lobby is pretty strong and in order to get things through, it typically falls out.

Chairman said in 300 words or less, what’s the big issue in North Carolina with impact fees?

Michele Nance said it would cost more for the development community.

Archie Morgan said it seems to be a wonderful idea to everyone, but the developers. Everyone else seems to think it's common sense.

Michele Nance said there is probably a whole litany of legal arguments pro and con, but I think it comes down to... Chairman said because the fee is getting passed on, it's not like the developer is going to eat it. Michele Nance said in South Carolina they have, at least in York County, they have an impact fee for schools, each new project that comes in, the residential project has to pay an impact fee. Those fees go to pay for capital improvements for schools, not running of the schools, but the land and building the buildings, which is helping them stay ahead of the growth, because they always have that pot of money.

Chairman said I was told it was unfair to the small developers, the local developers.

Zoning-Floating District

- Defined in the text but applied or mapped only upon petition by land owners
 - Planned unit development district
 - Mixed-use district
 - Mobile home park district

Subdivision Regulation

- “Division of Tract...into two or more lots, building sites, or other division when any one of more of those divisions are created for the purpose of the sale or building development...and includes all divisions of land involving the dedication of a new street...”
- Major or minor
- Preliminary and final plats
- Dedication of rights of way
- Important for ownership
- Addressing for emergency services
- Locations of shared spaces.

The Unified Development Ordinance (UDO)

- Is a local policy instrument that combines traditional zoning and subdivision regulations and other regulations, as design guidelines, sign regulations, and floodplain and stormwater management, into one document
- It is intended to streamline and coordinate the development process of permits and approvals for development projects by removing inconsistencies and eliminating outdated policies

Permits

- Zoning permit
 - Issued by City of Monroe Zoning permit required in order to receive a building permit
 - zoning permit ensures compliance with all LOCAL regulations
 - Is issued by the Planning Official or designee, not the Governing Board

Inspections

- Monroe has full service inspections (County role for most communities)

- New Construction and additions
- Inspection Trades
 - Building
 - Mechanical
 - Electrical
 - Plumbing
 - Fire

Michele Nance asked if the Board needed a break, or wanted to keep going. Board discusses and agrees to keep going through presentation.

Michele Nance asked if there are any questions?

Jennifer Smith (Vice Chair) asked why don't they record guidelines for the Historic Districts? We just had a meeting where a person had bought a house and actually had covered up/taken down the windows and doors that were original to the house and didn't get permission because they stated that they were never made aware of it. I was just wondering because this can solve so many problems.

Michele Nance said the recommendation that I would have is, and it kind of falls on the city a little bit but, not necessarily the planning department, but if the city could reach out to the real estate community and maybe some workshops or trainings. It's really to help the real estate community because they don't want someone to come back on them to say that they weren't told something that was really important about the property. It's kind of a protection for them to have full information, just like they know what school system a particular home is in. It's really important for them to know if there is an overlay zone, are they going to be taxed more because you are in a municipal service district, are you going to have different rules of the game or regulations in development because you are in the Historic District. So, a lot of it is just making sure that as homes are sold and as property changes hands, it's a constant battle.

Jennifer Smith (Vice Chair) said this was a for sale by owner, so the owner never even passed the information along.

Michele Nance said that is really unfortunate.

Jennifer Smith (Vice Chair) said it is.

Michele Nance said I don't know if any counties are putting that kind of thing on plats, it might be something to look into. If I hear anything about it, I will let you know. But, I think part of it is just the education.

Patrick Furr asked if there was going to be a question and answer part at the end of the presentation.

Michele Nance said yes. Michele Nance continues slide show presentation.

7. Making Decisions

Roles

- To review and make recommendations on request for:
 - Zoning text amendments
 - Zoning map amendments (standard and conditional zoning district rezoning)

- Comprehensive plans
 - Other plans
 - Major subdivision plans
 - Major site plans
 - Vested rights plans
 - Development agreements
- Open Meetings
 - G.S. 143.318.10
 - All meetings of a majority of the board, or any committees of the board, for the purpose of conducting business must be open to the public
 - Public decisions should be made in a formal environment, with adequate public notification and with all discussion out in the open.
- Legislative Hearings
 - Newspaper
 - Not less than 10 or more than 25 days before hearing
 - Posted Notice- on site map amendment
 - At least 10 days prior
 - First class mail (map amendment)
 - Mailed at least 10 days prior
 - Mailed at least 30 days prior for ETJ expansion
- Planning Board Review- Zoning
 - Review and comment
 - All zoning recommendations must reference consistency with the LUP and other officially adopted plans that are applicable.
 - Majority vote
 - If not written report within 30 days of referral, governing board may act
 - Governing board not bound by recommendation/inconsistency with an adopted plan does not preclude consideration or approval
- Planning Board Review
 - Considerations as projects are reviewed
 - Read the staff report
 - Visit the site if possible
 - What is the current Land Use
 - What do the adopted plans say (map and policy)
 - What additional information do you need, from whom, to make an informed decision
- Providing Recommendations
 - Planning Board Review-Public Meeting
 - Hear concerns from the public and translation to questions for the staff
 - You will hear-Traffic congestion and safety, school crowding, landscaping, preservations and buffers, water runoff, noise and light pollution
 - Not a consideration:
 - How much these homes cost
 - Tread carefully
 - Will these units be for rent or ownership

- What is the square footage of the homes

Archie Morgan said I understand that prices can go up and down, I get it. But, square footage is important. We've got a lot of developments and subdivisions, I think that is important to know the square footage of what's being developed.

Michele Nance said on the square footage, what you might want to ask to get at the same point would be, "What is the density of this project". If it's apartments, condos, or townhomes, you can ask what the height is or how many stories. You can ask, "Is there a comparable project in the community that you are trying to mimic?" The square footage is important, but I guess I would ask the attorney on the square footage, how you typically look at that

Ashley Britt said the density also comes up as well. For the square footage, if it's not a conditional district, we can't restrict it. So, it's not something we would have the power to regulate; we can only do that in conditional districts in the first place.

Archie Morgan said we've been known to tell developers to come back with some bigger houses.

Jennifer Smith (Vice Chair) said they can tell us anything and then go back and change it.

William Dotson said the site plan has square footage on it, is that correct? The site plan is binding in the fact that what they are giving to us on the site plan, gives you a hint on what the minimum square footage of these houses are.

Michele Nance said it will definitely have the square footage of the lots, now whether it has the square footage on the homes...Lisa Stiwinter said just for clarification purposes, the General Assembly took away the municipalities' ability to regulate exterior materials and square feet. The only reason we are able to get any of those, is in the negotiating process, which is a mutually agreed upon in a conditional district re-zoning. So, through that process, we are able to have a conversation with the developers on their materials and the square feet. But, they mutually agree upon that and whatever is agreed upon, it comes before Planning Board and then what comes before Council are notes on those plans. If that project is approved, then they are binding to those notes on that plan. Your site plan is basically your ordinance, your map, your everything and they will approve that. Once it's approved, it will go through the design and construction drawings, then staff from all those departments will review that project to make sure it meets those stipulations that were approved by Council.

Chairman asked if it was similar to what we see when we see renderings? What we see is not exactly what they are going to put up, but it will look similar.

Lisa Stiwinter said yes, sometimes you will have a developer that is a developer and the builder, so you might have the specific elevations that they plan on using, but a lot of times, these projects that come through the process, they may be the developer, but they aren't the builder. So they are giving examples or renderings of what is approved, then the builder comes along to buy that project, what they may look like.

Michele Nance continues slide show presentation.

Planning Board Review:

- Other Development Regulations or Plans
- Examples:
 - New plan or amendment to plan for downtown, corridor and small area.

- Subdivision regulations, stormwater, traffic calming
- Development process

William Dotson said the conditions were put on for, the elevations, like the roof. We put that into the approval, correct? The conditions for the approval? Is that what normally goes on or is there some other way or do other municipalities use a form maybe to write those conditions down, because it can be somewhat confusing, unless you go back to the minutes and listen to it minute by minute.

Lisa Stiwinter said all of the conditions of the project are going to be on the site plan. Say a project comes before Planning Board and they come up with a condition, going before the Council, that developer can either go ahead and decide they are doing to do the conditions or if not, when staff goes before the Council, we present that information from the Planning Board and add the recommendations. If Council approves that, we will see it on the site plan. Any conditions will be on the site plan.

William Dotson asked if we approve it with the condition and they decide not to do the condition, what happens?

Lisa Stiwinter said that doesn't happen. If the Council approves that project and there is a condition as part of the approval process, it's part of the project. Just for clarification, on the elevations it is difficult when you have a development that is approved that doesn't have a builder, then they come in later with elevations. Staff will review those, but we also are very conservative and we err on the side of caution. If it's not in line with what was approved, then we make it go back through the process.

Archie Morgan said what would be helpful, since I am a newer member of the Planning Board, if the Planning Board would be able to have a meeting away from the public to talk about what our vision is for the City of Monroe and what we want. But, we don't get that, because we are not allowed to meet away from the public.

Michele Nance said that is a really good point, where you are looking for that guidance. Is there a checklist of things that we really should be looking for and maybe that's something that a workshop can help with.

Richard Furr asked who would that be with, to get it done?

Michele Nance responded and said probably staff or your governing board.

Archie Morgan said I can tell you this as far as our City Council is concerned, if we don't like a project and vote it down, the developer goes back and makes changes, which is their right. The more information that City Council has as to why we (Planning Board) didn't like it, the more ammunition they've got. Our chairman came up with an idea where we have cards, and we are supposed to write down what we didn't not like about the project. City Council will see it and it goes to the minutes, then they have some ammunition against the developer to ask for more stuff. Sometimes we just don't like a project and we aren't very clear about what we didn't like, then the developer goes in and says they will fix this and that. Prove it. The more we can give Council, the better.

Michele Nance said if you've had some controversial cases come through, especially if there has been cases where the Planning Board and City Council have been on differing sides of the issues, I think it would be a good idea, because the two boards need to work together.

Archie Morgan said the public doesn't like when the Planning Board votes something down and the City Council approves it. For whatever reason, it could be a good reason, they've fixed the issues. But, it sends a message to the public, why do we even have a Planning Board when the developer can just go to City Council. That's what I hear.

Michele Nance said one of the things you can say is that it's required for the Planning Board to make a recommendation and the goal is to have the project continually improve, and so they may not know that you're writing down the reasons you don't like something and then those are then addressed, so it is actually not even the same project, it's actually a much better project. I don't know any particular cases, I'm just kind of thinking.

Archie Morgan said there is no particular cases, there has been a few that's been approved. But, the argument from the public is why it doesn't have to go back before the Planning Board, if we have problems and the developer specifically addressed those problems, there is no need to bring them back to us. It's going to cost the developer more money to get on the docket or the schedule again, so I mean, I don't have a problem with City Council approving that stuff, but we need to do a better job about what didn't we like so City Council can fix the concerns we have.

Patrick Furr said we've got the best engineers and planning, but this new Board has visions where the old Boards never had. Monroe is a growing, growing concern. We need your help here. We want to send forward the best possible projects for the town of Monroe. Our landscape ordinance for the town of Monroe is one tree for every 50 feet that's one inch. Are you kidding me? That's one of our ordinances. Well Doug and the gang have to go by the ordinances. That comes up to me, and I scream bloody murder every time, then it has to go back to those guys and we are killing our engineering and planning departments. Why can't we have a checklist? How does Indian Trail do it?

Michele Nance said I can't tell you how Indian Trail does it...Lisa Stiwinter said for one, you have to remember that our Unified Development Ordinance is dated from 2003. That's the reason.

Patrick Furr asked how do we change that?

Lisa Stiwinter said we have been working on it since 2015, of changing it and now it's coming before Council for adoption next month and it has a whole new landscape, buffer, and open space section.

Patrick Furr asked has anybody, before I go any further, I know you've been working on it. But, has anybody gotten with anyone on the Planning Board to see what their feeling are?

Chairman said yes. The Planning Boards from 2015 moving forward have been involved.

Patrick Furr said I haven't been involved.

Chairman said you are brand new, I'm sorry.

Lisa Stiwinter said there has been four public open house workshops as well. Everyone in the city was mailed a post card individually with the project website located on it. It was held in June. It's been on the project website since then, the entire document for review and comment. So, the previous Planning Board voted for a recommendation in support of the UDO. There has been multiple joint City Council and Planning Board meetings. Planning Board recommended approval. There has been four open house workshops from June to now and it's been on the project website. The whole point is, I hear your concern, our ordinance is dated, we don't have a good document to work with, it's hence the reason that we are looking to revise it. It has lots more requirements that we can look to when development comes in here or before us. So, when we get ready to go for a conditional district re-zoning, we are not in negotiating if we can have this and that. So, we are working hard to do that, so yes, everything is out on the project website. I would be happy to print a copy for anybody for review. It's been out to the public since June.

Chairman said Lisa and I have talked about before this session, whether we do this first or we go through with the Forward Monroe and the UDO stuff that we've got for everybody to look at. We decided to do this training first, then we would have another one of these sessions that will encompass the new UDO and Forward Monroe, but this was the basis and we had to start here.

Lisa Stiwinter said we are going to do additional training.

Patrick Furr said what my real question is, you (Michele Nance) can't give us ideas of what the other municipalities are doing?

Michele Nance said I think with having the ordinance be so outdated, the fact is that the ordinance is the bottom of the bar. That bar, from what I'm seeing and hearing is actually going to be moved way up. I think exactly what you all have planned is what my suggestion was going to be, in terms of you having to ask the developers to do all these special things, to raise that bar, kind of artificially. If this code is going to raise that bar, what you all need to know is, what to do not have to ask for anymore, because it's already done. You still want to ask for stuff, but now it's going to be really high stuff. That bar is really going to come up. But, what you need to be aware of is, where that is.

Chairman asks if the link for the UDO can be sent to the Board members.

Patrick Furr said I agree with that, but our problem has been that we have exploded in the last six months, with no UDO. With an old UDO, we are having to battle and it sounds like we are squabbling all of the time, but we aren't, we just want the best and don't want to work these folks to death, it's been a really stinking mess.

Margaret Desio asked when will the UDO be voted on?

Lisa Stiwinter said April 12.

Michele Nance said everybody woke up from COVID. Folks weren't developing for a while, then they got ready, and I think they spent all their time at computers and they were figuring out what properties they had, they were figuring out what their plan of action was and when it was time. Now they are letting loose. It sounds like in a few weeks, you all will have that higher level code which is really going to do you all justice.

Michele Nance continues presentation.

8. Planning Board Operations

Monroe Planning Board Rules

- Regular Members
 - Appointed by City Council
 - ETJ representative(s) appointed by Union County Board of Commissions (if applicable)
- Chair & Vice Chair (Selected by City Council) – This slide was corrected to remove “annually” from the frequency of these appointments by the City Council in Monroe.
- Quorum-Majority of the actual membership
- Staff to the Board- Planning Administrator
- 5 Year terms
- Attendance- Can be replaced if miss more than three (3) consecutive regular meetings or more than half the regular meetings in a calendar.
 - Approved absences- short term sickness, death or other emergencies of like nature
 - Prolonged absences-member shall be replaced (illness or other)

- Rules of Procedure
 - Oath of office
 - Role of Chair, Vice Chair
 - Meeting time, date and location; agendas
 - How votes are taken, voting abstentions
 - How you handle a conflict of interest
 - Absenteeism
 - Special meetings

- Conflicts of Interest

G.S. 160D-109

Members of appointed boards shall not vote on any advisory or legislative decision regarding a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member had a close familial, business, or other associational relationship.

Resolution of Objection- If an objection is raised to a board member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining member of the board shall by majority vote on the objection.

Familial Relationship- A "Close familial relationship" means a spouse, parent, child brother, sister, grandparent or grandchild. The term includes the step, half, and in-law relationships.

What if there is a Conflict?

- Immediately declare (typically at the beginning of the meeting)
- Abstain from all deliberation and vote(s) on the matter
- Move from your official seat
- Do NOT voice opinions or concerns

- Informal Rules

As a Board Member

- You have an obligation to contribute
- You must ask questions
- You must think before responding/voting
- You must put aside your own biases
- You must make the right decision, not the popular one
- You must have patience & show respect
- You must understand the City codes

Informal Rules

- Be on time
- Do create a good impression of City government
- Don't mingle with friends, acquaintances, unknown applicants or objectors in the audience
- Do your homework

- Don't forget that staff is there to help you

Michele Nance said the Planning Board and governing board relationship is really important. You really want to be in sync with them to make sure you are getting the best development you can. Whether or not Council is involved in the next training workshop, you all might have a workshop on your own, but at some point, you might want to have something together. Even if it's just breaking bread.

Archie Morgan said I think that would be helpful.

Michele Nance said follow the meeting process, make sure you vote based on the plans or codes. Focus on facts and not opinions. You have a difficult job, use the resources that are at your disposal. There are, if you have access to a computer, your codes, maps on Union County GIS, you can see all kinds of stuff. The new UDO, once it gets adopted, will be out there as well.

Michele Nance asked if there are any questions.

The Board members thank Michele for her time.

Patrick Furr asks where she (Michele) is at on her Planning Board.

Michele Nance said Tega Cay.

William Dotson said he had a question and he is the newest member of the Board. Of course, all of our information is public and should we be answering emails from the developers or people who are seeking information? Phone calls? Or should we not be doing that?

Chairman said meeting with the developers is fine if they want to meet with us.

Michele Nance said that is a really good question. I will say that different cities have different practices that they want to have in place. So, I'm actually going to ask Ashley and Lisa if they have any guidance for the City of Monroe?

Ashley Britt said you guys are legislative, not quasi-judicial, so it's not prohibited to talk to applicants and things like that outside of the meeting. If you choose to do that, you can't do it with a quorum of Board members, because once you have that majority, it triggers the open meetings law, so you have to definitely be careful of that. As far as whether that's a common factor, I will defer to Lisa.

Lisa Stiwinter said it's pretty much what Ashley mentioned, from time to time we do have developers ask if it's ok if they reach out to the Planning Board members, and we explain to them the same thing that Ashley said. That some may be willing to meet, some may not be interested in meeting. They will usually do that with Planning Board and Council, a lot of time. Sometimes they will ask staff to coordinate or facilitate and plan it so a Council Member and the developers meet, and sometimes they will request us to be there to answer questions. That way we can be there to make sure there is not a quorum of the board, because that's really what the requirements are. There can't be a quorum. It's a common practice for developers to reach out to Planning Board members and Council Members.

Archie Morgan said on the surface, it sounds devious for a developer to reach out to a Planning Board member. The Planning Board member can say, in the past we have had a lot of problems with traffic or buffers, and that gets on their radar before we go to the Planning Board. I can see where it may be helpful.

Lisa Stiwinter said that is their goal. They are only looking to improve their project, so the more feedback, it's just another avenue for them to get feedback from all of you, just as they do the neighborhood meetings.

Margaret Desio said I think meeting with the developers is a really good idea because you can clear away a lot of trash from the very beginning. You can say I've seen a project like this before and there is nothing about it that we liked. Or we can say, let me send you to an area that we like and we would like you to pattern after this development. So, I think meeting with developers is very helpful, because I think our job on the Planning Board is like a due diligence. We weed out everything, so that when it goes to City Council, they don't have to get down in the weeds, we've already done all that. It just goes to them and they can vote however they feel like they need to.

Archie Morgan said I think we would see better projects that way.

Margaret Desio said I think so too. That's what we keep saying, no more 50 ft. lots, no more front lined garages, that kind of stuff. If we can first get with these folks, I think it's a plus to me.

Chairman said I agree with that. My caveat that I throw in there is when they call me, I meet them in public. I meet them somewhere where everybody can see me meeting them, it's just me. If they come over, I introduce folks, that way if it ever comes back up that I met with a developer at your office, how do we know what happened. If I'm sitting in Showmars, or Dunkin Donuts drinking coffee with them... I buy my own, I don't let them buy for me.

Michele Nance said I have been advised that when you do a reply all on your email, it seems like a good thing because everybody is getting the same thing. I've been advised that this can actually be problematic.

Chairman said yes, that can potentially violate open meetings with that because you are including the quorum.

Ashley Britt said that's why a lot of times when we send emails, we blind copy you so you can't reply all.

Chairman asked if there are any further questions.

Patrick Furr said we need to put together a workshop with the Council.

Chairman said that is in the plan.

Margaret Desio asked (Michele Nance) if she sees other municipalities around? Because I know with our proximity to Charlotte that we are very popular and because of the problems that the county is having with sewer, we are very popular. I just wonder if other municipalities are exploding like we are.

Michele Nance said I was in Gastonia earlier today and pretty much had the same conversation. They had a major re-zoning last night and they just approved something that had 800 units. It was a farmstead that turned over. They were talking about booming growth. They've been slow to grow, but now they feel like it's just happening.

Chairman asked Ashley if she had anything else to add. She did not.

Megan Brightharp asked when we covered the section about conflicts of interest, say a Board member has a project coming before them and they live in the same neighborhood, obviously they would have to recuse themselves, but are they still given the opportunity to make a comment as a member of the public? Or are they just silenced completely?

Michele Nance said just because they are in the neighborhood, doesn't necessarily mean they have a conflict of interest, it's really more about fiduciary. So if they somehow owned that property, or they were business partners with the people who are doing landscaping or something like that... There is a really strict definition in the statutes and if they just live in the neighborhood, it's not necessarily a conflict of interest.

Chairman asked Doug and Keri if they had anything. They did not.

Adjournment

Chair said if there were no further questions, he would entertain a motion at this time to adjourn.

Motion: Archie Morgan made the motion to adjourn.

Second: Jennifer Smith

Action: The motion to adjourn passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Patrick Furr, Margaret Desio, Kenneth Deal,
David Dotson, Richard Ali, and Archie Morgan

NAYS: None

The meeting was adjourned at 7:05 p.m.

Respectfully Submitted,

Richard Yercheck, Chair
Planning Board

Ashlyn Penegar
Secretary to the Board

PLANNING BOARD MEETING

April 6, 2022 @ 6:00 PM
City Hall – Council Chambers
300 W. Crowell Street, Monroe, NC

Emailed to S. Laney on: 05/04/2022

Item 1. Call to Order/Roll Call

Chair called the April 6, 2022 meeting to order at 6:00 p.m. Ashlyn Penegar called the roll. Chair noted there was a quorum was present.

Members Present: Richard Yercheck (Chair), Jennifer Smith (Vice Chair), Richard Ali, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

Members Absent:

Staff Present: Doug Britt, Senior Planner; Keri Mendler, Senior Planner; Ashley Britt, Assistant City Attorney, Ashlyn Penegar, Administrative Assistant

Guests: Charles Saleah, Richard Haake, Taylor Prichard, Matthew Kirchner, Kyle Dipreford, Patrick Domville

Item 2. Approval of Minutes of Meeting- February 2, 2022, March 2, 2022 & March 16, 2022

Motion: Jennifer Smith (Vice Chair) made the motion to approve the minutes from February 2, 2022, March 2, 2022 and March 16, 2022.

Second: Archie Morgan

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Patrick Furr, Margaret Desio
Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

Item 3. Zoning Map and Text Amendment request for the properties located along Sutton Place to rezone the properties from Conditional District "Aaronfield at Sutton Place" and R-MF (Residential Multi-Family) to Conditional District "Sutton Place Townhomes" (Parcel ID #: 09-156-002 & 09-156-002- E)

Doug Britt, Senior Planner, came forward and said this project was tabled from the previous month. The project was tabled for additional parking to be worked out. Doug Britt said he would now give his presentation.

The applicant is requesting a conditional district rezoning in order to develop an 81 lot single family attached townhome subdivision that will include 4.76 acres of common open space. The lot sizes for the development will range from approximately 1,540 square feet to 1,925 square feet. The developer is proposing the minimum lot width to be 20-feet wide. The minimum heated square footage of the townhomes will be 1,432 square feet excluding the garage.

Density & Dimensional Standards

The density of the total project is 8.08 units per acre.

Setbacks

Single Family Lots

Front/Corner: 10 ft.

Interior Units: 0 ft.

Side (end units): 5 ft.

Rear: 20 ft.

Maximum Height: 45 ft.

Elevations

The exterior building materials for the proposed project will consist of brick, fiber cement, stone and stucco. The developer is proposing the front façades of all homes to consist of at least twenty-five (25%) brick or stone.

Vinyl will only be used for eaves, soffits, trim and windows. The minimum heated square footage as proposed for the homes will be 1,432 square feet excluding the garage. The homes constructed on slab foundations shall have a minimum of four courses of brick of standard size extending up the face of the slab on the front and side elevations.

Landscaping

All single family homes will have sodded front yards prior to the issuance of the certificate of occupancy. Street trees will be provided throughout the development. A 50-foot perimeter is being provide along the northern and eastern property line as required by the ordinance.

Open Space and Amenities

The project is required to provide at least 50% open space which would equal 5.01 acres. The applicant is providing 4.76 acres of common open space. The amenities being offered for the project include: walking trails, gazebo with benches/picnic table, and a playground area.

Parking

All townhomes will be provided with a one (1) car garage. All front load garages will have carriage style trim and/or hardware that mimics carriage style doors. Driveways for the interior units will be able to accommodate at least one (1) vehicle and driveways for the exterior units will be able to accommodate at least (2) vehicles.

The ordinance requires multi-family projects provide parking at a rate of one (1) space per bedroom plus an additional ½ space per unit. Assuming each unit has three (3) bedrooms, this project would require 298 parking spaces. They did two overflow parking lots, one with a total of 15 spaces and another with 6 spaces with a total of 21 additional parking spaces (in addition to the original 202 that they proposed).

Schools

The proposed 81 single family attached lot subdivision will be within the following school attendance areas for the current school year:

Rock Rest Elementary	Currently at 83% rated capacity
Monroe Middle	Currently at 88% rated capacity
Monroe High	Currently at 71% rated capacity

Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency. It is not expected that this development will adversely affect enrollments at the above schools.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of site plan submittal, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Stream Buffer/Flood Plain

All streams located on the site have been provided with a 50 ft. undisturbed stream buffer on both sides as required by the ordinance.

Transportation

The developer is proposing for all streets to be constructed to the City of Monroe street standards and maintained by the City of Monroe. Due to the number of proposed lots, the City's Engineering Department did not require a TIA for this project. There are no required street improvements for this project.

Future Land Use Plan Consistency

The Land Development Plan indicates this area is within the Medical District as well as a Neighborhood Mixed-Use Center. The Medical District area is anchored by Carolinas Healthcare System – Union and includes various uses such as primary care, outpatient surgery, and other specialty services. This area should address the needs of the hospital, including research and development and other medical activities. The inclusion of land uses that support the medical focus of this area such as hotels, service-oriented businesses, child care, assisted living, and long-term care facilities are suitable. Ideally, buildings are oriented in a campus setting, with large buildings connected via walkways, structured parking, or an internal network of streets for circulation. The Medical District is distinguished from the Community Corridor by its emphasis on medical-related land uses and emphasis on a campus-style development pattern, but a campus setting is not a requirement for approval.

Neighborhood Mixed-Use Centers provide neighborhood retail, professional office, service, and other community-oriented activities and uses for surrounding residential areas. In general, these centers are smaller in scale than Regional Mixed-Use Centers. The center's proximity to residential areas requires design to be integrated with and at a scale compatible with nearby residential development. These centers measure half-a-mile across, representing approximately a 10-minute walking distance. The design transitions effectively between residential and nonresidential uses, and includes safe and convenient pedestrian and bicycle access for nearby residents. While commercial uses are likely to be prominent, these centers should emphasize a mixture of uses and residential housing units where possible. Single-family residential should be discouraged but may be used as a transition between land uses or to maintain continuity between the surrounding neighborhoods. For some centers, housing may include upper story residential and office uses. Site designs should minimize the impact of cut-through traffic on nearby neighborhood streets by orienting vehicle access and circulation away from surrounding neighborhoods.

The Medical District does not permit multi-family residential; however, the Neighborhood Mixed-Use Center permits multi-family residential with no cap on density allowance. The density of this project is 8.08 units per acre; therefore, the project is consistent with the Future Land Use Plan. The proposed project is a reasonable use and in the public interest because the use of multi-family will provide additional housing opportunities in proximity to large employers, such as the hospital and nearby medical offices with additional services nearby, such as shopping.

Public Notification

1. A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within at least 150 feet, 10 days prior to the public hearing.

Modifications made since March 2nd Planning Board Meeting:

1. A fifteen (15) space parking lot was added on the southern portion of the site as requested.
2. A six (6) space parking lot was added on the northern portion of the site as requested.
3. Sidewalk has been provided along Venus Street and the improved portion of Sutton Place as requested.
4. Total lot count was reduced from 85 lots to 81 lots.
5. The density of the project was reduced from 8.48 units per acre to 8.08 units per acre.
6. The common open space was reduced from 4.81 acres to 4.76 acres.

Recommendation

Doug Britt concluded his presentation and said staff does recommend approval and I will be glad to answer any questions and again this project was tabled from last month and the applicant is here to make a presentation or if you have any questions them as well.

Chair asked Doug, from a parking space, are we meeting what city code is?

Doug Britt said we are not meeting it to the “T”, and honestly with Conditional Districts, you can request deviations and because the ordinance requires one space per bedroom, plus half a space per unit, that is probably on the high end. Just because you have three bedrooms, doesn’t mean you are going to have three drivers or three vehicles. Are we somewhere in the middle? Yes, there is always a fine line of having too much parking versus not having enough parking, it’s problematic if you have too much and its’s problematic if you don’t have enough. When we made the recommendation last month, staff didn’t feel it was adequate and we were requesting overflow parking and they did meet that intent and that was the motion from Planning Board last time to table that to find some more parking on site.

Chair asked Doug if staff felt comfortable with how the project looks now.

Doug Britt said yes, we are.

Chair asked if there were any changes that you would make or if we approved, is there anything that you would have us add?

Doug Britt said no.

Archie Morgan asked Doug how many parking spaces were they short before?

Doug Britt said before, they had no overflow parking spaces at all. If you do it by the numbers, they are required to have 298 spaces and they were at 202 spaces. They added an additional 21 spaces, plus they lost 4 units. That's why staff feels somewhat comfortable with the number they are at.

Archie Morgan said they didn't lose them to parking.

Doug Britt said they lost parking by losing units. Each unit has one space per bedroom, plus a half a space per unit.

Archie Morgan said the 298 should be 284 and they are providing 223, they are still 61 parking spaces short.

Doug Britt said that's if you had a car for every person who had a bedroom, which I don't think is reasonable to think.

Archie Morgan asked if the Planning Board has approved projects that were 61 parking spaces short?

Doug Britt said typically with townhomes, most of the projects don't meet the threshold for parking. It's of course up to the Board's discretion. If the Board doesn't feel comfortable with the parking, obviously you can recommend disapproval to the Council and send it forward that way. It's completely up the Board how you would like to proceed with the matter.

William Dotson said he had a question. There is no street side parking or no parking for the roadway through the units, correct? How wide is that? If people didn't want to walk down to that overflow lot, because they live all the way down at the other end towards the entrance. Could an emergency unit or firetruck come through there if there was someone parking on the street?

Doug Britt said it's a 50 foot right away, so I think it's 26 feet from back of curb to back of curb. The City requirements, of course this isn't enforced by Planning, it's enforced by Police. The problem with the streets is not problematic until people park directly across from each other on the street. But, with townhome communities, it's hard to park on the street because there is limited space because you are going to block someone's driveway. On townhome projects, you aren't going to see a whole lot of parking in the streets, just because you can't due to the driveways.

Chair asked if there are any further questions for Doug? There were none.

Chair asked if there was anyone who would like to speak in favor of the project.

Taylor Prichard, Landscape Architect with Seamon Whiteside, came forward and began his presentation.

Taylor Prichard said thanks for hearing this petition again. Last month there was a lot of conversations on parking and it was kind of the determining factor to table until this month. I will not run through all of this again, I know you have all heard it. So with this townhome project behind the shopping center, they will have proximity to the surrounding features. The shopping center within the five mile walking radius, the hospital right on the edge of that and certainly within a 10 minute walk, which is typically what we would call a half mile. We really feel like the connectivity and the possibility to walk is important for this project. We can't guarantee that everyone is going to walk everywhere, but we are at least providing that opportunity and it's a unique aspect these days. A couple additional things to note, on the parking requirement, since I know that's going to be a topic of discussion. We do feel that the parking we are providing is right about the 2 and a half spaces per unit, which from a market standpoint is pretty typical. The parking requirements for the townhomes being a space for every unit and a half a space for a townhome block is meeting the demands of the market and provides a nice product for these users. Staff discussed adding 20 spaces and we added as many as we could and it ended up

being 21 spaces. So we have provided the majority down on the southern portion of the property, where the majority of the units are, then a few spaces up higher to categorize the amount of units for each pod. Something important to point out is the alignment of the driveways. In order to meet that parking requirement, we would need the double driveways for each unit and that would really obliterate any street tree requirements. We really wanted to add that street scape and working with the City, so this is where we landed, and adding this parking in and especially on site was a great recommendation from the Board, so thank you for doing that at the last Planning meeting. On the northern portion of the project, closest to the intersection, we have allowed a little bit on the open spaces. Patrick, I know that was something you had mentioned at the last meeting, so we have further developed what that was going to be. We will continue to develop this, but from a programmatic standpoint, the intent is for that to be a playground area, and we do still have the walking trail that will go throughout the buffer and connect back to our sidewalk system and to the public right-of-ways. We have added a couple benches on each side of these around the natural areas and where some of the ponds are going to be located. Then we are proposing a fire pit area, just for an added amenity for this larger portion, so they can have an amenity tucked into that buffer area so folks can have something fun to do on that side. We did reduce the units from 85 to 81 and that parking is providing a little over two and a half, and our tree requirements at an inch and a half caliper, we have increased to two and a half inches, based on some conversations we have heard at the last Planning Board meeting. We have the same materials and design aesthetic that we talked about last time. Charles has some things he would like to mention, but I am happy to answer any questions after that.

Jennifer Smith (Vice Chair) said I have several questions that I want to ask you. Do you intend to build all of that complex at one time or in stages to see how they sell?

Charles Saleah said the plan is to build the whole thing at the same time. Typically, how they do it is that they start on one end...Chair asked Mr. Saleah to introduce himself.

Charles Saleah said I am the developer and it is good to see you guys from 30 days ago. The answer to your question Ms. Smith is that these things are built by buildings because they are a cluster of five, so each five will be built at the same time.

Jennifer Smith (Vice Chair) said one thing that makes me nervous about this project is when I was a lender 20 years ago for a project that was a knitting mill near Downtown Charlotte. They were trying to turn these into condos and they just did not sell. Then they started to reduce the price to get them sold and they only sold half of them. Then it turned into rental properties, then eventually they were torn down. I'm just concerned about that with the area that it's in and somebody paying \$200 some thousand dollars for the lay of the land is pretty bad too.

Charles Saleah said the alternative to that is to build apartments that is it zoned for today. The apartments I think, is even worse than what you are suggesting. What we are trying to do is step it up and really give it more and give it ownership. When people have the ownership, they tend to take care of it more.

Jennifer Smith (Vice Chair) said is there anything that you can put on there that you can only have 15% rental property if it did turn into that?

Charles Saleah said yes, we can put some restrictions into it. But, that's part of the HOA.

Ashley Britt stepped forward and said the HOA may be able to do it, but we cannot have that as a condition. We can only regulate the use of the property, not the form of ownership.

Charles Saleah said yes, we discussed that last month and we received the same answer. So, the answer to your question is that we are going to be taking care of the landscaping and the outside look and maintenance. So, we

think this is going to be an upgrade to the area, plus being in the location it's at and the history of that parcel, it's very difficult to do anything with it other than trying to get something like that and give it the proximity to the shopping center and the hospital and trying to give it to people who are proud of ownership in that location.

Chairman asked if there are any other questions?

William Dotson said I know we can't make it a condition, but I'm just curious, are you going to put the age restriction into the HOA rules?

Charles Saleah said no.

William Dotson said ok, so there is a possibility that those can be any age. So, if you built the apartments, they would be approved to be age restricted?

Doug Britt said it would be age restricted and that's how it was approved, unless it gets changed.

Chairman asked if there are any further questions?

Charles Saleah said the only thing that I would like to add is that pretty much what we have discussed last time is that we heard you guys and we listened. We did what we needed to do and I think the question last time was to add something like 20 parking spaces and what's what we did. We added the calipers, we added pretty much whatever was requested. We appreciate your help and we think this is going to be a good project for everyone. At the end of the day, it will be an asset to the community.

Archie Morgan said just for clarification, we didn't recommend 20 spaces. We never made a recommendation. We just saw that there was not an ample supply of parking. It's not like we asked for and you gave, we never gave a number. You are still 61 short.

Board discusses.

Chairman asked Charles if he was finished.

Charles Saleah said Ryan Homes, as you guys know, who is going to be building those things, they have a lot of analysis and they do a lot of marketing with what they call the "funnel", where they go and look at the marketplace. They look at the strength of the market and the people that they are going to target and the people in the area. They have been successful all over the place and especially in the Southeast. This is what they do.

Jennifer Smith (Vice Chair) asked what school district is this project in?

Charles Saleah said I have no idea.

Archie Morgan said I'm sure it's in Monroe.

Chairman said it's Rock Rest and Monroe Middle and High.

Chairman asked if there was anyone who wanted to speak in opposition to the project?

Doug Britt said I will say one thing too. There was a version where they had double driveways for all of the units, but we said no because it was basically driveway, driveway, driveway. We said no, and this was the compromise.

Chairman asked Doug if this doesn't get approved, then they can go back and immediately build apartments?

Doug Britt said it was a one building, three story, and 60 unit apartment building. Age restricted.

Margaret Desio asked a question regarding one of the slides and if pond number one can be moved back more towards the boundary and said you take that and have a great place to put parking?

Doug Britt said a lot of times, these are conceptual. The pond might not go in that exact location, but to say when they lay out the conceptual drawings, they take the topo into consideration. I am assuming the pond is there based on the grade from the topo, but to say it will go exactly in the dimensions you see, probably not. But, I'm sure it will go somewhere in the area.

Archie Morgan said if you move pond one or pond three, you can make some additional parking for that end of the project.

Taylor Prichard said that is really the only location that can go. We have a stream buffer that's off the dashed line on the site plan. We also have a stream buffer requirement, so we are pinched in there. So, that is the location of the stream line.

Chairman asked why we have so many mini ponds?

Taylor Prichard said it's just because how the topo is and from the engineering standpoint.

Chairman asked if the Board has any more questions for Doug?

Board discusses.

Chair said we need a Motion to recommend adoption of the Resolution Approving/Denying Land Development Compliance.

Motion: Margaret Desio made a motion to recommend adoption of the Resolution Approving Land Development Compliance.

Second: Kenneth Deal

Action: The motion to recommend adoption of the Resolution Approving Land Development Compliance failed with the following votes:

AYES: Richard Yercheck, Margaret Desio, Kenneth Deal, and Archie Morgan

NAYS: Richard Ali, Patrick Furr, Jennifer Smith, David Dotson

Board discusses.

Archie Morgan asked those of you who voted against it, can changes be made so you can maybe change your mind?

Richard Ali said it's too late. I don't think you can go back and re-consider.

Archie Morgan said we can table it, I'm just asking.

Chairman said you've made a motion to recommend the adoption of the resolution has been denied, so that part is denied. Your index cards are going to fill out and tell if they choose to go to City Council what we didn't like and if they choose to make changes at that point in time, then City Council will see what we denied for.

Ashley Britt said just because your recommendation of the adoption of the resolution approving it failed, that doesn't necessarily mean that you recommend to adopt the resolution denying it, but because it was a 4-4 vote, that motion would likely fail also.

Chairman said we have to do that now.

Chairman said if the resolution of land development compliance is for denial, the Planning Board will also need to make the following motion, the motion to recommend denial of the amendment.

Doug Britt said what you've got to do, since your first thing didn't pass to approve, you can do one of two things. You can either do a motion to recommend resolution denying the land development compliance or you can make a motion to not send a recommendation what so ever to the City Council.

Motion: Richard Ali made a motion to recommend adoption of the Resolution Denying Land Development Plan Compliance.
Second: William Dotson
Action: The motion to recommend adoption of the Resolution Denying Land Development Plan Compliance failed with the following votes:

AYES: Richard Ali, Patrick Furr, Jennifer Smith, David Dotson
NAYS: Richard Yercheck, Margaret Desio, Kenneth Deal, and Archie Morgan

The Board discussed and called for a roll call vote to see how all the members voted during the first vote. It was four in favor, four against.

Therefore, Chairman said this is going to move forward with no recommendation to the City Council. Everybody that is voting against, is going to fill out an index cards as to what they did not like about the project. Those are going to go with the meeting minutes, so that you are going to have that specifically for that Board member that had a problem. So, you will know exactly what those issues were before you get back to City Council.

Charles Saleah asked when the minutes will be available.

Chairman said soon. I don't know when that will be, but I know that it's soon.

Ashlyn Penegar said it usually takes me about a week or two to complete everything and to send them to our Assistant City Attorney.

Board discusses.

Chairman said you are going to go to City Council with no recommendation from the Planning Board. Sorry for the confusion.

Item 4. **Annexation request of 17.00 acres located off of M.L. King Jr. Boulevard and further identified with Tax Parcel # 09-316-005-B**

Patrick Furr said I was informed by my boys even though I'm retired, that we are going to be building these two synthetic turfs/fields as a sub-contractor, so I am going to recuse myself from this item.

Chairman asked the Board if anybody has any problems with Mr. Furr recusing himself? They did not.

Patrick Furr moved to sit in the audience.

Doug Britt explained that this is just an annexation request. It's 17 acres that Union County currently owns and it's located adjacent to Union Academy. They will construct athletic fields there and they are requesting to annex this property into the City of Monroe. It's currently zoned R-20. If you notice, there is no rezoning to go with this, it's in the ETJ and they have the zoning they need. The only thing they are trying to do is annex their property into the City limits. The only thing staff will be looking for is a recommendation on the annexation.

Chairman asked what does this do for the City if we annex it? Why is it good for us?

Doug Britt said schools don't pay taxes, but neither do churches.

Chairman said I don't mind annexing it, but there is no benefit to the City when they can use it as is.

Archie Morgan asked is this being used for athletic fields?

Doug Britt said yes, they are doing another softball field and a baseball field with some associated parking that will go along with it.

Chairman said we like parking.

Doug Britt said it's sufficient parking.

Chairman asked Doug if staff recommended the annexation?

Doug Britt said we do.

Chairman asked if anyone has any questions for Doug? There were none.

Chairman asked if there was anybody who would like to speak in favor of the project or clarify this?

Matthew Kirchner with Eagle Engineering Inc. stepped forward and introduced himself.

Mr. Kirchner said I am a citizen for this project. I actually designed the ballpark for the school to what it is. We do have a water connection here, so the City will get some fees for the water that will be connected to the concession stand.

Chairman asked if there were any questions for Mr. Kirchner?

Kenneth Deal said if I understand the water and the sewage systems correctly, after talking with our water resources officer, there is a plus on the bills for any City services provided outside of the City limits. By annexing this property into the City, they would pay City rates, not extension rates, which are much higher.

Chairman asked if there was anybody that would like to speak against the annexation? There was no one. Chairman said, hearing none, I would entertain a motion.

Motion: Archie Morgan made a motion to recommend approval of the annexation.
Second: Margaret Desio
Action: The motion to recommend approval of the annexation passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan
NAYS: None

Item 5. **Annexation request of 29.206 acres located along Waxhaw Highway further identified with Tax Parcel # 09-351-015.**

Item 6. **Zoning Map and Text Amendment request for the properties located along Waxhaw Highway to rezone the property from RA-20 and RA-40 (Union County Residential Low Density) to Conditional District (CD) “Waxhaw Landing Phase 2” and further identified as Tax Parcel # 09-351-015.**

Patrick Furr returned to the dais to sit with the Board.

Keri Mendler, Senior Planner, came forward and said the applicants are requesting a conditional district rezoning in order to develop a residential subdivision that will consist of 65 single-family detached homes. The development will be a mix of 60-foot (39) and 80-foot (26) wide lots. The total area of the project is 29.21 acres, with 9.45 acres or 32.35% of that reserved as common open space. The density of this project is 2.23 units per acre.

Density & Dimensional Standards

The density of the proposed project is 2.23 units per acre. The minimum lot size is 6,000 sqft. with an average lot size of 9,881 sqft. The development will be a mix of 60 ft. wide and 80 ft. wide lots. There will be 39 60 ft. wide lots and 26 80 ft. wide lots. The maximum allowable density for R-10 is 4 units per acre and 2 units per acre for R-20.

The minimum setbacks proposed are as follows:

Front: 25 feet

Side: 5 feet

Corner Lot Side: 10 feet

Rear: 25 feet

Landscaping

Street trees will be provided at a rate of one (1) per 50-feet and all houses will have at least two (2) yard trees. A 20-foot landscape buffer is being provided along Waxhaw Highway, the southern and western property line. The buffer will include a mix of trees and shrubs as indicated in the typical planting schedule on the site plan.

Open Space

The project is required to provide at least 12.5% open space, which would equal 3.65 acres. The total area of open space provided is 9.45 acres or 32.35%. The open space for this phase includes a natural walking trail with exercise stations. With that said, this is a proposed second phase of Waxhaw Landing and the first phase has additional open space and amenities such as a centrally located pool and clubhouse.

Elevations

The developer is proposing the homes will be a minimum of 1,600 heated square feet. The proposed exterior building materials will include fiber cement, stone, stucco, and/or brick. Vinyl will only be used for trim work. The front façade will include a mix of materials with a minimum of 25% being brick, stone, or stucco. Four courses of brick/brick veneer will extend up the face of the slab.

Parking

Each home will have a minimum of a two car attached garage. All front load garages will have carriage style trim and/or hardware that mimics carriage style doors. Driveways will be paved and will be able to accommodate at least two vehicles.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by the City Council, at the building permit state of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of the site plan submittal, site plan will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Stream Buffer

The site does not have any blue line streams.

Schools

The following is the information by Don Ogram with the school system:

“Phase 2 of Waxhaw Landing is a proposed 65 single family unit development will be within the following school attendance boundaries for the 2021-2022 school year:

Walter Bickett Elementary School	Currently at 65% rated capacity
Monroe Middle School	Currently at 87% rated capacity
Monroe High School	Currently at 67% rated capacity

This project is not expected to adversely affect school enrollments”

Transportation

The developer is proposing all streets to be constructed to the City of Monroe street standards and maintained by the City of Monroe. The proposal includes one entrance on Waxhaw Highway/Highway 75 and two internal

connections to phase 1 of Waxhaw Landing which also has two entrances on Waxhaw Highway/Highway 75. Due to the number of lots in this development, a TIA (Traffic Impact Analysis) was conducted for this project.

The following transportation improvements are required:

1. Construct a westbound left turn lane with 100' of full storage with appropriate tapers.
 - a. Install a three-lane section between this access and the next access point of the original phase.
2. At Fletcher Broome and Hwy. 75, construct a traffic signal with railroad preemption.

Future Land Use Plan Consistency

The Future Land Use Plan indicated this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is consistent with the Future Land Use Plan. The project is a reasonable use and in the public interest, because it continues similar residential uses in the area.

Public Notification

The applicant held a virtual neighborhood meeting on September 29, 2021 with two households attending.

A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within at least 150 feet, 10 days prior to the public hearing.

Recommendation

Keri Mender said staff recommends approval of the Conditional District "Waxhaw Landing Phase 2" and is happy to answer any questions and the applicant is here as well.

Chairman asked the Board if there were any questions for Keri?

Margaret Desio said I do. First of all, on the walking trail, we had exercise stations, I don't know what an exercise station is.

Keri Mender said they're in a lot of trails now, even public parks now and I think Belk Tonawanda will have something similar. It's basically outdoor exercise stations that are waterproof that are to help you do things other than walking.

Margaret Desio said thank you. Another thing is when I look at the aerial of this piece of property, the front half is cleared and the back half is treed. Have we gotten anywhere along the way that we are asking them that they cannot eliminate all trees?

Keri Mender said in the proposed code, we do have some tree preservation standards that were added in. There is some clear cutting restrictions and some fines if you do it within a certain period and waiting times. But, with that said, those standards would not apply to this property. One, it's already been cleared and two, that code has not been adopted at this point.

Richard Ali said I just have a general question, when you all say and I don't recall this being used in the past, what do you mean when you say the project is in the best interest?

Keri Mendler said it meets the community's vision, as far as the Future Land Use Plan and it provides additional housing, which is desperately needed in all parts of the country. It provides a mix of housing, versus just one type.

Margaret Desio said this area of Waxhaw Highway is just slammed.

Archie Morgan said there is a Waxhaw Landing Phase 1 and 2 and there is a three coming, right?

Keri Mendler said Phase 3 has already come to you guys and this is Phase 2. How they were named that way, I'm not sure. Which one will come first, ultimately, if approved, I'm not sure.

Archie Morgan asked we don't have an exact number of homes in this area with all these phases?

Keri Mendler said amongst these phases, I believe we added it up to about 715.

Archie Morgan said besides these three, are there others?

Keri Mendler said proposed and in the works? Not that I am aware of. Obviously there was Alexander Commons, that was recently approved and under construction.

Archie Morgan asked what is the subdivision that is going in on the ramp of.... Keri Mendler said there is Secrest Commons and that one is 345.

Keri Mendler said we looked at this earlier, because I know that was a question you guys asked on the Phase 3 that Doug presented in February. There is an existing 469 homes within about a mile radius of this project. There is a 150 proposed, which is the Waxhaw Landing Phase 3 that you guys saw back in February. Under construction is 845, which includes the 500 homes from the original Waxhaw Landing. So, it's just over 1,400 homes, including already existing, already built, proposed and under construction for this area.

Board discusses.

Keri Mendler said obviously not all of those take access off of Waxhaw Highway. A lot of them have access to MLK, so Alexander Commons has access to MLK, South winds, they have access to MLK, Secrest Commons has access to MLK. So, they aren't all taking access to Waxhaw Highway.

Archie Morgan asked what size houses are we looking at here?

Keri Mendler said the minimum proposed is 1,600 square feet.

Richard Ali asked if these are the minimum elevations?

Keri Mendler said I will defer to the applicant on those. I don't think they have a builder on board right now, so they would be a representation of what could be built.

Patrick Furr said you do realize they you are saying that they have access to Martin Luther King Highway and that's all the way.... Keri Mendler said those are other projects.

Patrick Furr said they have to go somewhere, so if they are going up MLK, I know as of right now after you go past Union Academy, it's bottlenecked up there and it's a two lane road. All this is a two lane road for a thousand and some odd houses. That's a whole bunch of houses for a two lane road.

Board discusses.

Chairman asked if we have any more questions for Keri? There were none. Would anyone like to speak in favor of this project?

Matthew Kirchner came forward and introduced himself again.

Mr. Kirchner said I will quickly go through this. This project does have some small improvements which is the signal down the street as well as some left and right turn lanes into and out that should help this project. Between these three projects, we are pretty much adding a new lane on that road, as well as two right turn lanes, signals, and now left turn lanes and right turn lanes at the following intersection, plus a signal on the other side. So, there are substantial improvements for this one. We are talking about 65 lots here in this phase, 26 of them will be 80 ft. wide and 39 of them will be 60 ft. wide, so it's a very good mix of larger lots than what you have seen in the past. Our minimum is if they go with a single family ranch style house on an 80 ft lot, you can put a pretty large house on there. The 80 ft. lots are all around the exterior and then the interior that would go to the other phases, the 60 ft. wide lots, which are a bit larger than what you have seen in the original phase. We do have a buffer, but except for the front area, none of the property lines for the houses fit that buffer, so there is actually open space in between the planning buffer and the backyards, so these houses are pushed off from that property line a good bit, so we can put the natural trails.

Mr. Kirchner shows slideshows of different houses that the builder can have in that area.

Mr. Kirchner said you will have a nice consistent look with the houses and phases in the subdivision. There will be a gathering area towards the northeast side with an open area and trails and everything will attach to this with a picnic table and a nice covered area.

Patrick Furr asked where the open area will be on the site plan...Mr. Kirchner showed his site plan from his slideshow.

Mr. Kirchner said I'm trying not to confuse any Phases, but the one you saw last month, we have the walking trails with the workout equipment and some more gathering areas. But, if you put all these together, you've got walking trails throughout all three phases and community gardens, pools, covered areas, athletic fields. These house will have a pretty substantial amenity network between them.

Jennifer Smith (Vice Chair) said these are like 1,600 square feet.

Mr. Kirchner said the 1,600 square feet is if you came in, expecting the smallest ranch style that we can have, it's going to be a 1,600 square foot house. Your average on these houses are going to be well over 2,000 square foot houses. If someone wanted a small ranch, that's the minimum they can have on here. Most people are between 2-3,000 square foot, just as a starter home.

Margaret Desio asked if there are dog parks in this one?

Mr. Kirchner said based on your comments from the one you saw last time, we added the community gardens, the multi-use fields, dog parks, those were all into the one that will be at Council next week.

Jennifer Smith (Vice Chair) asked no builder yet?

Mr. Kirchner said no builder has committed on this one. There is no commitment from anyone. My builder will more than likely be the builder; it doesn't make sense for anybody else to do these 2 phases.

Patrick Furr said Matt help me real quick on this thing, this is Phase 2. Somewhere along the lines there is Phase 1 and Phase 3, are they all touching each other? Is that where you are getting the pool and amenities in the big project and this feeds into it?

Mr. Kirchner said all three will have their own amenities; they are all standalone projects. The only major amenity that the main one has is the pool. The community gardens, the multi-use fields and all that is over in Phase 3. This one will have the natural trails and depending on the area where we will have it, all of them together will have different things. We didn't do two community gardens; we did one community garden in one phase. We did one exercising in one phase, the pool in one phase. If we put all of it together, you've got 15 different amenities, which should be shared.

Margaret Desio asked Mr. Kirchner to put a slide from his slideshow back up so she could see it again. Ms. Desio steps down to see the picture. Ms. Desio and Mr. Kirchner have an inaudible conversation.

Chairman said Margaret, you are going to have to come back up here to make a comment for the minutes.

Mr. Kirchner said it's hard because all of these projects are doing different phases. Some of these amenities have been added since we last met and that's where the dog parks and stuff came in. These are amenities that will be added based on last month's meeting of what you were looking to have added. We also have bigger lots, and we got rid of some of the small lots and you have a big mixture, with more amenities. We took the feedback from what we got and added more open space around the sides and things like that.

Jennifer Smith (Vice Chair) said I like the layout of it, but I'm just concerned who the builder is going to be.

Mr. Kirchner said I wish I could tell you this for sure, but there is no way at this point.

Chairman said I suspect it will be the same builder as the other one, but they are going to wait until this gets approved.

Board discusses.

Patrick Furr said Matt, let me ask you a question, are you not getting a little concerned that all of these houses around this area are almost identical. They are the same and we are going to saturate the market with these, just this particular one. Aren't you getting a little bit concerned about this?

Mr. Kirchner said to be completely honest, I'm not concerned at all. As these houses, almost two years ago, were going from \$200,000-\$300,000 was a nice house, these in here are going from \$400,000-\$600,000 for what we would have paid \$200,000-\$300,000 before. So, all I am seeing here is my investment from my house that I have, it's been nice. There is more value in the actual area, more people are coming in that will fill all of our parks and our Union Academy. We are expanding Union Academy like crazy for all of the people who are moving in. These are the people who are willing to pay half a million dollars for a property. You've got a 1,600 square foot house; it's going to be \$350,000 for a 1,600 square foot house that has brick on it. I think this area goes to Monroe Middle and Monroe High School, which could use a lot of different kids to help bring it up and make it not have the same demeanor that it has in years past.

Chairman asked if Richard Ali had any questions?

Richard Ali asked, I thought the question was more about the design of the house, was I wrong?

Patrick Furr said no, it's pretty much the same layout, concept that we've got 6 or 7,000 of and they are being built all around Monroe and where the saturation point is for that particular one. I know that economy is up, but I've seen it bottom out. Nobody has a crystal ball, but I'm just worried about the saturation point for that.

Mr. Kirchner said there is six plus projects in this area that are almost 100% sold before we can get the water and sewer.

Board discusses.

Kenneth Deal said your 800 plus units that you have here in Phase 1.... Mr. Kirchner said I only have 65 lots.

Kenneth Deal said there is 800 plus lots in Phase 1, 2 and 3, are they all going to be governed by one HOA?

Mr. Kirchner said I do not know that. We do not have a builder or an HOA set up for this yet.

Kenneth Deal said the developer for Phase 2 has reached out to the Board members to get input and he is a standalone. His HOA is a standalone, his amenities are standalone, so I have an issue being told that all of these amenities in phase 1 are going to support phase 2, when phase 3 is telling me no. His dog parks and his children play areas and fire pits are for his phase. It's a different piece of property, owned by a different owner, being developed by somebody else, who got thrown into this Phasing plan and he's divorced himself of it. So, I've got to look at your plans, and it's an annexation into the City of Monroe. What is the benefit to the City of Monroe? The benefit of the City of Monroe, is traffic congestion, small lots that are starting to look more and more like mobile home parks without tires. You've been up here longer than I've been on this Board and I've heard Board after Board after Board say we need better projects, we need side loading garages. When you are going to a zoning area that says you have to have a lot of x square foot with 100 foot frontage, and you've cut it into 50%, we want something back to let you cut it to 50%, especially when you are asking to bring in into Monroe. The package that we get in advance, again has the wrong elevations, it has the same elevations that Phase 2 had, which you stood up here and showed us that presentation. It's almost identical to Phase 2. The elevations that you just showed us are the same elevations that you showed when you presented Phase 2. I just can't help but feel like I'm being asked to buy a pig in a poke. What am I as the City of Monroe getting stuck with? That's my comments.

Richard Ali said I just want to clarify something. You were talking about having the same Phase 2. Isn't this Phase 2?

Kenneth Deal said this is Phase 2, Phase 3 is the one that has divorced itself from Phase 1 and Phase 2.

Richard Ali said I was confused.

Kenneth Deal said you don't see the dog parks and you don't see the amenities here, because they are going to share the pool and building...Mr. Kirchner said there is no guarantee, we do not have a builder on that. There is no guarantee that they will share the pool. There is no guarantee that they will share the dog park.

Mr. Kirchner said the new Phase will have to be like these photos, the builder will have to represent these photos. These photos get attached to the approval zoning plan. They will submit their elevations to Keri for review and they have to be in line with the elevations that we are presenting to you now.

Kenneth Deal asked the ones in our packet or the ones you just showed us in your slideshow?

Keri Mendler said there is a note on the plan that says that anything submitted throughout the process, staff desires to read all elevations and present the same as it is, but there is a note that says basically any elevations or any additional information submitted to staff, Planning Board or Council, is considered an important part of the project, if approved.

William Dotson asked just out of curiosity, did you have these or is this all you had?

Keri Mendler said the elevations in your packet is what we confirmed with the applicant.

William Dotson asked this is all you had when you created these packets? Those are new?

Mr. Kirchner said these are additional.

William Dotson said in the future, can you just put them all in there so we can see. Whatever you think you are going to build, so we at least can see them.

Kenneth Deal said at least bring them if you've added additional elevations. Bring copies to hand out here before the presentation.

Mr. Kirchner said I can definitely do that for you guys.

Archie Morgan asked so we don't know what amenities will be shared?

Keri Mendler said I'm going to address the amenities real quick. It was our understanding that they would share them. It sounds like maybe that's changed for whatever reason. With that said, with a subdivision of 65 lots, if we are looking at it on its own, from staff's perspective, and we may disagree with this and that's ok, but with 65 lots and the amount of open space that's left open and the trail and exercise station and the gazebo, from staff's perspective, that's reasonable for 65 lots. If they get to access the Phase 2 pool and clubhouse, all the better, but from staff's perspective, that's adequate for 65 lots.

Chairman asked as a standalone, staff is happy with what is presented?

Keri Mendler said staff thinks it's sufficient.

Chairman said if we skip the other two and don't worry about anybody else's amenities, just looking at this as a standalone. So, we've got 80 and 60 ft. lots. How big are the buffers?

Mr. Kirchner said minimum 20 feet, but even with that you've probably got three times that between the property line and the buffers. We've got trails and all the open space back there.

Jennifer Smith (Vice Chair) asked if builder could come in and completely negate from these pictures here?

Mr. Kirchner said no.

Jennifer Smith (Vice Chair) said it would have to be stone in the whole living room?

Mr. Kirchner said yes. Our elevations go through your Planning department. Keri actually denies elevations all the time. They usually submit 150 different elevations and she goes through and checks which ones they can and can't do based on what's presented.

Jennifer Smith (Vice Chair) said this looks just like the subdivision that's just down the road from it.

Mr. Kirchner asked Alexander Commons?

Jennifer Smith (Vice Chair) said no.

Mr. Kirchner said those are like 20 foot wide lots.

Jennifer Smith (Vice Chair) said I'm talking about the houses themselves. They all look like this.

Archie Morgan said it adds to the problem.

Jennifer Smith (Vice Chair) said they all look alike.

Archie Morgan said it adds to the traffic, we are looking at 1,400 homes?

William Dotson said 720 something homes, with the reduction from the other phase.

Mr. Kirchner said if you show me one of these houses in Alexander Commons, I will never come before you again.

Patrick Furr asked Keri if we have passed these other phases? They don't have anything to do with Matt's project, it's a standalone, I understand. Have we approved or disapproved these other phases? Phase 1 and 3?

Keri Mendler said phase 1 was approved in 2020, so it's under construction right now and they've just submitted their final plat to begin the process of actually going vertical. Phase 3, which was presented in the February Planning Board meeting is going to City Council next week.

Patrick Furr asked it was turned down by us, what it not?

Keri Mendler said it was recommended for denial by the Planning Board. They made some changes and they reduced the lot count and did a variety of lot sizes, so that will be presented to City Council next Tuesday for their consideration.

Chairman asked if there was anybody that would like to speak against the project?

Margaret Desio said I do have one question. Is this house going to be built in this project?

Mr. Kirchner said yes.

Board discusses.

Mr. Kirchner said if you wanted to build a house here on an 80 ft. lot, you could build this house in this project. It's up to the person buying the lot to pick which product they want. They are not for sale houses or rental homes. You can come in and pick what you want and put it on the lot, but yes, you can build this house on the lot if you want to.

Keri Mendler said just so everyone is on the same page, these elevations, and the elevations that are in your packet and what were submitted and like Matt said, if the project is approved, they send an elevation once they have a builder on board. We go through them and make sure they meet the 1,600 square foot minimum, do they have the 25% brick/stone stuck on the front, what are the materials, do they have vinyl that isn't just trim work. If it has things that don't match with what's approved in the notes, or sort of a similar architectural style, staff denies it and says you cannot build that in a subdivision. So, these are just representations of what could be built and then if approved, staff goes through the whole process to make sure it meets all of the notes standards and similar style as what's represented in the pictures.

Chairman said he had a question. Keri, what is the proper term if we reject this and then the person that owns the property just starts selling lots according to the UDO and they can build whatever they want, as long as it meets the UDO?

Keri Mendler said if the rezoning and annexation were denied, then they would possibly develop in the County, if they can. If not, then we would basically have to come back before you with an annexation and maybe a general rezoning, obviously an annexation because they are being pulled into this. It would depend on the zoning. Right now this has County zoning. I could tell you that they would have a half acre lot with 10 ft. setbacks minimum. Beyond that, I couldn't give you any information until they start pulling permits.

Chairman asked if each lot would be able to pick what they wanted to build, as long as it met the.... Keri Mendler said a by right subdivision, there are no design standards at all, so they can build a mobile home. The Conditional District process, it allows the applicant to ask for deviations and smaller lot sizes, but it also affords the City the ability to put additional restrictions, such as the materials, the size of the house, because in North Carolina they took away our ability to regulate house size. They could put a 400 square foot house.

Chairman asked if that subdivision would have an HOA?

Keri Mendler said I believe they would have to because there would still be storm water requirements which would be in the open space and typically those would be maintained by the HOA, so I believe they would still have an HOA.

Chairman asked there wouldn't be any design as far as walking paths and amenities?

Keri Mendler said no.

Margaret Desio said the state of North Carolina has taken away a lot of our strengths, so if this subdivision is built and somebody wants to go in there and buy a lot, they could build a 1,000 square foot vinyl home.

Keri Mendler asked if you are talking about if the rezoning gets denied?

Margaret Desio said yes.

Keri Mendler said it would be in the County at that point. But, yes, it could be sub-divided and then somebody could just go build a lot.

Kenneth Deal said you can do that within the City with a by right building. If you buy a lot, you can build anything you wanted on it.

Keri Mendler said we haven't had a lot of by right subdivisions. I think in my time, there was one right before I got here and then there has been two within the last year. I can tell you that they have half acre lots and a minimum ten foot setback and that's all I can tell you until they start pulling permits.

Margaret Desio asked if we did a Conditional District, do we have a little more control over what can be built?

Keri Mendler said yes, as long as the applicant agrees to those restrictions and normally that comes about with requesting for things such as smaller lot sizes.

Jennifer Smith (Vice Chair) asked if they could put condos or townhouses out there?

Keri Mendler said under the current zoning, I don't think so. But, again, it's in the County and I don't know what they can do specifically under them.

Jennifer Smith (Vice Chair) asked if it could be rezoned?

Keri Mendler said possibly, under the County's jurisdiction. Sure.

William Dotson said the County isn't building anything right now, are they?

Keri Mendler said I'm not sure. I know they are working on their water and sewer stuff, but I'm not sure of their status. They are building because there is residential subdivisions in the County that have something on them.

William Dotson said because those are already approved, correct? They aren't approving anything?

Chairman said they get a deal with the City for water for their water and sewer project.

Keri Mendler said it's an evolving situation. But, it's probably a short-lived situation. Eventually, they will get water and sewer and be able to do more.

Chairman asked if there are any other questions or conversations for staff before we make a motion? Would anyone like a break for five minutes?

Board discusses.

Motion: Kenneth Deal made a motion to recommend denial of the annexation to the City of Monroe.
Second: William Dotson
Action: The motion to recommend denial of the annexation into the City of Monroe failed with the following votes:

AYES: Jennifer Smith, Patrick Furr, Kenneth Deal and David Dotson

NAYS: Richard Yercheck, Richard Ali, Margaret Desio and Archie Morgan

Archie Morgan asked if there can be any discussions?

Keri Mendler said that motion failed.

Chairman asked what motion would be next?

Ashley Britt said you can ask for a motion on the resolution, so if Council gets to that point, they could have a recommendation from you on the rezoning part of it, assuming one passes.

Jennifer Smith (Vice Chair) asked if that motion was to disapprove it being annexed in? Right?

Chairman said correct, now the next one is for the resolution of the development plan compliance. We need a motion to recommend the adoption of the resolution approving or denying the land development compliance.

Motion: Kenneth Deal made a motion to recommend adoption of the Resolution Denying Land Development Compliance.

Second: William Dotson

Jennifer Smith (Vice Chair) said this is confusing me.

Chairman said we denied the annexation and because we are denying the annexation, well we didn't deny it, it went 4-4, so it will go without a recommendation. Doug, what is the Land Development Compliance, what does that motion mean?

Doug Britt said basically it means the resolution. The Land Development Plan Compliance, you've got one for approval and disapproval. There is stated reasons for a resolution for approval and there is stated reasons for disapproval for that resolution. Mr. Deal made the motion to recommend denial, so he is recommending a denial on that resolution. There was a motion and a second on the floor, now you just need to vote on it to see where it falls.

Action: The motion to recommend adoption of the Resolution Denying Land Development Plan Compliance failed with the following votes:

AYES: Jennifer Smith, Patrick Furr, Kenneth Deal and David Dotson

NAYS: Richard Yercheck, Richard Ali, Margaret Desio and Archie Morgan

Chairman said it (both the annexation and rezoning) goes to Council without a recommendation. Everybody that is denying, on your cards, please make sure to write your name and what it is.

Board discusses.

Mr. Kirchner said I like the idea of the cards. My only suggestion I would have is can you have both people approving and denying it, so the meeting minutes reflect that.

Chairman said for sure you will have the denials. If anybody that's interested in filling them out that's in favor of, then they will do that too.

Mr. Kirchner said it's only because if they have stuff they did not like, that you liked, I would like to remove the stuff. I would like to fix what they are denying; if I know the things you like about it, I can keep those in.

Chairman said everyone will have the option of filling out the card.

Mr. Kirchner said if there are things that you really want on here, make sure to put it on the cards, so I don't take it off.

Jennifer Smith (Vice Chair) asked so you can come back again?

Chairman said this project is not coming back to us. He is going to go to City Council.

Mr. Kirchner said but if you want stuff on there, put it on your card.

Chairman said for future projects.

Mr. Kirchner said the feedback you're giving me, I can keep changing it to meet what you want.

Item 7. Annexation request of 81.578 acres located along ML King Jr. Blvd. further identified with Tax Parcel # 09-316-014A

Item 8. Zoning Map and Text Amendment request for the properties located along ML King Jr. Blvd. to rezone the property from R-20 to Conditional District (CD) "Cedar Meadows" and further identified as Tax Parcel # 09-316-014A.

Keri Mendler gave the presentation for items 7 and 8 together.

The applicants are requesting a conditional district rezoning in order to develop a residential subdivision that will consist of 160 single-family detached homes. The total area of the site is 81.57 acres. The total area to be rezoned is 80.156 acres, as 1.422 acres will retain the existing R-20 zoning. All calculations were completed using 80.156 acres. The proposal includes 34.75 acres of open space, which is 43.36% of the overall site. The density of this project is 2-units per acre.

Density & Dimensional Standards

The density of the proposed project is 2-units per acre. The minimum lot size is 6,000 sqft. with an average lot size of 7,795 sqft. The development is a mix of 60-foot (135) and 80-foot (25) wide lots.

The minimum setbacks proposed are as follows:

Front: 20 feet

Side: 5 feet

Corner Lot Side: 5 feet

Rear: 10 feet

Landscaping

Street trees will be provided at a rate of one (1) per 50-feet and all houses will have at least two (2) yard trees. A 50-foot landscaped buffer will be provided along ML King Jr. Blvd. and a 25-foot buffer will be provided around the remaining property lines. These buffers will include a mix of trees, evergreens, and shrubs as indicated in the typical landscape buffer schedule on sheet two.

Open Space

The project is required to provide at least 12.5% open space, which would equal 10.01 acres. The proposal includes 34.75 acres of open space, which is 43.36% of the overall site, approximately 12.03 acres of open space falls within the flood plain, which is 34.62% of the open space. Additionally, approximately 1.17 acres of the open space is part of a transmission line easement, this easement will have a walking path through it. The ordinance allows no more than 50% of the open space to be included within the floodplain. The open space for

this phase includes a natural walking path throughout the open space, connecting various areas of the neighborhood, a gazebo and tot lot, community garden, and outdoor recreation/gathering area.

Elevations

The developer is proposing the homes will be a minimum of 1,600 heated square feet. The proposed exterior building materials will include fiber cement, stone, stucco, and/or brick. Vinyl will only be used for trim work. The front façade will include a mix of materials with a minimum of 25% being brick, stone, or stucco. Four courses of brick/brick veneer will extend up the face of the slab.

Parking

Each home will have a minimum of a two (2) car attached garage. All front load garages will have carriage style trim and/or hardware that mimics carriage style doors. Driveways will be paved and will be able to accommodate at least two (2) vehicles.

Sidewalk

A five-foot (5') wide sidewalk will be provided along both sides of the interior roads throughout the development. An eight-foot (8') wide sidewalk will be provided along Waxhaw Highway.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of site plan submittal, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Stream Buffer

All blue line streams on the site have been provided with a 50' buffer on both sides as required by the ordinances.

Schools

The following is the information provided by Don Ogram with the school system:

“The 160 single family unit development to be built across the street from Union Academy. It will be located within the following school attendance areas for the current (2021-2022) school year:

Walter Bickett Elementary School Currently at 65% of rated capacity

Monroe Middle School Currently at 87% of rated capacity

Monroe High School Currently at 67% of rated capacity

This project is not expected to adversely affect school enrollments.”

Transportation

The developer is proposing all streets to be constructed to the City of Monroe street standards and maintained by the City of Monroe. This proposal includes one entrance on ML King Jr. Blvd., this entrance lines up with the entrance to Union Academy. The subdivision is also proposed to access through the stub-out of the existing Food Lion shopping center. This entrance is on private property; however, the property owner has agreed to

allow access and a formal access agreement will be required to be prepared and submitted to the City with construction plans as well as recorded.

A traffic impact analysis was required by the City Engineering Department. This development will be required to provide left and right turn lanes into the development at the intersection across from Union Academy.

Future Land Use Plan Consistency

The Future Land Use Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

This project is consistent with the Future Land Use Plan. Staff also believes the project is a reasonable use and in the public interest, because it provides wider lots and connectivity to the adjoining shopping center.

Public Notification

The applicant held a virtual neighborhood meeting on September 8, 2021 with two attendees present.

A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within at least 150 feet, 10 days prior to the public hearing.

Recommendation

Keri Mendler said staff recommends approval of Conditional District “Cedar Meadows” and I am happy to answer any questions and the applicant is here to answer any questions as well.

Archie Morgan asked how wide are these lots?

Keri Mendler they have a mix of lots, they are providing 135 60 ft. wide lots and 25 80 ft. wide lots. It looks like on their site plan, the 25 80 ft. wide lots are surrounding the perimeter of the project with the smaller lots on the interior.

Margaret Desio asked what did you say about the second entrance?

Keri Mendler asked if anyone have been to the new Food Lion on MLK? They have the entrance off Weddington Rd. They have a right in, right out, then they also have a lighted entrance that is across from the Union Academy entrance that they recently constructed within the last couple years. So, their second access point will provide direct access to MLK at that point. The blue line that you can see on the site plan, is the property line for this project. They will provide access through to the existing stub out across from the private property to the right of MLK. The entrance will be extended to the property and then that’s how they will get access.

Archie Morgan said it all dumps out on MLK.

Jennifer Smith (Vice Chair) said yes.

Keri Mendler said yes, there is two access points at lighted entrances on MLK, someone could obviously go through Food Lion's parking lot out to Weddington Rd.

Archie Morgan said all that traffic dumps out on MLK, right across from the high school.

Jennifer Smith (Vice Chair) said where traffic is backed up from when school lets out there. It's clear backed up to the light or a train.

Chairman asked if there is a builder yet?

Keri Mendler said I don't believe so.

Chairman asked if anyone else had any further questions for Keri? There were none.

Chairman asked if there was anyone that would like to speak in favor of this project?

Matt Kirchner with Eagle Engineering came forward to give his PowerPoint presentation.

Mr. Kirchner said in this area 0% of commercial has been built out in this area. What this project that I am presenting you with, is the reasons that these additional commercial users and additional restaurant will build in this area. The Food Lion has been empty for years since it's been built, it will continue to be empty until projects like this come along. If parents did move into this subdivision and have children at the school, they would be able to walk across the street to Union Academy. This would open the door for possible teachers, every school in this area is in need of teachers and this would be a positive for them as well. Hopefully we would be able to get some faculty and staff in as well. I've had about 7 or 8 people from the community reach out about this project and most of the concerns was seeing commercial closing down on that side, hoping to be able to get a restaurant in on that side and how this project might be able to bring enough in to make that happen. We used to have 40 ft. wide lots, now we are now showing you 80 and 60, so we are almost doubling the size of what we were a few years ago. We are improving and getting bigger and bigger as we go. The houses on the outside are 80 ft. and we put the buffer on the outside. There are a ton of amenities in there when it comes to community gardens, walking trails, gathering areas, benches, lots of extra amenities on this one. You will have a right and left turn lane coming at the entrance that is right across from the school entrance, and we will update those signals at the entrance for the Food Lion as well as the entrance in front of Union Academy. This is a representation of what the minimum requirements will be. There are walking trails obviously throughout the buffer and leaving as much of it as natural as possible. I am happy to answer any questions you might have.

Patrick Furr asked, Matt is all these entrances going to be sodded and irrigated?

Mr. Kirchner said the commercial one is maintained by the Food Lion. I'm not sure what they have over there, but our main entrance across from the school will be. We will have our monument sign and everything there will have it.

Patrick Furr said all that's within your area will have it.

Mr. Kirchner said yes, sir.

Patrick Furr asked, will you have street lighting throughout the whole project?

Mr. Kirchner said that is correct.

Mr. Kirchner said we've also went to 3 inch trees, so everything that you've agreed to other projects, and what you've added and requested, I've continued to add. You'll still have the bigger trees.

Archie Morgan said that is just the same subdivision over and over again. The same elevations too. At least humor me and give me some different pictures. You've got the same house on every presentation I've ever seen you give.

Chairman asked are those stock photos? What's the scoop on those pictures?

Mr. Kirchner said these are for sale houses, so when you guys asked for different elevations every time, what I've put into this one, demonstrates the user. What I have is a wide range of stuff that meets the minimum requirements here that the final bidder can work with and to get approval through the City. For me to put custom elevations on here that restricts the final user, that's a lot to add. If I put three custom elevations in here, you are going to have 160 lots that look the exact same in the subdivision. I have to make a wide range of elevations that the builders in the area can meet. They will look different. They meet the minimum requirements that I have with the City, so the builders can build on them, this is what I have to show you to do it.

Jennifer Smith (Vice Chair) said there on Old Monroe Rd, where the tracks are at that light, all those apartments are going in. Aren't those apartments?

Patrick Furr said pre-sold townhouses.

Jennifer Smith (Vice Chair) asked how many are there?

Mr. Kirchner said I'm going to say 80-90ish.

Jennifer Smith (Vice Chair) said you've got that traffic too then.

Chairman said traffic is going to be a problem.

Patrick Furr said it is, but it's not the man's fault. Matt, I've got a question, I know from a business standpoint, this is the minimum we can get away with. How come we aren't going in there and this is just a question.

Mr. Kirchner said if I put a max on there and someone wants to build a bigger house, they can't do that. That's why I have to do minimums. If the engineer has to build a ranch, that's 1,600 square feet, that is what I have to put in there. If you want me to put maximums, I can, but you will never have anything over 2,000-3,000 square feet on it. Your job is to see the bare minimum that you can have on there so at least you know it's better and where it's at.

Chairman said the reason the elevations are all fairly similar is because it's a generalization of what they will build.

Mr. Kirchner said I would love to give you guys more custom elevations than what we have on here.

Patrick Furr said I was just asking because we've had a couple of developers come in and they've showed us bigger elevations and they could have gone the minimum as well, but they went with bigger and a little more expensive.

Mr. Kirchner said that would be the difference between a developer and buyer. They can do them more specific, that's where these pieces are.

Margaret Desio said somebody could come back to us with 20% of the houses in this development are going to be 1,600 square feet, 25% are going to be 1,800 square feet.

Mr. Kirchner said I don't know the answer to that. If 160 people came in that are parents and only need 1,600 square feet, we sell these lots to the end user. That end user gets to pick whatever they want, a 4,000 square foot house or a 1,600 square foot house.

Chairman said they may pick an 80 ft. lot and only put a 2,000 square foot house and want a lot of yard.

Mr. Kirchner said yes, you get to pick your lot and pick your house. If you want, I can start doing rentals and I'll be able to dictate exactly what they want, but nobody wants rentals. So, we focus on for sale and we can do for sale as you guys have options that the end user has.

Margaret Desio said we are just so trying to get things up, better and better and nothing seems to bring us anything.

Chairman said it is working. Matt isn't the first one to come in here with 80 and 60 ft. lots. We were seeing 40's and a few 60's and we were seeing 40's and 50's. Now we are seeing 60's and 80's. Pat got crazy about trees, so they're all coming in with 3 inch trees. We've got walking trails and connectivity, we are seeing that through the whole project. We are making a difference; it is going up.

Margaret Desio said it is, but I'd like to see the size of the houses going up.

Chairman said but if you were walking in there as an individual, and you've decided that you are going to take lot 44 and then they lay out your options for houses, you get to pick. So, if you can afford the \$700,000 house to go on the 80 ft. lot, good on you.

Margaret Desio said but you're not going to put a \$700,000 house on an 80 ft. lot if you've got \$300,000 houses on either side.

Archie Morgan said that is exactly right. We are seeing the same subdivisions over and over again.

Chairman said I understand that, but to Margaret's point, we are making a difference. Things are getting better.

Archie Morgan said but to her point, I'm not going to buy the widest lot he's got out there and put an \$800,000 house when my neighbor has....Jennifer Smith (Vice Chair) said a modular.

Chairman said I just don't want you all to think that we aren't having an effect on what's coming.

Archie Morgan said I see your point.

Margaret Desio said I agree with you. We are.

William Dotson asked let me ask you a question, would you reduce the number of homes you have in there?

Mr. Kirchner asked to what?

William Dotson said you tell me. What would you reduce it to? Because let me tell you, in the new UDO, the term open space is used 231 times and you have 34 acres of open space, 12 of it is in a flood area, 10 acres of it

is right-of-way and that's leaving you with 12 acres of open space. In that open space, you only have a small recreational area behind a house. Now granted, it is on the trails. You have the gazebo in the sitting area. My question to you would be, how many of those houses would you lose in the middle to put a good size pocket park right in the middle?

Chairman said or an athletic field.

William Dotson said or an athletic field or anything of that nature. You just told us that you were willing and you would bring us half a million dollar houses. Show me what you will do with this.

Mr. Kirchner said I did. I brought this to you guys and we had 225 lots when I submitted to the City. So, I dropped 65 lots in the last month when you guys asked for it.

William Dotson said I'm just asking the question on.... Mr. Kirchner said I'm answering the question as I was willing to drop 65 lots from the 225 that I had to the 160 that I have now.

Mr. Kirchner said if you guys make a recommendation on basing the approval to what you would want, that is something to consider. I might be shooting in the dark, going from 225 to 160 and I can continue to shoot in the dark or you can make a recommendation on what you want. Then I can meet those recommendations.

William Dotson asked would you be willing to take out the two rows of houses on 103-114 and 102-91 to put an athletic field and a pocket park in there?

Chairman said instead of saying this row of houses or this row of houses, ask for an athletic field and a pocket park as part of that. Then let his engineers and his designers figure out how it works best for the project.

William Dotson asked would you do that?

Mr. Kirchner said no, thank you.

William Dotson said can we table this and you bring it back to us?

Mr. Kirchner said no, thank you. I'm asking you to make a recommendation on it and you can always recommend approval with (the condition of adding an) athletic field and things like that. The City's processing and the permit process, I've been looking at this project for over a year. To table it for another month, for athletic fields that we may or may not be able to get approval... If you make the recommendation then we will ask staff if they want it, Council if they want it, chances are they want and have it approved, I don't know. In future projects, if I can put the athletic field in there, I will add that in there.

William Dotson said so if you go forward with it, you're going to go to Council with it, if it gets denied tonight, I would assume, and then there is a possibility that if we said to you that there isn't enough open space, that we would like to see more open space, you would put more open space?

Mr. Kirchner said if you make any specific recommendations and I think if you look through my plans from the last 3 years, any specific recommendations you have, I have. If you want 80 ft. lots, I put 80 ft. lots. If you say you want more open space, tell me what more open space is because I'm going to do about 5 times more open space than what the current UDO requires. So, if you want more, say I want 50% open space and 40% open space, so that way, when I go to my client and say this is how many lots I'm dropping to get that open space to make it. But, if you have specifics as we are going through it, please write those down so I can incorporate them.

Archie Morgan said the space and the athletic fields are one thing, it's still a heck of a lot of traffic dumping out right in front of a high school. You're right there at it.

Mr. Kirchner said there is also a commercial shopping center there, that's a known area for traffic. That's where you want traffic to be, that's why you put a commercial shopping center there. That is the purpose of that area, it is to bring traffic for that. Then at that point the DOT will widen the road.

Board discusses.

Archie Morgan said before we add more subdivisions, let's let the roads catch up. The roads need to be able to handle it first. Is that not common sense?

Mr. Kirchner said it is not. If I had a hundred dollars and I had bills now, I would pay my bills now and not my bills for the future. There is not enough money to do everything to build out like that all the time. They are fixing every problem they have currently and working their way through. There is a long list of a hundred to two hundred DOT projects that they've put in proposals for, and only 10-15 of them get approved a year. You see 485, you see how that's trying to catch up.

Archie Morgan said there is DOT projects that have been approved and funded and it's been 10 years ago and we are still waiting.

Chairman said let's bring this back around. Is there anyone else that would like to speak in favor or against this project? There was no one.

Motion: William Dotson made a motion to recommend denial of the annexation.

Second: Margaret Desio

Action: The motion to recommend denial of the annexation into the City of Monroe passed with the following votes:

AYES: Jennifer Smith, Patrick Furr, Kenneth Deal, Richard Ali, Margaret Desio, Archie Morgan and David Dotson

NAYS: Richard Yercheck

Motion: William Dotson made a motion to recommend adoption of the Resolution Denying Land Development Compliance.

Second: Jennifer Smith

Action: The motion to recommend adoption of the Resolution Denying Land Development Compliance passed with the following votes:

AYES: Jennifer Smith, Patrick Furr, Kenneth Deal, Richard Ali, Margaret Desio, Archie Morgan and David Dotson

NAYS: Richard Yercheck

Motion: Richard Ali made a motion to recommend denial of the zoning map amendment.

Second: Jennifer Smith

Action: The motion to recommend denial of the zoning map amendment passed with the following votes:

AYES: Jennifer Smith, Patrick Furr, Kenneth Deal, Richard Ali, Margaret Desio, Archie Morgan and David Dotson
NAYS: Richard Yercheck

Item 9. **Next Meeting- May 4, 2022**

William Dotson said I don't know if everyone is aware, but in the new UDO there has been a modification to reduce the number of Planning Board members down to 7, with no alternates. I don't know if I can ask this question, but I was just wondering what the Board's thought process was on that, reducing it down to 7 with no alternates.

Archie Morgan said my thought is I would think the Council would want as many eyes on the project as they could get.

Patrick Furr said you would think that, wouldn't you?

Chairman said my recommendation on that is, individually, reach out to your Council contacts and share with them your approvals, concerns, whatever it is as it relates to that.

Jennifer Smith (Vice Chair) asked if Council can change that?

Chairman said I believe so, yes.

Archie Morgan said they don't have to adopt that, its part of it, but they don't have to adopt it.

William Dotson said the problem is, if it's written in that UDO and they adopt that UDO, that's it. They can amend it, they can always amend it, but I don't know that they would go back and amend the UDO after this hard month after month. I don't know if they want to just jump into amending things in the UDO. My point is, I went back two years and even with COVID-19, there was never an issue with quorum. I'm not sure what the point would be to reduce us down to seven.

Chairman said reach out individually and speak to Council members.

Archie Morgan asked when do they vote on that?

Richard Ali said the 12th.

Chairman asked Doug are there any projects in town, any buildings empty that you can discuss or anything that you can share with the Board?

Doug said Best Buy is coming back to town, and they are coming to the Monroe Crossing Mall. They are not taking the Sears location; they are taking the Go-Cart location.

Board discusses.

Chairman said put your index cards here and Ashlyn will get those.

Margaret Desio said I've got one question. I want to know what the zoning change is for under the bridge on Waxhaw Highway?

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April 6, 2022 Meeting

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Doug Britt said we have 20 zoning signs out right now for the new UDO and zoning map amendment.

Richard Ali said it's just a general UDO, not specific.

Doug Britt said remember, we are rezoning the whole entire city and adopting a whole new ordinance, so this last time we mailed out 10,000 letters as well as the 20 zoning signs and we put them around the City. We put the signs around the periphery of the City to let the people know that City wide, this is going on.

Margaret Desio said ok, I couldn't figure out why we were rezoning the bridge.

Item 10. **Adjournment**

Chair said if there were no further questions, he would entertain a motion at this time to adjourn.

Motion: **Richard Ali moved to adjourn.**

Second: **Archie Morgan**

Action: **The motion to adjourn passed unanimously with the following votes:**

AYES: **Richard Yercheck, Jennifer Smith, Patrick Furr, Margaret Desio, Richard Ali, Kenneth Deal, David Dotson and Archie Morgan**

NAYS: **None**

The meeting was adjourned at 8:03 p.m.

Respectfully Submitted,

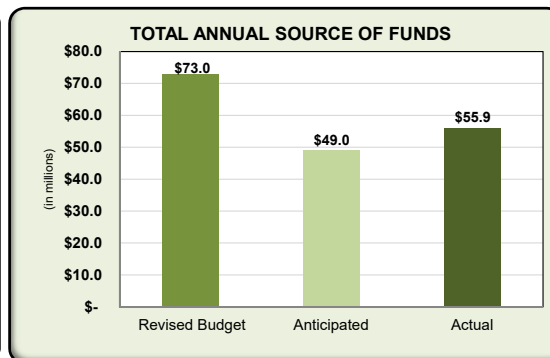
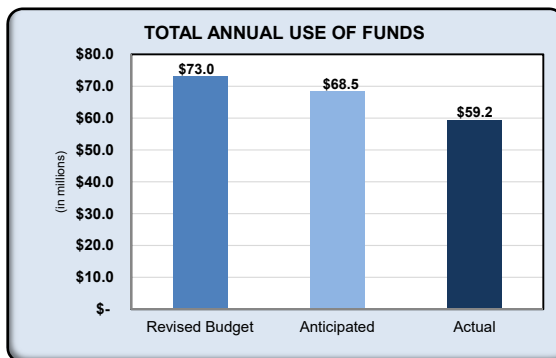
Richard Yercheck, Chair
Planning Board

Ashlyn Penegar
Secretary to the Board

**CITY OF MONROE
GENERAL FUND
FINANCIAL SUMMARY REPORT
FISCAL YEAR 2021-2022
(As of May 31, 2022)**



	Actual FY21	Original Budget FY22	Revised Budget FY22	Actual to Date FY22	YTD % Anticipated	YTD % Realized
Revenues						
Ad Valorem Property Taxes	\$ 21,592,780	\$ 22,421,902	\$ 22,421,902	\$ 22,319,661	99.7%	99.54%
Vehicle Property Taxes	2,033,158	1,559,265	1,559,265	1,553,105	82.6%	99.6%
Prior Year Taxes	55,940	187,730	187,730	126,255	67.3%	67.3%
Penalties and Interest	97,525	110,220	110,220	86,491	82.0%	78.5%
Other Taxes & Licenses	117,276	112,347	112,347	126,769	90.3%	112.8%
Additional City Vehicle Tax	883,770	840,000	840,000	717,815	82.9%	85.5%
Intergovernmental	425,001	374,241	374,241	311,317	78.9%	83.2%
Grants	2,495,305	1,341,827	1,633,028	1,598,969	97.9%	97.9%
Sales Tax ⁽¹⁾	9,424,718	8,808,178	8,808,178	6,729,130	63.9%	76.4%
Electric Sales Tax ⁽¹⁾	2,731,827	2,745,774	2,745,774	1,396,499	51.4%	50.9%
Telecom Sales Tax ⁽¹⁾	231,170	219,200	219,200	99,007	60.6%	45.2%
Cable Sales Tax ⁽¹⁾	192,109	193,300	193,300	91,265	51.3%	47.2%
Sales Tax Piped Nat Gas ⁽¹⁾	197,964	181,814	181,814	77,555	41.1%	42.7%
Permits and Fees	677,486	652,479	652,479	829,116	85.9%	127.1%
Building Permits / Tech Fees	922,467	512,500	512,500	1,567,929	86.0%	305.9%
Sales and Services	314,045	505,065	505,065	545,302	83.1%	108.0%
Investment Earnings ⁽²⁾	46,549	302,238	302,238	(77,888)	-25.8%	-25.8%
Miscellaneous	146,853	384,965	389,444	263,212	49.9%	67.6%
Other Sources	1,676,221	751,500	11,191,212	5,951,875	63.9%	53.2%
Total	\$ 44,262,165	\$ 42,204,545	\$ 52,939,937	\$ 44,313,383		
Reimbursements from Other Funds	\$ 6,824,901	\$ 6,963,518	\$ 7,002,464	\$ 6,517,160	91.7%	93.1%
Total Revenues and Reimbursements	\$ 51,087,066	\$ 49,168,063	\$ 59,942,401	\$ 50,830,543		
Expenditures						
General Government	\$ 11,588,503	\$ 14,197,772	\$ 15,182,513	\$ 11,242,439	91.7%	74.0%
Outside Agency	342,877	379,925	422,536	295,523	91.7%	69.9%
Transportation	4,612,100	3,985,739	5,227,499	2,023,923	91.7%	38.7%
Police	11,718,795	13,060,436	13,386,944	10,649,942	91.7%	79.6%
Fire	9,174,041	9,750,963	10,065,385	8,286,061	91.7%	82.3%
Building Standards	877,628	1,081,889	1,101,212	825,024	91.7%	74.9%
Cultural and Recreational	2,751,116	3,707,614	3,727,005	2,907,024	91.7%	78.0%
Debt Service	1,427,986	2,893,553	3,197,036	2,421,313	91.7%	75.7%
Total	\$ 42,493,045	\$ 49,057,891	\$ 52,310,130	\$ 38,651,249		
Contributions to Other Functions						
Airport	\$ 1,484,656	\$ 1,419,002	\$ 1,425,743	\$ 1,307,502	91.7%	91.7%
Downtown	199,486	165,095	275,285	261,529	91.7%	95.0%
Dowd Theatre	574,615	208,624	208,624	191,239	91.7%	91.7%
Golf Course	-	408,395	408,395	374,362	91.7%	91.7%
Economic Development	315,000	318,000	318,000	318,000	100.0%	100.0%
Capital Projects (GF)	3,576,472	1,074,167	18,017,855	18,017,855	100.0%	100.0%
Capital Projects (Airport)	148,694	-	42,000	42,000	100.0%	100.0%
Total	\$ 6,298,922	\$ 3,593,283	\$ 20,695,902	\$ 20,512,487		
Total Expenditures and Contributions	\$ 48,791,967	\$ 52,651,174	\$ 73,006,032	\$ 59,163,736		
Net Change in Fund Balance	\$ 2,295,099	\$ (3,483,111)	\$ (13,063,631)	\$ (8,333,193)	100.0%	



Notes:

⁽¹⁾ Sales Tax revenues are distributed on a 90 day delay.

⁽²⁾ Investment Earnings are distributed quarterly to all funds.

CITY OF MONROE BUDGET NET OPERATING PROFIT/(LOSS) ENTERPRISE FUND OPERATIONS				
	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022
Monroe Country Club				
Golf Course				
Revenues	\$ 1,099,235	\$ 903,356	\$ 903,356	\$ 984,090
Expenditures	843,792	1,029,101	1,030,134	785,428
Net Operating Profit/(Loss)	\$ 255,443	\$ (125,745)	\$ (126,778)	\$ 198,662
Ballroom				
Revenues ⁽¹⁾	\$ 6,700	\$ 30,300	\$ 30,300	\$ 42,900
Expenditures	55,521	89,295	89,295	58,715
Net Operating Profit/(Loss)	\$ (48,821)	\$ (58,995)	\$ (58,995)	\$ (15,815)
Total Monroe Country Club Net Operating Profit/(Loss)	\$ 206,621	\$ (184,740)	\$ (185,773)	\$ 182,847
Center Theatre				
Revenues	\$ 582,924	\$ 678,506	\$ 678,506	\$ 150,034
Expenditures	217,199	759,501	770,197	357,543
Net Operating Profit/(Loss)	\$ 365,725	\$ (80,995)	\$ (91,691)	\$ (207,508)
Monroe Aquatics & Fitness Center				
Revenues	\$ 1,629,968	\$ 2,214,098	\$ 2,214,098	\$ 2,568,743
Expenditures	2,582,938	3,694,180	3,695,940	2,525,378
Net Operating Profit/(Loss)	\$ (952,970)	\$ (1,480,082)	\$ (1,481,842)	\$ 43,365
Stormwater				
Revenues	\$ 2,517,592	\$ 2,839,955	\$ 2,839,955	\$ 2,398,012
Expenditures	2,031,738	2,492,422	2,685,460	1,890,716
Net Operating Profit/(Loss)	\$ 485,854	\$ 347,533	\$ 154,495	\$ 507,297
Water Resources				
Revenues	\$ 19,455,087	\$ 18,929,779	\$ 18,929,779	\$ 19,947,940
Expenditures	11,839,965	13,022,851	13,688,500	10,879,104
Net Operating Profit/(Loss)	\$ 7,615,122	\$ 5,906,928	\$ 5,241,279	\$ 9,068,836
Electric				
Revenues	\$ 56,385,667	\$ 62,207,017	\$ 62,207,017	\$ 51,319,754
Expenditures	52,601,009	56,027,895	56,224,643	45,727,619
Net Operating Profit/(Loss)	\$ 3,784,658	\$ 6,179,122	\$ 5,982,374	\$ 5,592,136
Natural Gas				
Revenues	\$ 16,356,813	\$ 19,694,630	\$ 19,694,630	\$ 19,050,035
Expenditures	9,722,673	12,266,940	12,297,123	12,177,963
Net Operating Profit/(Loss)	\$ 6,634,140	\$ 7,427,690	\$ 7,397,507	\$ 6,872,072
Airport				
Operations				
Revenues	\$ 2,017,260	\$ 2,142,177	\$ 2,142,177	\$ 2,640,953
Expenditures	2,254,322	2,409,266	2,510,970	2,670,098
Net Operating Profit/(Loss)	\$ (237,063)	\$ (267,089)	\$ (368,793)	\$ (29,144)
U.S. Customs Service				
Revenues	2,669	3,920	3,920	1,707
Expenditures	138,767	86,190	92,931	35,012
Net Operating Profit/(Loss)	\$ (136,098)	\$ (82,270)	\$ (89,011)	\$ (33,305)
Total Airport Net Operating Profit/(Loss)	\$ (373,160)	\$ (349,359)	\$ (457,804)	\$ (62,449)
Solid Waste				
Operations				
Revenues	\$ 2,708,814	\$ 2,799,471	\$ 2,799,471	\$ 2,513,502
Expenditures	2,810,200	3,015,342	3,028,453	2,513,611
Net Operating Profit/(Loss)	\$ (101,386)	\$ (215,871)	\$ (228,982)	\$ (109)

Notes:

Does not include capital, debt service, sale of fixed assets, one-time restricted intergovernmental or other financing sources and uses

⁽¹⁾Ballroom revenue reflects rental refunds

CITY OF MONROE BUDGET GENERAL FUND BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 35,270,288	\$ 37,565,387	\$ 37,565,387	\$ 37,565,387	NA
Revenues					
Taxes	\$ 23,779,403	\$ 24,279,117	\$ 24,279,117	\$ 24,085,512	99.20%
Other Taxes and Licenses	1,001,046	952,347	952,347	844,584	88.68%
Intergovernmental Revenues Unrestricted	13,202,790	12,522,507	12,522,507	8,704,772	69.51%
Intergovernmental Revenues Restricted	2,495,305	1,341,827	1,633,028	1,598,969	97.91%
Permits and Fees	1,599,952	1,164,979	1,164,979	2,397,045	205.76%
Sales and Services	314,045	505,065	505,065	545,302	107.97%
Investment Earnings	46,549	302,238	302,238	(77,888)	-25.77%
Miscellaneous	146,853	384,965	389,444	263,212	67.59%
Sub Total	\$ 42,585,944	\$ 41,453,045	\$ 41,748,725	\$ 38,361,508	91.89%
Other Financing Sources					
Transfer From Other Funds	\$ 1,676,221	\$ 751,500	\$ 10,871,419	\$ 10,701,559	98.44%
Proceeds From Limited Obligation Bonds	-	-	298,800	254,589	NA
Proceeds From LT Debt / Installment Pur.	-	-	-	-	NA
Inception Capital Lease	-	-	20,993	20,993	NA
Advance To/From Other Funds	-	-	-	-	NA
Sub Total	\$ 1,676,221	\$ 751,500	\$ 11,191,212	\$ 10,977,141	98.09%
Reimbursements from Other Funds					
Cost Allocations	\$ 6,824,901	\$ 6,963,518	\$ 7,002,464	\$ 6,517,160	93.07%
Sub Total	\$ 6,824,901	\$ 6,963,518	\$ 7,002,464	\$ 6,517,160	93.07%
Annual Sources of Funds	\$ 51,087,066	\$ 49,168,063	\$ 59,942,401	\$ 55,855,809	93.18%
Total Sources of Funds	\$ 86,357,354	\$ 86,733,450	\$ 97,507,788	\$ 93,421,196	95.81%
<i>Uses of Funds</i>					
Expenditures					
General Government	\$ 11,931,379	\$ 14,577,697	\$ 15,605,049	\$ 11,537,962	73.94%
Transportation	4,612,100	3,985,739	5,227,499	2,023,923	38.72%
Public Safety					
Building Standards	877,628	1,081,889	1,101,212	825,024	74.92%
Police	11,718,795	13,060,436	13,386,944	10,649,942	79.55%
Fire	9,174,041	9,750,963	10,065,385	8,286,061	82.32%
Culture & Recreation	2,751,116	3,707,614	3,727,005	2,907,024	78.00%
Debt Service	1,427,986	2,893,553	3,197,036	2,421,313	75.74%
Sub Total	\$ 42,493,045	\$ 49,057,891	\$ 52,310,130	\$ 38,651,249	73.89%
Other Financing Uses					
Transfers to Other Funds	\$ 6,298,922	\$ 3,593,283	\$ 20,695,902	\$ 20,512,487	99.11%
Sub Total	\$ 6,298,922	\$ 3,593,283	\$ 20,695,902	\$ 20,512,487	99.11%
Total Uses of Funds	\$ 48,791,967	\$ 52,651,174	\$ 73,006,032	\$ 59,163,736	81.04%
Ending Balance	\$ 37,565,387	\$ 34,082,276	\$ 24,501,756	\$ 34,257,460	

CITY OF MONROE BUDGET GENERAL FUND REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2,022.00	% Realized
Taxes					
Ad Valorem Property Taxes	\$ 21,592,780	\$ 22,421,902	\$ 22,421,902	22,319,661.34	99.54%
Vehicle Property Taxes	2,033,158	1,549,265	1,549,265	1,553,105.37	100.25%
Current Year Tax Gap Bills	-	10,000	10,000	-	0.00%
Prior Year Taxes	55,599	187,730	187,730	126,108.62	67.18%
Prior Yr Gap Bills	341	-	-	146.32	NA
Penalties and Interest	97,525	110,220	110,220	86,490.53	78.47%
Total Taxes	\$ 23,779,403	\$ 24,279,117	\$ 24,279,117	24,085,512.18	99.20%
Other Taxes and Licenses					
Privilege License	\$ 2,149	\$ 2,300	\$ 2,300	50.00	2.17%
Priv License Penalties	45	25	25	20.00	80.00%
Rental of Motor Vehicle	70,460	63,700	63,700	67,505.04	105.97%
Add'l City Vehicle Tax	883,770	840,000	840,000	717,815.00	85.45%
Heavy Duty Rental Equip	44,622	46,322	46,322	59,193.50	127.79%
Total Other Taxes and Licenses	\$ 1,001,046	\$ 952,347	\$ 952,347	844,583.54	88.68%
Unrestricted Intergovernmental					
Beer and Wine Tax	\$ 147,983	\$ 151,360	\$ 151,360	137,776.84	91.03%
State Fire Fees	2,534	2,656	2,656	-	0.00%
ABC Profit Distribution	274,484	220,225	220,225	173,540.00	78.80%
Local Option Sales Tax	9,424,718	8,808,178	8,808,178	6,729,130.48	76.40%
Electricity Sales Tax	2,731,827	2,745,774	2,745,774	1,396,499.15	50.86%
Telecom Sales Tax	231,170	219,200	219,200	99,006.62	45.17%
Cable Sales Tax	192,109	193,300	193,300	91,264.62	47.21%
Nat Gas Sales Tax	197,964	181,814	181,814	77,554.77	42.66%
Total Unrestricted Intergovernmental	\$ 13,202,790	\$ 12,522,507	\$ 12,522,507	8,704,772.48	69.51%
Restricted Intergovernmental					
Reimbursements FEMA	\$ -	\$ -	\$ -	-	NA
FEMA Covid-19 Claim	10,795	-	-	-	NA
CARES Funds	888,729	-	-	-	NA
Federal Grants Police Dept	68,005	-	201	-	0.00%
Police Grant 2020-DJ-BX-0266	-	-	-	16,553.00	NA
Federal Grants Fire Dept	13,969	-	-	-	NA
State Grants Econ Dev	-	-	-	-	NA
DEA Funds - Local	-	-	-	-	NA
DEA Funds - State	2,938	-	-	10,447.12	NA
Powell Bill State Allocation	907,880	868,889	868,889	1,051,653.56	121.03%
NCDPS Mutual Aid Assist	-	-	-	50,711.33	NA
Local Grants Planning	-	-	-	-	NA
Interlocal Agreemnt Fire	35,119	-	40,000	40,000.00	100.00%
Interlocal Agreemnt SRO	276,630	264,057	264,057	259,684.06	98.34%
Interlocal Agreemnt SPCC LEO	119,026	132,206	132,206	102,441.97	77.49%
Interlocal Agreemnt ABC LEO	78,375	76,675	76,675	63,114.09	82.31%
One NC Econ Dev Grant	-	-	-	-	NA
Rural Econ Dev Center	-	-	250,000	-	0.00%
NCRPA New Initiative Grant	-	-	1,000	1,000.00	100.00%
Reimbursements FEMA	(45,506)	-	-	-	NA
CARES Funds	139,346	-	-	863.51	NA
OAA-Senior Center Grant	-	-	-	500.00	-
USTA Grant (Tennis Assoc)	-	-	-	2,000.00	-
Total Restricted Intergovernmental	\$ 2,495,305	\$ 1,341,827	\$ 1,633,028	1,598,968.64	97.91%
Permits and Fees					
Erosion-Sed Ctrl Permits	\$ 60,975	\$ 35,367	\$ 35,367	126,300.00	357.11%
Erosion-Sed Ctrl Cvt Citations	-	-	-	-	NA
Erosion-Sed Ctrl Inspectn Fees	-	-	-	-	NA
Construction Re-inspection Fee	200	2,000	2,000	500.00	25.00%
P&Z Permit Fees	35,320	35,600	35,600	39,235.00	110.21%
P&Z Action Fees	71,233	35,120	35,120	67,085.00	191.02%
P&Z Board of Adjustment Fees	2,585	2,000	2,000	3,500.00	175.00%
P&Z Historic District Fees	2,450	2,200	2,200	2,200.00	100.00%
P&Z Publication Fees	60	-	-	-	NA
P&Z Other	680	500	500	940.00	188.00%
P&Z Civil Citations	-	1,400	1,400	-	0.00%
P&Z Technology Fee	14,331	3,000	3,000	38,078.24	1269.27%
P&Z Small Cell Wireless	-	-	-	-	NA
Police Court Fees	6,991	13,500	13,500	12,166.66	90.12%
Police Parking	8,501	22,200	22,200	14,385.00	64.80%
Police Parking Tkt Late Fees	6,792	-	-	4,240.00	NA
Police Precious Metals Permit	1,122	1,122	1,122	1,122.00	100.00%
Police Firing Range Fees	2,700	1,970	1,970	1,000.00	50.76%
Police Pawnbroker's License	1,080	1,080	1,080	-	0.00%

CITY OF MONROE BUDGET GENERAL FUND REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2,022.00	% Realized
Utility Misc Charge	340,720	400,000	400,000	379,259.09	94.81%
NSF Fees	840	9,780	9,780	7,756.50	79.31%
Building Permit Fees	150	-	-	-	NA
Bldg Interlocal Reimb Fees	80	-	-	-	NA
Bldg Homeowner Recovery Fund	485	-	-	1,766.00	NA
Code Enf Civil Citations	18,119	10,950	10,950	18,600.00	169.86%
Bldg Publication Fees	-	-	-	-	NA
Code Enforce Abatements	44,013	19,690	19,690	27,636.05	140.36%
PROP Application Fee	-	-	-	-	NA
PROP Civil Citations	-	-	-	-	NA
Technology Fee	83,206	50,000	50,000	144,445.72	288.89%
Inspections-Building	247,116	150,000	150,000	438,456.36	292.30%
Inspections-Electrical	217,478	130,000	130,000	347,387.17	267.22%
Inspections-Mechanical	190,597	90,000	90,000	316,084.31	351.20%
Inspections-Plumbing	156,713	70,000	70,000	284,846.04	406.92%
Inspections-Other	25,592	20,000	20,000	34,943.49	174.72%
Plan Review	1,050	2,500	2,500	-	0.00%
Small Cell Wireless	-	-	-	-	NA
Fire Dept Inspection Fees	28,633	45,000	45,000	68,360.00	151.91%
Fire Dept Plan Review	30,141	10,000	10,000	16,752.26	167.52%
Total Permits and Fees	\$ 1,599,952	\$ 1,164,979	\$ 1,164,979	2,397,044.89	205.76%
Sales and Services					
Cemetery Plot Sales	\$ 45,725	\$ 25,000	\$ 25,000	28,975.00	115.90%
Grave Openings	45,855	34,850	34,850	36,600.00	105.02%
Recording Fees	1,620	750	750	990.00	132.00%
Cremorial Niche	-	500	500	-	0.00%
Sale of Land	-	-	-	-	NA
Sale of Fixed Assets	44,777	120,000	120,000	229,473.22	191.23%
Rent Misc Buildings	5	-	-	5.00	NA
Rent Old City Hall	18,141	19,800	19,800	13,950.00	70.45%
Street Signs	-	2,000	2,000	-	0.00%
Monroe History Books	-	-	-	-	NA
Resident Address Plates	194	100	100	146.12	146.12%
Misc Sales Other	7,266	8,000	8,000	11,284.42	141.06%
Merchandise for Sale	1,500	2,300	2,300	2,500.00	108.70%
Ceramics Winchester	31	1,000	1,000	352.01	35.20%
Ceramics Senior Center	490	2,700	2,700	1,377.50	51.02%
Pottery Senior Center	195	300	300	329.95	109.98%
Computer Senior Center	-	-	-	-	NA
Youth Basketball	4,052	8,500	8,500	10,386.30	122.19%
Adult Softball	900	3,000	3,000	-	0.00%
Adult Basketball	-	1,000	1,000	-	0.00%
Youth Baseball	2,482	3,400	3,400	4,636.34	136.36%
Youth Softball	-	500	500	(15.00)	-3.00%
Youth Tackle Football	-	-	-	-	NA
Youth Flag Football	200	1,520	1,520	3,401.35	223.77%
Adult Flag Football	-	-	-	-	NA
Pickleball	405	1,400	1,400	1,169.00	83.50%
Youth Kickball	-	-	-	-	NA
Adult Dodgeball	-	-	-	-	NA
Camps & Clinics	2,120	500	500	250.00	50.00%
Youth Soccer	190	3,400	3,400	6,064.35	178.36%
Track Program	3,400	1,900	1,900	2,455.00	129.21%
Bocce	-	350	350	-	0.00%
Cornhole	-	240	240	-	0.00%
Adult Trips	(7)	20,000	20,000	11,053.00	55.27%
Yearly Facility Maint Fee	3,000	14,000	14,000	10,015.00	71.54%
Instructional Programs	-	1,200	1,200	-	0.00%
Special Event Fees	1,580	3,400	3,400	3,249.75	95.58%
After School	103,623	152,500	152,500	129,558.50	84.96%
Swimming Lessons	-	-	-	-	NA
Winchester Pool Fees	1,961	1,300	1,300	638.50	49.12%
Daily Fees	714	5,000	5,000	2,323.00	46.46%
Rental Discounts	-	-	-	-	NA
Rent Dickerson Ctr	755	1,360	1,360	2,367.50	174.08%
Rent Sutton Park	850	5,100	5,100	3,710.00	72.75%
Rent Shute Center	1,595	5,100	5,100	3,541.00	69.43%
Rent Winchester Center	740	1,360	1,360	1,290.00	94.85%

CITY OF MONROE BUDGET GENERAL FUND REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2,022.00	% Realized
Rent Parks	4,460	6,335	6,335	1,882.50	29.72%
Rent Parks Williams Athl Cmplx	4,579	23,450	23,450	13,200.50	56.29%
Rent Youth Soccer Complex	-	-	-	-	NA
Rent Old Armory	8,839	11,900	11,900	6,869.50	57.73%
Rent Baseball Fields	1,120	2,000	2,000	360.00	18.00%
Carowinds Tickets	-	7,000	7,000	-	0.00%
Misc Sales Other	-	-	-	-	NA
Total Sales and Services	\$ 314,045	\$ 505,065	\$ 505,065	545,301.81	107.97%
Investment Earnings					
Investment Earnings	\$ 46,549	\$ 302,238	\$ 302,238	(77,894.57)	-25.77%
Interest Earned Trustee	-	-	-	6.84	NA
Total Investment Earnings	\$ 46,549	\$ 302,238	\$ 302,238	(77,887.73)	-25.77%
Miscellaneous					
Federal Bureau of Invest.	\$ 5,450	\$ -	\$ -	-	NA
Reimb US Mashal Srv	10,670	-	-	11,138.72	NA
Reimb DEA/OT Justice Dept	5,461	-	2,629	-	0.00%
Third Party	-	-	-	-	NA
Miscellaneous Reimbursements	9,034	34,803	34,803	8,320.83	23.91%
Hazmat Materials-Fire	-	-	-	-	NA
Occupancy Tax Collections	15,077	18,000	18,000	15,959.03	88.66%
Police Private	-	-	-	-	NA
Police Explorers	-	-	500	500.00	100.00%
Fire Donations/Sponsorships	2,000	-	1,100	825.00	75.00%
Fire Youth Group	-	-	250	-	0.00%
Fire Fighter Camp	-	-	-	600.00	NA
Donations Air Show	(28)	190,000	190,000	148,851.09	78.34%
PILT Monroe Housing Auth	-	21,200	21,200	37,497.20	176.87%
Miscellaneous Other	62,292	75,000	75,000	2,256.01	3.01%
Cash Discounts	94	-	-	-	NA
Purchasing Rebate	20,302	20,000	20,000	18,426.45	92.13%
Misc St. James Assoc	6,326	6,325	6,325	6,325.50	100.01%
Highway 74 Upkeep	5,430	11,437	11,437	9,412.00	82.29%
Miscellaneous Reimbursements	-	-	-	-	NA
P&R Donations/Sponsorships	2,697	8,200	8,200	3,100.00	37.80%
Dedications / Bench and Trees	2,050	-	-	-	NA
Miscellaneous Other	-	-	-	-	NA
Cash Discounts	-	-	-	-	NA
Total Miscellaneous	\$ 146,853	\$ 384,965	\$ 389,444	263,211.83	67.59%
Other Financing Sources					
Transfers from other funds					
TF From Downtown Monroe	\$ 581,888	\$ -	\$ -	-	NA
TF From ARPA	\$ -	\$ -	\$ 10,029,688	10,029,688.00	100.00%
TF From Gov Capital Project	35,300	-	71,295	40,000.00	56.10%
TF From Electric Fund	542,752	551,000	551,000	444,695.83	80.71%
TF From Natural Gas	194,546	200,500	200,500	168,239.57	83.91%
TF From Airport Capital Proj	309,436	-	-	-	NA
TF from Prop & Liab	12,300	-	18,936	18,936.00	100.00%
TF From General Fund	3,328,660	3,770,504	3,773,495	3,459,286.37	91.67%
Sub Total Transfers from Other Funds	\$ 5,004,881	\$ 4,522,004	\$ 14,644,914	14,160,845.77	512.40%
Proceeds Limited Obligation Bd	\$ -	\$ -	\$ 298,800	254,589.00	85.20%
Proceeds Installment Purchase	-	-	-	-	NA
Appropriation Of Fund Bal	-	3,483,111	13,048,215	-	0.00%
Appropriation Of Fund Bal	-	-	15,416	-	0.00%
Oth Fin Inception of Lease	-	-	20,993	20,992.87	100.00%
Oth Fin Inception of Lease	-	-	-	-	NA
Advance From Electric Fund	-	-	-	-	NA
Total Other Financing Sources	\$ 5,004,881	\$ 8,005,115	\$ 28,028,338	14,436,427.64	51.51%
Total General Fund Revenues	\$ 47,590,825	\$ 49,458,160	\$ 69,777,063	52,797,935.28	75.67%

Notes:

- (1) Investment Earnings - Funds are distributed quarterly among all funds.
- (2) Monthly local option sales tax is distributed on a 90 day delay.
- (3) Utility sales tax is distributed quarterly.

CITY OF MONROE BUDGET GENERAL FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
General Government					
Legislative					
Legislative - City Council	\$ 197,360	\$ 357,823	\$ 381,823	\$ 290,612	76.11%
Special Appropriations (Outside Agencies-1015)	342,877	379,925	422,536	295,523	69.94%
Planning Board (1022)	4,031	10,920	10,920	4,639	42.48%
Board of Adjustments (1023)	2,456	3,755	3,755	1,378	36.70%
Airport Commission (1025)	1,346	4,306	4,306	1,615	37.50%
Historic District Commission (1027)	4,416	8,960	8,960	3,623	40.43%
Downtown Monroe Board (1028)	534	3,768	3,768	727	19.29%
Sub Total Legislative	\$ 553,019	\$ 769,457	\$ 836,068	\$ 598,117	71.54%
Administration					
City Manager	\$ 1,309,287	\$ 1,161,359	\$ 1,187,799	\$ 990,239	83.37%
City Attorney	395,562	441,437	641,437	484,682	75.56%
Economic Development	608,062	1,118,977	1,399,884	728,612	52.05%
Public Information	81,847	369,118	458,588	314,127	68.50%
Sub Total Administration	\$ 2,394,757	\$ 3,090,891	\$ 3,687,708	\$ 2,517,660	68.27%
Facilities Maintenance					
Facilities Maintenance	\$ 1,393,902	\$ 1,653,769	\$ 1,656,682	\$ 1,122,956	67.78%
Sub Total Facilities Maintenance	\$ 1,393,902	\$ 1,653,769	\$ 1,656,682	\$ 1,122,956	67.78%
Finance					
Accounting	\$ 515,910	588,677	646,989	505,097	78.07%
Finance Administration	365,323	399,288	439,288	361,403	82.27%
Billing	714,031	890,276	895,176	742,740	82.97%
Payment Center	485,091	526,480	526,480	472,352	89.72%
Customer Service	499,534	585,561	585,561	444,705	75.95%
Purchasing	194,999	214,727	214,727	179,429	83.56%
Fleet (Garage)	324,133	345,319	345,319	306,118	88.65%
Warehouse	311,263	349,897	349,897	253,408	72.42%
Sub Total Finance	\$ 3,410,284	\$ 3,900,225	\$ 4,003,437	\$ 3,265,251	81.56%
Human Resources					
Human Resources	\$ 521,749	\$ 834,580	\$ 849,215	\$ 559,297	65.86%
Safety & Health	118,866	158,968	160,053	134,258	83.88%
Sub Total Human Resources	\$ 640,615	\$ 993,548	\$ 1,009,268	\$ 693,555	68.72%
Engineering					
Engineering	\$ 938,844	\$ 1,005,722	\$ 1,010,412	\$ 832,151	82.36%
Sub Total Engineering	\$ 938,844	\$ 1,005,722	\$ 1,010,412	\$ 832,151	82.36%
Planning and Development					
Planning	\$ 722,258	\$ 1,009,142	\$ 1,067,114	\$ 841,814	78.89%
Community Redevelopment	228,790	274,345	357,128	204,094	57.15%
Sub Total Planning and Development	\$ 951,048	\$ 1,283,487	\$ 1,424,242	\$ 1,045,908	73.44%
Information Technology					
Information Technology	\$ 1,476,349	\$ 1,727,802	\$ 1,824,436	\$ 1,339,238	73.41%
GIS	172,560	152,796	152,796	123,126	80.58%
Sub Total Information Technology	\$ 1,648,909	\$ 1,880,598	\$ 1,977,232	\$ 1,462,364	73.96%
Total General Government	\$ 11,931,379	\$ 14,577,697	\$ 15,605,049	\$ 11,537,962	73.94%
Transportation					
Engineering					
Street Dept	\$ 3,971,055	\$ 3,055,739	\$ 4,070,739	\$ 1,702,732	41.83%
Powell Bill	641,045	930,000	1,156,760	321,192	27.77%
Sub Total Engineering	\$ 4,612,100	\$ 3,985,739	\$ 5,227,499	\$ 2,023,923	38.72%
Total Transportation	\$ 4,612,100	\$ 3,985,739	\$ 5,227,499	\$ 2,023,923	38.72%
Public Safety					
Building Standards					
Code Enforcement	\$ 268,341	\$ 305,830	\$ 305,830	\$ 256,259	83.79%
Building Standards	609,288	776,059	795,382	568,764	71.51%
Sub Total Building Standards	\$ 877,628	\$ 1,081,889	\$ 1,101,212	\$ 825,024	74.92%
Police	\$ 11,718,795	\$ 13,060,436	\$ 13,386,944	\$ 10,649,942	79.55%
Fire	9,174,041	9,750,963	10,065,385	8,286,061	82.32%
Total Public Safety	\$ 21,770,464	\$ 23,893,288	\$ 24,553,541	\$ 19,761,027	80.48%

CITY OF MONROE BUDGET GENERAL FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Final Budget 2022	YTD Actual 2022	% Realized
Cultural and Recreational					
Administration	\$ 228,177	\$ 287,141	\$ 280,141	\$ 247,197	88.24%
Recreation	1,203,023	1,766,814	1,783,214	1,284,001	72.00%
Parks Maintenance	1,319,916	1,653,659	1,663,650	1,375,827	82.70%
Total Cultural and Recreational	\$ 2,751,116	\$ 3,707,614	\$ 3,727,005	\$ 2,907,024	78.00%
Sub Total Expenditures	\$ 41,065,059	\$ 46,164,338	\$ 49,113,094	\$ 36,229,936	73.77%
Reimbursements from Other Funds					
Administration	\$ (2,896,329)	\$ (3,038,618)	\$ (3,038,618)	\$ (2,785,400)	91.67%
Utility Billing	(865,759)	(863,129)	(863,129)	(791,202)	91.67%
Customer Service/Collections	(1,045,912)	(1,067,569)	(1,067,569)	(978,605)	91.67%
Engineering	(356,462)	(372,428)	(372,428)	(341,392)	91.67%
Street	(567,734)	(364,819)	(379,819)	(523,988)	137.96%
Administrative Services (Purchasing)	(108,648)	(116,314)	(116,314)	(106,621)	91.67%
Fleet (Garage)	(292,342)	(264,209)	(259,210)	(160,024)	61.74%
Warehouse	(416,449)	(437,779)	(437,779)	(401,297)	91.67%
Parks Maintenance	(14,884)	(15,314)	(15,314)	(14,038)	91.67%
Facilities Maintenance	(173,972)	(162,332)	(162,332)	(148,804)	91.67%
Manual Adjs Allocations	(86,409)	(261,007)	(289,952)	(265,789)	91.67%
Total Reimbursements from Other Funds	\$ (6,824,901)	\$ (6,963,518)	\$ (7,002,464)	\$ (6,517,160)	93.07%
Transfers Out to Other Funds ⁽¹⁾					
Dowd Theatre	\$ 574,615	\$ 208,624	\$ 208,624	\$ 191,239	91.67%
Parks & Rec Fund	3,328,660	3,770,504	3,773,495	3,459,286	91.67%
Golf Course	-	408,395	408,395	374,362	91.67%
Downtown Monroe	199,486	165,095	275,285	261,529	95.00%
Monroe-Union Co Econ Dev	315,000	318,000	318,000	318,000	100.00%
Capital Projects General Gov	3,291,825	1,074,167	18,017,855	18,017,855	100.00%
Capital Projects P&R	284,647	-	-	-	NA
Airport	1,484,656	1,419,002	1,425,743	1,307,502	91.71%
Airport - Capital Projects	148,694	-	42,000	42,000	100.00%
Govn Capital Reserve	-	-	-	-	NA
Transfers Out to Other Funds	\$ 9,627,582	\$ 7,363,787	\$ 24,469,397	\$ 23,971,773	97.97%
Debt Service					
General Fund	\$ 1,251,526	\$ 2,427,725	\$ 2,731,192	\$ 2,059,106	75.39%
Parks & Recreation Fund	176,460	465,828	465,844	362,207	77.75%
Total Debt Service	\$ 1,427,986	\$ 2,893,553	\$ 3,197,036	\$ 2,421,313	75.74%
Unreserved					
General Fund	\$ -	\$ -	\$ -	\$ -	NA
Parks & Recreation Fund	-	-	-	-	NA
Golf Course Fund	-	-	-	-	NA
Total Unreserved	\$ -	\$ -	\$ -	\$ -	NA
Total General Fund Expenditures	\$ 45,295,726	\$ 49,458,160	\$ 69,777,063	\$ 56,105,862	80.41%

NOTES:

⁽¹⁾General Fund Debt Service :

	2022	Balance	Payoff Yr
Propel Land-28	\$ 79,204	\$ -	2022
Allvac Land-30	52,274	-	2022
15 Fire Station # 4	470,030	1,134,650	2025
17 Three Fire Trucks	200,030	1,001,582	2027
17 ATI Specialty Materials	87,649	788,842	2031
18 Fire Trucks	189,912	1,137,062	2028
18 LOBs (demolition/paving)	51,229	670,115	2039
19 Fire Truck	73,275	514,005	2029
20 ERP System (Munis)	128,718	1,028,687	2030
20 Fire BlazeUnit	95,470	760,851	2030
22 LOBs New Police Department Building	-	16,040,421	2042
	\$ 1,427,792	\$ 23,076,214	
Parks & Recreation Fund Debt Service :			
09 Facilities Construction-32 (Winchester Ctr/J Ray Shute Gym)	\$ 171,155	\$ 329,540	2024
22 LOBs (Senior Center) Estimate	-	4,799,731	2042
	\$ 171,155	\$ 5,129,271	

CITY OF MONROE BUDGET POLICE ASSET FORFEITURE FUND					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 571,510	\$ 366,367	\$ 366,367	\$ 366,367	NA
Restricted Revenues					
DEA Funds - Justice Dept	\$ 17,371	\$ -	\$ -	\$ 165,071	NA
DEA Funds - Treasury Dept	-	-	-	-	NA
Investment Earnings	1,131	-	-	(240)	NA
Annual Sources of Funds	\$ 18,502	\$ -	\$ -	\$ 164,831	NA
Total Sources of Funds	\$ 590,012	\$ 366,367	\$ 366,367	\$ 531,197	144.99%
<i>Uses of Funds</i>					
Expenditures					
US Justice Drugs	\$ 223,645	\$ -	\$ 258,555	\$ 71,269	27.56%
US Treasury Drugs	-	-	107,811	-	0.00%
Sub Total	\$ 223,645	\$ -	\$ 366,366	\$ 71,269	NA
Total Uses of Funds	\$ 223,645	\$ -	\$ 366,366	\$ 71,269	NA
			-	-	
Ending Balance	\$ 366,367	\$ 366,367	\$ 1	\$ 459,928	

Notes:
Police Asset Forfeiture funds were reported previously in the General Fund.

CITY OF MONROE BUDGET CHARLOTTE-MONROE EXECUTIVE AIRPORT FUND BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 84,245	\$ 9,177	\$ 9,177	\$ 9,177	NA
Revenues					
Restricted Intergovernmental	\$ -	\$ -	\$ 82,000	\$ 82,000	NA
Sales and Services	2,019,928	2,146,097	2,020,754	2,641,072	130.70%
Investment Earnings	0	-	-	1	NA
Miscellaneous ⁽¹⁾	-	-	125,343	1,588	NA
Sub Total	\$ 2,019,929	\$ 2,146,097	\$ 2,228,097	\$ 2,724,660	122.29%
Other Financing Sources					
Transfer From Other Funds	\$ 1,484,656	\$ 1,419,002	\$ 1,425,743	\$ 1,307,502	91.71%
Proceeds From Revenue Bonds	6,020,000	-	-	-	NA
Proceeds From LT Debt / Installment Pur.	-	-	-	-	NA
Inception of Lease	-	-	-	-	NA
Sub Total	\$ 7,504,656	\$ 1,419,002	\$ 1,425,743	\$ 1,307,502	91.71%
Annual Sources of Funds	\$ 9,524,584	\$ 3,565,099	\$ 3,653,840	\$ 4,032,162	110.35%
Total Sources of Funds	\$ 9,608,830	\$ 3,574,276	\$ 3,663,017	\$ 4,041,339	110.33%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 649,461	\$ 664,518	\$ 746,518	\$ 607,082	81.32%
Capital	61,627	-	-	-	NA
Operating	1,353,849	1,483,326	1,503,030	1,823,379	121.31%
Customs	138,767	86,190	92,931	35,012	37.68%
Airport Debt Service	7,072,068	1,069,643	1,069,652	1,028,060	96.11%
Sub Total	\$ 9,275,771	\$ 3,303,677	\$ 3,412,131	\$ 3,493,533	102.39%
Reimbursements to other funds					
Cost Allocations	\$ 251,013	\$ 261,422	\$ 261,422	\$ 239,637	91.67%
Sub Total	\$ 251,013	\$ 261,422	\$ 261,422	\$ 239,637	91.67%
Other Financing Uses					
Other Financing Uses - Transfers to Other Funds	\$ 72,868	\$ -	\$ -	\$ -	NA
Sub Total	\$ 72,868	\$ -	\$ -	\$ -	NA
Total Uses of Funds	\$ 9,599,652	\$ 3,565,099	\$ 3,673,553	\$ 3,733,170	101.62%
Ending Balance	\$ 9,177	\$ 9,177	\$ (10,536)	\$ 308,169	NA

Notes:

CITY OF MONROE BUDGET					
CHARLOTTE-MONROE EXECUTIVE AIRPORT FUND REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Restricted Revenues					
CARES Funds	\$ -	\$ -	\$ 82,000	\$ 82,000	100.00%
Total Restricted Revenues	\$ -	\$ -	\$ 82,000	\$ 82,000	100.00%
Sales and Services					
Merchandise for Sale	\$ 602	\$ 454	\$ 454	\$ 431	94.94%
Sale of Land	-	-	-	-	NA
Sale of Fixed Assets	-	-	-	-	NA
Rent Terminal Office Spac	-	-	-	-	NA
Land Lease	4,933	4,138	(363)	2,580	-710.82%
Flowage Fee	-	-	-	-	NA
Tie-down Lease	53,975	51,240	51,240	52,760	102.97%
Hangar Lease	344,812	254,505	157,637	354,633	224.97%
Office Lease	29,495	35,168	23,443	25,802	110.06%
T-hangar Lease	88,010	87,360	87,360	82,030	93.90%
Towing	2,400	4,800	4,800	2,200	45.83%
Pumping Fee	65,094	87,235	87,235	88,323	101.25%
Catering	18	451	451	-	0.00%
Overnight Tie-down/Hangar	14,504	13,968	13,968	13,207	94.55%
Charges for Service-Misc	8,088	6,349	6,349	15,533	244.65%
Maintenance Hangar Lease	435	34,425	34,425	-	0.00%
Operation Fees	15,353	12,000	(249)	16,004	-6427.34%
Fuel Storage Fee	-	-	-	-	NA
Aircraft Ramp Fee	15,300	16,521	16,521	15,300	92.61%
Customs User Fees	4,800	6,200	6,200	4,200	67.74%
Customs Regulated Garbage	1,200	1,000	1,000	800	80.00%
Call Out Fee	1,925	2,364	2,364	1,300	54.99%
Aircraft Washes	30	-	-	-	NA
Ground Handling Fee	-	-	-	-	NA
Delinquent Penalty	1,205	500	500	861	172.12%
Account Reinstatement Fee	-	-	-	-	NA
Publications	2,151	2,163	2,163	1,518	70.18%
Pilot Supplies	518	1,757	1,757	189	10.74%
Oil Sales	4,150	2,389	2,389	4,485	187.74%
Aviation Fuel Sales	1,360,931	1,521,110	1,521,110	1,958,916	128.78%
Military Fuel Sales	-	-	-	-	NA
Misc Sales Other	-	-	-	-	NA
Total Sales and Services	\$ 2,019,928	\$ 2,146,097	\$ 2,020,754	\$ 2,641,072	130.70%
Investment Earnings					
Investment Earnings	\$ 0.19	\$ -	\$ -	\$ 0.49	NA
Interest Earned Trustee	0.24	-	-	0.36	NA
Total Investment Earnings	\$ 0.43	\$ -	\$ -	\$ 0.85	NA
Miscellaneous					
Miscellaneous Reimbursements	\$ -	\$ -	\$ -	\$ 170	NA
Miscellaneous Other	-	-	-	-	NA
Cash Discounts	-	-	-	-	NA
Lease Revenue	-	-	122,598	1,075	0.88%
Lease Interest Income	-	-	2,745	343	12.50%
Total Miscellaneous	\$ -	\$ -	\$ 125,343	\$ 1,588	1.27%
Other Financing Sources					
Transfers from other funds (to subsidize operations)					
TF From General Fund	\$ 1,484,656	\$ 1,419,002	\$ 1,425,743	\$ 1,307,502	91.71%
TF From Airport Capital Proj	-	-	-	-	NA
Sub Total Interfund Transfers	\$ 1,484,656	\$ 1,419,002	\$ 1,425,743	\$ 1,307,502	91.71%
Proceeds Revenue Bonds	\$ 6,020,000	\$ -	\$ -	\$ -	NA
Proceeds Installment Purchase	-	-	-	-	NA
Appropriation Of Fund Bal	-	-	19,713	-	0.00%
Oth Fin Inception of Lease	-	-	-	-	NA
Total Other Financing Sources	\$ 7,504,656	\$ 1,419,002	\$ 1,445,456	\$ 1,307,502	90.46%
Total Airport Fund Revenues	\$ 9,524,584	\$ 3,565,099	\$ 3,673,553	\$ 4,032,162	109.76%

Notes:

CITY OF MONROE BUDGET CHARLOTTE-MONROE EXECUTIVE AIRPORT FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Airport Operations					
Personnel					
Salary	\$ 452,148	\$ 457,679	\$ 457,679	\$ 358,910	78.42%
Overtime	8,856	17,773	17,773	5,143	28.94%
Car Allowance	-	-	-	-	NA
Social Security Taxes	33,005	35,264	35,264	26,620	75.49%
Life Insurance	644	690	690	615	89.18%
Employer Share Insurance	99,482	85,600	85,600	73,708	86.11%
Retirement	37,163	46,721	46,721	41,291	88.38%
401(k)	13,973	17,445	17,445	15,726	90.15%
Cell Phone Allowance	1,200	1,200	1,200	1,100	91.67%
Workers Compensation	2,990	2,146	2,146	1,967	91.66%
Temporary Labor	-	-	-	-	NA
Pay Adjustments	-	-	-	-	NA
CARES Grant Personnel	-	-	82,000	82,000	100.00%
Total Personnel	\$ 649,461	\$ 664,518	\$ 746,518	\$ 607,082	81.32%
Capital					
Capitalized Motor Vehicles	\$ 61,627	\$ -	\$ -	\$ -	NA
Total Capital	\$ 61,627	\$ -	\$ -	\$ -	NA
Operating					
Bank Service Charges	\$ 36,044	\$ 38,000	\$ 38,000	\$ 46,920	123.47%
Financial Management	952	966	966	966	100.00%
Engineering Services	600	1,500	1,500	650	43.33%
Technical Contracted Services	2,098	13,276	10,876	9,500	87.35%
FEMA Covid Exp.	150	-	-	-	NA
Repairs & Maint Equipment	34,637	36,000	42,600	35,749	83.92%
Repairs & Maint Buildings	69,666	18,190	40,394	12,754	31.58%
Repairs & Maint Grounds	80,044	79,500	83,000	75,750	91.27%
Software License & Support	9,895	8,168	11,568	11,198	96.80%
Repairs & Maint Copiers	2,808	1,000	1,000	747	74.68%
Repairs & Maint ERP System AMA	5,195	7,887	7,887	7,555	95.79%
Equipment Rentals	-	-	-	-	NA
Vehicle Fuel	3,882	4,837	4,837	6,662	137.72%
Vehicle Maintenance	13,878	16,000	15,000	12,975	86.50%
Unemployment Insurance	91	410	410	-	0.00%
Wellness & Clinic Cost	5,555	4,360	4,360	3,997	91.67%
Property Damages	57,631	64,528	64,528	59,151	91.67%
Telecommunications	4,322	7,236	6,236	2,213	35.49%
Marketing & Promotions	8,576	10,000	9,000	9,511	105.68%
Uniforms and Shoes	4,899	7,000	6,000	4,012	66.87%
Training and Travel Adv	-	-	-	910	NA
Training and Travel Exp	561	5,875	5,875	6,214	105.76%
Customer Fuel Rebates	1,489	2,000	2,600	2,522	96.98%
General Supplies	9,761	14,000	8,000	7,670	95.88%
Postage	48	100	100	-	0.00%
Small Equipment	993	1,450	350	73	20.87%
PC's Peripherals	1,806	1,000	1,000	1,002	100.18%
Utilities	107,143	100,390	100,390	105,743	105.33%
Items for Resale Merchandise	4,375	7,500	4,400	3,343	75.97%
Items for Resale Av Gas	879,469	1,025,000	1,025,000	1,389,368	135.55%
Items for Resale Oil	2,611	2,500	2,500	3,003	120.12%
Items for Resale Catering	-	1,000	1,000	-	0.00%
Organizational Dues	1,033	1,138	1,138	1,041	91.44%
Subscriptions & Publications	947	1,165	1,165	317	27.23%
Bad Debt Expense	45	-	-	61	NA
Other Operating Expense	2,644	1,350	1,350	1,804	133.65%
Special Events	-	-	-	-	NA
Over/Short Fuel Inventory	-	-	-	-	NA
Total Operating	\$ 1,353,849	\$ 1,483,326	\$ 1,503,030	\$ 1,823,379	121.31%

CITY OF MONROE BUDGET CHARLOTTE-MONROE EXECUTIVE AIRPORT FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Reimbursements to other funds					
Allocations Administration	\$ 183,330	\$ 190,200	\$ 190,200	\$ 174,350	91.67%
Allocations Utility Billing	15,830	15,872	15,872	14,549	91.67%
Allocations Cust Srv/Pmt Ctr	13,331	14,108	14,108	12,932	91.67%
Allocations Engineering	-	-	-	-	NA
Allocations Purchasing	4,268	4,480	4,480	4,107	91.67%
Allocations Fleet	10,601	10,908	10,908	9,999	91.67%
Allocations Parks Maint	-	-	-	-	NA
Allocations Facilities Maint	23,653	22,051	22,051	20,213	91.67%
Allocations Manual Adjs	-	3,803	3,803	3,486	91.67%
Total Reimbursements to other funds	\$ 251,013	\$ 261,422	\$ 261,422	\$ 239,637	91.67%
Total Operations	\$ 2,315,950	\$ 2,409,266	\$ 2,510,970	\$ 2,670,098	106.34%
Customs Service	\$ 122,220	\$ 50,000	\$ 50,000	\$ 2,714	5.43%
Technical Contracted Services	-	600	600	-	0.00%
Cleaning Srv Waste Disposal	1,499	4,800	4,800	1,061	22.11%
Repairs & Maint Equipment	1,345	2,000	4,500	3,070	68.23%
Repairs & Maint Buildings	1,148	3,674	4,974	2,632	52.92%
Software License & Support	-	-	-	-	NA
Property Damages	2,678	2,767	2,767	2,536	91.67%
Telecommunications	3,015	12,000	15,741	16,756	106.45%
Training and Travel Exp	-	2,000	1,700	-	0.00%
General Supplies	-	-	-	-	NA
Small Equipment	-	1,000	500	-	0.00%
PC's Peripherals	-	-	-	-	NA
Utilities	6,285	7,349	7,349	6,241	84.93%
Other Operating Expense	578	-	-	-	NA
Total Customs Service	\$ 138,767	\$ 86,190	\$ 92,931	\$ 35,012	37.68%
Airport Debt Service ⁽¹⁾					
Installment Principal	\$ 6,668	\$ 46,390	\$ 46,390	\$ (140)	-0.30%
Installment Interest	23,291	21,989	21,989	21,197	96.40%
Bonds Principal	758,380	875,840	875,840	900,840	102.85%
Bonds Interest	397,881	113,972	113,972	96,762	84.90%
Bonds Admin Fees	2,379	5,132	5,132	3,245	63.23%
Debt Issuance Cost	(15,435)	-	-	-	NA
Bonds Pmt Escrow Agent	5,895,000	-	-	-	NA
Bonds Yrly Monitoring Fee	3,904	4,348	4,348	4,348	100.00%
Capital Leases Principal	-	1,730	1,750	1,569	89.68%
Capital Leases Interest	-	242	231	238	103.18%
Total Debt Service	\$ 7,072,068	\$ 1,069,643	\$ 1,069,652	\$ 1,028,060	96.11%
Transfers to Other Funds					
TF To General Fund	\$ -	\$ -	\$ -	\$ -	NA
TF To Gov Capital Project	72,868	-	-	-	NA
Total Transfers out to Other Funds	\$ 72,868	\$ -	\$ -	\$ -	NA
Total Airport Fund Expenditures	\$ 9,599,652	\$ 3,565,099	\$ 3,673,553	\$ 3,733,170	101.62%

NOTES:

⁽¹⁾ Airport Debt Service :
2016 Airport Hangar Construction (interfund loan)
2017 Revenue Bonds
2020 New ERP System (share)
2020 A Combined Enterprise System Rev Bonds - Refunding

	2022	Balance	Payoff Yr
\$	60,265	\$ 843,711	2036
	140,711	2,956,824	2043
	8,114	64,848	2030
	879,878	5,306,870	2028
\$	209,090	\$ 3,865,382	

Charlotte Monroe Airport
10 Year History of Taxable Assets

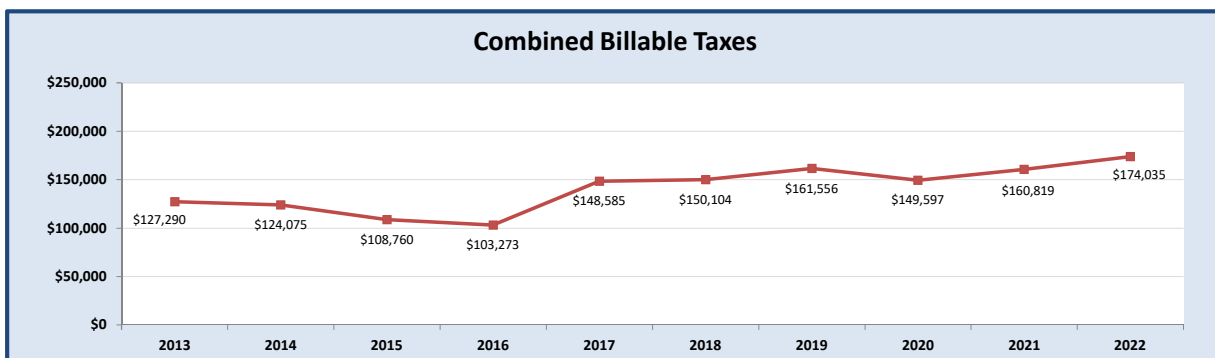
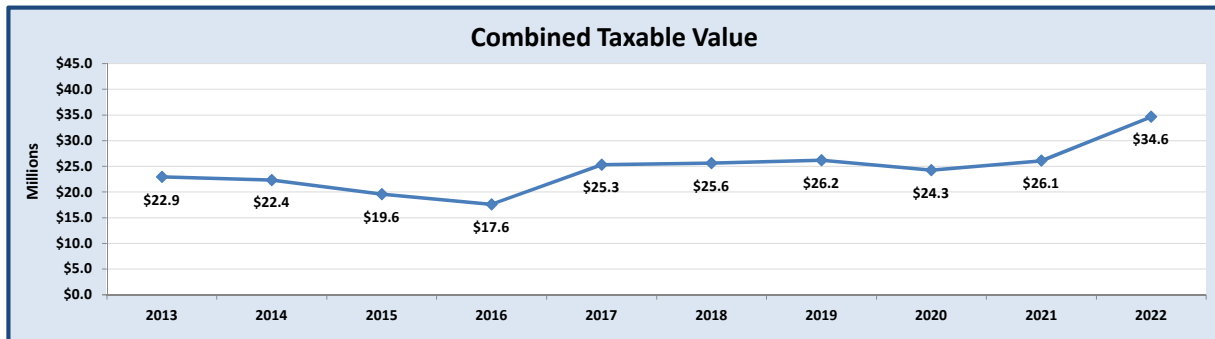
Value as of January 1	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
for tax collection Fiscal Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Airplanes										
#	94	103	102	82	83	115	107	99	110	112
Value	\$ 22,248,393	\$ 21,669,130	\$ 18,909,731	\$ 17,007,969	\$ 24,736,391	\$ 24,995,479	\$ 25,607,498	\$ 23,666,954	\$ 25,487,933	\$ 34,126,927
Tax Rate	0.555	0.555	0.555	0.586	0.5863	0.5863	0.6163	0.6163	0.6163	0.5025
Taxes	\$ 123,479	\$ 120,264	\$ 104,949	\$ 99,718	\$ 145,029	\$ 146,548	\$ 157,819	\$ 145,859	\$ 157,082	\$ 171,488
Average Value/Planes	\$ 236,685	\$ 210,380	\$ 185,390	\$ 207,414	\$ 298,029	\$ 217,352	\$ 239,322	\$ 239,060	\$ 231,708	\$ 304,705
Hangers										
#	3	3	3	3	3	3	3	3	3	3
Sq.Ft.	19,674	19,674	19,674	19,044	19,044	19,044	19,044	19,044	19,044	19,044
Value	\$ 686,700	\$ 686,700	\$ 686,700	\$ 606,400	\$ 606,400	\$ 606,400	\$ 606,400	\$ 606,400	\$ 606,400	\$ 506,900
Tax Rate ⁽¹⁾	0.555	0.555	0.555	0.586	0.5863	0.5863	0.6163	0.6163	0.6163	0.5025
Taxes	\$ 3,811	\$ 3,811	\$ 3,811	\$ 3,555	\$ 3,555	\$ 3,555	\$ 3,737	\$ 3,737	\$ 3,737	\$ 2,547
Avg Value SF	\$ 34.90	\$ 34.90	\$ 34.90	\$ 31.84	\$ 31.84	\$ 31.84	\$ 31.84	\$ 31.84	\$ 31.84	\$ 26.62
Combined Taxable Value	\$ 22,935,093	\$ 22,355,830	\$ 19,596,431	\$ 17,614,369	\$ 25,342,791	\$ 25,601,879	\$ 26,213,898	\$ 24,273,354	\$ 26,094,333	\$ 34,633,827
Combined Billable Taxes	\$ 127,290	\$ 124,075	\$ 108,760	\$ 103,273	\$ 148,585	\$ 150,104	\$ 161,556	\$ 149,597	\$ 160,819	\$ 174,035

Notes:

⁽¹⁾ A revenue neutral tax rate (.05025) was adopted in FY22.

⁽²⁾ FY21 includes refunding debt.

	FY21 Actual	FY22 Budget	Change
Operating Revenues	\$ 2,019,929	\$ 2,146,097	\$ 126,168
Operating Expenditures	2,393,089	2,603,901	210,812
Net Operating Revenue / (Deficit)	\$ (373,160)	\$ (457,804)	\$ (84,644)
Combined Billable Taxes ⁽¹⁾	\$ 160,819	\$ 174,035	\$ 13,216
Net Revenue / (Deficit)	\$ (212,341)	\$ (283,769)	\$ (71,428)
Annual Debt Service ⁽²⁾	\$ 7,072,068	\$ 1,069,643	\$ (6,002,425)



CITY OF MONROE BUDGET MONROE AQUATIC & FITNESS CENTER BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 3,314,143	\$ 2,100,528	\$ 2,100,528	\$ 2,100,528	NA
Revenues					
Sales and Services	\$ 1,642,322	\$ 2,194,064	\$ 2,194,064	\$ 2,569,963	117.13%
Investment Earnings ⁽¹⁾	(12,354)	23,824	23,824	(1,220)	-5.12%
Miscellaneous	-	-	-	-	NA
Inception of Lease	-	-	-	-	NA
Installment Purchase Cont	-	-	-	-	NA
Total Revenues	\$ 1,629,968	\$ 2,217,888	\$ 2,217,888	\$ 2,568,743	115.82%
Annual Sources of Funds	\$ 1,629,968	\$ 2,217,888	\$ 2,217,888	\$ 2,568,743	115.82%
Total Sources of Funds	\$ 4,944,111	\$ 4,318,416	\$ 4,318,416	\$ 4,669,271	108.12%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 1,567,901	\$ 2,401,233	\$ 2,401,233	\$ 1,529,925	63.71%
Capital	156,485	93,500	93,500	62,554	66.90%
Operating	657,448	1,027,551	1,028,504	751,433	73.06%
Debt Service	10,205	16,367	16,392	5,904	36.02%
Sub Total	\$ 2,392,038	\$ 3,538,651	\$ 3,539,629	\$ 2,349,817	66.39%
Reimbursements to other funds					
Cost Allocations	\$ 357,590	\$ 265,396	\$ 266,203	\$ 244,019	91.67%
Sub Total	\$ 357,590	\$ 265,396	\$ 266,203	\$ 244,019	91.67%
Transfer out to other funds					
Transfer out to other funds	\$ 93,955	\$ -	\$ -	\$ -	NA
Sub Total	\$ 93,955	\$ -	\$ -	\$ -	NA
Total Uses of Funds	\$ 2,843,583	\$ 3,804,047	\$ 3,805,832	\$ 2,593,837	68.15%
Ending Balance	\$ 2,100,528	\$ 514,369	\$ 512,584	\$ 2,075,435	

Notes:

⁽¹⁾ Investment Earnings allocated among all funds on a quarterly basis.

CITY OF MONROE BUDGET MONROE AQUATIC & FITNESS CENTER REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Sales and Services					
Merchandise for Sale	\$ 748	\$ 1,000	\$ 1,000	\$ 628	62.83%
Vending Machines	279	4,000	4,000	6,035	150.88%
Commission MAFC Pro Shop	-	-	-	172	NA
Adult Trips	-	-	-	1,256	NA
Swimming Lessons	4,705	15,000	15,000	22,770	151.80%
Day Camp	84,880	57,913	57,913	61,364	105.96%
Nursery Fees	-	-	-	-	NA
Guest Fees	11,217	30,000	30,000	44,219	147.40%
Joining Fees	-	10,000	10,000	32,080	320.80%
Monthly Dues	1,491,018	2,000,000	2,000,000	2,297,036	114.85%
Special Programs	4,297	2,868	2,868	7,028	245.06%
Juice/Health Bar	34,876	47,000	47,000	66,989	142.53%
Membership Chgs Fee	-	10,763	10,763	2,577	23.95%
Membership Freeze Fee	-	7,520	7,520	5,400	71.81%
Sale of Fixed Assets	-	3,790	3,790	-	0.00%
Rent Aquatic Ctr-Facility	7,901	1,810	1,810	18,432	1018.37%
Rent Aquatic Center-Pool	2,400	2,400	2,400	3,976	165.65%
Total Sales and Services	\$ 1,642,322	\$ 2,194,064	\$ 2,194,064	\$ 2,569,963	117.13%
Investment Earnings					
Investment Earnings	\$ (12,354)	\$ 23,824	\$ 23,824	\$ (1,220)	-5.12%
Total Investment Earnings	\$ (12,354)	\$ 23,824	\$ 23,824	\$ (1,220)	-5.12%
Miscellaneous					
Third Party	\$ -	\$ -	\$ -	\$ -	NA
Miscellaneous Other	-	-	-	-	NA
Cash Discounts	-	-	-	-	NA
Total Miscellaneous	\$ -	\$ -	\$ -	\$ -	NA
Other Financing Sources					
TF From Aquatics Ctr Cap Proj	\$ -	\$ -	\$ -	\$ -	NA
TF From Natural Gas	-	-	-	-	NA
Proceeds Installment Purchase	-	-	-	-	NA
Appropriation Of Fund Bal	-	1,624,732	1,626,517	-	0.00%
Oth Fin Inception of Lease	-	-	-	-	NA
Total Other Financing Sources	\$ -	\$ 1,624,732	\$ 1,626,517	\$ -	0.00%
Total MAFC Fund Revenues	\$ 1,629,968	\$ 3,842,620	\$ 3,844,405	\$ 2,568,743	66.82%

CITY OF MONROE BUDGET MONROE AQUATIC & FITNESS CENTER EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
MAFC Operations					
Personnel					
Salary	\$ 1,185,887	\$ 1,888,932	\$ 1,888,932	\$ 1,173,449	62.12%
Overtime	2,060	6,676	6,676	1,543	23.11%
Social Security Taxes	88,472	142,086	142,086	90,521	63.71%
Life Insurance	1,050	1,292	1,292	1,003	77.64%
Employer Share Insurance	160,047	188,329	188,329	147,620	78.38%
Retirement	68,252	90,664	90,664	69,558	76.72%
401(k)	29,528	35,161	35,161	27,250	77.50%
Cell Phone Allowance	4,200	5,220	5,220	3,050	58.43%
Workers Compensation	7,265	4,873	4,873	4,467	91.67%
Temporary Labor	21,140	38,000	38,000	11,463	30.17%
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 1,567,901	\$ 2,401,233	\$ 2,401,233	\$ 1,529,925	63.71%
Capital					
Capitalized Motor Vehicles	\$ 156,485	\$ 34,500	\$ -	\$ -	NA
Capitalized Equipment	-	-	34,500	12,694	36.79%
Capital Outlay Buildings	-	59,000	59,000	49,860	84.51%
Sub Total Capital	\$ 156,485	\$ 93,500	\$ 93,500	\$ 62,554	66.90%
Operating					
Bank Service Charges	\$ 4,866	\$ 16,160	\$ 16,160	\$ 22,681	140.35%
Financial Management	2,037	1,626	1,626	1,626	100.00%
Technical Contracted Services	5,451	9,500	9,500	10,020	107.39%
FEMA Covid Exp.	940	-	-	-	NA
Cleaning Srv Building	53,100	53,208	53,208	44,334	83.32%
Cleaning Srv Linen	-	3,500	3,500	389	11.11%
Repairs & Maint Equipment	10,448	36,000	36,000	11,698	32.49%
Repairs & Maint Buildings	38,865	101,700	100,700	47,144	46.82%
Repairs & Maint Grounds	1,689	3,500	3,500	1,987	56.76%
Software License & Support	8,762	27,704	27,704	20,161	72.77%
Repairs & Maint Copiers	9,130	3,500	3,500	4,944	141.27%
Repairs & Maint ERP System AMA	6,884	6,778	6,778	6,493	95.79%
Repairs & Maint Pools	8,862	27,600	28,600	13,142	45.95%
Repairs & Maint Generators	-	500	500	-	0.00%
Vehicle Fuel	421	1,300	1,300	843	64.85%
Vehicle Maintenance	5,420	4,000	4,000	3,225	80.64%
Unemployment Insurance	1,397	1,050	1,050	-	0.00%
Wellness & Clinic Cost	11,666	7,085	7,085	6,495	91.67%
Property Damages	25,322	43,379	43,379	39,764	91.67%
Telecommunications	8,529	8,520	8,520	8,072	94.75%
Marketing & Promotions	43,572	72,000	72,000	35,554	49.38%
Printing	4,383	12,000	12,000	4,807	40.06%
Uniforms and Shoes	2,945	7,000	7,000	4,303	61.48%
Training and Travel Exp	930	1,808	1,808	1,601	88.54%
Trip Costs - Adults	-	-	-	1,256	NA
General Supplies	5,654	10,000	10,000	4,750	47.50%
Postage	3,540	8,750	8,750	1,522	17.39%
Housekeeping	21,748	59,750	60,283	34,223	56.77%
Small Equipment	11,772	31,063	29,763	5,821	19.56%
PC's Peripherals	2,893	12,000	12,000	10,453	87.11%
Pool Chemicals	24,429	49,000	49,000	24,438	49.87%
Software	255	-	-	-	NA
Utilities	281,105	305,000	305,000	298,614	97.91%
Items for Resale Merchandise	110	1,500	1,500	-	0.00%
Organizational Dues	126	470	470	126	26.80%
Subscriptions & Publications	60	-	-	-	NA
Other Operating Expense	10,829	22,750	22,750	12,335	54.22%
Special Events	1,505	10,850	10,850	3,455	31.84%

CITY OF MONROE BUDGET MONROE AQUATIC & FITNESS CENTER EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Oth Day Camp	14,970	32,000	32,420	21,008	64.80%
Oth Juice/Health Bar	22,834	35,000	36,300	43,969	121.13%
Sub Total Operating	\$ 657,448	\$ 1,027,551	\$ 1,028,504	\$ 751,433	73.06%
Transfers Out to Other Funds					
TF To Gov Capital Project	\$ 93,955	\$ -	\$ -	\$ -	NA
Total Transfers Out to Other Funds	93,955	-	-	-	0.00%
Reimbursements to other funds					
Allocations Administration	\$ 298,510	\$ 218,537	\$ 218,537	\$ 200,326	91.67%
Allocations Cust Srv/Pmt Ctr	14,773	15,647	15,647	14,343	91.67%
Allocations Purchasing	7,301	7,670	7,670	7,031	91.67%
Allocations Fleet	5,870	6,040	6,040	5,537	91.67%
Allocations Parks Maint	1,818	2,007	2,007	1,840	91.67%
Allocations Facilities Maint	9,845	9,177	9,177	8,412	91.67%
Allocations Manual Adjs	19,473	6,318	7,125	6,531	91.67%
Sub Total Reimbursements to other funds	\$ 357,590	\$ 265,396	\$ 266,203	\$ 244,019	91.67%
Unreserved	\$ -	\$ 38,573	\$ 38,573	\$ -	0.00%
Total MAFC Operations	\$ 2,833,378	\$ 3,826,253	\$ 3,828,013	\$ 2,587,932	67.61%
MAFC Debt Service					
Installment Principal	\$ 8,303	\$ 8,463	\$ 8,463	\$ (444)	-5.24%
Installment Interest	1,901	1,641	1,641	686	41.78%
Capital Leases Principal	-	5,495	5,555	4,984	89.72%
Capital Leases Interest	-	768	733	679	92.57%
Total MAFC Debt Service	\$ 10,205	\$ 16,367	\$ 16,392	\$ 5,904	36.02%
Total MAFC Fund Expenditures	\$ 2,843,583	\$ 3,842,620	\$ 3,844,405	\$ 2,593,837	67.47%

NOTES:

⁽¹⁾ MAFC Debt Service :
2020 New ERP System (share)

2022	Balance	Payoff Yr
10,104	80,480	2030
\$ 10,104	\$ 80,480	

CITY OF MONROE BUDGET WATER RESOURCES BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 21,986,403	\$ 20,072,146	\$ 20,072,146	\$ 20,072,146	NA
Revenues					
Restricted Intergovernmentas	\$ 1,410	\$ -	\$ -	\$ -	NA
Sales and Services	19,451,587	18,615,362	18,615,362	22,643,643	121.64%
Investment Earnings ⁽¹⁾	(173,994)	281,718	281,718	(25,799)	-9.16%
Miscellaneous	177,494	32,699	32,699	209,195	639.76%
Sub Total	\$ 19,456,497	\$ 18,929,779	\$ 18,929,779	\$ 22,827,040	120.59%
Other Financing Sources					
Transfers from Other Funds	\$ 718,727	\$ -	\$ 851,212	\$ 1,906,767	224.01%
Inception of Lease	-	-	-	-	NA
Proceeds From LT Debt/ Revenue Bonds	7,316,000	-	-	-	NA
Installment Purchase Cont	-	-	-	-	NA
Sub Total	\$ 8,034,727	\$ -	\$ 851,212	\$ 1,906,767	224.01%
Annual Sources of Funds	\$ 27,491,224	\$ 18,929,779	\$ 19,780,991	\$ 24,733,807	125.04%
Total Sources of Funds	\$ 49,477,627	\$ 39,001,925	\$ 39,853,137	\$ 44,805,954	112.43%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 4,865,712	\$ 5,585,162	\$ 5,559,901	\$ 4,596,287	82.67%
Capital & Construction	2,732,442	2,057,625	3,717,127	1,268,714	34.13%
Operating	5,132,467	5,485,390	6,168,948	4,486,470	72.73%
Debt Service	9,687,595	2,283,409	2,283,430	2,108,291	92.33%
Sub Total	\$ 22,418,216	\$ 15,411,586	\$ 17,729,406	\$ 12,459,763	70.28%
Reimbursements to other funds					
Cost Allocations	\$ 1,841,786	\$ 1,952,299	\$ 1,959,651	\$ 1,796,347	91.67%
Sub Total	\$ 1,841,786	\$ 1,952,299	\$ 1,959,651	\$ 1,796,347	91.67%
Other Financing Uses					
Transfers to Other Funds	\$ 5,145,479	\$ 2,047,900	\$ 3,953,456	\$ 5,809,007	146.93%
Sub Total	\$ 5,145,479	\$ 2,047,900	\$ 3,953,456	\$ 5,809,007	146.93%
Unreserved	\$ -	\$ -	\$ -	\$ -	NA
Sub Total	\$ -	\$ -	\$ -	\$ -	NA
Total Uses of Funds	\$ 29,405,481	\$ 19,411,785	\$ 23,642,513	\$ 20,065,117	84.87%
Ending Balance	\$ 20,072,146	\$ 19,590,140	\$ 16,210,624	\$ 24,740,837	

Notes:

⁽¹⁾ Investment Earnings are distributed quarterly among all funds.

CITY OF MONROE BUDGET WATER RESOURCES REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Restricted Intergovernmental					
Reimbursements FEMA	\$ -	\$ -	\$ -	\$ -	NA
FEMA Covid-19 Claim	1,410	-	-	-	NA
Total Restricted Intergovernmental	\$ 1,410	\$ -	\$ -	\$ -	NA
Sales and Services					
Sale of Land	\$ -	\$ -	\$ -	\$ 2,879,100	NA
Sale of Fixed Assets	14,335	-	-	87,533	NA
Rent Antenna Space	-	-	-	-	NA
Rent Land	781	-	-	781	NA
Sales of Water	7,656,953	7,290,455	7,290,455	7,359,527	100.95%
Wastewater Treatment	9,081,638	8,693,086	8,693,086	8,204,291	94.38%
Cty Wastewater Treatment	445,200	550,000	550,000	434,587	79.02%
Water and Sewer Taps	109,120	89,944	89,944	106,746	118.68%
Grease Trap Inspection	23,491	36,426	36,426	24,650	67.67%
High Strength Wastewater	200,306	136,189	136,189	105,313	77.33%
Wastewater Civil Penalti	2,100	2,588	2,588	800	30.91%
Service Charges	97,979	96,129	96,129	180,795	188.07%
Lake Permits	32,260	21,809	21,809	31,069	142.46%
Septic Hauler Permits	-	-	-	(4)	NA
Industrial Use Permits	18,497	18,853	18,853	18,154	96.29%
Unauthorized Taking of WA	4,600	-	-	3,300	NA
Water Shortage Response Fees	-	-	-	-	NA
Main Extension Permits	3,801	6,149	6,149	6,666	108.41%
Other Operating Misc	2,899	-	-	1,010	NA
Water Capacity Fees	829,631	793,495	793,495	1,575,227	198.52%
Sewer Capacity Fees	926,685	880,239	880,239	1,624,099	184.51%
Misc Sales Other	1,310	-	-	-	NA
Total Sales and Services	\$ 19,451,587	\$ 18,615,362	\$ 18,615,362	\$ 22,643,643	121.64%
Investment Earnings					
Investment Earnings	\$ (173,994)	\$ 281,718	\$ 281,718	\$ (25,799)	-9.16%
Interest Earned Trustee	-	-	-	-	NA
Total Investment Earnings	\$ (173,994)	\$ 281,718	\$ 281,718	\$ (25,799)	-9.16%
Miscellaneous					
Third Party	\$ -	\$ -	\$ -	\$ -	NA
Miscellaneous Reimbursements	20,803	32,037	32,037	206,121	643.38%
Miscellaneous Other	155,953	-	-	3,074	NA
Cash Discounts	738	662	662	-	0.00%
Total Miscellaneous	\$ 177,494	\$ 32,699	\$ 32,699	\$ 209,195	639.76%
Other Financing Sources					
Transfers from other funds					
TF From W&S Capital Projects	\$ 718,727	\$ -	\$ 851,212	\$ 1,906,767	224.01%
TF From Gov Capital Project	-	-	-	-	NA
Sub Total Interfund Transfers	\$ 718,727	\$ -	\$ 851,212	\$ 1,906,767	224.01%
Proceeds Revenue Bonds	\$ 7,316,000	\$ -	\$ -	\$ -	NA
Proceeds Installment Purchase	-	-	-	-	NA
Appropriation Of Fund Bal	-	917,625	4,297,141	-	0.00%
Oth Fin Inception of Lease	-	-	-	-	NA
Total Other Financing Sources	\$ 8,034,727	\$ 917,625	\$ 5,148,353	\$ 1,906,767	37.04%
Total Water & Sewer Fund Revenues	\$ 27,491,224	\$ 19,847,404	\$ 24,078,132	\$ 24,733,807	102.72%

Notes:

CITY OF MONROE BUDGET WATER RESOURCES EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
W&S Administration Division					
Personnel					
Salary	\$ 690,590	\$ 784,057	\$ 758,255	\$ 630,703	83.18%
Overtime	1,295	-	-	38	NA
Car Allowance	6,000	6,017	6,017	5,308	88.21%
Social Security Taxes	50,296	59,073	59,073	46,259	78.31%
Life Insurance	1,432	1,644	1,644	1,421	86.44%
Employer Share Insurance	120,548	112,800	112,800	109,626	97.19%
Retirement	69,062	87,894	87,894	73,258	83.35%
401(k)	32,929	37,340	37,340	32,515	87.08%
Cell Phone Allowance	2,700	2,700	2,700	2,375	87.96%
Workers Compensation	6,507	5,355	5,355	4,909	91.67%
Temporary Labor	4,668	-	8,398	5,924	70.54%
Sub Total Personnel	\$ 986,028	\$ 1,096,880	\$ 1,079,476	\$ 912,336	84.52%
Capital & Construction					
Capitalized Motor Vehicles	\$ -	\$ 55,125	\$ 39,625	\$ -	0.00%
Capitalized Equipment	-	-	15,500	12,950	83.55%
Capital Lease	-	-	-	-	NA
Sub Total Capital & Construction	\$ -	\$ 55,125	\$ 55,125	\$ 12,950	23.49%
Operating					
Bank Service Charges	\$ (0)	\$ -	\$ -	\$ -	NA
Financial Management	9,300	10,044	10,044	10,044	100.00%
Engineering Services	75	5,000	23,000	6,182	26.88%
Technical Contracted Services	59,274	60,814	78,624	50,380	64.08%
FEMA Covid Exp.	2,206	-	-	-	NA
Repairs & Maint Equipment	3,061	7,860	7,360	3,052	41.47%
Repairs & Maint Buildings	8,336	12,171	11,171	2,692	24.10%
Software License & Support	9,225	13,396	13,396	7,842	58.54%
Repairs & Maint Copiers	5,861	3,000	3,000	2,768	92.25%
Repairs & Maint ERP System AMA	21,190	36,808	36,808	35,260	95.79%
Repairs & Maint SCADA	8,758	9,538	9,538	8,920	93.52%
Repairs/Maint City Beautificat	-	5,000	7,613	2,613	34.32%
Vehicle Fuel	1,664	1,917	2,417	4,013	166.04%
Vehicle Maintenance	1,656	1,500	1,500	1,366	91.06%
Unemployment Insurance	224	1,013	1,013	-	0.00%
Wellness & Clinic Cost	6,111	6,540	6,540	5,995	91.67%
Property Damages	45,318	64,870	64,870	59,464	91.67%
Telecommunications	8,949	8,616	8,616	5,434	63.06%
Marketing & Promotions	-	6,700	6,700	1,071	15.99%
Uniforms and Shoes	1,420	1,900	1,900	1,560	82.12%
Training and Travel Adv	-	-	-	208	NA
Training and Travel Exp	1,409	16,037	11,037	5,666	51.34%
Water Shortage Response	-	-	-	-	NA
General Supplies	10,257	11,633	11,619	7,134	61.40%
Small Equipment	554	600	600	290	48.33%
PC's Peripherals	7,756	6,600	6,600	5,803	87.92%
Software	-	-	-	-	NA
Utilities	26,711	24,478	24,478	24,493	100.06%
Organizational Dues	1,737	2,189	2,189	1,275	58.25%
Subscriptions & Publications	213	214	228	228	99.82%
Bad Debt Expense	54,136	49,661	49,661	30,062	60.54%
Other Operating Expense	5,375	3,100	8,100	5,121	63.23%
Sub Total Operating	\$ 300,774	\$ 371,199	\$ 408,622	\$ 288,936	70.71%
Reimbursements to other funds					
Allocations Administration	\$ 116,037	\$ 121,090	\$ 121,090	\$ 110,999	91.67%
Allocations Utility Billing	527,695	527,402	527,402	483,452	91.67%
Allocations Cust Srv/Pmt Ctr	261,410	264,178	264,178	242,163	91.67%
Allocations Purchasing	6,601	6,929	6,929	6,352	91.67%
Allocations Fleet	761	782	782	717	91.67%
Allocations Facilities Maint	58,429	54,491	54,491	49,950	91.67%
Allocations Water Res Admin	(180,139)	(180,139)	(180,139)	(165,127)	91.67%
Allocations Manual Adjs	8,519	103,358	110,710	101,484	91.67%
Sub Total Reimbursements to other funds	\$ 799,313	\$ 898,091	\$ 905,443	\$ 829,989	91.67%
Unreserved / Balance	\$ -	\$ 435,619	\$ 435,619	\$ -	0.00%
Total W&S Administration Division	\$ 2,086,116	\$ 2,856,914	\$ 2,884,285	\$ 2,044,211	70.87%

CITY OF MONROE BUDGET WATER RESOURCES EXPENDITURES					
Function/Activity	YTD Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
W&S Maintenance Division					
Personnel					
Salary	\$ 818,507	\$ 924,591	\$ 924,591	\$ 794,562	85.94%
Overtime	18,744	44,398	44,398	29,097	65.54%
Standby	15,769	15,803	15,803	17,335	109.69%
Social Security Taxes	61,210	70,984	70,984	60,174	84.77%
Life Insurance	1,789	2,032	2,032	1,751	86.18%
Employer Share Insurance	231,218	252,431	252,431	220,678	87.42%
Retirement	85,518	110,367	110,367	97,782	88.60%
401(k)	40,381	44,330	44,330	39,435	88.96%
Cell Phone Allowance	110	240	580	520	89.66%
Workers Compensation	10,845	8,710	8,710	7,984	91.67%
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 1,284,091	\$ 1,473,886	\$ 1,474,226	\$ 1,269,317	86.10%
Capital & Construction					
Imprvmt Contrct Material&Labor	\$ 699,218	\$ 800,000	\$ 1,299,426	\$ 214,580	16.51%
Capitalized Motor Vehicles	530,494	165,500	40,732	-	0.00%
Capitalized Equipment	-	-	124,768	124,768	100.00%
Capital Outlay Buildings	-	-	-	-	NA
Sub Total Capital & Construction	\$ 1,229,712	\$ 965,500	\$ 1,464,926	\$ 339,349	23.16%
Operating					
Engineering Services	\$ -	\$ -	\$ -	\$ -	NA
Technical Contracted Services	27,726	13,160	13,160	1,539	11.70%
Repairs & Maint Equipment	8,205	8,000	16,000	8,654	54.09%
Repairs & Maint Buildings	-	-	-	-	NA
Software License & Support	4,911	6,622	6,622	5,776	87%
Repairs & Maint Copiers	340	200	200	198	98.80%
Repairs & Maint Pump Stations	127,912	115,000	214,000	188,658	88.16%
Repairs & Maint Utility Lines	12,587	15,000	5,000	1,772	35.44%
Repairs STs-Dir Cost UT Cuts	131,928	120,000	163,323	135,622	83.04%
Vehicle Fuel	25,327	29,271	29,271	42,149	144.00%
Vehicle Maintenance	51,293	48,000	48,000	46,572	97.03%
Default Fleet Management	-	-	-	-	NA
Wellness & Clinic Cost	9,444	9,265	9,265	8,493	91.67%
Property Damages	22,194	25,796	25,796	24,672	95.64%
Telecommunications	4,682	6,168	6,168	5,725	92.82%
Uniforms and Shoes	9,313	13,600	13,600	11,256	82.77%
Training and Travel Adv	-	-	-	70	NA
Training and Travel Exp	2,276	11,625	6,425	3,779	58.82%
Permits	1,310	1,400	1,400	-	0.00%
Compliance Fines	-	5,000	1,000	-	0.00%
General Supplies	13,167	15,000	22,500	22,919	101.86%
Materials	170,460	225,000	200,000	202,534	101.27%
I & I Materials	34,030	35,000	20,000	24,022	120.11%
Safety	1,329	2,700	2,700	1,555	57.59%
Small Equipment	18,874	29,400	29,400	16,425	55.87%
PC's Peripherals	20,701	1,000	1,000	869	86.87%
Meter Exchanges	181,140	181,320	82,997	71,389	86.01%
Organizational Dues	6,225	7,090	7,090	4,008	56.53%
Other Operating Expense	383	1,000	2,360	2,264	95.92%
Sub Total Operating	\$ 885,758	\$ 925,617	\$ 927,277	\$ 830,919	89.61%
Reimbursements to Other Funds					
Allocations Administration	\$ 208,866	\$ 217,961	\$ 217,961	\$ 199,798	91.67%
Allocations Street	26,455	26,557	26,557	24,344	91.67%
Allocations Purchasing	12,145	12,748	12,748	11,686	91.67%
Allocations Fleet	33,430	34,407	34,407	31,540	91.67%
Allocations Warehouse	39,462	41,483	41,483	38,026	91.67%
Allocations Parks Maint	3,514	3,580	3,580	3,282	91.67%
Force Account Labor	(5,100)	(12,500)	(12,500)	(244)	1.95%
Allocations Water Res Admin	58,892	58,892	58,892	53,984	91.67%
Allocations Manual Adjs	8,519	-	-	-	NA
Allocations Credits	-	-	-	-	NA
Sub Total Reimbursements to other funds	\$ 386,183	\$ 383,128	\$ 383,128	\$ 362,415	94.59%
Total W&S Maintenance Division	\$ 3,785,744	\$ 3,748,131	\$ 4,249,557	\$ 2,802,000	65.94%

CITY OF MONROE BUDGET WATER RESOURCES EXPENDITURES					
Function/Activity	YTD Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
W&S Construction Division					
Personnel					
Salary	\$ 402,581	\$ 457,305	\$ 425,745	\$ 364,068	85.51%
Overtime	2,704	18,105	8,105	1,486	18.34%
Standby	1,658	5,637	-	-	NA
Social Security Taxes	29,077	35,427	35,427	26,635	75.18%
Life Insurance	888	1,008	1,008	820	81.37%
Employer Share Insurance	100,835	118,381	118,381	91,854	77.59%
Retirement	40,688	53,773	53,773	40,830	75.93%
401(k)	17,912	21,822	21,822	15,968	73.17%
Cell Phone Allowance	1,800	1,800	1,800	1,500	83.33%
Workers Compensation	3,726	4,103	4,103	3,761	91.67%
Temporary Labor	-	-	40,000	-	0.00%
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 601,869	\$ 717,361	\$ 710,164	\$ 546,923	77.01%
Capital & Construction					
Land Right of Way	\$ 390	\$ 10,000	\$ 2,000	\$ 332	16.60%
Imprvmt Conctrct Material&Labor	676,250	600,000	811,082	321,460	39.63%
Streets-Direct Cost Infrastruc	91,843	80,000	122,137	106,531	87.22%
Capitalized Motor Vehicles	113,769	237,000	237,000	97,414	41.10%
Capital Outlay Buildings	-	-	-	-	NA
Capital Lease	-	-	-	-	NA
Sub Total Capital & Construction	\$ 882,252	\$ 927,000	\$ 1,172,219	\$ 525,737	44.85%
Operating					
Engineering Services	\$ 26,497	\$ 42,000	\$ 66,120	\$ 28,519	43.13%
Technical Contracted Services	2,515	5,952	952	36	3.75%
Repairs & Maint Equipment	1,352	8,000	33,264	26,361	79.25%
Repairs & Maint Buildings	-	-	-	-	NA
Software License & Support	1,665	1,788	1,788	1,222	68.34%
Repairs & Maint Copiers	88	50	50	36	72.26%
Equipment Rentals	1,045	2,500	2,500	768	30.73%
Vehicle Fuel	12,367	13,949	13,949	14,980	107.39%
Vehicle Maintenance	67,339	46,700	46,700	31,083	66.56%
Default Fleet Management	-	-	-	-	NA
Wellness & Clinic Cost	5,000	4,905	4,905	4,496	91.67%
Property Damages	15,577	18,588	18,588	17,039	91.67%
Telecommunications	-	1,080	1,080	317	29.38%
Uniforms and Shoes	8,935	8,240	9,740	8,443	86.68%
Training and Travel Adv	-	-	-	945	NA
Training and Travel Exp	2,549	12,401	8,401	3,510	41.79%
Permits	-	-	-	-	NA
General Supplies	2,110	5,000	5,000	1,402	28.04%
Materials	89,978	84,872	73,372	73,146	99.69%
Tap Crew Materials	48,011	60,564	53,564	37,757	70.49%
Safety	2,138	4,925	4,925	3,282	66.64%
Small Equipment	7,536	11,275	13,775	11,409	82.82%
PC's Peripherals	815	3,000	3,000	2,847	94.91%
Software	-	-	-	-	NA
Streets-Dir Cost New Taps	37,046	40,800	40,800	33,513	82.14%
Organizational Dues	510	870	870	480	55.17%
Subscriptions & Publications	-	-	-	-	NA
Other Operating Expense	920	1,000	2,560	2,518	98.36%
Over/Short Water Inventory	-	-	-	-	NA
Sub Total Operating	\$ 333,993	\$ 378,459	\$ 405,903	\$ 304,109	74.92%
Reimbursements to other funds					
Allocations Administration	\$ 116,038	\$ 121,091	\$ 121,091	\$ 111,000	91.67%
Allocations Engineering	-	-	-	-	NA
Allocations Purchasing	6,505	6,828	6,828	6,259	91.67%
Allocations Fleet	22,033	22,677	22,677	20,787	91.67%
Force Account Labor	(5,400)	(12,500)	(12,500)	(7,882)	63.05%
Allocations Water Res Admin	31,178	31,178	31,178	28,580	91.67%
Allocations Manual Adjs	3,043	-	-	-	NA
Allocations Charges	-	-	-	-	NA
Allocations Credits	-	-	-	-	NA
Sub Total Reimbursements to other funds	\$ 173,397	\$ 169,274	\$ 169,274	\$ 158,744	93.78%
Total W&S Construction Division	\$ 1,991,510	\$ 2,192,094	\$ 2,457,560	\$ 1,535,513	62.48%

CITY OF MONROE BUDGET WATER RESOURCES EXPENDITURES					
Function/Activity	YTD Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Water Treatment Plant					
Personnel					
Salary	\$ 562,068	\$ 680,383	\$ 679,383	\$ 510,550	75.15%
Overtime	6,313	8,528	8,528	12,596	147.70%
Social Security Taxes	43,585	49,922	49,922	41,452	83.03%
Life Insurance	1,198	1,431	1,431	1,116	77.98%
Employer Share Insurance	162,122	168,540	168,540	137,452	81.55%
Retirement	55,917	75,585	75,585	61,071	80.80%
401(k)	25,216	30,277	30,277	25,677	84.81%
Cell Phone Allowance	1,420	1,680	1,680	1,540	91.67%
Workers Compensation	6,789	6,384	6,384	5,852	91.67%
Temporary Labor	-	-	-	-	NA
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 864,628	\$ 1,022,730	\$ 1,021,730	\$ 797,305	78.03%
Capital & Construction					
Capitalized Motor Vehicles	\$ 26,299	\$ -	\$ -	\$ -	NA
Capitalized Equipment	-	-	656,259	223,335	34.03%
Capital Outlay Buildings	-	-	-	-	NA
Capital Lease	-	-	-	-	NA
Sub Total Capital & Construction	\$ 26,299	\$ -	\$ 656,259	\$ 223,335	34.03%
Operating					
Engineering Services	\$ 47,703	\$ 15,000	\$ 160,000	\$ 129,904	81.19%
Technical Contracted Services	2,527	2,660	2,660	168	6.32%
Lake Wardens	42,431	56,617	56,617	54,389	96.06%
Cleaning Srv Waste Disposal	31,588	54,500	54,500	43,088	79.06%
Repairs & Maint Equipment	335,011	191,500	278,564	189,623	68.07%
Repairs & Maint Buildings	1,244	2,350	2,750	2,656	96.58%
Software License & Support	3,330	4,336	4,336	3,055	70.45%
Repairs & Maint Copiers	348	150	150	131	87.26%
Repairs & Maint Generators	10,562	15,000	17,500	15,992	91.38%
Repairs & Maint Tanks	98,235	103,061	103,061	99,061	96.12%
Repairs & Maint Dams	52,532	68,000	65,500	2,666	4.07%
Repairs & Maint SCADA	24,038	5,000	5,000	-	0.00%
Vehicle Fuel	1,865	2,095	2,095	2,166	103.41%
Vehicle Maintenance	7,329	11,800	11,800	4,150	35.17%
Default Fleet Management	-	-	-	-	NA
Wellness & Clinic Cost	6,666	6,540	6,540	5,995	91.67%
Property Damages	27,358	28,521	28,521	26,144	91.67%
Telecommunications	5,142	7,304	7,304	5,009	68.58%
Marketing & Promotions	6,945	11,000	10,404	3,550	34.12%
Uniforms and Shoes	10,460	8,650	8,650	6,689	77.33%
Training and Travel Adv	-	-	-	299	NA
Training and Travel Exp	1,125	7,830	7,830	213	2.72%
Permits	4,895	5,785	5,785	4,955	85.65%
Compliance Monitoring	25,053	32,300	37,336	30,938	82.86%
Process & System Testing	36,391	46,300	46,893	34,942	74.52%
Lead/Copper Compliance	1,950	2,250	2,250	-	0.00%
General Supplies	9,909	8,225	8,225	4,643	56.45%
Materials	-	4,050	3,650	3,284	89.96%
Safety	1,276	1,000	1,000	131	13.12%
Small Equipment	12,088	9,200	9,200	2,902	31.54%
PC's Peripherals	3,520	2,000	2,000	1,737	86.87%
Treatment Chemicals	921,863	1,230,000	1,236,819	756,692	61.18%
Laboratory Supplies	21,011	19,000	20,000	19,824	99.12%
Utilities	294,336	369,702	369,702	296,888	80.30%
Organizational Dues	10,830	6,200	11,996	11,930	99.45%
Subscriptions & Publications	150	500	300	-	0.00%
Other Operating Expense	2,289	1,000	2,000	1,486	74.29%
Union County	31,953	60,000	260,000	156,912	60.35%
Sub Total Operating	\$ 2,093,952	\$ 2,399,426	\$ 2,850,938	\$ 1,922,214	67.42%
Reimbursements to other funds					
Allocations Administration	\$ 139,243	\$ 145,306	\$ 145,306	\$ 133,197	91.67%
Allocations Purchasing	7,806	8,194	8,194	7,511	91.67%
Allocations Fleet	6,838	7,038	7,038	6,452	91.67%
Allocations Water Res Admin	38,106	38,106	38,106	34,931	91.67%
Allocations Manual Adjs	5,477	-	-	-	NA
Sub Total Reimbursements to other funds	\$ 197,470	\$ 198,644	\$ 198,644	\$ 182,090	91.67%
Total Water Treatment Plant	\$ 3,182,349	\$ 3,620,800	\$ 4,727,571	\$ 3,124,944	66.10%

CITY OF MONROE BUDGET WATER RESOURCES EXPENDITURES					
Function/Activity	YTD Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Waste Treatment Plant					
Personnel					
Salary	\$ 763,189	\$ 845,777	\$ 845,777	\$ 717,407	84.82%
Overtime	2,958	13,043	13,043	2,075	15.91%
Social Security Taxes	56,152	63,826	63,826	53,321	83.54%
Life Insurance	1,590	1,800	1,800	1,513	84.07%
Employer Share Insurance	188,426	206,077	206,077	169,724	82.36%
Retirement	75,892	96,299	96,299	83,802	87.02%
401(k)	31,527	38,241	38,241	33,741	88.23%
Cell Phone Allowance	820	1,080	1,080	1,340	124.07%
Workers Compensation	8,543	8,162	8,162	7,482	91.67%
Temporary Labor	-	-	-	-	NA
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 1,129,096	\$ 1,274,305	\$ 1,274,305	\$ 1,070,406	84.00%
Capital & Construction					
Capitalized Motor Vehicles	\$ 594,179	\$ 110,000	\$ 258,598	\$ 115,560	44.69%
Capitalized Equipment	-	-	110,000	51,784	47.08%
Capital Outlay Buildings	-	-	-	-	NA
Capital Lease	-	-	-	-	NA
Sub Total Capital & Construction	\$ 594,179	\$ 110,000	\$ 368,598	\$ 167,344	45.40%
Operating					
Engineering Services	\$ 69,386	\$ 10,000	\$ 108,054	\$ 72,388	66.99%
Technical Contracted Services	2,527	2,660	2,660	-	0.00%
FEMA Covid Exp.	40	-	-	-	NA
Cleaning Srv Waste Disposal	113,655	136,681	136,681	56,679	41.47%
Repairs & Maint Equipment	375,728	101,982	198,227	146,407	73.86%
Repairs & Maint Buildings	6,991	9,250	9,250	9,155	98.97%
Software License & Support	5,159	5,551	10,771	4,456	41.37%
Repairs & Maint Copiers	991	500	500	523	104.56%
Repairs & Maint Generators	19,298	50,000	50,000	40,838	81.68%
Repairs & Maint SCADA	39,943	5,000	5,000	-	0.00%
Vehicle Fuel	4,267	5,323	5,323	7,071	132.85%
Vehicle Maintenance	12,821	8,549	8,549	9,290	108.66%
Default Fleet Management	-	-	-	-	NA
Wellness & Clinic Cost	8,888	8,720	8,720	7,993	91.67%
Property Damages	40,602	41,906	41,906	38,414	91.67%
Telecommunications	1,441	2,008	2,008	2,216	110.38%
Uniforms and Shoes	9,543	12,620	12,620	8,690	68.86%
Training and Travel Adv	-	-	-	-	NA
Training and Travel Exp	640	7,340	7,340	1,515	20.64%
Permits	6,160	6,160	6,160	6,160	100.00%
Compliance Fines	-	5,000	5,000	-	0.00%
Compliance Monitoring	30,861	42,000	42,000	21,551	51.31%
General Supplies	3,543	9,300	9,300	6,365	68.44%
Materials	39,705	40,000	26,000	-	0.00%
Safety	4,361	6,475	6,475	4,919	75.97%
Small Equipment	555	9,075	9,075	1,129	12.44%
PC's Peripherals	4,173	3,000	3,000	2,706	90.21%
Treatment Chemicals	87,585	101,500	135,000	118,563	87.82%
Pre-Treatment Chemicals	127,495	240,000	186,500	120,646	64.69%
Laboratory Supplies	41,697	35,911	35,911	21,977	61.20%
Software	-	-	-	-	NA
Utilities	440,929	483,176	483,176	411,687	85.20%
Organizational Dues	18,582	18,730	18,730	18,487	98.70%
Subscriptions & Publications	-	-	-	-	NA
Other Operating Expense	422	2,272	2,272	469	20.64%
Sub Total Operating	\$ 1,517,989	\$ 1,410,689	\$ 1,576,208	\$ 1,140,293	72.34%
Reimbursements to other funds					
Allocations Administration	\$ 193,395	\$ 201,816	\$ 201,816	\$ 184,998	91.67%
Allocations Purchasing	10,563	11,088	11,088	10,164	91.67%
Allocations Fleet	12,917	13,295	13,295	12,187	91.67%
Force Account Labor	10,500	25,000	25,000	8,125	32.50%
Allocations Water Res Admin	51,963	51,963	51,963	47,633	91.67%
Allocations Manual Adjs	6,085	-	-	-	NA
Allocations Charges	-	-	-	-	NA
Sub Total Reimbursements to other funds	\$ 285,423	\$ 303,162	\$ 303,162	\$ 263,107	86.79%
Total Waste Treatment Plant	\$ 3,526,688	\$ 3,098,156	\$ 3,522,273	\$ 2,641,150	74.98%

CITY OF MONROE BUDGET WATER RESOURCES EXPENDITURES					
Function/Activity	YTD Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
W&S Debt Service					
Installment Purchase Agreements & State Revolving Loans					
Installment Principal	\$ 503,166	\$ 25,650	\$ 25,650	\$ 506,634	1975.18%
Installment Interest	108,654	4,974	4,974	46,101	926.83%
Revenue Bonds					
Bonds Principal	692,119	1,255,976	1,255,976	723,976	57.64%
Bonds Interest	654,963	556,493	556,493	427,694	76.86%
Bonds Admin Fees	3,873	7,120	7,120	6,433	90.34%
Debt Issuance Cost	21,628	-	-	-	NA
Bonds Pmt Escrow Agent	7,275,446	-	-	-	NA
Bonds Yrly Monitoring Fee	4,050	4,329	4,329	4,329	100.01%
Union Co Water Agreement	423,696	423,699	423,699	388,388	91.67%
Capital Leases Principal	-	4,534	4,584	4,112	89.71%
Capital Leases Interest	-	634	605	625	103.22%
Total W&S Debt Service	\$ 9,687,595	\$ 2,283,409	\$ 2,283,430	\$ 2,108,291	92.33%
Transfers to Other Funds					
TF To Gov Capital Project	\$ 445,182	\$ 24,166	\$ 24,166	\$ 24,166	100.00%
TF To W&S Capital Reserve	4,343,989	1,673,734	1,673,734	2,473,729	147.80%
TF To W&S Capital Projects	356,308	350,000	2,255,556	3,311,112	146.80%
Total Transfers out to Other Funds	\$ 5,145,479	\$ 2,047,900	\$ 3,953,456	\$ 5,809,007	146.93%
Total W&S	\$ 29,405,481	\$ 19,847,404	\$ 24,078,132	\$ 20,065,117	83.33%

NOTES:

Bad Debt Expense - Collection of customer charges written off in prior year. Current fiscal year write offs will post in May to offset credit balance.

State Revolving Loans:

Revenue Bonds:

	2022	Balance	Payoff Yr
16 Refunding Rev	326,935	3,594,473	2033
17 Revenue Bonds	717,283	15,072,589	2043
20 A Refunding Bonds	300,474	302,760	2023
20 B Refunding Bonds	595,172	6,310,274	2034

Other Debt

19 Union County Agreement	232,059	4,641,183	2042
07 Union County Agreement	191,640	750,590	2026
2020 New ERP System (share)	30,625	244,745	2030
	<u>\$ 2,394,188</u>	<u>\$ 30,916,615</u>	

CITY OF MONROE BUDGET ELECTRIC FUND BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 50,735,478	\$ 50,420,385	\$ 50,420,385	\$ 50,420,385	NA
Revenues					
Restricted Intergovernmentas	\$ 1,200	\$ -	\$ 5,000	\$ -	0.00%
Sales and Services	56,720,119	61,612,494	61,612,494	53,421,265	86.71%
Investment Earnings ⁽¹⁾	(371,042)	569,523	569,523	(42,338)	-7.43%
Miscellaneous	66,974	25,000	25,000	57,566	230.26%
Sub Total	\$ 56,417,251	\$ 62,207,017	\$ 62,212,017	\$ 53,436,493	85.89%
Other Financing Sources					
Transfers from Other Funds	\$ 1,042,389	\$ -	\$ 20,000	\$ 20,000	100.00%
Proceeds From LT Debt	-	-	-	-	NA
Inception of Lease	-	-	-	-	NA
Repayment of Advances	54,193	68,347	68,347	46,758	68.41%
Sub Total	\$ 1,096,582	\$ 68,347	\$ 88,347	\$ 66,758	75.56%
Annual Sources of Funds	\$ 57,513,833	\$ 62,275,364	\$ 62,300,364	\$ 53,503,251	85.88%
Total Sources of Funds	\$ 108,249,311	\$ 112,695,749	\$ 112,720,749	\$ 103,923,635	92.20%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 3,921,855	\$ 4,558,313	\$ 4,568,313	\$ 3,613,239	79.09%
Capital & Construction	1,020,171	2,647,000	3,071,810	1,393,458	45.36%
Operating	47,661,251	50,261,514	50,445,728	41,004,661	81.28%
Debt Service	1,441,925	1,399,718	1,399,730	1,199,417	85.69%
Sub Total	\$ 54,045,202	\$ 58,866,545	\$ 59,485,581	\$ 47,210,775	79.37%
Reimbursements to other funds					
Cost Allocations	\$ 1,017,903	\$ 1,208,068	\$ 1,210,602	\$ 1,109,719	91.67%
Sub Total	\$ 1,017,903	\$ 1,208,068	\$ 1,210,602	\$ 1,109,719	91.67%
Other Financing Uses					
Transfers to Other Funds	\$ 2,765,821	\$ 1,695,167	\$ 1,695,199	\$ 1,588,894	93.73%
Advances to/from Other Funds	-	-	-	-	NA
Sub Total	\$ 2,765,821	\$ 1,695,167	\$ 1,695,199	\$ 1,588,894	93.73%
Total Uses of Funds	\$ 57,828,926	\$ 61,769,780	\$ 62,391,382	\$ 49,909,388	79.99%
Ending Balance	\$ 50,420,385	\$ 50,925,969	\$ 50,329,367	\$ 54,014,247	

Notes:

⁽¹⁾ Investment Earnings - Distributed quarterly among funds

CITY OF MONROE BUDGET ELECTRIC FUND REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Restricted Intergovernmental					
Reimbursements FEMA	\$ -	\$ -	\$ -	\$ -	NA
FEMA Covid-19 Claim	1,200	-	-	-	NA
Electricities Grant	-	-	5,000	-	0.00%
Total Restricted Intergovernmental	\$ 1,200	\$ -	\$ 5,000	\$ -	0.00%
Sales and Services					
Sale of Land	\$ -	\$ -	\$ -	\$ 2,088,073	NA
Sale of Fixed Assets	30,384	-	-	28,666	NA
Sales of Power	53,863,059	57,279,396	57,279,396	48,518,991	84.71%
Tax On Sales Of Power	2,355,166	4,009,558	4,009,558	2,195,045	54.75%
REPS Charges	237,102	191,540	191,540	232,498	121.38%
Service Charges	954	-	-	130	NA
Facilities Charges	-	-	-	-	NA
Rebates	1,650	10,000	10,000	1,250	12.50%
Pole Attachments	93,807	90,000	90,000	-	0.00%
Telecomm-Fiber Optic Att	9,005	32,000	32,000	5,193	16.23%
Dark Fiber Use	45,860	-	-	44,537	NA
Interconnection Agreement	-	-	-	-	NA
Misc Sales Other	83,132	-	-	306,882	NA
Total Sales and Services	\$ 56,720,119	\$ 61,612,494	\$ 61,612,494	\$ 53,421,265	86.71%
Investment Earnings					
Investment Earnings	\$ (371,042)	\$ 569,523	\$ 569,523	\$ (42,338)	-7.43%
Total Investment Earnings	\$ (371,042)	\$ 569,523	\$ 569,523	\$ (42,338)	-7.43%
Miscellaneous					
Third Party	\$ -	\$ -	\$ -	\$ -	NA
Miscellaneous Reimbursements	57,465	25,000	25,000	52,411	\$ 2
Power Agency Funding	-	-	-	-	NA
Power AgencyTier #2	-	-	-	-	NA
Miscellaneous Other	9,400	-	-	5,155	NA
Cash Discounts	109	-	-	-	NA
Total Miscellaneous	\$ 66,974	\$ 25,000	\$ 25,000	\$ 57,566	230.26%
Other Financing Sources					
Transfers from other funds					
TF From General Fund	\$ -	\$ -	\$ -	\$ -	NA
TF From Gov Capital Project	-	-	-	-	NA
TF From Water & Sewer	-	-	-	-	NA
TF From Electric Capital Proj	1,042,389	-	20,000	20,000	100.00%
TF From N Gas Capital Proj	-	-	-	-	NA
TF From Airport	-	-	-	-	NA
Sub Total Interfund Transfers	\$ 1,042,389	\$ -	\$ 20,000	\$ 20,000	100.00%
Proceeds Revenue Bonds	\$ -	\$ -	\$ -	\$ -	NA
Proceeds Installment Purchase	-	-	-	-	NA
Sub Total Proceeds from Financing	\$ -	\$ -	\$ -	\$ -	NA
Appropriation Of Fund Bal	\$ -	\$ 752,000	\$ 1,348,602	\$ -	0.00%
Oth Fin Inception of Lease	-	-	-	-	NA
Gen Fund Repayment of Advance	32,429	44,486	44,486	26,087	1
Airport Repayment of Advance	21,764	23,861	23,861	20,671	86.63%
Total Other Financing Sources	\$ 1,096,582	\$ 820,347	\$ 1,436,949	\$ 66,758	4.65%
Total Electric Fund Revenues	\$ 57,513,833	\$ 63,027,364	\$ 63,648,966	\$ 53,503,251	84.06%

CITY OF MONROE BUDGET ELECTRIC FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Electric Administration Division					
Personnel					
Salary	\$ 1,103,296	\$ 1,357,323	\$ 1,357,323	\$ 1,023,193	75.38%
Overtime	9,313	3,313	13,313	16,677	125.27%
Car Allowance	6,000	6,017	6,017	4,154	69.04%
Social Security Taxes	79,789	101,563	101,563	76,277	75.10%
Life Insurance	2,270	2,962	2,962	2,213	74.73%
Employer Share Insurance	210,679	214,847	214,847	173,438	80.73%
Retirement	108,196	152,305	152,305	120,917	79.39%
401(k)	48,828	65,904	65,904	51,956	78.84%
Cell Phone Allowance	3,285	4,020	4,020	2,690	66.92%
Workers Compensation	8,633	7,346	7,346	6,734	91.67%
Temporary Labor	-	-	-	-	NA
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 1,580,288	\$ 1,915,600	\$ 1,925,600	\$ 1,478,250	76.77%
Capital & Construction					
Land	\$ -	\$ -	\$ -	\$ -	NA
Capitalized Motor Vehicles	-	-	-	-	NA
Capitalized Equipment	-	-	927,000	200,397	21.62%
Sub Total Capital & Construction	\$ -	\$ -	\$ 927,000	\$ 200,397	21.62%
Operating					
Legal Services	\$ 12,409	\$ 25,000	\$ 20,043	\$ 10,577	52.77%
Financial Management	31,738	32,710	32,710	32,710	100.00%
Engineering Services	54,461	80,000	164,387	73,538	44.73%
Technical Contracted Services	193,672	129,010	194,508	112,837	58.01%
FEMA Covid Exp.	3,757	-	-	-	NA
Repairs & Maint Equipment	2,488	1,700	1,700	1,193	70.15%
Repairs & Maint Buildings	12,837	21,040	24,040	15,593	64.86%
Software License & Support	56,256	40,219	59,719	30,440	50.97%
Repairs & Maint Copiers	7,657	5,000	5,000	4,661	93.22%
Repairs & Maint ERP System AMA	17,700	28,376	28,376	27,182	95.79%
Copier Rental	556	-	-	560	NA
Vehicle Fuel	252	1,258	1,258	520	41.32%
Vehicle Maintenance	683	2,245	2,245	370	16.47%
Default Fleet Management	-	-	-	-	NA
Unemployment Insurance	744	3,365	3,365	-	0.00%
Wellness & Clinic Cost	7,776	7,630	7,630	6,994	91.67%
Property Damages	15,326	15,967	15,967	14,636	91.67%
Telecommunications	6,535	4,829	9,804	7,754	79.09%
Marketing & Promotions	31,268	11,375	11,375	11,120	97.75%
Helping Hands	6,688	16,000	16,000	4,067	25.42%
Uniforms and Shoes	2,856	2,485	2,485	1,130	45.47%
Training and Travel Adv	-	-	-	4,899	NA
Training and Travel Exp	12,600	63,070	43,695	17,572	40.21%
General Supplies	11,720	7,500	12,500	8,666	69.33%
Small Equipment	3,061	2,000	4,250	957	22.51%
PC's Peripherals	5,389	10,900	24,900	10,331	41.49%
Software	448	1,000	1,000	431	43.12%
Utilities	66,947	70,559	70,559	64,185	90.97%
Organizational Dues	-	3,610	510	-	0.00%
Subscriptions & Publications	520	164	164	-	0.00%
Other Operating Expense	4,412	3,150	3,900	3,204	82.15%
Sub Total Operating	\$ 570,756	\$ 590,162	\$ 762,090	\$ 466,127	61.16%
Reimbursements to other funds					
Allocations Administration	\$ 781,742	\$ 902,309	\$ 902,309	\$ 827,117	91.67%
Allocations Utility Billing	57,920	57,233	57,233	52,464	91.67%
Allocations Cust Srv/Pmt Ctr	436,807	449,905	449,905	412,413	91.67%
Allocations Street	2,151	2,162	2,162	1,982	91.67%
Allocations Purchasing	39,096	43,282	43,282	39,675	91.67%
Allocations Fleet	40,499	41,678	41,678	38,205	91.67%
Allocations Facilities Maint	75,916	70,766	70,766	64,869	91.67%
Allocation Electric Admin	(790,000)	(790,000)	(790,000)	(724,167)	91.67%
Allocations Manual Adjs	13,387	59,230	59,230	54,294	91.67%
Sub Total Reimbursements to other funds	\$ 657,518	\$ 836,565	\$ 836,565	\$ 766,851	91.67%
Total Electric Administration Division	\$ 2,808,561	\$ 3,342,327	\$ 4,451,255	\$ 2,911,625	65.41%

CITY OF MONROE BUDGET ELECTRIC FUND EXPENDITURES					
Function/Activity	YTD Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Maintenance/Construction Division					
Personnel					
Salary	\$ 1,620,324	\$ 1,791,489	\$ 1,791,489	\$ 1,455,812	81.26%
Overtime	32,199	51,245	51,245	40,757	79.53%
Standby	32,478	63,568	63,568	29,925	47.08%
Social Security Taxes	124,503	142,124	142,124	112,430	79.11%
Life Insurance	3,351	3,923	3,923	3,207	81.74%
Employer Share Insurance	273,564	273,649	273,649	233,681	85.39%
Retirement	170,037	213,986	213,986	177,665	83.03%
401(k)	74,938	90,035	90,035	70,051	77.80%
Cell Phone Allowance	350	420	420	210	50.00%
Workers Compensation	9,824	12,274	12,274	11,251	91.67%
Temporary Labor	-	-	-	-	NA
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 2,341,568	\$ 2,642,713	\$ 2,642,713	\$ 2,134,989	80.79%
Capital & Construction					
Land	\$ -	\$ -	\$ -	\$ -	NA
Capitalized Motor Vehicles	408,207	1,327,000	682,634	290,280	42.52%
Sub Total Capital & Construction	\$ 408,207	\$ 1,327,000	\$ 682,634	\$ 290,280	42.52%
Operating					
Bank Service Charges	\$ (1)	\$ -	\$ -	\$ -	NA
Technical Meter Repairs	21,057	30,000	30,000	20,362	67.87%
Technical Contracted Services	140,826	380,000	290,000	65,847	22.71%
Tree Trimming	264,356	393,520	401,293	270,748	67.47%
FEMA Covid Exp.	420	-	-	-	NA
Repairs & Maint Equipment	5,110	5,000	14,358	7,990	55.65%
Software License & Support	51,182	49,200	49,200	41,936	85.24%
Repairs & Maint Copiers	4	10	10	2	24.20%
Repairs & Maint Transformers	-	5,500	5,500	137	2.48%
Repairs & Maint Poles	39,672	52,000	52,000	-	0.00%
Repairs & Maint SCADA	25,307	40,744	40,744	23,414	57.47%
Repairs & Maint Substations	142,827	155,000	164,047	132,515	80.78%
Repairs & Maint Distrib Lines	69,793	90,000	91,095	82,791	90.88%
Repairs/Maint City Beautificat	-	5,000	7,613	-	0.00%
Vehicle Fuel	25,857	33,287	33,287	42,454	127.54%
Vehicle Maintenance	106,767	65,000	65,000	54,830	84.35%
Default Fleet Management	-	-	-	-	NA
Wellness & Clinic Cost	11,110	10,900	10,900	9,992	91.67%
Property Damages	82,090	90,284	90,284	82,760	91.67%
Telecommunications	11,599	16,596	23,996	10,630	44.30%
Uniforms and Shoes	24,547	28,200	28,200	20,645	73.21%
Training and Travel Adv	-	-	-	13,213	NA
Training and Travel Exp	15,155	41,450	51,450	28,380	55.16%
Energy Incentive Programs	1,500	10,000	10,000	1,250	12.50%
EDR1 Econ Dev Rate Rider	64,877	390,000	390,000	42,757	10.96%
General Supplies	6,953	10,000	10,000	8,515	85.15%
Materials	-	-	-	36	NA
Small Equipment	59,345	50,000	85,000	59,059	69.48%
PC's/Peripherals	2,893	4,000	4,000	3,814	95.35%
Software	-	-	-	-	NA
Organizational Dues	13,907	45,000	45,000	39,249	87.22%
Subscriptions & Publications	-	-	-	-	NA
Bad Debt Expense	127,132	186,137	186,137	53,282	28.63%
Other Operating Expense	51,000	40,000	60,000	43,762	72.94%
Over/Short Electric Inventory	-	-	-	-	NA
Electric Purchases	43,368,019	43,434,966	43,434,966	37,232,746	85.72%
Sales Tax Power Purchase	2,357,192	4,009,558	4,009,558	2,145,417	53.51%
Sub Total Operating	\$ 47,090,495	\$ 49,671,352	\$ 49,683,638	\$ 40,538,535	81.59%
Reimbursements to other funds					
Allocations Administration	\$ -	\$ -	\$ -	\$ -	NA
Allocations Warehouse	344,277	361,913	361,913	331,754	91.67%
Allocations Parks Maint	9,413	9,590	9,590	8,791	91.67%
Force Account Labor	-	-	-	-	NA
Allocations Manual Adjs	6,695	-	2,534	2,323	91.67%
Sub Total Reimbursements to other funds	\$ 360,385	\$ 371,503	\$ 374,037	\$ 342,867	91.67%
Unreserved / Balance	\$ -	\$ 1,257,584	\$ 1,257,584	\$ -	0.00%
Total Maintenance/Construction Division	\$ 50,200,655	\$ 55,270,152	\$ 54,640,606	\$ 43,306,671	79.26%

CITY OF MONROE BUDGET ELECTRIC FUND EXPENDITURES					
Function/Activity	YTD Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Electrical System Improvements Division					
Capital & Construction					
Imprvmt Construction	\$ 420,152	\$ 700,000	\$ 700,000	\$ 637,472	91.07%
Imprvmt Engineering	24,536	50,000	50,000	18,506	37.01%
Imprvmt Contrct/Frc Acct Labor	167,275	570,000	712,176	246,804	34.65%
Sub Total Capital & Construction	\$ 611,964	\$ 1,320,000	\$ 1,462,176	\$ 902,781	61.74%
Total Electrical System Improvements Division	\$ 611,964	\$ 1,320,000	\$ 1,462,176	\$ 902,781	61.74%
Electric Debt Service					
Installment Purchase Agreements					
Installment Principal	\$ 22,264	\$ 22,692	\$ 22,692	\$ (205)	-0.90%
Installment Interest	5,097	4,401	4,401	1,803	40.97%
Revenue Bonds					
Bonds Principal	779,296	818,438	818,438	818,438	100.00%
Bonds Interest	629,515	545,302	545,302	371,035	68.04%
Bonds Admin Fees	3,144	3,144	3,144	2,847	90.55%
Debt Issuance Cost	-	-	-	-	NA
Bonds Pmt Escrow Agent	-	-	-	-	NA
Bonds Yrly Monitoring Fee	2,610	2,847	2,847	2,847	99.99%
Capital Leases					
Capital Leases Principal	-	2,539	2,567	2,303	89.71%
Capital Leases Interest	-	355	339	350	103.16%
Total Electric Debt Service	\$ 1,441,925	\$ 1,399,718	\$ 1,399,730	\$ 1,199,417	85.69%
Transfers to Other Funds					
TF To General Fund	\$ 542,752	\$ 551,000	\$ 551,000	\$ 444,696	80.71%
TF To Gov Capital Project	398,069	24,167	24,167	24,167	100.00%
TF To Electric Capital Proj	1,825,000	1,120,000	1,120,032	1,120,031	100.00%
TF To Airport Capital Proj	-	-	-	-	NA
Total Transfers out to Other Funds	\$ 2,765,821	\$ 1,695,167	\$ 1,695,199	\$ 1,588,894	93.73%
Advances to Other Funds					
Adv to General Fund	\$ -	\$ -	\$ -	\$ -	NA
Total Advances to Other Funds	\$ -	\$ -	\$ -	\$ -	NA
Total Electric	\$ 57,828,926	\$ 63,027,364	\$ 63,648,966	\$ 49,909,388	78.41%

NOTES:

Bad Debt Expense - Collection of customer charges written off in prior year. Current fiscal year write offs will post in May to offset credit balance.

Revenue Bonds:

16 Refunding Rev

Other Debt

2020 New ERP System (share)

2022	Balance	Payoff Yr
\$ 1,373,482	\$ 15,100,683	2033
27,093	216,521	2030
\$ 1,400,575	\$ 15,317,204	

CITY OF MONROE BUDGET NATURAL GAS FUND BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 30,285,704	\$ 30,538,698	\$ 30,538,698	\$ 30,538,698	NA
Revenues					
Intergovernmental Restricted	\$ -	\$ -	\$ -	\$ -	NA
Sales and Services	16,424,104	19,401,608	19,401,608	18,903,959	97.44%
Investment Earnings ⁽¹⁾	(183,282)	293,022	293,022	(19,130)	-6.53%
Miscellaneous	116,010	-	-	193,612	NA
Sub Total	\$ 16,356,833	\$ 19,694,630	\$ 19,694,630	\$ 19,078,441	96.87%
Other Financing Sources					
Proceeds From LT Debt	\$ -	\$ -	\$ -	\$ -	NA
Inception of Lease	-	-	-	-	NA
Transfers from other funds	-	-	-	-	NA
Advance from other funds	-	-	-	-	NA
Sub Total	\$ -	\$ -	\$ -	\$ -	NA
Annual Sources of Funds	\$ 16,356,833	\$ 19,694,630	\$ 19,694,630	\$ 19,078,441	96.87%
Total Sources of Funds	\$ 46,642,536	\$ 50,233,328	\$ 50,233,328	\$ 49,617,138	98.77%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 1,526,955	\$ 2,008,199	\$ 2,008,199	\$ 1,306,047	65.04%
Capital & Construction	567,979	1,020,000	1,099,262	592,695	53.92%
Operating	6,483,412	8,467,817	8,495,524	9,227,966	108.62%
Debt Service	2,765,218	2,752,543	2,752,545	2,270,215	82.48%
Sub Total	\$ 11,343,564	\$ 14,248,559	\$ 14,355,530	\$ 13,396,923	93.32%
Reimbursements to other funds					
Cost Allocations	\$ 1,712,306	\$ 1,790,924	\$ 1,793,400	\$ 1,643,950	91.67%
Sub Total	\$ 1,712,306	\$ 1,790,924	\$ 1,793,400	\$ 1,643,950	91.67%
Other Financing Uses					
Transfers to Other Funds	\$ 3,047,969	\$ 2,860,500	\$ 2,860,500	\$ 2,828,240	98.87%
Sub Total	\$ 3,047,969	\$ 2,860,500	\$ 2,860,500	\$ 2,828,240	98.87%
Total Uses of Funds	\$ 16,103,839	\$ 18,899,983	\$ 19,009,430	\$ 17,869,113	94.00%
Ending Balance	\$ 30,538,698	\$ 31,333,345	\$ 31,223,898	\$ 31,748,026	

Notes:

⁽¹⁾ Investment Earnings - Allocation to all funds posted quarterly.

CITY OF MONROE BUDGET NATURAL GAS FUND REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Restricted Intergovernmental					
Reimbursements FEMA	\$ -	\$ -	\$ -	\$ -	NA
FEMA Covid-19 Claim	-	-	-	-	NA
Total Restricted Intergovernmental	\$ -	\$ -	\$ -	\$ -	NA
Sales and Services					
Sale of Fixed Assets	\$ 20	\$ -	\$ -	\$ 28,406	NA
Sales Of Natural Gas	15,617,397	18,132,344	18,132,344	17,948,692	98.99%
Tax on Sales of N Gas	804,570	1,269,264	1,269,264	924,787	72.86%
Service Charges	2,117	-	-	2,074	NA
PSNC Capacity Charge	-	-	-	-	NA
Misc Sales Other	-	-	-	-	NA
Total Sales and Services	\$ 16,424,104	\$ 19,401,608	\$ 19,401,608	\$ 18,903,959	97.44%
Investment Earnings					
Investment Earnings	\$ (183,284)	\$ 293,022	\$ 293,022	\$ (19,131)	-6.5%
Interest Earned Trustee	2	-	-	1	NA
Interest Earned Wells Far	-	-	-	-	NA
Total Investment Earnings	\$ (183,282)	\$ 293,022	\$ 293,022	\$ (19,130)	-6.53%
Miscellaneous					
Third Party	\$ -	\$ -	\$ -	\$ -	NA
Miscellaneous Reimbursements	77,011	-	-	166,128	NA
Pipeline O&M Reimbursemnt	34,357	-	-	27,267	NA
Miscellaneous Other	1,049	-	-	217	NA
Cash Discounts	3,593	-	-	-	NA
Total Miscellaneous	\$ 116,010	\$ -	\$ -	\$ 193,612	NA
Other Financing Sources					
Transfers from other funds					
TF From General Fund	\$ -	\$ -	\$ -	\$ -	NA
TF From Gov Capital Project	-	-	-	-	NA
TF From Aquatics Ctr	-	-	-	-	NA
TF From Electric Capital Proj	-	-	-	-	NA
TF From N Gas Capital Proj	-	-	-	-	NA
Sub Total Interfund Transfers	-	-	-	-	NA
Proceeds from Financing					
Proceeds Revenue Bonds	\$ -	\$ -	\$ -	\$ -	NA
Proceeds Limited Obligation Bd	-	-	-	-	NA
Proceeds Installment Purchase	-	-	-	-	NA
Sub Total Proceeds from Financing	-	-	-	-	NA
Appropriation Of Fund Bal	-	400,000	509,447	-	0.00%
Oth Fin Inception of Lease	-	-	-	-	NA
Advance From Electric Fund	-	-	-	-	NA
Total Other Financing Sources	\$ -	\$ 400,000	\$ 509,447	\$ -	0.00%
Total Natural Gas Fund Revenues	\$ 16,356,833	\$ 20,094,630	\$ 20,204,077	\$ 19,078,441	94.43%

NOTES:

CITY OF MONROE BUDGET NATURAL GAS FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Maintenance/Construction Division					
Personnel					
Salary	\$ 996,637	\$ 1,334,091	\$ 1,334,091	\$ 849,038	63.64%
Overtime	21,046	41,142	41,142	23,516	57.16%
Standby	19,958	25,001	25,001	19,273	77.09%
Social Security Taxes	74,638	103,645	103,645	65,268	62.97%
Life Insurance	2,142	2,926	2,926	1,892	64.67%
Employer Share Insurance	259,363	262,705	262,705	190,674	72.58%
Retirement	102,685	157,083	157,083	104,140	66.30%
401(k)	43,355	62,850	62,850	44,148	70.24%
Cell Phone Allowance	70	-	-	-	NA
Workers Compensation	7,062	8,834	8,834	8,098	91.67%
Temporary Labor	-	9,922	9,922	-	0.00%
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 1,526,955	\$ 2,008,199	\$ 2,008,199	\$ 1,306,047	65.04%
Capital & Construction					
Land	\$ -	\$ -	\$ -	\$ -	NA
Capitalized Motor Vehicles	118,429	585,000	476,107	-	0.00%
Capitalized Equipment	-	-	145,000	109,223	75.33%
Sub Total Capital & Construction	\$ 118,429	\$ 585,000	\$ 621,107	\$ 109,223	17.59%
Operating					
Legal Services	\$ -	\$ 15,000	\$ 15,000	\$ -	0.00%
Financial Management	9,122	8,089	8,089	8,089	100.00%
Engineering Services	2,500	30,000	15,000	-	0.00%
Midland	473,023	211,280	211,280	-	0.00%
Mooreville	110,000	55,000	55,000	-	0.00%
Technical Meter Repairs	41,890	45,000	45,000	46,747	103.88%
Technical Contracted Services	36,790	95,000	90,000	38,240	42.49%
FEMA Covid Exp.	300	-	-	-	NA
Repairs & Maint Equipment	4,677	13,500	8,500	4,014	47.23%
Software License & Support	1,329	1,164	2,424	581	23.95%
Repairs & Maint Copiers	314	50	50	-	0.00%
Repairs & Maint ERP System AMA	11,953	17,105	17,105	16,385	95.79%
Repairs & Maint SCADA	19,753	33,360	33,360	26,570	79.65%
Repairs & Maint Utility Lines	2,682	32,000	12,000	2,652	22.10%
Repairs & Maint LNG Facility	11,834	54,500	69,863	25,532	36.55%
Repairs & Maint Trans Pipeline	71,166	85,000	85,000	71,976	84.68%
Repairs/Maint City Beautificat	-	5,000	7,613	2,613	34.32%
Equipment Rentals	-	1,500	1,500	-	0.00%
Vehicle Fuel	27,670	25,473	29,958	36,835	122.95%
Vehicle Maintenance	28,805	38,000	38,000	34,580	91.00%
Wellness & Clinic Cost	11,110	11,445	11,445	10,491	91.67%
Property Damages	28,471	18,066	18,066	16,561	91.67%
Telecommunications	13,595	15,000	18,600	12,624	67.87%
Marketing & Promotions	3,753	7,500	7,500	1,508	20.10%
Public Information	8,237	26,000	23,910	14,212	59.44%
Special Assistance Progra	16,000	16,000	16,000	16,000	100.00%
Uniforms and Shoes	20,458	24,500	25,900	23,053	89.01%
Training and Travel Adv	-	-	-	(487)	NA
Training and Travel Exp	13,830	54,020	59,020	24,460	41.44%
Energy Incentive Programs	3,000	40,000	20,000	800	4.00%
General Supplies	776	1,500	1,500	964	64.26%
Materials	-	-	-	247	NA
Small Equipment	69,980	57,750	72,750	56,326	77.42%
Utilities	16,009	18,888	18,888	15,841	83.87%
Organizational Dues	27,587	27,000	27,000	15,205	56.32%
Subscriptions & Publications	995	2,000	2,000	995	49.75%
Bad Debt Expense	19,853	49,849	49,849	10,170	20.40%
Other Operating Expense	11,728	21,080	21,080	16,613	78.81%
Over/Short N Gas Inventory	(0)	-	-	-	NA
Natural Gas Purchases	4,509,852	5,790,934	5,790,934	7,616,088	131.52%
LNG Purchases	45,524	250,000	294,476	122,009	41.43%
Sales Tax Natural Gas	804,540	1,269,264	1,269,264	938,388	73.93%
Sub Total Operating	\$ 6,483,412	\$ 8,467,817	\$ 8,495,524	\$ 9,227,966	108.62%
Reimbursements to other funds					
Allocations Administration	\$ 388,768	\$ 425,741	\$ 425,741	\$ 390,263	91.67%
Allocations Utility Billing	188,380	188,075	188,075	172,402	91.67%

CITY OF MONROE BUDGET NATURAL GAS FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Allocations Cust Srv/Pmt Ctr	271,690	275,069	275,069	252,147	91.67%
Allocations Street	2,151	2,162	2,162	1,982	91.67%
Allocations Purchasing	6,880	7,232	7,232	6,629	91.67%
Allocations Fleet	20,165	20,760	20,760	19,030	91.67%
Allocations Warehouse	32,710	34,383	34,383	31,518	91.67%
Allocation Electric Admin	790,000	790,000	790,000	724,167	91.67%
Allocations Manual Adjs	11,562	47,502	49,978	45,813	91.67%
Allocations Credits	-	-	-	-	NA
Sub Total Reimbursements to other funds	\$ 1,712,306	\$ 1,790,924	\$ 1,793,400	\$ 1,643,950	91.67%
Unreserved / Balance	\$ -	\$ 1,194,647	\$ 1,194,647	\$ -	0.00%
Total Maintenance/Construction Division	\$ 9,841,102	\$ 14,046,587	\$ 14,112,877	\$ 12,287,185	87.06%
N Gas System Improvements Division					
Capital & Construction					
Land	\$ -	\$ -	\$ -	\$ -	NA
Imprvmt Construction	300,632	305,000	308,155	337,785	109.62%
Imprvmt Contract/Frc Acct Labor	117,728	100,000	140,000	125,357	89.54%
Repairs STs-Dir Cost UT Cuts	31,191	30,000	30,000	20,331	67.77%
Total NG System Improvements Division	\$ 449,551	\$ 435,000	\$ 478,155	\$ 483,473	101.11%
N Gas Debt Service					
Installment Purchase Agreements					
Installment Principal	\$ 1,124,968	\$ 1,175,256	\$ 1,175,256	\$ 1,159,980	98.70%
Installment Interest	1,406,094	1,342,072	1,342,072	904,288	67.38%
Revenue Bonds					
Bonds Principal	130,206	136,746	136,746	136,746	100.00%
Bonds Interest	96,909	91,109	91,109	61,993	68.04%
Bonds Admin Fees	6,605	6,605	6,605	6,476	98.04%
Debt Issuance Cost	-	-	-	-	NA
Bonds Pmt Escrow Agent	-	-	-	-	NA
Bonds Yrly Monitoring Fee	436	476	476	476	99.92%
Capital Leases					
Capital Leases Principal	-	245	248	222	89.63%
Capital Leases Interest	-	34	33	34	102.33%
Total N Gas Debt Service	\$ 2,765,218	\$ 2,752,543	\$ 2,752,545	\$ 2,270,215	82.48%
Transfers to Other Funds					
TF To General Fund	\$ 194,546	\$ 200,500	\$ 200,500	\$ 168,240	83.91%
TF to Gov Capital Project	199,411	-	-	-	NA
TF To Electric Capital Proj	-	-	-	-	NA
TF To N Gas Capital Proj	2,654,012	2,660,000	2,660,000	2,660,000	100.00%
Total Transfers out to Other Funds	\$ 3,047,969	\$ 2,860,500	\$ 2,860,500	\$ 2,828,240	98.87%
Total N Gas	\$ 16,103,839	\$ 20,094,630	\$ 20,204,077	\$ 17,869,113	88.44%

NOTES:

Bad Debt Expense - Collection of customer charges written off in prior year. Current fiscal year write offs will post in May to offset credit balance.

Revenue Bonds:

16 Refunding (2008 Combined Enterprise Bonds)

Other:

16 Limited Obligation Bonds (LOBs) (Refunding)

18 New Limited Obligation Bonds (LOBS)

2020 New ERP System (share)

	2022	Balance	Payoff Yr
	\$ 229,483	\$ 2,523,044	2033
	2,004,100	34,034,838	2039
	506,813	10,650,256	2043
	18,215	145,569	2030
	<u>\$ 2,758,611</u>	<u>\$ 47,353,707</u>	

CITY OF MONROE BUDGET STORMWATER UTILITY FUND BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 2,176,538	\$ 2,182,837	\$ 2,182,837	\$ 2,182,837	NA
Revenues					
Intergovernmental Restricted	\$ -	\$ -	\$ -	\$ -	NA
Sales and Services	2,529,999	2,822,043	2,822,043	2,399,599	85.03%
Investment Earnings ⁽¹⁾	(12,100)	17,912	17,912	(1,586)	-8.86%
Miscellaneous	3	-	-	-	NA
Sub Total	\$ 2,517,902	\$ 2,839,955	\$ 2,839,955	\$ 2,398,012	84.44%
Other Financing Sources					
Proceeds From LT Debt	\$ -	\$ -	\$ -	\$ -	NA
Oth Fin Inception of Lease	-	-	-	-	NA
Transfers from other funds	0	-	-	-	NA
Advances from other funds	-	-	-	-	NA
Sub Total	\$ 0	\$ -	\$ -	\$ -	NA
Annual Sources of Funds	\$ 2,517,903	\$ 2,839,955	\$ 2,839,955	\$ 2,398,012	84.44%
Total Sources of Funds	\$ 4,694,440	\$ 5,022,792	\$ 5,022,792	\$ 4,580,849	91.20%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 891,896	\$ 1,156,157	\$ 1,156,157	\$ 851,144	73.62%
Capital & Construction	154,806	190,000	172,000	45,381	26.38%
Operating	443,577	617,811	810,086	380,289	46.94%
Debt Service	120,518	121,601	121,601	111,118	91.38%
Sub Total	\$ 1,610,796	\$ 2,085,569	\$ 2,259,844	\$ 1,387,932	61.42%
Reimbursements to other funds					
Cost Allocations	\$ 696,265	\$ 718,454	\$ 719,217	\$ 659,282	91.67%
Sub Total	\$ 696,265	\$ 718,454	\$ 719,217	\$ 659,282	91.67%
Other Financing Uses					
Transfers to Other Funds	\$ 204,542	\$ 685,000	\$ 685,000	\$ -	0.00%
Sub Total	\$ 204,542	\$ 685,000	\$ 685,000	\$ -	0.00%
Total Uses of Funds	\$ 2,511,603	\$ 3,489,023	\$ 3,664,061	\$ 2,047,215	55.87%
Ending Balance	\$ 2,182,837	\$ 1,533,769	\$ 1,358,731	\$ 2,533,635	

Notes:

⁽¹⁾ Investment Earnings distributed quarterly among funds

CITY OF MONROE BUDGET STORMWATER UTILITY FUND REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Restricted Intergovernmental					
Reimbursements FEMA	\$ -	\$ -	\$ -	\$ -	NA
FEMA Covid-19 Claim	-	-	-	-	NA
Total Restricted Intergovernmental	\$ -	\$ -	\$ -	\$ -	NA
Sales and Services					
Storm Wtr Permits	\$ 22,400	\$ 15,000	\$ 15,000	\$ 44,375	295.83%
Storm Wtr BMP Annual Inspectn	15,750	13,950	13,950	15,335	109.93%
Storm Wtr Civil Citation	-	-	-	-	NA
Sale of Fixed Assets	310	-	-	-	NA
Stormwater Receipts	2,491,539	2,793,093	2,793,093	2,339,889	83.77%
Total Sales and Services	\$ 2,529,999	\$ 2,822,043	\$ 2,822,043	\$ 2,399,599	85.03%
Investment Earnings					
Investment Earnings	\$ (12,100)	\$ 17,912	\$ 17,912	\$ (1,586)	-8.86%
Total Investment Earnings	\$ (12,100)	\$ 17,912	\$ 17,912	\$ (1,586)	-8.86%
Miscellaneous					
Miscellaneous Reimbursements	\$ -	\$ -	\$ -	\$ -	NA
Cash Discounts	3	-	-	-	NA
Total Miscellaneous	\$ 3	\$ -	\$ -	\$ -	NA
Other Financing Sources					
Transfers from other Funds	\$ -	\$ -	\$ -	\$ -	NA
TF From General Fund	\$ -	\$ -	\$ -	\$ -	NA
TF From Gov Capital Project	-	-	-	-	NA
TF From Stormwtr Capital Proj	0	-	-	-	NA
Sub Total Interfund Transfers	\$ 0	\$ -	\$ -	\$ -	NA
Proceeds Installment Purchase	-	-	-	-	NA
Appropriation Of Fund Bal	-	785,000	960,038	-	0.00%
Oth Fin Inception of Lease	-	-	-	-	NA
Advance From Electric Fund	-	-	-	-	NA
Total Other Financing Sources	\$ 0	\$ 785,000	\$ 960,038	\$ -	0.00%
Total Stormwater Utility Fund Revenues	\$ 2,517,903	\$ 3,624,955	\$ 3,799,993	\$ 2,398,012	63.11%

CITY OF MONROE BUDGET STORMWATER UTILITY FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Maintenance Division					
Personnel					
Salary	\$ 597,019	\$ 765,834	\$ 765,834	\$ 567,117	74.05%
Overtime	376	4,188	4,188	3,077	73.46%
Standby	3,810	4,694	4,694	3,736	79.60%
Social Security Taxes	43,631	57,542	57,542	41,700	72.47%
Life Insurance	1,305	1,672	1,672	1,221	73.04%
Employer Share Insurance	146,223	186,971	186,971	130,628	69.87%
Retirement	59,817	87,000	87,000	66,808	76.79%
401(k)	26,680	36,276	36,276	26,016	71.72%
Cell Phone Allowance	1,440	1,440	1,440	1,180	81.94%
Workers Compensation	11,595	10,540	10,540	9,662	91.67%
Temporary Labor	-	-	-	-	NA
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 891,896	\$ 1,156,157	\$ 1,156,157	\$ 851,144	73.62%
Capital & Construction					
Imprvmt Construction	\$ -	\$ 150,000	\$ 130,000	\$ -	0.00%
Imprvmt Conctrct Material&Labor	-	-	-	-	NA
Imprvmt Contingencies	-	-	-	-	NA
Capitalized Motor Vehicles	113,678	40,000	42,000	45,381	108.05%
Capital Outlay Buildings	41,128	-	-	-	NA
Sub Total Capital & Construction	\$ 154,806	\$ 190,000	\$ 172,000	\$ 45,381	26.38%
Operating					
Bank Service Charges	\$ (0)	\$ -	\$ -	\$ -	NA
Management Services	-	-	-	-	NA
Financial Management	1,124	1,231	1,231	1,232	100.08%
Engineering Services	89,101	220,000	341,853	54,712	16.00%
Technical Contracted Services	4,313	47,708	66,356	23,464	35.36%
FEMA Covid Exp.	67	-	-	-	NA
Cleaning Srv Waste Disposal	20,371	40,000	40,000	19,479	48.70%
Repairs & Maint Equipment	4,751	6,000	6,000	4,708	78.47%
Software License & Support	10,980	12,666	12,666	5,184	40.93%
Repairs & Maint ERP System AMA	6,679	8,553	8,553	8,193	95.79%
Repairs/Maint City Beautificat	-	5,000	7,613	1,145	15.04%
Vehicle Fuel	14,857	20,696	20,696	28,528	137.84%
Vehicle Maintenance	35,291	34,020	34,020	32,669	96.03%
Default Fleet Management	-	-	-	-	NA
Unemployment Insurance	32	146	146	-	0.00%
Wellness & Clinic Cost	6,666	7,085	7,085	6,495	91.67%
Property Damages	10,945	11,032	11,032	10,113	91.67%
Telecommunications	4,155	9,800	10,461	4,681	44.75%
Marketing & Promotions	-	-	-	-	NA
Uniforms and Shoes	5,086	6,410	6,410	4,742	73.98%
Training and Travel Adv	-	-	-	963	NA
Training and Travel Exp	4,226	8,000	8,000	8,940	111.75%
General Supplies	7,853	12,200	12,200	5,880	48.19%
Materials	196,523	140,000	193,000	145,966	75.63%
Small Equipment	5,422	5,950	5,950	927	15.57%
PC's Peripherals	4,658	2,500	3,000	2,744	91.48%
Software	11	-	-	366	NA
Organizational Dues	4,685	6,160	6,160	5,760	93.51%
Subscriptions & Publications	-	-	-	-	NA
Bad Debt Expense	3,517	4,626	4,626	1,685	36.41%
Other Operating Expense	2,263	8,028	3,028	1,714	56.61%
Sub Total Operating	\$ 443,577	\$ 617,811	\$ 810,086	\$ 380,289	46.94%
Reimbursements to other funds					
Allocations Administration	\$ 124,905	\$ 127,098	\$ 127,098	\$ 116,507	91.67%
Allocations Utility Billing	41,109	40,358	40,358	36,995	91.67%
Allocations Cust Srv/Pmt Ctr	13,379	13,820	13,820	12,668	91.67%
Allocations Engineering	307,506	323,472	323,472	296,516	91.67%
Allocations Street	176,048	178,938	178,938	164,027	91.67%
Allocations Purchasing	5,404	5,682	5,682	5,209	91.67%
Allocations Fleet	19,471	20,045	20,045	18,375	91.67%
Allocations Parks Maint	120	119	119	109	91.70%
Allocations Facilities Maint	5,280	5,037	5,037	4,617	91.67%
Allocations Manual Adjs	3,043	3,885	4,648	4,261	91.67%
Sub Total Reimbursements to other funds	\$ 696,265	\$ 718,454	\$ 719,217	\$ 659,282	91.67%
Total Maintenance Division	\$ 2,186,543	\$ 2,682,422	\$ 2,857,460	\$ 1,936,097	67.76%

CITY OF MONROE BUDGET STORMWATER UTILITY FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Stormwater Debt Service					
Installment Purchase Agreements					
Installment Principal	\$ 109,521	\$ 113,685	\$ 113,685	\$ 105,000	92.36%
Installment Interest	10,997	7,916	7,916	6,118	77.28%
Capital Leases Principal	-	-	-	-	NA
Capital Leases Interest	-	-	-	-	NA
Total Stormwater Debt Service	\$ 120,518	\$ 121,601	\$ 121,601	\$ 111,118	91.38%
Transfers to other funds					
TF To Gov Capital Project	\$ 104,542	\$ -	\$ -	\$ -	NA
TF To Stormwtr Capital Proj	100,000	685,000	685,000	-	0.00%
Total Transfers Out to Other Funds	\$ 204,542	\$ 685,000	\$ 685,000	\$ -	0.00%
Unreserved / Balance	\$ -	\$ 135,932	\$ 135,932	\$ -	0.00%
Total Stormwater Utility Fund Expenditures	\$ 2,511,603	\$ 3,624,955	\$ 3,799,993	\$ 2,047,215	53.87%

Notes:

Bad Debt Expense - Collection of customer charges written off in prior year. Current fiscal year write offs will post in May to offset credit balance.

Other:

18 Installment Financing (Street Sweepers)
2020 New ERP System (share)

2022	Balance	Payoff Yr
111,488	111,290	2023
10,369	82,960	2040
\$ 121,857	\$ 194,249	

CITY OF MONROE BUDGET SOLID WASTE FUND BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 915,700	\$ 725,666	\$ 725,666	\$ 725,666	NA
Revenues					
Intergovernmental Restricted	\$ 26,519	\$ 23,000	\$ 23,000	\$ 20,119	87.47%
Sales and Services	2,685,617	2,770,906	2,770,906	2,493,621	89.99%
Investment Earnings ⁽¹⁾	(3,323)	5,565	5,565	(238)	-4.27%
Miscellaneous	-	-	-	-	NA
Sub Total	\$ 2,708,814	\$ 2,799,471	\$ 2,799,471	\$ 2,513,502	89.78%
Other Financing Sources					
Installment Purchase Proceeds	\$ -	\$ -	\$ -	\$ -	0.00%
TF From General Fund	-	-	-	-	
Sub Total	\$ -	\$ -	\$ -	\$ -	NA
Annual Sources of Funds	\$ 2,708,814	\$ 2,799,471	\$ 2,799,471	\$ 2,513,502	89.78%
Total Sources of Funds	\$ 3,624,514	\$ 3,525,137	\$ 3,525,137	\$ 3,239,168	91.89%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 285,774	\$ 303,475	\$ 303,475	\$ 224,021	73.82%
Capital/Construction	-	-	-	-	NA
Operating	2,350,291	2,531,444	2,544,329	2,123,996	83.48%
Debt Service	8,083	8,003	8,003	543	6.79%
Sub Total	\$ 2,644,148	\$ 2,842,922	\$ 2,855,807	\$ 2,348,559	82.24%
Reimbursements to other funds					
Cost Allocations	\$ 174,135	\$ 180,423	\$ 180,649	\$ 165,595	91.67%
Other Financing Uses					
Transfers to Other Funds	\$ 80,565	\$ -	\$ -	\$ -	NA
Sub Total	\$ 254,700	\$ 180,423	\$ 180,649	\$ 165,595	91.67%
Total Uses of Funds	\$ 2,898,848	\$ 3,023,345	\$ 3,036,456	\$ 2,514,154	82.80%
Ending Balance	\$ 725,666	\$ 501,792	\$ 488,681	\$ 725,014	

Notes:

⁽¹⁾ Investment Earnings are distributed among funds on a quarterly basis

CITY OF MONROE BUDGET SOLID WASTE FUND REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Intergovernmental Revenues Restricted					
DOR Disposal Tax Distrib	\$ 26,519	\$ 23,000	\$ 23,000	\$ 20,119	87.47%
Total Intergovernmental Revenues Restricted	\$ 26,519	\$ 23,000	\$ 23,000	\$ 20,119	87.47%
Sales and Services					
Solid Waste Violations	\$ 6,475	\$ 2,000	\$ 2,000	\$ 1,875	93.75%
Refuse Collection Fees	2,679,142	2,768,906	2,768,906	2,491,746	89.99%
Sale of Fixed Assets	-	-	-	-	NA
Recycling Materials	-	-	-	-	NA
Total Sales and Services	\$ 2,685,617	\$ 2,770,906	\$ 2,770,906	\$ 2,493,621	89.99%
Investment Earnings					
Investment Earnings	\$ (3,323)	\$ 5,565	\$ 5,565	\$ (238)	-4.27%
Total Investment Earnings	\$ (3,323)	\$ 5,565	\$ 5,565	\$ (238)	-4.27%
Miscellaneous					
Cash Discounts	\$ -	\$ -	\$ -	\$ -	NA
Total Miscellaneous	\$ -	\$ -	\$ -	\$ -	NA
Other Financing Sources					
Proceeds Installment Purchase	\$ -	\$ -	\$ -	\$ -	NA
Appropriation Of Fund Bal	-	223,874	236,985	-	0.00%
TF From General Fund	-	-	-	-	NA
Total Other Financing Sources	\$ -	\$ 223,874	\$ 236,985	\$ -	0.00%
Total Solid Waste Fund Revenues	\$ 2,708,814	\$ 3,023,345	\$ 3,036,456	\$ 2,513,502	82.78%

CITY OF MONROE BUDGET SOLID WASTE UTILITY FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Operating Personnel					
Salary	\$ 126,844	\$ 133,685	\$ 133,685	\$ 95,747	71.62%
Overtime	-	-	-	-	NA
Social Security Taxes	8,805	9,626	9,626	6,901	71.70%
Life Insurance	269	293	293	212	72.29%
Employer Share Insurance	32,761	33,531	33,531	22,155	66.07%
Retirement	12,263	14,964	14,964	11,190	74.78%
401(k)	5,997	6,523	6,523	5,000	76.65%
Cell Phone Allowance	600	600	600	550	91.67%
Workers Compensation	1,098	933	933	855	91.67%
Temporary Labor	-	-	-	-	NA
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 188,638	\$ 200,155	\$ 200,155	\$ 142,611	71.25%
Capital & Construction					
Capitalized Motor Vehicles	\$ -	\$ -	\$ -	\$ -	NA
Capital Lease	-	-	-	-	NA
Sub Total Capital & Construction	\$ -	\$ -	\$ -	\$ -	NA
Operating					
Collection Fees	\$ -	\$ 250	\$ 250	\$ -	0.00%
Bank Service Charges	(0)	-	-	-	NA
Financial Management	1,212	1,383	1,383	1,383	100.00%
Technical Contracted Services	623	656	656	-	0.00%
Refuse Collection	2,179,539	2,296,258	2,296,258	1,930,350	84.07%
Roadside Trash Pickup	26,400	26,400	26,400	22,000	83.33%
Software License & Support	-	8,600	-	-	NA
Repairs & Maint ERP System AMA	4,879	5,177	5,177	4,959	95.78%
Repairs/Maint City Beautificat	-	5,000	7,613	2,613	34.32%
Vehicle Fuel	122	418	418	316	75.59%
Vehicle Maintenance	248	500	500	506	101.23%
Default Fleet Management	-	-	-	-	NA
Unemployment Insurance	137	618	618	-	0.00%
Wellness & Clinic Cost	1,111	1,090	1,090	999	91.66%
Property Damages	187	190	190	174	91.65%
Telecommunications	650	684	684	482	70.43%
Uniforms and Shoes	-	200	200	-	0.00%
Training and Travel Adv	-	-	-	-	NA
Training and Travel Exp	305	3,500	500	246	49.15%
General Supplies	73	-	-	81	NA
Small Equipment	104,146	126,050	137,650	118,671	86.21%
PC's Peripherals	2,010	1,000	1,000	869	86.87%
Bad Debt Expense	16,323	12,837	12,837	6,279	48.92%
Other Operating Expense	343	2,500	2,500	385	15.40%
Solid Waste Education	1,592	20,000	30,272	26,019	85.95%
Sub Total Operating	\$ 2,339,899	\$ 2,513,311	\$ 2,526,196	\$ 2,116,331	83.78%
Reimbursements to other funds					
Allocations Administration	\$ 52,025	\$ 56,096	\$ 56,096	\$ 51,421	91.67%
Allocations Utility Billing	34,825	34,189	34,189	31,340	91.67%
Allocations Cust Srv/Pmt Ctr	34,522	34,842	34,842	31,938	91.67%
Allocations Engineering	48,956	48,956	48,956	44,876	91.67%
Allocations Planning	-	-	-	-	NA
Allocations Purchasing	803	845	845	775	91.67%
Allocations Fleet	1,530	1,579	1,579	1,447	91.66%
Allocations Parks Maint	19	18	18	17	91.67%
Allocations Facilities Maint	849	810	810	743	91.67%
Allocations Manual Adjs	606	3,088	3,314	3,038	91.66%
Sub Total Reimbursements to other funds	\$ 174,135	\$ 180,423	\$ 180,649	\$ 165,595	91.67%
Total Administration Division	\$ 2,702,673	\$ 2,893,889	\$ 2,907,000	\$ 2,424,537	83.40%

CITY OF MONROE BUDGET SOLID WASTE UTILITY FUND EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Community Maintenance					
Personnel					
Salary	\$ 62,578	\$ 66,289	\$ 66,289	\$ 50,948	76.86%
Overtime	-	-	-	-	NA
Social Security Taxes	4,683	4,959	4,959	3,787	76.37%
Life Insurance	137	145	145	120	82.83%
Employer Share Insurance	20,781	21,304	21,304	18,020	84.59%
Retirement	6,259	7,420	7,420	5,948	80.16%
401(k)	2,483	2,621	2,621	2,052	78.30%
Workers Compensation	214	582	582	534	91.67%
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 97,136	\$ 103,320	\$ 103,320	\$ 81,410	78.79%
Capital & Construction					
Capitalized Motor Vehicles	\$ -	\$ -	\$ -	\$ -	NA
Sub Total Capital & Construction	\$ -	\$ -	\$ -	\$ -	NA
Operating					
Software License & Support	\$ 87	\$ 3,550	\$ 3,550	\$ -	0.00%
Vehicle Fuel	2,366	3,495	3,495	3,561	101.90%
Vehicle Maintenance	3,178	3,000	3,000	854	28.47%
Default Fleet Management	-	-	-	-	NA
Wellness & Clinic Cost	1,111	1,090	1,090	999	91.66%
Property Damages	533	538	538	493	91.66%
Telecommunications	90	960	960	910	94.80%
Uniforms and Shoes	1,182	1,500	1,500	150	10.00%
General Supplies	995	1,500	1,500	450	29.98%
Small Equipment	715	1,000	1,000	68	6.80%
PC's Peripherals	-	-	-	-	NA
Software	-	-	-	-	NA
Other Operating Expense	136	1,500	1,500	179	11.94%
Sub Total Operating	\$ 10,392	\$ 18,133	\$ 18,133	\$ 7,664	42.27%
Total Maintenance Division	\$ 107,528	\$ 121,453	\$ 121,453	\$ 89,074	73.34%
Solid Waste Debt Service					
Installment Purchase Agreements					
Other					
Installment Principal	\$ 6,577	\$ 6,703	\$ 6,703	\$ -	0.00%
Installment Interest	1,506	1,300	1,300	543	41.77%
Capital Leases Principal	-	-	-	-	NA
Capital Leases Interest	-	-	-	-	NA
Total Solid Waste Debt Service	\$ 8,083	\$ 8,003	\$ 8,003	\$ 543	6.79%
Transfers to other funds					
TF To General Fund	\$ -	\$ -	\$ -	\$ -	NA
TF To Gov Capital Project	80,565	-	-	-	NA
Total Transfers Out to Other Funds	\$ 80,565	\$ -	\$ -	\$ -	NA
Unreserved / Balance	-	-	-	-	NA
Total Solid Waste Fund Expenditures	\$ 2,898,848	\$ 3,023,345	\$ 3,036,456	\$ 2,514,154	82.80%

NOTES:

Bad Debt Expense - Collection of customer charges written off in prior year. Current fiscal year write offs will post in May to offset credit balance.

Other:

2020 New ERP System (share)

2022	Balance	Payoff Yr
\$ 8,004	\$ 63,962	2030
\$ 8,004	\$ 63,962	

CITY OF MONROE BUDGET DOWNTOWN MONROE BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 506,406	\$ 547,593	\$ 547,593	\$ 547,593	NA
Revenues					
Taxes	\$ 60,516	\$ 61,676	\$ 61,676	\$ 61,080	99.03%
Miscellaneous ⁽¹⁾	575,032	-	-	355,464	NA
Sub Total	\$ 635,548	\$ 61,676	\$ 61,676	\$ 416,543	675.37%
Other Financing Sources					
Transfers from other funds	\$ 199,486	\$ 165,095	\$ 275,285	\$ 261,529	95.00%
Proceeds from Financing	-	-	-	-	NA
Inception of Lease	-	-	-	-	NA
Sub Total	\$ 199,486	\$ 165,095	\$ 275,285	\$ 261,529	95.00%
Annual Sources of Funds	\$ 835,033	\$ 226,771	\$ 336,961	\$ 678,072	201.23%
Total Sources of Funds	\$ 1,341,440	\$ 774,364	\$ 884,554	\$ 1,225,666	138.56%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 85,540	\$ 116,667	\$ 116,667	\$ 108,565	93.06%
Capital	-	-	-	-	NA
Operating ⁽²⁾	62,415	107,493	767,534	477,924	62.27%
Debt Service	2,275	2,611	2,613	451	17.26%
Sub Total	\$ 150,230	\$ 226,771	\$ 886,814	\$ 586,940	66.19%
Other Financing Uses					
Transfers to Other Funds	\$ 643,617	-	-	-	NA
Sub Total	\$ 643,617	-	-	-	NA
Total Uses of Funds	\$ 793,846	\$ 226,771	\$ 886,814	\$ 586,940	66.19%
Ending Balance	\$ 547,593	\$ 547,593	\$ (2,260)	\$ 638,726	

Notes:

⁽¹⁾ Includes Downtown Pioneers loan payments.

⁽²⁾ Operating expenditures include Downtown Incentive for the Buggy Factory, \$400K.

CITY OF MONROE BUDGET DOWNTOWN MONROE FUND REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Taxes					
MSD Taxes	\$ 57,550	\$ 58,725	\$ 58,725	\$ 58,787	100.11%
Vehicle Property Taxes	2,249	2,681	2,681	2,055	76.65%
Prior Year Taxes	212	120	120	43	35.83%
Penalties and Interest	504	150	150	195	129.91%
Total Taxes	\$ 60,516	\$ 61,676	\$ 61,676	\$ 61,080	99.03%
Miscellaneous					
Misc Sales Other	\$ -	\$ -	\$ -	\$ -	NA
Cash Discounts	-	-	-	-	NA
Misc Downtown Pioneers	575,032	-	-	355,464	NA
Total Miscellaneous	\$ 575,032	\$ -	\$ -	\$ 355,464	NA
Other Financing Sources					
Proceeds Installment Purchase	\$ -	\$ -	\$ -	\$ -	NA
Appropriation Of Fund Bal	-	-	549,853	-	0.00%
Oth Fin Inception of Lease	-	-	-	-	NA
TF From General Fund	199,486	165,095	275,285	261,529	95.00%
Total Other Financing Sources	\$ 199,486	\$ 165,095	\$ 825,138	\$ 261,529	31.70%
Total Downtown Monroe Revenues	\$ 835,033	\$ 226,771	\$ 886,814	\$ 678,072	76.46%

Notes:

CITY OF MONROE BUDGET DOWNTOWN MONROE EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Personnel					
Salary	\$ 60,580	\$ 84,826	\$ 84,826	\$ 74,350	87.65%
Overtime	-	-	-	-	NA
Car Allowance	-	-	-	4,154	NA
Social Security Taxes	4,582	6,421	6,421	5,942	92.55%
Life Insurance	134	186	186	168	90.11%
Employer Share Insurance	10,391	10,652	10,652	9,802	92.02%
Retirement	5,979	9,496	9,496	8,640	90.98%
401(k)	2,950	4,178	4,178	3,866	92.53%
Cell Phone Allowance	420	420	420	1,195	284.52%
Workers Compensation	504	488	488	447	91.67%
Sub Total Personnel	\$ 85,540	\$ 116,667	\$ 116,667	\$ 108,565	93.06%
Capital & Construction					
Land	\$ -	\$ -	\$ -	\$ -	NA
Capitalized Motor Vehicles	-	-	-	-	NA
Capital Outlay Buildings	-	-	-	-	NA
Capital Lease	-	-	-	-	NA
Sub Total Capital & Construction	\$ -	\$ -	\$ -	\$ -	NA
Operating					
Collection Fees	\$ 63	\$ -	\$ -	\$ 65	NA
Technical Contracted Services	6,662	16,800	216,800	14,237	6.57%
Software License & Support	1,928	1,000	1,000	-	0.00%
Repairs & Maint Copiers	466	150	150	95	63.21%
Repairs & Maint ERP System AMA	1,516	1,483	1,483	1,420	95.77%
Copier Rental	-	-	-	-	NA
Vehicle Fuel	-	-	-	(3)	NA
Unemployment Insurance	21	94	94	-	0.00%
Wellness & Clinic Cost	556	545	545	500	91.67%
Telecommunications	1,357	400	400	912	228.06%
Public Information	16,460	27,390	30,367	22,065	72.66%
Facade Grants	2,500	20,000	53,230	8,000	15.03%
Downtown Incentive Prog	12,690	-	421,964	400,000	94.79%
Training and Travel Adv	-	-	-	(508)	NA
Training and Travel Exp	549	4,700	4,700	3,309	70.40%
General Supplies	658	2,500	2,500	2,050	82.00%
Promotional Materials	9,605	13,500	15,370	9,786	63.67%
Small Equipment	-	10,500	10,500	6,673	63.55%
PC's Peripherals	2,258	-	-	-	NA
Software	-	-	-	-	NA
Utilities	3,599	3,701	3,701	5,010	135.38%
Organizational Dues	675	950	950	925	97.37%
Subscriptions & Publications	250	380	380	51	13.45%
Bad Debt Expense	-	-	-	3	NA
Other Operating Expense	602	3,400	3,400	3,335	98.08%
Sub Total Operating	\$ 62,415	\$ 107,493	\$ 767,534	\$ 477,924	62.27%
Downtown Debt Service					
Installment Principal	\$ 1,851	\$ 1,887	\$ 1,887	\$ (25)	-1.34%
Installment Interest	424	366	366	148	40.57%
Capital Leases Principal	(4)	314	318	285	89.48%
Capital Leases Interest	4	44	42	43	102.88%
Total Debt Service	\$ 2,275	\$ 2,611	\$ 2,613	\$ 451	17.26%
Transfers to Other Funds					
TF To General Fund	\$ 581,888	\$ -	\$ -	\$ -	NA
TF To Gov Capital Project	61,729	-	-	-	NA
Total Transfers out to Other Funds	\$ 643,617	\$ -	\$ -	\$ -	NA
Total Downtown Monroe Expenditures	\$ 793,846	\$ 226,771	\$ 886,814	\$ 586,940	66.19%

Notes:

Downtown Incentive for the Buggy Factory, \$400K.

Other:

2020 New ERP System (share)

2022	Balance	Payoff Year
\$ 2,253	\$ 18,002	2040
\$ 2,253	\$ 18,002	

CITY OF MONROE FINANCIAL PLAN SIF HEALTH & DENTAL FINANCIAL PLAN SUMMARY					
Sources and Uses of Funds	Actual 2021	Financial Plan 2022	Revised Plan 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 1,493,347	\$ 1,658,181	\$ 1,658,181	\$ 1,658,181	NA
Revenues					
Contributions	\$ 8,473,660	\$ 8,855,140	\$ 8,855,140	\$ 7,139,382	80.62%
Investment Earnings ⁽¹⁾	(7,251)	13,390	13,390	(785)	-5.86%
Miscellaneous	1,627,659	1,514,510	1,514,510	935,845	61.79%
Sub Total	\$ 10,094,068	\$ 10,383,040	\$ 10,383,040	\$ 8,074,442	77.77%
Other Financing Sources					
Transfer From Other Funds					
Sub Total	\$ -	\$ -	\$ -	\$ -	NA
Annual Sources of Funds	\$ 10,094,068	\$ 10,383,040	\$ 10,383,040	\$ 8,074,442	77.77%
Total Sources of Funds	\$ 11,587,415	\$ 12,041,221	\$ 12,041,221	\$ 9,732,623	80.83%
<i>Uses of Funds</i>					
Expenditures					
Operating	\$ 9,829,312	\$ 10,263,969	\$ 10,263,969	\$ 8,411,343	81.95%
Sub Total	\$ 9,829,312	\$ 10,263,969	\$ 10,263,969	\$ 8,411,343	81.95%
Reimbursements to other funds					
Cost Allocations	\$ 99,774	\$ 119,071	\$ 125,482	\$ 115,025	91.67%
Sub Total	\$ 99,774	\$ 119,071	\$ 125,482	\$ 115,025	91.67%
Other Financing Uses					
Transfers to Other Funds	\$ 148	\$ -	\$ -	\$ -	NA
Sub Total	\$ 148	\$ -	\$ -	\$ -	NA
Total Uses of Funds	\$ 9,929,234	\$ 10,383,040	\$ 10,389,451	\$ 8,526,368	82.07%
Ending Balance	\$ 1,658,181	\$ 1,658,181	\$ 1,651,770	\$ 1,206,255	73.03%

Notes:

⁽¹⁾ Investment Earnings are allocated among funds on a quarterly basis.

CITY OF MONROE FINANCIAL PLAN SIF HEALTH & DENTAL REVENUES					
Revenue Sources	Actual 2021	Financial Plan 2022	Revised Plan 2022	YTD Actual 2022	% Realized
Contributions					
Health Contrib-Employer	\$ 6,258,381	6,725,286	\$ 6,725,286	\$ 5,093,977	75.74%
Health Contrib-Employee	838,821	1,087,358	1,087,358	764,909	70.35%
Retire Health-Emp/Retire	616,673	183,820	183,820	603,320	328.21%
Cobra Payments	6,151	20,000	20,000	458	2.29%
Dental Contrib-City/Retir	22,533	23,975	23,975	24,344	101.54%
Dental Contrib-Employer	95,630	120,877	120,877	96,861	80.13%
Dental Contrib-Employee	347,713	420,236	420,236	304,723	72.51%
H&D Wellness Contrib-Depts	287,757	273,588	273,588	250,789	91.67%
Total Contributions	\$ 8,473,660	\$ 8,855,140	\$ 8,855,140	\$ 7,139,382	80.62%
Investment Earnings					
Interest Earned on SIF	\$ (7,251)	\$ 13,390	\$ 13,390	\$ (785)	-5.86%
Total Investment Earnings	\$ (7,251)	\$ 13,390	\$ 13,390	\$ (785)	-5.86%
Miscellaneous					
Third Party	\$ -	\$ -	\$ -	\$ -	NA
Stop-Loss Reimbursements	1,288,411	1,314,510	1,314,510	585,215	44.52%
Caremark Rebate	331,390	200,000	200,000	350,630	175.32%
Miscellaneous Reimbursements	-	-	-	-	NA
Miscellaneous Other	7,858	-	-	-	NA
Total Miscellaneous	\$ 1,627,659	\$ 1,514,510	\$ 1,514,510	\$ 935,845	61.79%
Other Financing Sources					
Appropriation Of Fund Bal	\$ -	\$ -	\$ 6,411	\$ -	0.00%
Total Other Financing Sources	\$ -	\$ -	\$ 6,411	\$ -	0.00%
Total Health & Dental Revenues	\$ 10,094,068	\$ 10,383,040	\$ 10,389,451	\$ 8,074,442	77.72%

CITY OF MONROE FINANCIAL PLAN SIF HEALTH & DENTAL EXPENDITURES					
Function/Activity	Actual 2021	Financial Plan 2022	Revised Plan 2022	YTD Actual 2022	% Realized
Operating					
Social Security Taxes	\$ -	\$ -	\$ -	\$ 5,173	NA
Life Insurance	-	-	-	293	NA
Employer Share Insurance	-	-	-	14,337	NA
Healthcare Clinic	110,030	126,443	126,443	106,820	84.48%
Healthcare Clinic X-Rays	880	25,000	25,000	1,540	6.16%
Technical Contracted Services	-	-	-	-	NA
Repairs & Maint ERP System AMA	-	1,133	1,133	1,085	95.75%
Stop Loss Premium	1,547,012	1,946,364	1,946,364	1,577,270	81.04%
Retirees' Medicare Supple	275,545	285,000	285,000	251,537	88.26%
Disability Claims	-	5,000	5,000	-	0.00%
Health Claims	4,294,827	4,919,753	4,919,753	3,117,590	63.37%
Dental Claims	320,351	307,710	307,710	304,239	98.87%
Flex Admin Fees	8,147	10,509	10,509	7,283	69.30%
Retiree Health Claims	846,363	500,000	500,000	794,971	158.99%
Retirees' Life Insurance	718	720	720	515	71.54%
Retiree Dental Claims	32,121	25,000	25,000	33,307	133.23%
Retire Health City Portio	433,447	356,400	356,400	410,440	115.16%
Retire Dental City Portio	22,533	20,158	20,158	20,917	103.77%
Retiree Vision Claims	-	276	276	1,920	695.58%
Prescription Claims	1,479,614	1,265,413	1,265,413	1,361,889	107.62%
Wellness Program	9,927	31,000	31,000	19,346	62.41%
Wellness-Risk Assessment	73,613	55,000	55,000	50,041	90.98%
Vision Claims	2,430	2,000	2,000	1,442	72.12%
Claim Processing Fees	48,396	55,000	55,000	18,433	33.51%
Retiree Claim Processing	2,017	3,500	3,500	5,412	154.63%
Wellness Health Coaching	2,400	5,000	5,000	1,590	31.80%
Health and Dental Admin	196,708	195,000	195,000	187,689	96.25%
Insurance Broker	16,529	17,500	17,500	15,277	87.29%
PCORI FEES	2,081	2,000	2,000	-	0.00%
Transitional Reinsurance	-	-	-	-	NA
HSA Employer Contribution	23,375	23,750	23,750	20,438	86.05%
HRA Retiree Hearing Aids	3,000	-	-	7,800	NA
Wellness Incentives-Cash	77,250	77,250	77,250	72,750	94.17%
Bad Debt Expense	-	-	-	-	NA
Other Operating Expense	-	2,090	2,090	-	0.00%
Sub Total Operating	\$ 9,829,312	\$ 10,263,969	\$ 10,263,969	\$ 8,411,343	81.95%
Reimbursements to other funds					
Allocations Administration	\$ 99,774	\$ 106,628	\$ 106,628	\$ 97,742	91.67%
Allocations Purchasing	-	-	-	-	NA
Allocations Manual Adjs	-	12,443	18,854	17,283	91.67%
Sub Total Reimbursements to other funds	\$ 99,774	\$ 119,071	\$ 125,482	\$ 115,025	91.67%
Other Financing Uses					
TF To Gov Capital Project	\$ 148	\$ -	\$ -	\$ -	NA
Sub Total	\$ 148	\$ -	\$ -	\$ -	NA
Unreserved / Balance	\$ -	\$ -	\$ -	\$ -	NA
Total Health & Dental Expenditures	\$ 9,929,234	\$ 10,383,040	\$ 10,389,451	\$ 8,526,368	82.07%

CITY OF MONROE FINANCIAL PLAN SIF PROPERTY & CASUALTY FINANCIAL PLAN SUMMARY					
Sources and Uses of Funds	Actual 2021	Financial Plan 2022	Revised Plan 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 923,638	\$ 1,003,177	\$ 1,003,177	\$ 1,003,177	NA
Revenues					
Contributions	\$ 774,436	\$ 813,417	\$ 813,417	\$ 745,632	91.67%
Investment Earnings ⁽¹⁾	(4,805)	4,869	4,869	(549)	-11.28%
Miscellaneous	115,299	20,003	38,939	48,476	124.49%
Sub Total	\$ 884,929	\$ 838,289	\$ 857,225	\$ 793,559	92.57%
Annual Sources of Funds	\$ 884,929	\$ 838,289	\$ 857,225	\$ 793,559	92.57%
Total Sources of Funds	\$ 1,808,568	\$ 1,841,466	\$ 1,860,402	\$ 1,796,736	96.58%
<i>Uses of Funds</i>					
Expenditures					
Operating	\$ 709,601	\$ 740,014	\$ 742,583	\$ 768,845	103.54%
Sub Total	\$ 709,601	\$ 740,014	\$ 742,583	\$ 768,845	103.54%
Reimbursements to other funds					
Cost Allocations	\$ 83,418	\$ 98,275	\$ 102,012	\$ 93,511	91.67%
Sub Total	\$ 83,418	\$ 98,275	\$ 102,012	\$ 93,511	91.67%
Other Financing Uses					
Transfers to Other Funds	\$ 12,372	\$ -	\$ 18,936	\$ 18,936	100.00%
Sub Total	\$ 12,372	\$ -	\$ 18,936	\$ 18,936	100.00%
Total Uses of Funds	\$ 805,391	\$ 838,289	\$ 863,531	\$ 881,292	102.06%
Ending Balance	\$ 1,003,177	\$ 1,003,177	\$ 996,871	\$ 915,444	

Notes:

⁽¹⁾ Investment Earnings are allocated among funds on a quarterly basis.

CITY OF MONROE FINANCIAL PLAN SIF PROPERTY & CASUALTY REVENUES					
Revenue Sources	Actual 2021	Financial Plan 2022	Revised Plan 2022	YTD Actual 2022	% Realized
Sales and Services					
P&L Contributions-Departments	\$ 774,436	\$ 813,417	\$ 813,417	\$ 745,632	91.67%
Total Sales and Services	\$ 774,436	\$ 813,417	\$ 813,417	\$ 745,632	91.67%
Investment Earnings					
Interest Earned on SIF	\$ (4,805)	\$ 4,869	\$ 4,869	\$ (549)	-11.28%
Total Investment Earnings	\$ (4,805)	\$ 4,869	\$ 4,869	\$ (549)	-11.28%
Miscellaneous					
Third Party	\$ 109,856	\$ 20,003	\$ 38,939	\$ 47,393	121.71%
Miscellaneous Reimbursements	5,443	-	-	1,083	NA
Total Miscellaneous	\$ 115,299	\$ 20,003	\$ 38,939	\$ 48,476	124.49%
Other Financing Sources					
Transfers In from other funds (other)					
TF From General Fund	\$ -	\$ -	\$ -	\$ -	NA
Sub Total Transfers from Other Funds	\$ -	\$ -	\$ -	\$ -	NA
Appropriation Of Fund Bal	\$ -	\$ -	\$ 6,306	\$ -	0.00%
Total Other Financing Sources	\$ -	\$ -	\$ 6,306	\$ -	0.00%
Total Property & Casualty Revenues	\$ 884,929	\$ 838,289	\$ 863,531	\$ 793,559	91.90%

CITY OF MONROE FINANCIAL PLAN SIF PROPERTY & CASUALTY EXPENDITURES					
Function/Activity	Actual 2021	Financial Plan 2022	Revised Plan 2022	YTD Actual 2022	% Realized
Operating					
Repairs & Maint ERP System AMA	\$ -	\$ 834	\$ 834	\$ 798	95.68%
Stop Loss Premium	-	-	-	-	NA
Property/Casualty Insuran	531,262	528,000	528,000	569,312	107.82%
Property Damages	178,338	208,680	211,249	198,735	94.08%
General Liability	-	2,500	2,500	-	0.00%
Bad Debt Expense	-	-	-	-	NA
Sub Total Operating	\$ 709,601	\$ 740,014	\$ 742,583	\$ 768,845	103.54%
Reimbursements to other funds					
Allocations Administration	\$ 83,418	\$ 91,118	\$ 91,118	\$ 83,525	91.67%
Allocations Purchasing	-	-	-	-	NA
Allocations Manual Adjs	-	7,157	10,894	9,986	91.67%
Sub Total Reimbursements to other funds	\$ 83,418	\$ 98,275	\$ 102,012	\$ 93,511	91.67%
Other Financing Uses					
TF To General Fund	\$ 12,300	\$ -	\$ 18,936	\$ 18,936	100.00%
TF To Gov Capital Project	72	-	-	-	NA
Sub Total	\$ 12,372	\$ -	\$ 18,936	\$ 18,936	100.00%
Unreserved / Balance	\$ -	\$ -	\$ -	\$ -	NA
Total Property & Casualty Expenditures	\$ 805,391	\$ 838,289	\$ 863,531	\$ 881,292	102.06%

CITY OF MONROE FINANCIAL PLAN SIF WORKERS' COMPENSATION SUMMARY					
Sources and Uses of Funds	Actual 2021	Financial Plan 2022	Revised Plan 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 1,110,842	\$ 1,035,544	\$ 1,035,544	\$ 1,035,544	NA
Revenues					
Contributions-Employer	\$ 300,549	\$ 300,549	\$ 300,549	\$ 273,984	91.16%
Investment Earnings ⁽¹⁾	(5,644)	9,738	9,738	(377)	-3.87%
Miscellaneous	-	-	-	800	NA
Sub Total	\$ 294,905	\$ 310,287	\$ 310,287	\$ 274,408	88.44%
Other Financing Sources					
Transfer From Other Funds	\$ -	\$ -	\$ -	\$ -	NA
Sub Total	\$ -	\$ -	\$ -	\$ -	NA
Annual Sources of Funds	\$ 294,905	\$ 310,287	\$ 310,287	\$ 274,408	88.44%
Total Sources of Funds	\$ 1,405,747	\$ 1,345,831	\$ 1,345,831	\$ 1,309,951	97.33%
<i>Uses of Funds</i>					
Expenditures					
Operating	\$ 274,755	\$ 197,483	\$ 329,970	\$ 450,687	136.58%
Sub Total	\$ 274,755	\$ 197,483	\$ 329,970	\$ 450,687	136.58%
Reimbursements to other funds					
Cost Allocations	\$ 95,373	\$ 112,804	\$ 117,443	\$ 107,656	91.67%
Sub Total	\$ 95,373	\$ 112,804	\$ 117,443	\$ 107,656	91.67%
Other Financing Uses					
Transfers to Other Funds	\$ 76	\$ -	\$ -	\$ -	NA
Sub Total	\$ 76	\$ -	\$ -	\$ -	NA
Total Uses of Funds	\$ 370,204	\$ 310,287	\$ 447,413	\$ 558,344	124.79%
Ending Balance	\$ 1,035,544	\$ 1,035,544	\$ 898,418	\$ 751,608	

Notes:

⁽¹⁾ Investment Earnings are allocated among funds on a quarterly basis.

CITY OF MONROE FINANCIAL PLAN SIF WORKERS' COMPENSATION REVENUES					
Revenue Sources	Actual 2021	Financial Plan 2022	Revised Plan 2022	YTD Actual 2022	% Realized
Contributions					
WC Contributions-Employer	\$ 300,549	\$ 300,549	\$ 300,549	\$ 273,984	91.16%
Total Sales and Services	\$ 300,549	\$ 300,549	\$ 300,549	\$ 273,984	91.16%
Investment Earnings					
Interest Earned on SIF	\$ (5,644)	\$ 9,738	\$ 9,738	\$ (377)	-3.87%
Total Investment Earnings	\$ (5,644)	\$ 9,738	\$ 9,738	\$ (377)	-3.87%
Miscellaneous					
Third Party	\$ -	\$ -	\$ -	\$ 800	NA
Miscellaneous Reimbursements	-	-	-	-	NA
Total Miscellaneous	\$ -	\$ -	\$ -	\$ 800	NA
Other Financing Sources					
Transfers from other funds					
TF From General Fund	\$ -	\$ -	\$ -	\$ -	NA
Sub Total Transfers from Other Funds	\$ -	\$ -	\$ -	\$ -	NA
Appropriation Of Fund Bal	-	-	137,126	-	0.00%
Total Other Financing Sources	\$ -	\$ -	\$ 137,126	\$ -	0.00%
Total Workers' Comp Revenues	\$ 294,905	\$ 310,287	\$ 447,413	\$ 274,408	61.33%

CITY OF MONROE FINANCIAL PLAN SIF WORKERS' COMPENSATION EXPENDITURES					
Function/Activity	Actual 2021	Financial Plan 2022	Revised Plan 2022	YTD Actual 2022	% Realized
Operating					
Repairs & Maint ERP System AMA	\$ -	\$ 545	\$ 545	\$ 522	95.75%
Stop Loss Premium	-	-	-	-	NA
Insurance Consultant Expenses	13,000	14,000	14,000	13,950	99.64%
Workers Comp Ins Premiums	75,610	73,000	92,530	89,728	96.97%
Disability Claims	-	-	-	-	NA
Worker Compensation Claim	186,145	109,938	222,895	346,488	155.45%
Sub Total Operating	\$ 274,755	\$ 197,483	\$ 329,970	\$ 450,687	136.58%
Reimbursements to other funds					
Allocations Administration	\$ 95,373	\$ 103,934	\$ 103,934	\$ 95,273	91.67%
Allocations Purchasing	-	-	-	-	NA
Allocations Manual Adjs	-	8,870	13,509	12,383	91.67%
Sub Total Reimbursements to other funds	\$ 95,373	\$ 112,804	\$ 117,443	\$ 107,656	91.67%
Other Financing Uses					
TF To Gov Capital Project	\$ 76	\$ -	\$ -	\$ -	NA
Sub Total	\$ 76	\$ -	\$ -	\$ -	NA
Unreserved / Balance	\$ -	\$ -	\$ -	\$ -	NA
Total Workers' Comp Expenditures	\$ 370,204	\$ 310,287	\$ 447,413	\$ 558,344	124.79%

CITY OF MONROE BUDGET OCCUPANCY TAX FUND					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 457,800	\$ 260,565	\$ 260,565	\$ 260,565	NA
Revenues					
Restricted Intergovernmental	\$ 164,212	\$ 194,000	\$ 194,000	\$ 193,315	99.65%
Investment Earnings	(4,120)	9,217	9,217	(181)	-1.97%
Miscellaneous	-	-	-	-	NA
Sub Total	\$ 160,092	\$ 203,217	\$ 203,217	\$ 193,133	95.04%
Other Financing Sources					
Proceeds from LT Debt	\$ -	\$ -	\$ -	\$ -	NA
Transfers from Other Funds	-	-	-	-	NA
Sub Total	\$ -	\$ -	\$ -	\$ -	NA
Annual Sources of Funds	\$ 160,092	\$ 203,217	\$ 203,217	\$ 193,133	95.04%
Total Sources of Funds	\$ 617,892	\$ 463,782	\$ 463,782	\$ 453,698	97.83%
<i>Uses of Funds</i>					
Expenditures					
Operating	\$ -	\$ -	\$ -	\$ -	NA
Debt Service	254,108	240,443	240,443	222,287	92.45%
Transfers out	103,220	-	-	-	NA
Sub Total	\$ 357,328	\$ 240,443	\$ 240,443	\$ 222,287	92.45%
Total Uses of Funds	\$ 357,328	\$ 240,443	\$ 240,443	\$ 222,287	92.45%
Ending Balance	\$ 260,565	\$ 223,339	\$ 223,339	\$ 231,412	103.61%

CITY OF MONROE BUDGET OCCUPANCY TAX FUND					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Restricted Intergovernmental					
Monroe Tourism and Develo	\$ 164,212	\$ 194,000	\$ 194,000	\$ 193,315	99.65%
Total Restricted Revenue	\$ 164,212	\$ 194,000	\$ 194,000	\$ 193,315	99.65%
Investment Earnings					
Investment Earnings	\$ (4,120)	\$ 9,217	\$ 9,217	\$ (182)	-1.98%
Interest Earned Trustee	-	-	-	1	NA
Total Investment Earnings	\$ (4,120)	\$ 9,217	\$ 9,217	\$ (181)	-1.97%
Miscellaneous					
Tourism Donations-Sponsorships	\$ -	\$ -	\$ -	\$ -	NA
Cash Discounts	-	-	-	-	NA
Total Misc.	\$ -	\$ -	\$ -	\$ -	NA
Other Financing Sources					
Proceeds from Financing					
Proceeds Limited Obligation Bd	\$ -	\$ -	\$ -	\$ -	NA
Proceeds Installment Purchase	-	-	-	-	NA
Sub Total Proceeds from Financing	\$ -	\$ -	\$ -	\$ -	NA
Appropriation Of Fund Bal	-	37,226	37,226	-	0.00%
Transfers from Other Funds					
TF From General Fund	-	-	-	-	NA
TF From Occup Tax Proj Fund	-	-	-	-	NA
Sub Total Transfers from Other Funds	\$ -	\$ -	\$ -	\$ -	NA
Total Other Financing Sources	\$ -	\$ 37,226	\$ 37,226	\$ -	0.00%
Total Occupancy Tax Project Fund Revenues	\$ 160,092	\$ 240,443	\$ 240,443	\$ 193,133	80.32%

CITY OF MONROE BUDGET OCCUPANCY TAX FUND					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Operating					
Technical Contracted Services	\$ -	\$ -	\$ -	\$ -	NA
Other Operating Expense	-	-	-	-	NA
Total Operating	\$ -	\$ -	\$ -	\$ -	NA
Debt Service					
Installment Principal	\$ 115,000	\$ 120,000	\$ 120,000	\$ 120,000	100.00%
Installment Interest	138,228	119,563	119,563	101,407	84.81%
Bonds Principal	-	-	-	-	NA
Bonds Interest	-	-	-	-	NA
Bonds Admin Fees	880	880	880	880	100.00%
Debt Issuance Cost	-	-	-	-	NA
Capital Leases Principal	-	-	-	-	NA
Capital Leases Interest	-	-	-	-	NA
Total Debt Service	\$ 254,108	\$ 240,443	\$ 240,443	\$ 222,287	92.45%
Other Financing Uses					
TF To General Fund	\$ -	\$ -	\$ -	\$ -	NA
TF To Gov Capital Project	3,220	-	-	-	NA
TF To Occup Tax Proj Fund	100,000	-	-	-	NA
Sub Total Transfers to other Funds	103,220	-	-	-	NA
Total Other Financing Uses	\$ 103,220	\$ -	\$ -	\$ -	NA
Unreserved / Balance	\$ -	\$ -	\$ -	\$ -	NA
Total Occupancy Tax Project Fund Expenditures	\$ 357,328	\$ 240,443	\$ 240,443	\$ 222,287	92.45%

Notes:

(1) Monroe Science Center :
18 LOBs

2022	Balance	Payoff Yr
\$ 254,963	\$ 4,350,737	2039

CITY OF MONROE BUDGET MONROE COUNTRY CLUB BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 240,003	\$ 146,434	\$ 146,434	\$ 146,434	NA
Revenues					
Intergovernmental Restricted	\$ -	\$ -	\$ -	\$ -	NA
Sales and Services	1,105,610	933,656	933,656	1,026,990	110.00%
Miscellaneous	324	-	-	-	NA
Sub Total	\$ 1,105,935	\$ 933,656	\$ 933,656	\$ 1,026,990	110.00%
Other Financing Sources					
Transfer From Other Funds	\$ -	\$ 408,395	\$ 408,395	\$ 374,362	91.67%
Proceeds From LT Debt / Installment Pur.	-	-	-	-	NA
Inception of Lease	-	-	-	-	NA
Sub Total	\$ -	\$ 408,395	\$ 408,395	\$ 374,362	91.67%
Annual Sources of Funds	\$ 1,105,935	\$ 1,342,051	\$ 1,342,051	\$ 1,401,352	104.42%
Total Sources of Funds	\$ 1,345,938	\$ 1,488,485	\$ 1,488,485	\$ 1,547,786	103.98%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 547,198	\$ 646,808	\$ 622,308	\$ 468,482	75.28%
Capital	292,922	216,100	216,100	179,965	83.28%
Operating	352,115	471,588	497,121	375,661	75.57%
Debt Service	7,268	7,555	7,557	786	10.41%
Sub Total	\$ 1,199,503	\$ 1,342,051	\$ 1,343,086	\$ 1,024,894	76.31%
Total Uses of Funds	\$ 1,199,503	\$ 1,342,051	\$ 1,343,086	\$ 1,024,894	76.31%
Ending Balance	\$ 146,434	\$ 146,434	\$ 145,399	\$ 522,892	

Notes:

CITY OF MONROE BUDGET MONROE COUNTRY CLUB REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Restricted Intergovernmental					
Reimbursements FEMA	\$ -	\$ -	\$ -	\$ -	NA
Total Restricted Intergovernmental	\$ -	\$ -	\$ -	\$ -	NA
Sales and Services					
Merchandise for Sale	\$ 52,890	\$ 45,000	\$ 45,000	\$ 45,262	100.58%
Snack Bar	62,307	51,300	51,300	62,577	121.98%
Concessions Tournaments	11,571	6,000	6,000	3,180	53.00%
Cart Fees	243,540	189,902	189,902	234,410	123.44%
Green Fees	515,752	416,354	416,354	426,844	102.52%
Membership Dues	203,599	187,000	187,000	204,285	109.24%
Golf Lessons	350	1,400	1,400	-	0.00%
Handicap Fees	460	900	900	445	49.44%
Range Fees	8,442	5,500	5,500	7,086	128.84%
Sale of Fixed Assets	-	-	-	-	NA
Rental Discounts	-	(16,450)	(16,450)	-	0.00%
Rentals Country Club	6,700	46,750	46,750	42,900	91.76%
Rent Driving Range Bldg	-	-	-	-	NA
Total Sales and Services	\$ 1,105,610	\$ 933,656	\$ 933,656	\$ 1,026,990	22.12%
Miscellaneous					
MCC Sponsorships	\$ -	\$ -	\$ -	\$ -	NA
Miscellaneous Other	201	-	-	-	NA
Cash Discounts	123	-	-	-	NA
Total Miscellaneous	\$ 324	\$ -	\$ -	\$ -	NA
Other Financing Sources					
TF From General Fund	\$ -	\$ 408,395	\$ 408,395	\$ 374,362	91.67%
Proceeds Installment Purchase	-	-	-	-	NA
Appropriation Of Fund Bal	-	-	1,035	-	0.00%
Oth Fin Inception of Lease	-	-	-	-	NA
Total Other Financing Sources	\$ -	\$ 408,395	\$ 409,430	\$ 374,362	91.43%
Total MCC Revenues	\$ 1,105,935	\$ 1,342,051	\$ 1,343,086	\$ 1,401,352	104.34%

CITY OF MONROE BUDGET MONROE COUNTRY CLUB EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Golf Course					
Personnel					
Salary	\$ 382,552	\$ 441,882	\$ 417,382	\$ 322,970	77.38%
Overtime	75	592	592	193	32.63%
Social Security Taxes	28,024	33,299	33,299	23,905	71.79%
Life Insurance	598	711	711	472	66.41%
Employer Share Insurance	70,119	66,088	66,088	53,117	80.37%
Retirement	28,566	37,494	37,494	28,405	75.76%
401(k)	12,203	15,789	15,789	10,613	67.22%
Cell Phone Allowance	1,870	2,220	2,220	1,425	64.19%
Workers Compensation	3,342	3,384	3,384	3,102	91.67%
Temporary Labor	-	-	-	-	NA
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 527,349	\$ 601,459	\$ 576,959	\$ 444,202	76.99%
Capital & Construction					
Land	\$ -	\$ -	\$ -	\$ -	NA
Capitalized Motor Vehicles	292,922	216,100	-	-	NA
Capitalized Equipment	-	-	216,100	179,965	83.28%
Capital Lease	-	-	-	-	NA
Sub Total Capital & Construction	\$ 292,922	\$ 216,100	\$ 216,100	\$ 179,965	83.28%
Operating					
Bank Service Charges	\$ 16,420	\$ 22,000	\$ 22,000	\$ 17,219	78.27%
Financial Management	-	-	-	-	NA
Technical Contracted Services	10,360	10,360	47,860	36,300	75.85%
Repairs & Maint Equipment	18,371	20,000	26,125	20,028	76.66%
Repairs & Maint Buildings	5,133	13,300	13,300	7,615	57.26%
Repairs & Maint Grounds	13,512	35,000	35,000	19,556	55.88%
Software License & Support	2,544	2,544	2,544	2,544	100.00%
Repairs & Maint Copiers	464	120	120	74	61.93%
Repairs & Maint ERP System AMA	4,879	4,768	4,768	4,568	95.81%
Repairs & Maint Golf Course	8,525	40,400	24,275	10,238	42.18%
Repairs & Maint Golf Carts	2,586	7,000	7,000	997	14.25%
Copier Rental	-	-	-	-	NA
Vehicle Fuel	15,828	26,132	26,132	20,953	80.18%
Vehicle Maintenance	124	3,300	3,300	111	3.35%
Default Fleet Management	-	-	-	-	NA
Unemployment Insurance	221	1,000	1,000	-	0.00%
Wellness & Clinic Cost	3,333	3,270	3,270	2,998	91.67%
Property Damages	19,325	12,852	12,852	11,781	91.67%
Telecommunications	483	2,600	3,100	545	17.57%
Marketing & Promotions	-	-	-	-	NA
Public Information	930	5,000	1,500	650	43.33%
Store Credits	3,430	5,000	5,000	-	0.00%
Uniforms and Shoes	3,197	3,450	3,450	2,288	66.32%
Training and Travel Adv	-	-	-	-	NA
Training and Travel Exp	25	2,000	2,000	100	5.00%
General Supplies	2,079	2,325	2,325	2,141	92.10%
Small Equipment	492	2,000	2,000	13	0.65%
PC's Peripherals	-	1,000	1,000	869	86.87%
Chemicals & Fertilizers	68,507	69,272	69,272	65,775	94.95%
Software	-	-	-	-	NA
Utilities	33,933	41,644	41,644	39,698	95.33%
Items for Resale Merchandise	43,147	40,000	48,033	37,408	77.88%
Items for Resale Snack Bar	26,002	30,000	30,000	27,020	90.07%
Organizational Dues	1,440	1,815	1,815	1,798	99.09%
Subscriptions & Publications	-	-	-	-	NA
Bad Debt Expense	-	-	-	3	NA
Other Operating Expense	7,420	8,230	8,230	4,535	55.10%
Special Events	98	7,500	500	-	0.00%
Golf Handicap Srv	3,634	3,760	3,760	3,402	90.48%
Sub Total Operating	\$ 316,443	\$ 427,642	\$ 453,175	\$ 341,227	75.30%
Total Golf Course Division	\$ 1,136,714	\$ 1,245,201	\$ 1,246,234	\$ 965,393	77.46%

CITY OF MONROE BUDGET MONROE COUNTRY CLUB EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Ballroom					
Personnel					
Salary	\$ 16,125	\$ 37,078	\$ 37,078	\$ 20,735	55.92%
Overtime	-	544	544	-	0.00%
Social Security Taxes	1,453	2,878	2,878	1,369	47.58%
Employer Share Insurance	-	-	-	298	NA
Retirement	1,584	3,504	3,504	1,331	37.98%
401(k)	474	1,171	1,171	388	33.13%
Workers Compensation	212	174	174	160	91.67%
Temporary Labor	-	-	-	-	NA
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 19,849	\$ 45,349	\$ 45,349	\$ 24,280	53.54%
Capital & Construction					
Capitalized Motor Vehicles	-	-	-	-	NA
Sub Total Capital & Construction	\$ -	\$ -	\$ -	\$ -	NA
Operating					
Bank Service Charges	\$ 1,457	\$ 1,500	\$ 1,500	\$ 2,416	161.03%
Repairs & Maint Equipment	-	2,000	2,000	66	3.32%
Repairs & Maint Buildings	10,964	10,450	10,450	8,088	77.40%
Repairs & Maint Grounds	4,192	4,209	4,209	-	0.00%
Wellness & Clinic Cost	-	-	-	-	NA
Property Damages	1,779	3,250	3,250	2,979	91.67%
Telecommunications	296	315	315	266	84.44%
Uniforms and Shoes	-	-	-	-	NA
General Supplies	-	-	-	116	NA
Small Equipment	-	2,200	2,200	256	11.65%
PC's Peripherals	-	-	-	-	NA
Utilities	15,824	17,822	17,822	17,840	100.10%
Subscriptions & Publications	-	-	-	-	NA
Other Operating Expense	1,160	2,200	2,200	2,408	109.44%
Sub Total Operating	\$ 35,673	\$ 43,946	\$ 43,946	\$ 34,435	78.36%
Total Ballroom Division	\$ 55,521	\$ 89,295	\$ 89,295	\$ 58,715	65.75%
Debt Service					
Installment Purchase Agreements					
Installment Principal	\$ 5,914	\$ 6,028	\$ 6,028	\$ (25)	-0.42%
Installment Interest	1,354	1,169	1,169	484	41.40%
Capital Leases Principal	-	314	318	285	89.48%
Capital Leases Interest	-	44	42	43	102.88%
Total MCC Debt Service	\$ 7,268	\$ 7,555	\$ 7,557	\$ 786	10.41%
Total MCC Fund Expenditures	\$ 1,199,503	\$ 1,342,051	\$ 1,343,086	\$ 1,024,894	76.31%

NOTES:

Other:

2020 New ERP System (share)

2022	Balance	Payoff Year
\$ 7,196	\$ 57,513	2030
\$ 7,196	\$ 57,513	

CITY OF MONROE BUDGET MONROE-UNION COUNTY ECONOMIC DEVELOPMENT					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 433,757	\$ 472,545	\$ 472,545	\$ 472,545	NA
Revenues					
Restricted Revenues	\$ 420,000	\$ 424,000	\$ 424,000	\$ 424,000	100.00%
Investment Earnings ⁽¹⁾	(2,851)	4,174	4,174	(347)	-8.31%
Miscellaneous	-	-	-	-	NA
Sub Total	\$ 417,149	\$ 428,174	\$ 428,174	\$ 423,653	98.94%
Other Financing Sources					
Transfer From Other Funds	\$ 315,000	\$ 318,000	\$ 318,000	\$ 318,000	100.00%
Installment Purchase Contract	-	-	-	-	NA
Inception of Lease	-	-	-	-	NA
Sub Total	\$ 315,000	\$ 318,000	\$ 318,000	\$ 318,000	100.00%
Annual Sources of Funds	\$ 732,149	\$ 746,174	\$ 746,174	\$ 741,653	99.39%
Total Sources of Funds	\$ 1,165,906	\$ 1,218,719	\$ 1,218,719	\$ 1,214,198	99.63%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 398,810	\$ 427,788	\$ 427,788	\$ 364,114	85.12%
Capital	42,412	-	-	-	NA
Operating	227,292	314,269	699,769	240,701	34.40%
Debt Service ⁽²⁾	2,447	4,117	4,124	1,575	38.20%
Transfers out	22,400	-	-	-	NA
Sub Total	\$ 693,361	\$ 746,174	\$ 1,131,681	\$ 606,390	53.58%
Total Uses of Funds	\$ 693,361	\$ 746,174	\$ 1,131,681	\$ 606,390	53.58%
Ending Balance	\$ 472,545	\$ 472,545	\$ 87,038	\$ 607,808	

Notes:

⁽¹⁾ Investment Earnings are distributed among all funds each quarter.⁽²⁾ Debt Service represents a city-wide capital lease for copiers.

CITY OF MONROE BUDGET MONROE-UNION COUNTY ECONOMIC DEVELOPMENT					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Restricted Revenues					
Interlocal Agreemnt Econ Dev	\$ 420,000	\$ 424,000	\$ 424,000	\$ 424,000	100.00%
Total Restricted Revenues	\$ 420,000	\$ 424,000	\$ 424,000	\$ 424,000	100.00%
Investment Earnings					
Investment Earnings	\$ (2,851)	\$ 4,174	\$ 4,174	\$ (347)	-8.31%
Total Investment Earnings	\$ (2,851)	\$ 4,174	\$ 4,174	\$ (347)	-8.31%
Miscellaneous					
Miscellaneous Reimbursements	\$ -	\$ -	\$ -	\$ -	NA
EconDev Donations-Sponsorships	-	-	-	-	NA
Total Miscellaneous	\$ -	\$ -	\$ -	\$ -	NA
Other Financing Sources					
TF From General Fund	\$ 315,000	\$ 318,000	\$ 318,000	\$ 318,000	100.00%
Proceeds Installment Purchase	-	-	-	-	NA
Appropriation Of Fund Bal	-	-	385,507	-	0.00%
Oth Fin Inception of Lease	-	-	-	-	NA
Total Other Financing Sources	\$ 315,000	\$ 318,000	\$ 703,507	\$ 318,000	45.20%
Total MUCED Revenues	\$ 732,149	\$ 746,174	\$ 1,131,681	\$ 741,653	65.54%

TABLE 15C
CITY OF MONROE BUDGET
MONROE-UNION COUNTY ECONOMIC DEVELOPMENT

Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Personnel					
Salary	\$ 275,210	\$ 291,589	\$ 291,589	\$ 249,344	85.51%
Overtime	\$ -	\$ -	\$ -	\$ 128	NA
Car Allowance	6,000	6,017	6,017	5,538	92.05%
Social Security Taxes	20,267	21,725	21,725	17,748	81.69%
Life Insurance	557	640	640	563	87.93%
Employer Share Insurance	52,478	59,691	59,691	48,700	81.59%
Retirement	27,750	32,761	32,761	29,075	88.75%
401(k)	13,554	12,543	12,543	10,431	83.16%
Cell Phone Allowance	-	-	-	-	NA
Workers Compensation	2,994	2,822	2,822	2,587	91.67%
Temporary Labor	-	-	-	-	NA
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 398,810	\$ 427,788	\$ 427,788	\$ 364,114	85.12%
Capital & Construction					
Capitalized Motor Vehicles	\$ 42,412	\$ -	\$ -	\$ -	NA
Capital Lease	-	-	-	-	NA
Sub Total Capital & Construction	\$ 42,412	\$ -	\$ -	\$ -	NA
Operating					
Management Services	\$ 54,300	\$ 79,000	\$ 57,750	\$ 34,983	60.58%
Technical Contracted Services	-	-	41,500	31,612	76.17%
Software License & Support	1,439	50	200	-	0.00%
Repairs & Maint Copiers	2,630	900	1,200	1,270	105.84%
Repairs & Maint ERP System AMA	1,689	1,674	1,674	1,604	95.80%
Copier Rental	-	-	-	-	NA
Land & Building Rental	36,600	36,600	276,600	36,600	13.23%
Vehicle Fuel	488	1,059	1,059	1,132	106.87%
Vehicle Maintenance	645	1,200	1,200	421	35.08%
Default Fleet Management	-	-	-	-	NA
Unemployment Insurance	27	123	123	-	0.00%
Wellness & Clinic Cost	2,222	2,180	2,180	1,998	91.67%
Property Damages	814	880	880	807	91.66%
Telecommunications	2,392	2,160	2,160	2,163	100.15%
Marketing & Promotions	94,205	111,643	131,893	83,404	63.24%
Training and Travel Adv	-	-	-	(582)	NA
Training and Travel Exp	2,037	56,500	34,027	13,058	38.37%
General Supplies	260	5,000	2,623	2,444	93.16%
Small Equipment	3,347	-	60,400	374	0.62%
PC's/Peripherals	3,592	1,000	61,000	8,702	14.27%
Utilities	-	-	-	-	NA
Organizational Dues	7,466	3,800	3,800	3,150	82.89%
Subscriptions & Publications	1,273	500	1,500	1,337	89.11%
Bad Debt Expense	-	-	-	14	NA
Other Operating Expense	11,866	10,000	18,000	16,212	90.07%
Special Events	-	-	-	-	NA
Sub Total Operating	\$ 227,292	\$ 314,269	\$ 699,769	\$ 240,701	34.40%
MUCED Debt Service					
Installment Principal	\$ 1,991	\$ 2,030	\$ 2,030	\$ (120)	-5.91%
Installment Interest	456	394	394	144	36.46%
Capital Leases Principal	-	1,485	1,502	1,347	89.69%
Capital Leases Interest	-	208	198	205	103.32%
Total Debt Service	\$ 2,447	\$ 4,117	\$ 4,124	\$ 1,575	38.20%
Other Financing Uses					
TF To General Fund	\$ -	\$ -	\$ -	\$ -	NA
TF To Gov Capital Project	22,400	-	-	-	NA
Sub Total	\$ 22,400	\$ -	\$ -	\$ -	NA
Unreserved / Balance	\$ -	\$ -	\$ -	\$ -	NA
Total MUCED	\$ 693,361	\$ 746,174	\$ 1,131,681	\$ 606,390	53.58%

CITY OF MONROE BUDGET COMMUNITY DEVELOPMENT BUDGET SUMMARY					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 56,562	\$ 56,562	\$ 56,562	\$ 56,562	NA
Revenues					
Miscellaneous ⁽¹⁾	\$ -	\$ -	\$ -	\$ -	NA
Sub Total	\$ -	\$ -	\$ -	\$ -	NA
Annual Sources of Funds	\$ -	\$ -	\$ -	\$ -	NA
Total Sources of Funds	\$ 56,562	\$ 56,562	\$ 56,562	\$ 56,562	100.00%
<i>Uses of Funds</i>					
Expenditures					
Operating	\$ -	\$ -	\$ -	\$ -	NA
Sub Total	\$ -	\$ -	\$ -	\$ -	NA
Total Uses of Funds	\$ -	\$ -	\$ -	\$ -	NA
Ending Balance	\$ 56,562	\$ 56,562	\$ 56,562	\$ 56,562	100.00%

⁽¹⁾ Winchester loan repayments

06/1/2022

CITY OF MONROE BUDGET GOVERNMENT CAPITAL RESERVE BUDGET SUMMARY					
Sources and Uses of Funds	Reserve To Date		Revised Budget 2022	YTD Actual 2022	% Realized
	Actual 2021	Budget 2021			
<i>Sources of Funds</i>					
Revenues					
Investment Earnings	\$ 17,746	\$ 3,993	\$ -	\$ (126)	0.00%
Transfers from Other Funds	600,000	600,000	-	-	0.00%
Sub Total	\$ 617,746	\$ 603,993	\$ -	\$ (126)	0.00%
Annual Sources of Funds	\$ 617,746	\$ 603,993	\$ -	\$ (126)	0.00%
Total Sources of Funds	\$ 617,746	\$ 603,993	\$ -	\$ (126)	0.00%
<i>Uses of Funds</i>					
Expenditures					
Transfer to General Capital Projects Fund	\$ 400,000	\$ 400,000	\$ -	-	0.00%
Sub Total	\$ 400,000	\$ 400,000	\$ -	-	0.00%
Total Uses of Funds	\$ 400,000	\$ 400,000	\$ -	-	0.00%
Total Governmental Capital Reserve for future expenditures	\$ 217,746	\$ 203,993	\$ -	\$ (126)	0.00%
Reserve Balance				\$ 217,620	

⁽¹⁾ Government Capital Reserve Fund was establish in May 2013 by City Council for constructing greenways (R-2013-11). This fund will remain operational for a period not to exceed six years (beginning July 1, 2013 and ending June 30, 2019) or until a cumulative sum not to exceed six hundred thousand (\$600,000) has been received.

CITY OF MONROE BUDGET CENTER THEATRE					
Sources and Uses of Funds	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
<i>Sources of Funds</i>					
Beginning Balance	\$ 504,226	\$ 1,105,553	\$ 1,105,553	\$ 1,105,553	NA
Revenues					
Sales and Services	\$ 1,260	\$ 411,918	\$ 411,918	\$ 124,634	30.26%
Investment Earnings ⁽¹⁾	16	-	-	1	NA
Miscellaneous	581,648	266,588	266,588	25,399	9.53%
Sub Total	\$ 582,924	\$ 678,506	\$ 678,506	\$ 150,034	22.11%
Other Financing Sources					
Transfer From Other Funds	\$ 574,615	\$ 208,624	\$ 208,624	\$ 191,239	91.67%
Proceeds from Debt	-	-	-	-	NA
Inception of Lease	-	-	-	-	
Sub Total	\$ 574,615	\$ 208,624	\$ 208,624	\$ 191,239	91.67%
Annual Sources of Funds	\$ 1,157,539	\$ 887,130	\$ 887,130	\$ 341,273	38.47%
Total Sources of Funds	\$ 1,661,765	\$ 1,992,683	\$ 1,992,683	\$ 1,446,826	72.61%
<i>Uses of Funds</i>					
Expenditures					
Personnel	\$ 141,392	\$ 259,660	\$ 259,660	\$ 194,534	74.92%
Capital	-	-	-	-	NA
Operating	75,807	499,841	510,537	163,009	31.93%
Debt Service	339,013	327,629	327,631	294,099	89.77%
Sub Total	\$ 556,212	\$ 1,087,130	\$ 1,097,828	\$ 651,642	59.36%
Total Uses of Funds	\$ 556,212	\$ 1,087,130	\$ 1,097,828	\$ 651,642	59.36%
Ending Balance	\$ 1,105,553	\$ 905,553	\$ 894,855	\$ 795,185	

Notes:

⁽¹⁾ Investment Earnings are distributed among all funds each quarter.

CITY OF MONROE BUDGET CENTER THEATRE REVENUES					
Revenue Sources	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Sales and Services					
Merchandise for Sale	\$ -	\$ 30,000	\$ 30,000	\$ -	0.00%
Theatre Ticket Sales	-	95,013	95,013	84,934	89.39%
User Fees/Technical Labor	(240)	70,584	70,584	1,000	1.42%
User Fees/Equip Rentals	-	35,292	35,292	1,050	2.98%
User Fees/Event Staff	-	42,350	42,350	-	0.00%
User Fees/Event Cleaning	(100)	21,175	21,175	1,500	7.08%
Rent Center Theatre Facil	1,600	117,504	117,504	36,150	30.76%
Total Sales and Services	\$ 1,260	\$ 411,918	\$ 411,918	\$ 124,634	30.26%
Investment Earnings					
Investment Earnings	\$ 16	\$ -	\$ -	\$ 0	NA
Interest Earned Trustee	-	-	-	1	NA
Total Investment Earnings	\$ 16	\$ -	\$ -	\$ 1	NA
Miscellaneous					
Miscellaneous Reimbursements	\$ -	\$ -	\$ -	\$ -	NA
Theatre Donations/Sponsorships	581,648	146,875	146,875	26,955	18.35%
Theatre Foundation Grants	-	-	-	-	NA
Miscellaneous Other	-	-	-	1	NA
Cash Discounts	-	-	-	(10,088)	NA
Misc Ticketing Fees	-	53,189	53,189	6,578	12.37%
Misc Annual Membership	-	10,710	10,710	-	0.00%
Misc Program Advertising	-	2,625	2,625	-	0.00%
Misc Facility Fees	-	53,189	53,189	1,953	3.67%
Total Miscellaneous	\$ 581,648	\$ 266,588	\$ 266,588	\$ 25,399	9.53%
Other Financing Sources					
Transfers from other funds					
TF From General Fund	\$ 574,615	\$ 208,624	\$ 208,624	\$ 191,239	91.67%
Sub Total Interfund Transfers	\$ 574,615	\$ 208,624	\$ 208,624	\$ 191,239	91.67%
Proceeds From LT Debt / Installment Purchase Cont					
Proceeds Limited Obligation Bd	\$ -	\$ -	\$ -	\$ -	NA
Proceeds Installment Purchase	-	-	-	-	NA
Sub Total Proceeds from Debt	\$ -	\$ -	\$ -	\$ -	NA
Appropriation Of Fund Bal	\$ -	\$ 200,000	\$ 210,698	\$ -	0.00%
Oth Fin Inception of Lease	\$ -	\$ -	\$ -	\$ -	NA
Total Other Financing Sources	\$ 574,615	\$ 408,624	\$ 419,322	\$ 191,239	45.61%
Total Center Theatre Revenues	\$ 1,157,539	\$ 1,087,130	\$ 1,097,828	\$ 341,273	31.09%

Notes:

CITY OF MONROE BUDGET CENTER THEATRE EXPENDITURES					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Center Theatre Operations					
Personnel					
Salary	\$ 109,706	\$ 162,793	\$ 162,793	\$ 143,466	88.13%
Overtime	-	-	-	-	NA
PT Staffing (Pool)	-	31,531	31,531	-	0.00%
Social Security Taxes	8,428	14,976	14,976	10,970	73.25%
Life Insurance	241	357	357	319	89.42%
Employer Share Insurance	7,439	27,324	27,324	18,643	68.23%
Retirement	10,974	14,250	14,250	16,224	113.85%
401(k)	4,029	6,683	6,683	3,486	52.16%
Cell Phone Allowance	575	1,020	1,020	760	74.51%
Workers Compensation	-	726	726	666	91.67%
Pay Adjustments	-	-	-	-	NA
Sub Total Personnel	\$ 141,392	\$ 259,660	\$ 259,660	\$ 194,534	74.92%
Capital					
Capitalized Motor Vehicles	\$ -	\$ -	\$ -	\$ -	NA
Capitalized Equipment	-	-	-	-	NA
Capital Outlay Buildings	-	-	-	-	NA
Capital Lease	-	-	-	-	NA
Sub Total Capital	\$ -	\$ -	\$ -	\$ -	NA
Operating					
Bank Service Charges	\$ -	\$ 3,150	\$ 3,150	\$ 6,594	209.33%
Technical Contracted Services	8,628	5,400	5,400	8,240	152.59%
Repairs & Maint Equipment	424	5,100	5,100	-	0.00%
Repairs & Maint Buildings	3,533	10,710	15,401	4,664	30.28%
Repairs & Maint Grounds	-	-	-	-	NA
Software License & Support	-	5,319	5,319	1,185	22.28%
Repairs & Maint Copiers	449	100	100	54	53.91%
Equipment Rentals	-	-	-	-	NA
Copier Rental	-	-	-	-	NA
Wellness & Clinic Cost	1,667	1,635	1,635	1,499	91.67%
Property Damages	5,000	1,743	1,743	1,598	91.67%
Telecommunications	-	5,000	5,000	1,170	23.40%
Marketing & Promotions	103	6,300	11,623	9,322	80.21%
Printing	-	13,297	13,297	-	0.00%
Training and Travel Adv	-	-	-	-	NA
Training and Travel Exp	94	2,000	2,000	5	0.27%
General Supplies	3,418	10,059	10,059	4,174	41.49%
Postage	-	7,978	7,978	-	0.00%
Small Equipment	24,921	6,300	10,145	60	0.59%
PC's Peripherals	1,015	-	-	1,611	NA
Utilities	22,797	63,000	63,000	21,485	34.10%
Items for Resale Merchandise	-	25,000	25,000	-	0.00%
Organizational Dues	-	-	-	-	NA
Subscriptions & Publications	-	4,200	4,200	70	1.67%
Bad Debt Expense	-	-	-	3	NA
Other Operating Expense	708	1,000	1,000	291	29.05%
Special Events	-	2,550	2,550	1,306	51.21%
Fund Raising	2,349	20,000	21,935	-	0.00%
Programming Events & Film	700	300,000	294,902	99,678	33.80%
Sub Total Operating	\$ 75,807	\$ 499,841	\$ 510,537	\$ 163,009	31.93%
Total Center Theatre Operations	\$ 217,199	\$ 759,501	\$ 770,197	\$ 357,543	46.42%

CITY OF MONROE BUDGET CENTER THEATRE					
Function/Activity	Actual 2021	Original Budget 2022	Revised Budget 2022	YTD Actual 2022	% Realized
Debt Service					
Installment Principal	\$ 190,300	\$ 185,975	\$ 185,975	\$ 185,950	99.99%
Installment Interest	147,785	140,368	140,368	106,815	76.10%
Bonds Principal	-	-	-	-	NA
Bonds Interest	-	-	-	-	NA
Bonds Admin Fees	928	928	928	928	100.00%
Debt Issuance Cost	-	-	-	-	NA
Capital Leases Principal	-	314	318	285	89.48%
Capital Leases Interest	-	44	42	122	289.31%
Total Center Theatre Debt Service	\$ 339,013	\$ 327,629	\$ 327,631	\$ 294,099	89.77%
Total Center Theatre Expenditures	\$ 556,212	\$ 1,087,130	\$ 1,097,828	\$ 651,642	59.36%

NOTES:

Center Theatre Debt Service :
18 LOBs (Center Theatre)

2022	Balance	Payoff Yr
\$ 328,246	\$ 4,293,698	2039

CITY OF MONROE
GENERAL FUND BALANCE
AS OF 6/14/2022

			NON SPENDABLE		RESTRICTED					ASSIGNED			UNASSIGNED	Total Fund Balance
			Inventories	Prepaid	Restricted by State Statute	Streets (Powell Bill)	Public Safety	Culture and Recreation	Building Permits Net Revenue	City's Fund Balance Policy ⁽¹⁾	Subsequent Year's Expenditures ⁽³⁾	Formal Assignments		
As of June 30, 2021			\$ 270,086	\$ 178,727	\$ 5,615,859	\$ 1,147,750	\$ 458,801	\$ 1,096,868	\$ 315,785	\$ 11,657,732	\$ 3,419,857	\$ 3,300,395	\$ 11,183,065	\$ 38,644,925 ⁽⁴⁾
FY22	Date	Description												
BO-2021-05	6/8/21	Appropriations included in FY22 Council Adopted Budget ⁽³⁾				\$ 63,254		\$ 200,000			\$ 3,419,857	\$ -		
JV # 864/874	7/1/21	Prior Year encumbrances rolled forward			\$ 857,511									
BO-2021-12	7/14/21	Funding construction of the Charlotte Avenue Parking Lot.										\$ 500,000		
BA-2021-16	9/28/21	Operating expenditures left out of BO-2021-05 for new personnel.											\$ 71,441	
BA-2021-17	9/28/21	FY21 unspent appropriations rolled forward to FY22					\$ 45,606	\$ 995					\$ 42,611	
BA-2021-17	9/28/21	FY21 unspent appropriations rolled forward to new special revenue fund, Police Forfeiture Funds ⁽²⁾					\$ 366,366							
BA-2021-20	10/12/21	Street resurfacing funding											\$ 1,000,000	
BA-2021-18	10/12/21	Science Center Signage honoring Dr. Christine Mann Darden											\$ 87,670	
BO-2021-14	10/12/21	Fire Station #6 project funding											\$ 5,000,000	
BA-2021-14	11/9/21	Downtown Parking Study											\$ 50,000	
BA-2021-21	11/9/21	Extended facilitator services Insight Consultants											\$ 12,000	
BA-2021-14	12/13/21	Appropriate travel and discretionary funds to newly elected Council Members											\$ 12,000	
BA-2022-01	1/11/22	FY21 unspent appropriations rolled forward to FY22 - Hazmat Materials					\$ 911						\$ 119	
BA-2022-01	1/11/22	Funding for damaged vehicle replacement											\$ 20,000	
BA-2022-01	1/11/22	Additional funds needed for ARPA grant funded Accounting position											\$ 29,156	
BA-2022-03	2/8/22	Office Space Renovations Quonset Hangar										\$ 42,000		
BA-2022-04	2/8/22	Customs Service Telecom Shortfall										\$ 4,741		
BO-2022-04	3/8/22	Additional funding needed for new Senior Center Bldg.											\$ 621,966	
BA-2022-09	3/8/22	Resolve issue with Trees on north end of the runway										\$ 2,000		
BA-2022-11	4/12/22	Record leases per GASB 87											\$ 146	
BO-2022-05	4/12/22	Increase construction costs for Morgan-Windsor Alley project											\$ 821,190	
BA-2022-12	4/12/22	Downtown Master Plan update											\$ 50,000	
BA-2022-07	4/12/22	Downtown Incentive program (Bowhaus Boutique)											\$ 10,190	
BA-2022-18	5/10/22	Legal expenses for the Amotion hearing were unanticipated.											\$ 200,000	
BA-2022-19	5/10/22	Increase cost of Police Vehicles being replaced in FY22											\$ 110,000	
BA-2022-22	6/14/22	Cover revenue losses for the Dowd Center Theatre						\$ 60,000					\$ 126,000	
BO-2022-12	6/14/22	Grant Match for Airport Apron Rehabilitation areas A, B, and half of C.										\$ 1,976		
			\$ -	\$ -	\$ 857,511	\$ 63,254	\$ 412,883	\$ 260,995	\$ -	\$ -	\$ 3,419,857	\$ 550,717	\$ 8,264,489	
			\$ 270,086	\$ 178,727	\$ 4,758,348	\$ 1,084,496	\$ 45,918	\$ 835,873	\$ 315,785	\$ 11,657,732	\$ -	\$ 2,749,678	\$ 2,918,576	

Notes:

- (1) Per the General Fund Balance policy, the City will assign the greater of \$7.5 million or 25% of the next year's original adopted budget, net of Federal and State pass-through revenues, from the unassigned fund balance.
- (2) A new special revenue fund for Federal Police Asset Forfeiture Funds was set up in FY22. This reduces the restricted for public safety amount in the General Fund, (\$366K).
- (3) Appropriations General Fund Balance FY22

	<u>Unassigned</u>	<u>Restricted</u>
Original Budget :		\$ 200,000
Center Theatre Donations		
Annual Tee Box Funding	\$ 50,000	
Annual Greenway Funding	100,000	
1620 Landscape Trk #2101	44,000	
1620 Maint Svc Van #2199	44,000	
1620 Roof-Mars Mtg Rm	70,000	
1620 Roof-Bazemore	70,000	
2020 Trk #2576	30,000	
5510 2-Thermal Img Cameras	20,000	
5510 6-800Mhz Radios	40,000	
6010 Blade Chassis	21,000	
6010 Video Camera Storage	60,000	
6010 Fiber Optics For Sys Backbone	180,000	
7011 Bus #1937	30,000	
7011 Athletic Dir Trk #2158	40,000	
7012 Replace Mowers #1924 & #1926	27,000	
7012 Replace Trk #2378	40,000	
7012 Replace Leaf Trk #2180	210,000	
7012 Auto Gate-Maint Shop	22,000	
7012 Fence Replacement & Repair @ Shop	25,000	
7030 Replace Rough Mower #1745	41,000	
7030 Replace Sprayer #1759	66,000	
7030 Replace Fairway Mower	79,000	
7030 3-Ventricutting Reel	10,100	
7030 Greens Roller	20,000	
Repl Roof At Driving Range	5,000	
Fire Station 1,2,5 Renovations	100,000	
Ops Ctr Pkg Lot	24,167	
Demo Of 113 W Morgan	300,000	
Morgan-Windsor Alley	500,000	
Economic Incentive Grants	1,062,590	
Powell Bill Reserves	-	63,254
Pay Study For Gen Fund	57,000	
Resurface Basketball Court (Dickerson)	22,000	
Downtown Street Furniture	10,000	
	\$ 3,419,857	\$ 263,254
- (4) Revised to agree with ACFR

FY22 ADOPTED BUDGET			
GEN FUND EXP.	GRANTS/Reimb	NET EXP.	x 25% =
\$ 47,499,818	\$ (868,889)	\$ 46,630,929	\$ 11,657,732
Funds 110,130,131 & 120 per BO-2021-05			



STAFF REPORT

TO: City Council

VIA: Brian J. Borne, City Manager

DATE: July 12, 2022

FROM: Bridgette H. Robinson, City Clerk

PREPARED BY: Sherry K. Hicks, Deputy City Clerk

SUBJECT: Summary of Contracts Awarded, Change Orders Approved and City Manager's Settlement of Claims for June 2022

SUMMARY STATEMENT

To inform City Council of the award of contracts pursuant to Ordinance O-2001-17, Change Orders (CO) approved pursuant to Resolution R-2000-76 and Settlement Claims pursuant to Ordinance O-2018-50.

REVIEW

The following is a summary of contracts recently awarded and approved change orders for the month of June 2022.

Name	Purpose	Fiscal Impact	
		Fund	Amount
(6332) Seven Oaks Doors & Hardware	Replacement and repairs of doors and partitions	(7040) Park & Recreation-MAFC	*\$1,500.00
(11439) Precision Environmental, Inc.	Asbestos pipe testing, analysis & reporting	(8025) Water and Sewer-Construction	*\$1,659.00
(7741) Justin R. Melton	Removal of a large cedar tree in Downtown	(4520) Downtown Monroe-MuniServDist	*\$3,500.00
(1409) Puraqua Products, Inc.	To purchase, deliver and install indoor pool pump	(7040) Park & Recreation-MAFC	*\$4,722.50
(11440) David C. Beeardslee	Repairs to fleet vehicles	(2031) Finance-Fleet	*\$4,999.00

(292) J F Acquisition, LLC	Repair to fuel management facilities	(2030) Finance-Purchasing	*\$2,400.00
(605) Walker & Whiteside, Inc.	Emergency repair – Airport Beacon	(8620) Airport-Operations	*\$1,040.00
(9706) Frazier Engineering, PA	Engineering svc to include flow metering	(8040) WR Waste Treatment Plant	\$46,250.00
(11446) Julio F Jaso	CIP planning and budgeting software	(2015) Finance-Administration	\$5,070.00
(6600) Tina Gibson	Professional Sound Engineer	(7150) Park & Recreation-Center Theat	*\$500.00
(11186) The Gourmet Castle	Catering for Russ Colbath Retirement	(8010) Water and Sewer-Administration	*\$4,841.91
(11445) Hughes Floor Covering, Inc.	Replace common area carpet at Operations Center	(8010) Water and Sewer-Administration	\$12,953.34
(8025) Charles R. Underwood, Inc.	Replace EQ #1 return pumps	(8040) WR Waste Treatment Plant	\$16,195.00
(212) Border States Industries, Inc.	Security Manager Software install and training	(8220) Electrical-Maintenance/Cost	*\$3,600.00
(11308) Dovetailed Classics, Inc.	Custom display cases/cabinetry	(4630) Tourism Dev-Mnr Science Center	*\$2,000.00
*Approved by Department Director		TOTAL	\$111,230.75

No settlement claims to report.

RECOMMENDATION

No action required – for Council Information only.