



**TOWN OF DAVIDSON
BOARD OF COMMISSIONERS
Town Hall Board Room - 216 S. Main Street**

January 9, 2018

WORK SESSION - 4:00 PM

(Held in the Town Hall Meeting Room)

I. DISCUSSION ITEMS

- (a) Discuss Proposed Watershed Ordinance Changes - Planning Director Jason Burdette
 - (b) Discuss Missing Middle Text Amendments and Additional Public Input - Planning Director Jason Burdette
-

REGULAR BOARD OF COMMISSIONERS MEETING - 6:00 PM

(Held in the Town Hall Meeting Room)

I. CALL TO ORDER

II. ANNOUNCEMENTS

- (a) Proclamation - Martin Luther King, Jr. Day

III. CHANGES TO AGENDA

IV. PUBLIC COMMENTS

V. PRESENTATIONS

- (a) Launch of New Mobile App and SeeClickFix - Public Information Officer Cristina Shaul
- (b) Briefing on Davidson Mobility Plan - Planning Director Jason Burdette, Senior Planner Travis Johnson, Wade Walker (Alta Planning)

VI. CONSENT

- (a) Consider Approval of Draft December Meeting Minutes
- (b) Consider Approval of Revised Regular Meeting Schedule

VII. NEW BUSINESS

- (a) Consider Approval of Rules of Procedure - Town Manager Jamie Justice
- (b) Consider Researching Changes to the Planning Process
- (c) Consider Community Dinners Program

VIII. SUMMARIZE MEETING ACTION ITEMS

IX. ADJOURN



Agenda Title: Discuss Proposed Watershed Ordinance Changes - Planning Director Jason Burdette

Summary: Per Mecklenburg County's recommendation, planning staff proposes changes to Section 17 (Watershed) of the planning ordinance.

ATTACHMENTS:

Description	Upload Date	Type
❑ Watershed Ordinance Memo	1/4/2018	Cover Memo
❑ Presentation - Watershed Ordinance	1/4/2018	Presentation



MEMO

Date: January 9, 2018
To: Board of Commissioners
From: Jason Burdette, Planning Director
Re: DPO Section 17 (Watershed Ordinance) - Text Amendments

1. INTRODUCTION

This memorandum summarizes why updates to DPO Section 17 are being undertaken, provides an overview of proposed changes, and discusses the status of the update and next steps in the process.

PURPOSE

In March of 2017, Charlotte-Mecklenburg Stormwater Services suggested that Davidson update DPO Section 17 to clarify standards, address inconsistencies, and remove inapplicable sections in the Davidson Watershed Ordinance. Mecklenburg County provided a preliminary list of recommended changes to Davidson's Watershed Ordinance on March 10, 2017. Staff worked to incorporate these suggested changes, as well as additional changes to Section 17 to further clarify standards and remove confusing/conflicting language.

2. OVERVIEW OF PROPOSED CHANGES

Proposed changes to DPO Section 17 include the following:

- **Section 17.3: Definitions**
 - Add definitions for "Existing Development" and "Redevelopment."
 - Remove definition for "Cluster Development."
 - Revise definitions for "High Density Option" and "Low Density Option."
 - Revise definitions for "Variance, Major" and "Variance, Minor," consistent with definitions used in 15A NCAC 02B .0202.
- **Section 17.6: Exceptions to Applicability**
 - Update language under 17.6.1 Existing Development to clarify standards, consistent with state statute 15A NCAC 02B .0104(q).
 - Update language under 17.6.2 Existing Lot (Lot of Record) to clarify standards, consistent with state statute 15A NCAC 02B .0104(q). Remove the exemption for single-family residential development on lots of record, per Mecklenburg County's recommendation.
 - Remove 17.6.3 Nonconforming Situations, as this section is unnecessary and inconsistent with DPO Section 12.

- Remove 17.6.4 Existing Development, as this is a repeat of Section 17.6.1
- Add a new Section 17.6.3 entitled “Redevelopment” to allow for flexibility in the redevelopment of parcels located in the Village Center and Village Commerce Planning Areas, not subject to the requirements of the watershed ordinance if the following conditions are satisfied:
 - The redevelopment will not result in a net increase in built upon area from the previous development and will provide greater or equal storm water control than the previous development; or
 - The redevelopment will result in the disturbance of less than one acre
- **Section 17.7: Watershed Subareas Established**
 - Update language under 17.7 to clarify that there is no Lake Norman Protected Area located within the jurisdiction of the Town of Davidson
 - Update language under 17.7.1 Critical Area (CA) to clarify the intent of the Watershed Ordinance standards
 - Under 17.7.1.1 Allowed Uses, subsection C, remove “(Single-family, manufactured homes, manufactured home parks, two-family, multi-family and cluster developments)”
 - Update language under 17.7.1.2 Built-Upon Area Limits to clarify standards, remove maximum of two dwelling units per acre rule and add a requirement for reserve built-upon area
 - Remove 17.7.2 Cluster Development, as the Town no longer allows this development type
 - Update language under 17.7.3 High Density Option to clarify general requirements
 - Update/remove incorrect ordinance references throughout 17.7.3 High Density Option
 - Update language under 17.7.4 Buffer Areas Required, subsection A to clarify standards
- **Section 17.7.9 Variances**
 - Under 17.7.9.A, remove the note “Any request to vary maximum density or built-upon areas shall be deemed a major variance request,” as this is inconsistent with 15A NCAC 02B .0202.
- **Section 17.8: Density Averaging**
 - Rework entire section to clarify the purpose, eligibility, process, documentation and requirements for Density Averaging.
 - Remove references to the “Lake Norman Protected Area” of the watershed.

3. STATUS OF REVIEW/NEXT STEPS

STATUS & NEXT STEPS

A draft of DPO Section 17 with proposed changes has been approved by both Mecklenburg County and the NC State Department of Environmental Quality (NCDEQ). Section 17 text amendments will follow the process under DPO Section 14.19 for Changes and Amendments to the Planning Ordinance.

SECTION 17 TEXT AMENDMENTS – OVERVIEW

TOPICS COVERED

1. **Purpose Overview**
2. **Proposed Changes**
3. **Current Status & Next Steps**



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Section 17 - Text Amendments
Board of Commissioners Work Session
Jason Burdette, Planning Director
January 9, 2018

SECTION 17 - TEXT AMENDMENTS

PURPOSE

In March 2017, Charlotte-Mecklenburg Stormwater Services suggested that Davidson update our Watershed Ordinance to:

- 1. Clarify Standards**
 - 2. Address Inconsistencies**
 - 3. Remove Inapplicable Sections**
-
- **Summary of Proposed Changes:**
 - Section 17.3: Definitions
 - Section 17.6: Exceptions to Applicability
 - Section 17.7: Watershed Subareas Established
 - Section 17.8: Density Averaging



SECTION 17 - TEXT AMENDMENTS

HIGHLIGHTS

■ SECTION 17.3: DEFINITIONS

- Add definitions for “Existing Development” and “Redevelopment”
- Remove definition for “Cluster Development”
- Revise definitions for “High Density Option” and “Low Density Option”
- Revise definitions for “Variance, Major” and “Variance, Minor”



SECTION 17 - TEXT AMENDMENTS

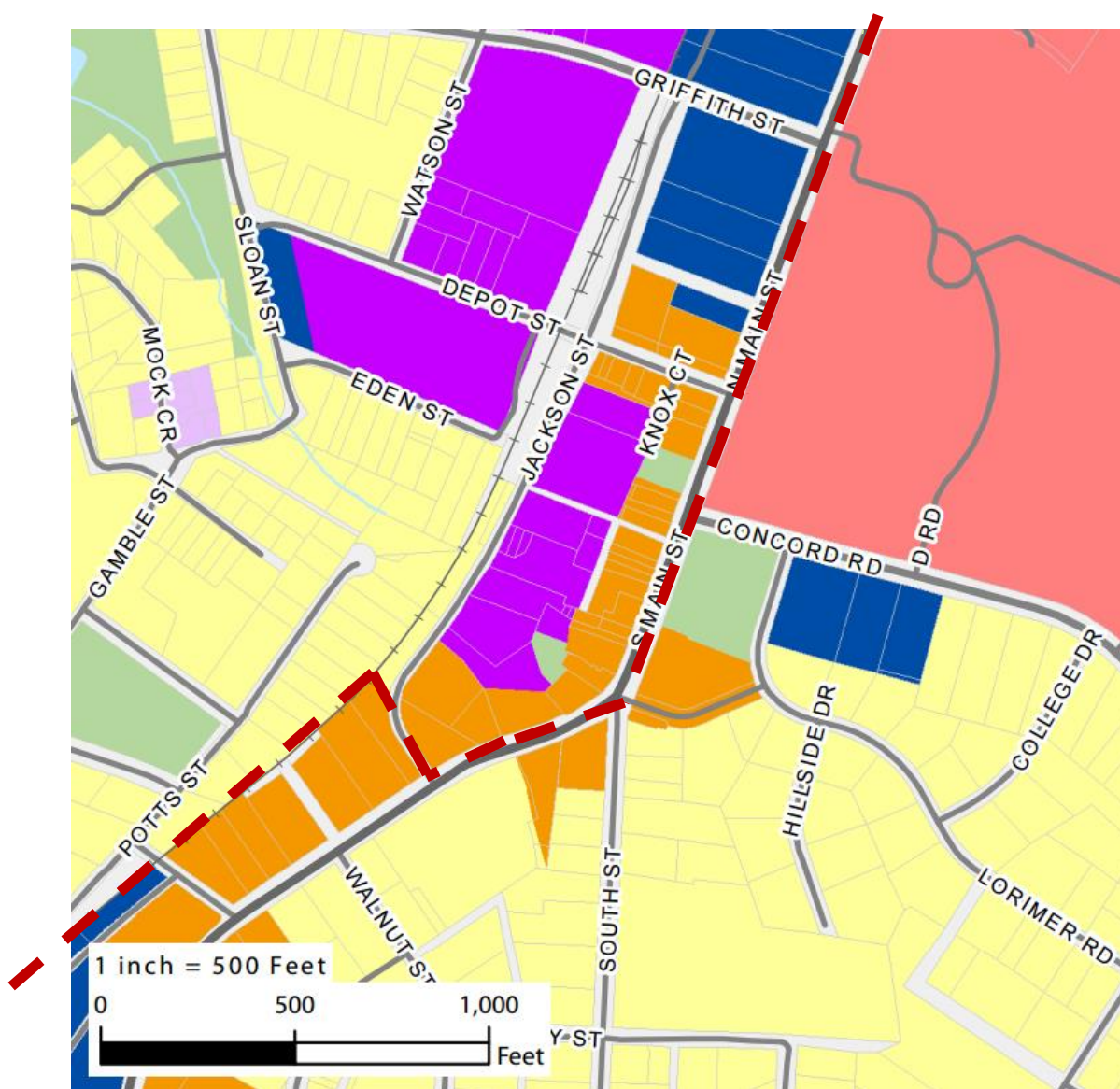
HIGHLIGHTS

▪ SECTION 17.6: EXCEPTIONS TO APPLICABILITY

- 17.6.1 Existing Development: Update language to clarify standards, consistent with state statute 15A NCAC 02B .0104(q)
- 17.6.2 Existing Lot (Lot of Record): Update language to clarify standards, consistent with state statute 15A NCAC 02B .0104(q); Remove single-fam exemption on lot of record
- 17.6.3 Nonconforming Situations: Remove this section
- 17.6.4 Existing Development: Remove this section
- Add 17.6.3 Redevelopment: New section to allow for flexibility in redevelopment in Village Center & Village Commerce Planning Areas if:
 - Redevelopment will not result in net increase in BUA from previous development; AND will provide greater or equal stormwater control
 - OR, the redevelopment will result in a disturbance of less than one acre



Critical Area
of the
Watershed



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Section 17 - Text Amendments
Board of Commissioners Work Session
Jason Burdette, Planning Director
January 9, 2018

SECTION 17 - TEXT AMENDMENTS

HIGHLIGHTS

▪ **SECTION 17.7: WATERSHED SUBAREAS ESTABLISHED**

- 17.7: Update language to clarify that there is no Lake Norman Protected Area in Davidson
- 17.7.1 Critical Area (CA): Update language to clarify intent of Section 17
- 17.7.1.1 Allowed Uses, Subsection C: Remove “(Single-family, manufactured homes, manufactured home parks, two-family, multi-family and cluster developments)”
- 17.7.1.2 Built-Upon Area Limits: Update language to clarify standards
- 17.7.2 Cluster Development: Remove this section
- 17.7.3 High Density Option: Update language to clarify general requirements
- 17.7.4 Buffer Areas Required, Subsection A: Update language to clarify standards
- 17.7.9 Variances: Remove note under subsection A

▪ **SECTION 17.8: DENSITY AVERAGING**

- Rework entire section to clarify purpose, eligibility, process, documentation and requirements for Density Averaging
- Remove references to “Lake Norman Protected Area” of the watershed



SECTION 17 - TEXT AMENDMENTS

CURRENT STATUS & NEXT STEPS

- **STATUS:**

- Draft sent to Mecklenburg County for final review
- Draft sent to NC Department of Environmental Quality (NCDEQ) for review

- **NEXT STEPS:**

- Begin text amendment process per DPO





Agenda Discuss Missing Middle Text Amendments and Additional Public Input - Planning
Title: Director Jason Burdette
Summary: Provide an update on potential changes to permitted building types in the Village Infill Planning Area

ATTACHMENTS:

	Description	Upload Date	Type
□	Presentation - Missing Middle	1/4/2018	Presentation

MISSING MIDDLE UPDATE



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Board of Commissioners Work Session
Jason Burdette, Planning Director
Missing Middle Update
January 9, 2018

TEXT AMENDMENTS – OVERVIEW

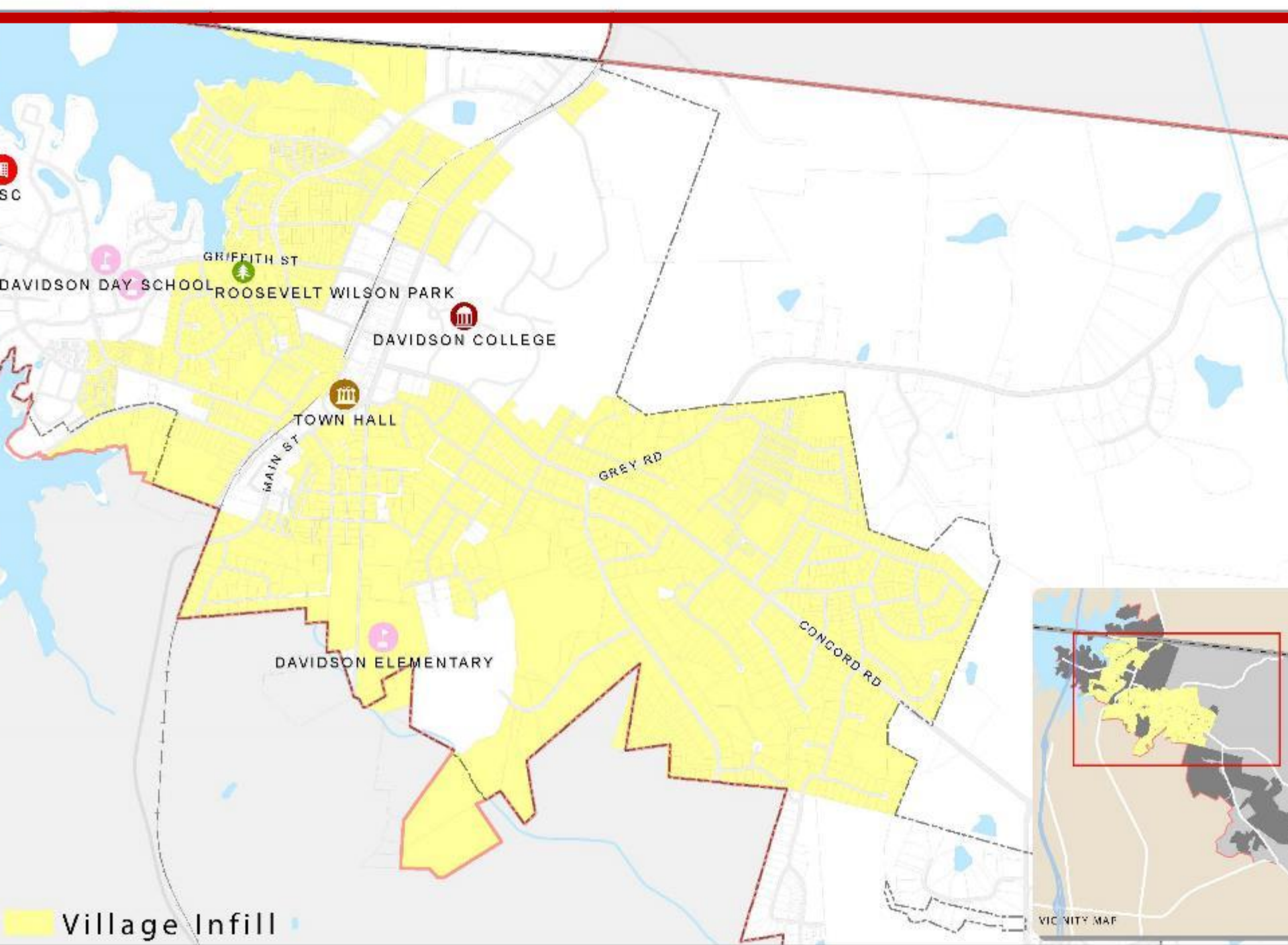
TOPICS COVERED

1. **Purpose:** Why We're Discussing It
2. **Background:** Why It's Important to Davidson
3. **Proposed Changes:** Draft Concepts/Changes
4. **Current Status & Next Steps:** Where We Are/Where We're Going

SECTIONS 2 & 4 TEXT AMENDMENTS

PURPOSE & BACKGROUND

- **PRIOR BOC DIRECTIVE:** Review Multi-Family Building Type in Village Infill Planning Area
- **CONCERNS:**
 - As Currently Exists: Compatibility; Homogenous Development
 - If Removed: Housing Choice (Historic, Future); Affordability
- **STRATEGY:** Find Middle Ground
- **PROPOSAL SUMMARY:**
 - Section 2: Modify Village Infill Planning Area Permitted Building Types
 - Section 4: Introduce Two New Building Types



DRAFT CONCEPTS/CHANGES



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Board of Commissioners Work Session
Jason Burdette, Planning Director
Missing Middle Update
January 9, 2018

THE MISSING MIDDLE



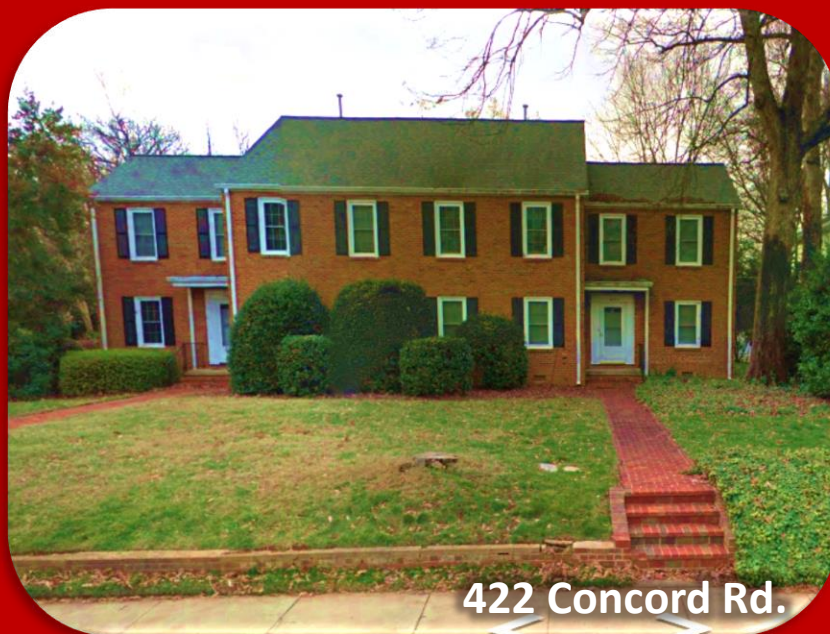
DEFINED: A range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable living.

SECTIONS 2 & 4 TEXT AMENDMENTS

NEW BUILDING TYPES

- **Multi-Family Building Type:** Remove from VIPA
- **Mixed Village Housing:** New/Create within VIPA
- **Mixed Village Includes:**
 - Village Walk-Up
 - Village Courtyard
- **Benefits:**
 - Respects Historic Precedents in Town
 - Accommodates Demographic Needs
 - Meets Market Demand

VILLAGE WALKUP



VILLAGE COURTYARD



SECTIONS 2 & 4 TEXT AMENDMENTS

MIXED VILLAGE

- **Requiring a Mix of Building Types in Master Plans >3 acres:**
 - Minimum/Maximum:
 - » No more than 60 percent of the units in each Master Plan development shall be single-family residential Detached House or Townhouse building types;
 - » No more than 60 percent of the units in each Master Plan development shall be Attached House, Live/Work, and Mixed Village building types.
 - Master Plans: **Applicable to Only to Master Plans > 3 Acres**
 - » (i.e.) Master Plan = Two or more Principal Buildings or Public Infrastructure

NEXT STEPS

OPTIONS

- Gather more public input
- Put on hold and discuss at a later date
- Discard altogether



Agenda Title: Proclamation - Martin Luther King, Jr. Day

Summary:

ATTACHMENTS:

Description	Upload Date	Type
📎 2018-01-09 MLK	1/4/2018	Cover Memo



A PROCLAMATION Martin Luther King Day January 15, 2018

WHEREAS, each year America sets aside a day to remember a giant of our Nation's history and pioneer of the Civil Rights Movement;

WHEREAS, Reverend Dr. Martin Luther King, Jr. gave mighty voice to the quiet hopes of millions, offered a redemptive path for oppressed and oppressors alike, and led a Nation to the mountaintop;

WHEREAS, behind the bars of a Birmingham jail cell, he reminded us that "injustice anywhere is a threat to justice everywhere"

WHEREAS, one a hot summer day, under the shadow of the Great Emancipator, he challenged America to make good on its founding promise, and he called on every lover of freedom to walk alongside their brother and sisters;

WHEREAS, we are reminded that our journey is not complete – it is our task to build on the gains of past generations, from challenging new barriers to the vote to ensuring the scales of justice work equally for all people;

WHEREAS, Dr. King taught us that "an individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity;"

WHEREAS, in honor of this spirit, Americans across the county will come together for day of service by volunteering our time and energy, we can build stronger, healthier, more resilient communities.

NOW, THEREFORE, I, Mayor Rusty Knox of the Town of Davidson, do hereby proclaim **January 15, 2017** as Martin Luther King Jr. Day in the Town of Davidson and encourage all citizens to observe this day with appropriate civic, community and service projects in honor of Dr. King.

Proclaimed this 9th day of January, 2018.

Rusty Knox
Mayor

Attest:

Carmen Clemisic
Town Clerk



Agenda Title: Launch of New Mobile App and SeeClickFix - Public Information Officer Cristina Shaul

Summary: The Town of Davidson is launching a mobile app that enables citizens to easily connect to our town government's resources, news, and information. Included in this app and also on our website, is the SeeClickFix module -- a way for citizens to communicate public services requests (code enforcement, public works, public safety) to town staff, and see progress and a timeline for resolution. For example, if there is a pothole or graffiti, citizens can snap a photo, plot the location on a map, and submit a request.

ATTACHMENTS:

Description	Upload Date	Type
▣ Mobile App and SeeClickFix	1/9/2018	Cover Memo



The Town *of* Davidson

College Town, Lake Town, Your Town

New Mobile App

- Core value: Open communication is essential to an **engaged citizenry**, so town government will seek and provide accurate, timely information and promote public discussion of important issues.
- Another tool to provide information to and hear from our citizens





Why an app?

- Great way for citizens to get information and interact with us
- Growth in mobile device ownership
 - 58% smartphone
 - 42% tablet
 - 38% of website traffic generated from mobile devices in 2016
- Easy to download and use



What can it do?

- Alert Center
- Town News Center
- Agendas
- Watch meetings
- Staff Directory
- **SeeClickFix**
- Search
- Get eCrier
- Get CharMeck Alerts
- What's Happening?
- Dine
- Shop
- Stay
- Park
- A Day in Davidson
- Parks & Trails
- Greenway map



How do I get it?

Apple devices:

- Go to App Store and search:
“CivicMobile” (not “CivicMobile Preview” or CivicMobile Demo”)
- Search: Davidson, NC



Android devices:

- Go to Google Play and search:
“Town of Davidson”



Town of Davidson
CivicPlus
Everyone

No need to sign in – click “Do Not Show This Again” and click “Cancel”



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New Mobile App and SeeClickFix
PIO Cristina Shaul
January 9, 2018

SeeClickFix

- Module for citizens to log communications re: public services
 - Collects requests, distributes them to staff, and communicates back to citizens in a centralized way
- Mobile app icon and website
 - How Do I? SeeClickFix
 - URL: <https://seeclickfix.com/davidson/report>





Search



Residents

Town Government

Doing Business

Things To Do

How Do I...



Stay Connected



CharMeck
Alerts



Garbage &
Recycling
Information



Staff Directory



Calendar



Open Town Hall
Join the
Conversation



Search



Residents

Town Government

Doing Business

Things To Do

How Do I...

Apply For

Contact

Pay

Request

SeeClickFix

View

Home > How Do I...

How Do I...

Apply For

[Alarm Permit](#)
[Building Permit](#)
[Business Registration](#)
[A Job in Davidson](#)
[Development Permits \(Residential and Commercial\)](#)
[Nonprofit Grant](#)
[Sign Permit](#)
[Tree Permit](#)

Contact

[Fire Department](#)
[Mayor & Commissioners](#)
[Police Department](#)
[Town Staff](#)

Pay

[Parking Violations](#)
[Parks & Recreation Registration](#)

Request

[CharMeck Alerts](#)
[Civics 101 Course](#)
[eCrier Alerts](#)
[Home Security Check](#)
[Smoke & Carbon Dioxide Detector Installation](#)

SeeClickFix

[Bid Postings](#)
[Budget](#)
[Business Directory](#)
[Commercial Property Listings](#)
[Garbage & Recycling Collection Schedule](#)
[Services A-Z](#)
[Town of Davidson Ordinances](#)

Davidson, NC

[\[Change location\]](#)

📍 Follow this Place

Issues Answers Neighbors Watch Areas

📝 Report an Issue



The Town of Davidson is using SeeClickFix to...

- Streamline channels of requests
- Increase the town's responsiveness to our citizens
- Enable citizens to see progress and timeline for resolution
- Improve record-keeping, internal communications, and allow the town to track trends

Get Involved >>

REPORT AN ISSUE

[Help](#)

☒ Updating map and form automatically.

Map Satellite

📍 Locate Me

Find your Location

Drag the marker to the location of your issue or simply type in its address.

[Where will this report go?](#)

Street Address *

City/County *

Davidson

State/Province *

North Carolina

Step 1 of 2

Next >

SeeClickFix

- Types of requests:
 - Code Enforcement
 - Public Works
 - Public Safety
 - General
- We can manage requests from citizens from anywhere
- Log requests in a queue and respond based on location and urgency



SeeClickFix Benefits

- Streamlines channels of requests
- Increases responsiveness to citizens
- Enables citizens to see progress and timeline for resolution
- Improves record-keeping, internal communications, and allows us to track trends



Download our new app today!



College Town. Lake Town. *Your Town.*

New Mobile App and SeeClickFix
PIO Cristina Shaul
January 9, 2018



Agenda Briefing on Davidson Mobility Plan - Planning Director Jason Burdette, Senior Planner
Title: Travis Johnson, Wade Walker (Alta Planning)
Summary: Staff and the consultant will provide a review of scope and expectations as we begin development of the Davidson Mobility Plan.

ATTACHMENTS:

Description	Upload Date	Type
□ Mobility Plan Presentation	1/9/2018	Cover Memo

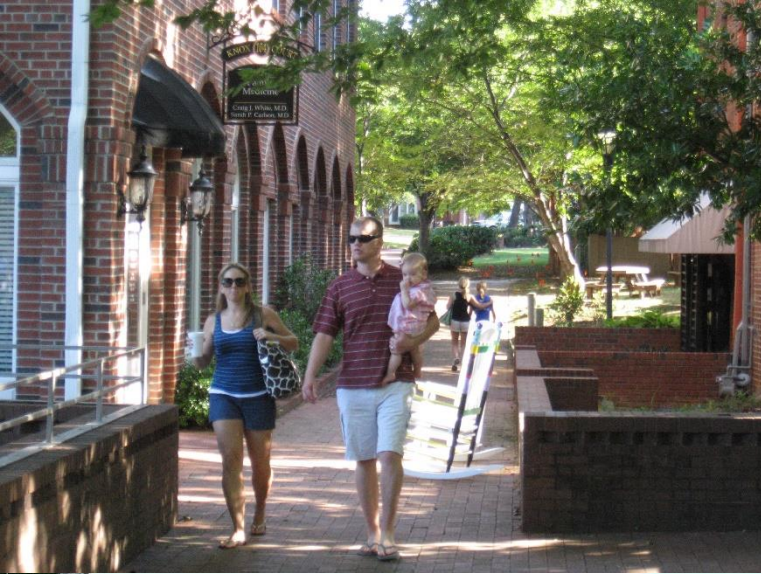
Town of Davidson

Mobility Plan

January 9, 2017



How We Got Here



- **Downtown Pedestrian Safety Enhancement Plan (2002)**
- **Circulation Plan (2003)**
- **Connectivity and Traffic Calming Report (2003)**
- **Davidson Transit Station Small Area Plan (2005)**
- **Bicycle Transportation Plan (2008)**
- **Davidson Comprehensive Plan (2010)**
- **Comprehensive Parking Study (2011)**
- **Station Area Plan Update (2012)**
- **Davidson Walks and Rolls: Active Transportation Master Plan (2013)**
- **Circles at 30 Small Area Plan (2013)**
- **Parks and Recreation Master Plan (2014)**
- **Rural Area Plan (2016)**
- **Sections of Davidson Land Use Plan covering street sections, parking requirements, and TIA's**

A Mobility Plan Is...

- Actionable (action items, timelines, costs, funding sources)
- Feasible
- Multi-pronged (projects, policies, programs)
- Balanced (modes and choices)
- Sustainable and Responsive to Change

But Isn't...

- A Thoroughfare Plan (single mode focused)
- Based solely on the “now”
- Unachievable

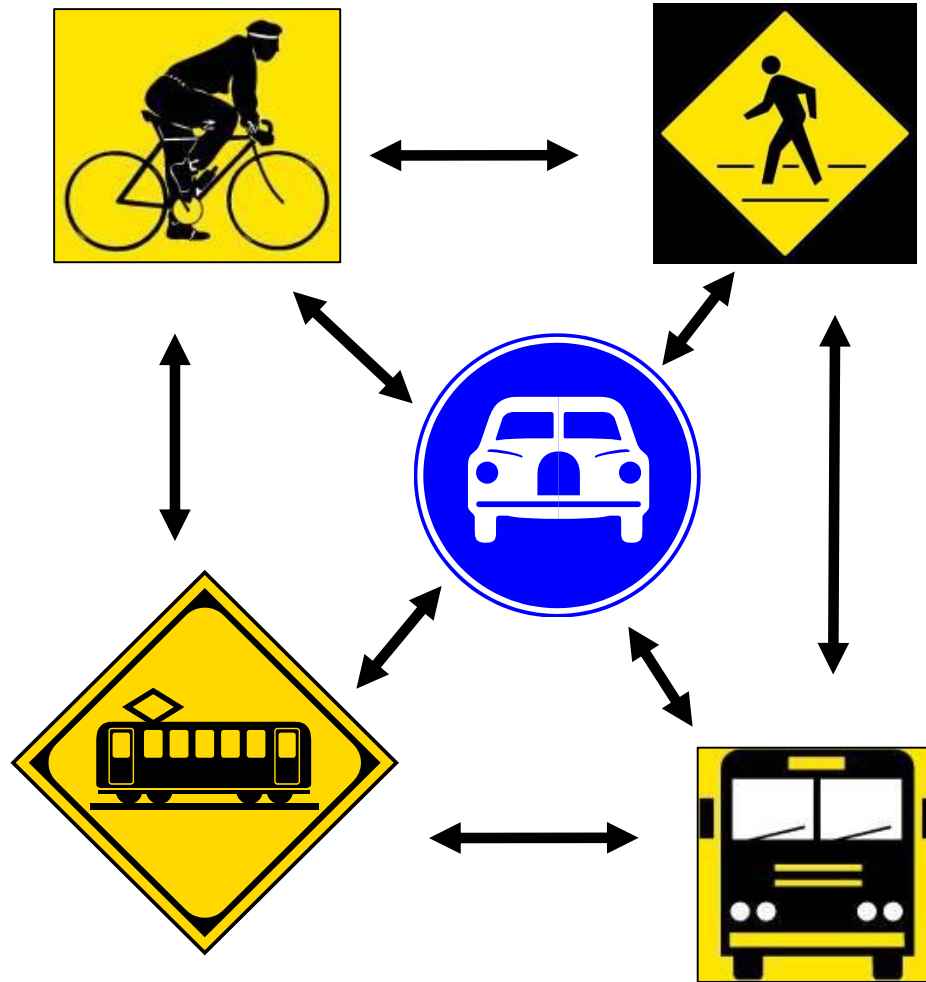


"I never know where I'm going to cross,
so I keep the sign with me."



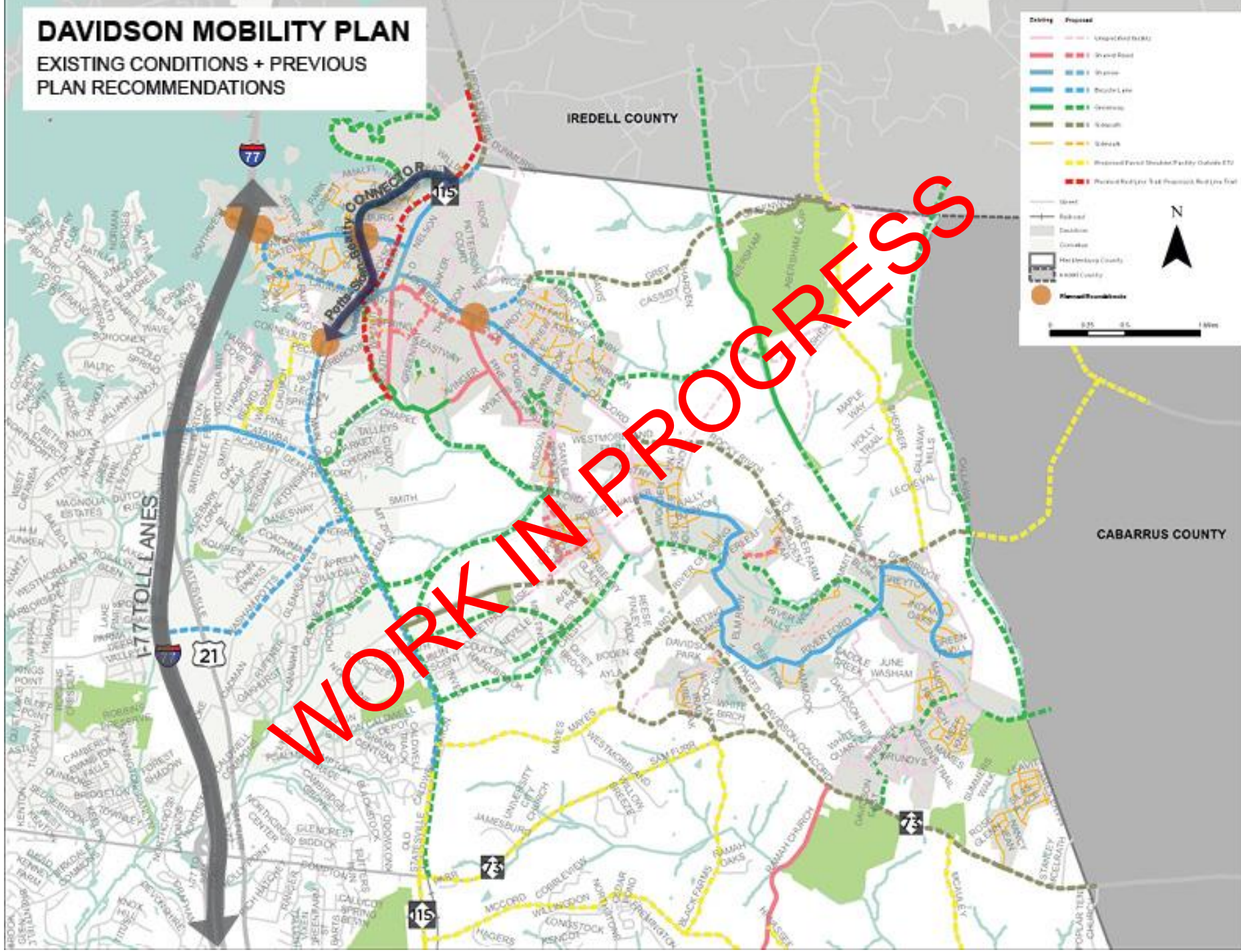
"I never know where I'm going to cross,
so I keep the sign with me."

GOAL: MOVE PEOPLE, NOT JUST CARS



DAVIDSON MOBILITY PLAN

EXISTING CONDITIONS + PREVIOUS
PLAN RECOMMENDATIONS

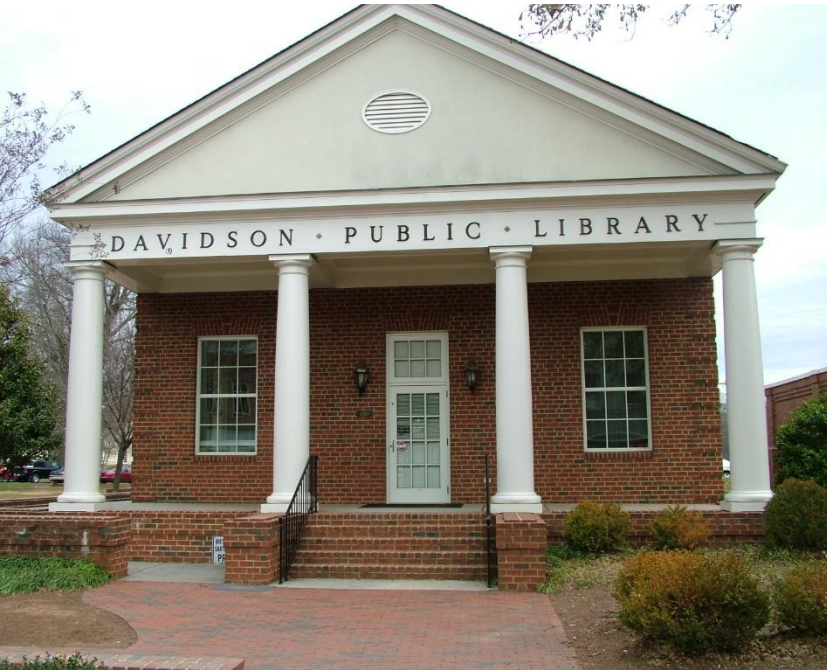


Parts of the Mobility Plan

- **Mobility Vision and Guiding Principles for Davidson**
- **Community Engagement**
- **Mode Choice Elements**
 - Street and Vehicular Mobility
 - Transit Mobility
 - Pedestrian Mobility
 - Bicycle Mobility
- **Parking Element**
- **New Mobility/Technologies Element**
- **Policy Element**
- **Programs, Marketing, Relations, and Promotions Element**
- **Action Items**
 - Priorities
 - Costs
 - Funding
 - Responsibilities



Community Engagement



- **Stakeholder Interviews/Sessions**
- **Intercept Surveys**
- **Informal Interviews**
- **Website**
- **Wikimap**
- **eCrier/Town Message Newsletter**
- **Community Conversation Session (February)**
- **Charrette (March)**
- **Town Board, Planning Board, Livability Board**

“America . . . conceived many odd inventions for getting somewhere, but could think of nothing to do when they got there”

Will Rogers, 1936

A photograph of a military helicopter, possibly an AH-64 Apache, flying low over a two-lane road. The helicopter is positioned in the center-right of the frame, with its main rotor blades blurred from motion. Below the helicopter, a black rectangular sign with white text reads "SPEED LIMIT ENFORCED BY AIRCRAFT". The sign is supported by two white posts. The background consists of a dense line of green trees and a clear blue sky with some light clouds. The road in the foreground has a metal guardrail and a yellow dashed line.

SPEED LIMIT
ENFORCED BY
AIRCRAFT

Questions?



Agenda Title: Consider Approval of Draft December Meeting Minutes

Summary: Approve Draft Meeting Minutes from December 5, 2017
Approve Draft Meeting Minutes from December 12, 2017

ATTACHMENTS:

Description	Upload Date	Type
❏ Draft 2017-12-05 Minutes (1st Tue)	1/8/2018	Cover Memo
❏ Draft 2017-12-12 Minutes (2nd Tue)	1/8/2018	Cover Memo



College Town. Lake Town. *Your Town.*

December 5, 2017

**REGULAR MEETING
TOWN OF DAVIDSON BOARD OF COMMISSIONERS**

The Town of Davidson Board of Commissioners held regularly scheduled meeting on Tuesday, December 5, 2017 at the Davidson Library – 119 South Main Street, Davidson, NC 28036. Mayor Woods called the meeting to order at 4:00 p.m. Present were Mayor John Woods and Commissioners Anderson, Cashion, Fuller, Jenest and Graham. Staff included Town Manager Jamie Justice.

The board discussed the following topics: Logistics for Dec 12 meeting, Potts Sloan Beaty and grant request, the trees and lights at Woodies, park at Bailey Springs, Roosevelt Wilson Park active, Fire station 2, Kincaid extension, affordable housing, Bailey Springs affordable housing, sidewalks (Grey, Mock Cir, mock rd. Delburg, Spring, Catawba Davidson-Concord Rd), Summers Walk streets, text amendments discussion and recommended next steps, mobility plan, flashing beacons, and the tree ordinance: Planning & Dave Cable.

No action was taken.

The meeting adjourned at 6:00 p.m.

Rusty Knox
Mayor

Attest:

Carmen Clemsic
Town Clerk



December 12, 2017

**WORK SESSION
TOWN OF DAVIDSON BOARD OF COMMISSIONERS**

There was no work session held.

**REGULAR MEETING
TOWN OF DAVIDSON BOARD OF COMMISSIONERS**

The Town of Davidson Board of Commissioners held its regularly scheduled meeting on Tuesday, September 12, 2017 in the Town Hall Board Room. Mayor Woods called the meeting to order at 6:00 p.m. Present were Mayor John Woods and Commissioners Stacey Anderson Beth Cashion, Jim Fuller, Rodney Graham and Brian Jenest. Town Manager Jamie Justice, Assistant Town Manager Dawn Blobaum, Town Attorney Cindy Reid, Finance Director Pieter Swart, Planning Director Jason Burdette, Economic Development Manager Kim Fleming, Human Resources Manager Heather James, Fire Chief Bo Fitzgerald, Police Chief Penny Dunn, Public Information Officer Cristina Shaul, Public Works Director Doug Wright and Town Clerk Carmen Clemsic were also present.

Mayor Woods called the meeting to order at 6:00 p.m.

- **Announcements**

Mayor Woods recognized Elaine McArn a long time Davidson business owner who was going to retire.

Mayor Woods also presented the Main Street Grant Awards to Elizabeth Rose stationary and Mandolinos Pizzeria.

Public Information Officer Cristina Shaul announced the following events: We need gift wrappers for Angel Tree on Thursday, December 14 from 5pm in the Cotton Mill Suite 133 (business name "Natural Forces"). Santa Claus will be in town scoping out his route for Christmas Eve with the Davidson Fire Department on Wednesday and Thursday. On Wednesday he'll be in locations EAST of the Rocky River roundabout and on Thursday he'll be in locations WEST and SOUTH of the Rocky River roundabout.

The ReadDavidson committee seeks input on their book for 2018. Please go to Open Town Hall on the homepage of our website to cast your vote, or do it the old-fashioned way by putting your ballot in the boxes located at the library, Main Street Books and the town hall lobby.

If you need a 2018 recycling schedule, there is a big stack on the table in the lobby.

Town offices will be closed on December 25, 26, 27 and January 1st for the holidays.

- **Changes to the Agenda**

No changes were made to the agenda.

- **Public Comments**

The public comment period of the meeting was closed at 6:11 p.m.

- **Presentations**

Finance Director Piet Swart and Lead Auditor Ann Craven of Rowell, Craven and Short, PA gave a presentation of FY 2017 Audited Financial Statements.

- **Consent Agenda**

The following items were on the consent agenda:

Draft Regular Meeting Minutes from November 14, 2017

Consider Approval of Budget Amendment 2018-14 - Park at Bailey Springs which provides funding from the restricted reserve for community parks for construction of phase one of the park at Bailey Springs.

Consider Approval of Resolution 2017-31 Certifying General Obligation Bonds Results. The Board is required to certify the results of the three bond referenda, per the board of election canvas for Iredell and Mecklenburg counties. The three "Statement of Results of Special Bond Referendum" will be published in a newspaper of general circulation on December 15, 2017. The publication of the notices will start the 30-day challenge period.

Commissioner Cashion made the motion to approve the consent agenda. The motion passed unanimously.

- **Old Business**

Planning Director Jason Burdette provided an update on proposed missing middle text amendments. With no action taken on proposed missing middle text amendments.

Planning Director Consider approval of Davidson Planning Ordinance text amendments pertaining to government services and retail overlay.

Commissioner Anderson motioned to the text amendments pertaining to government services and retail overlay. Motion passed unanimously.

Consider approval of Consistency Statement for text amendments pertaining to government services and retail overlay. State statute requires that whenever a governing body adopts map or text amendments, they are required to adopt a consistency statement with respect to the comprehensive plan, or any other adopted plan.

Commissioner Cashion motioned to approve the Consistency statement. Motion passed unanimously.

- **Recognition of Mayor and Commissioner**

Mayor John Woods and Commissioners Stacey Anderson, Beth Cashion, Rodney Graham and Brian Jenest were recognized for their service the community.

- **Recess**

Mayor Woods called a recess.

**REGULAR MEETING
TOWN OF DAVIDSON BOARD OF COMMISSIONERS**

The Town of Davidson Board of Commissioners held its regularly scheduled meeting on Tuesday, December 12, 2017 in the Town Hall Board Room. Present were Mayor Rusty Knox and Commissioners Jane Campbell, Matthew Fort, Jim Fuller, Autumn Rierson Michael and David Sitton. Town Manager Jamie Justice, Assistant Town Manager Dawn Blobaum, Town Attorney Cindy Reid, Finance Director Pieter Swart, Planning Director Jason Burdette, Economic Development Manager Kim Fleming, Human Resources Manager Heather James, Fire Chief Bo Fitzgerald, Police Chief Penny Dunn, Public Information Officer Cristina Shaul, Public Works Director Doug Wright and Town Clerk Carmen Clemsic were also present.

- **Call to Order**

Mayor Knox called the meeting to order at 7:30 p.m.

- **Oath of Office**

Mayor Rusty Knox, Commissioners Jane Campbell, Matthew Fort, Jim Fuller, Autumn Rierson Michael, and David Sitton all took the oath of office.

- **New Business**

Consider appointment of Mayor Pro-tempore.

Commissioner Fort made the motion to appoint Commissioner Jim Fuller at Mayor Pro-Tempore. The motions passed unanimously.

Mayoral Appointments of Representatives to:

Commissioner Autumn Rierson Michael appointed to the Centralina Council of Governments

Commissioner Jane Campbell and Mayor Rusty Knox appointed to the Charlotte Regional Transportation Planning Organization

Commissioner Matthew Fort appointed to the Lake Norman Chamber of Commerce

Commissioner David Sitton appointed to the Lake Norman Regional Economic Development Organization

Commissioner Jane Campbell appointed to the Lake Norman Transportation Commission

Mayor Rusty Knox appointed to the Metropolitan Transit Commission

Commissioner David Sitton appointed to the North Mecklenburg Alliance

Commissioner Jim Fuller appointed to Visit Lake Norman

Consider Approval of the 2018 Board of Commissioner Regular Meeting Schedule.

Commissioner Campbell made the motion to approve the 2018 regular meeting schedule. The motion passed unanimously.

- **Adjourn**

The meeting adjourned at 7:54 p.m.

Attest:

Carmen Clemsic

Rusty Knox
Mayor

Town Clerk



Agenda Title: Consider Approval of Revised Regular Meeting Schedule

Summary: Revised Regular Meeting Schedule

ATTACHMENTS:

Description	Upload Date	Type
Regular Meeting Schedule 2018	1/9/2018	Cover Memo

Board of Commissioners Meeting Schedule 2018

Month	** Informal Meeting 4:00 P.M. (1st Tuesday of the month)	* Work Session - 4:00 P.M. * Regular Meeting - 6:00 P.M. (2nd Tuesday of the month)	* Work Session - 4:00 P.M. * Regular Meeting - 6:00 P.M. (4th Tuesday of the month)	Informal Meeting *** 9:00 A.M. - 6:30 P.M. **** (3rd Monday of the month)
January	2	9	23	***22
February	6	13	27	19 ****
March	6	13	27	*** 19
April	3	10	24	16****
May	1	8	22	***21
June	5	12	No Meeting	No Meeting
July	3	10	No Meeting	No Meeting
August	7	14	28	No Meeting
September	4	11	25	17****
October	2	9	23	***15
November	6	13	No Meeting	19****
December	4	11	No Meeting	No Meeting
Additional Meetings	Mini Retreat Date: Jan 5, 2018 Time: 9:30 a.m. Location: Starrette Farms 204 Pecan Ln Statesville NC 28625	Retreat Date: Jan 25, 2018 Time: 8:30 a.m. Date: Jan 26, 2018 Time: 8:30 a.m. Location: River Run Country Club 19125 River Falls Dr Davidson NC 28036		Civics 101 9:30 a.m. - 11:30 a.m. or A1 6:30 p.m. - 8:30 p.m. Town Hall - 216 South Main St. March 29, 2018
	*All Regular and Work Session Meetings are held at Town Hall, Meeting Room - 216 South Main St.			
	**1st Tuesday of the month meetings will be held at Davidson Library Community Room - 119 South Main Street			
	*** 9:00 a.m. **** 6:30 p.m. - 3rd Monday of the month meetings are held at The Egg - 231 Griffith Street			



Agenda Title: Consider Approval of Rules of Procedure - Town Manager Jamie Justice

Summary: In order to increase the efficiency of operation of the Board of Commissioners, and to guarantee full and fair discussion. These Rules of Procedure are based upon Suggested Rules of Procedure for a City Council, 4th edition, 2017, Trey Allen, UNC School of Government and have been modified to reflect the specifics of the Town of Davidson.

ATTACHMENTS:

Description	Upload Date	Type
📎 Draft - Town of Davidson Rules of Procedure	1/4/2018	Cover Memo

Rules of Procedure for the Town of Davidson

DRAFT 1-2-18

In order to increase the efficiency of operation of the Board of Commissioners, and to guarantee full and fair discussion, the Board of Commissioners of the Town of Davidson hereby adopt these Rules of Procedure to govern all meetings of the Board. These Rules of Procedure are based upon *Suggested Rules of Procedure for a City Council*, 4th edition, 2017, Trey Allen, UNC School of Government. Should any conflict or question arise, the Town shall utilize the most current edition of *Suggested Rules of Procedure for a City Council* as published by the UNC School of Government.

Part I. Applicability

Rule 1. Applicability of Rules

These rules apply to all meetings of the Town of Davidson. For purposes of these rules, a meeting of the board occurs whenever a majority of the board's members gather, whether in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the board's real or apparent jurisdiction. The term "majority" as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half.

Part II. Quorum

Rule 2. Quorum

The presence of a quorum is necessary for the board to conduct business. A majority of the board's actual membership plus the mayor, excluding vacant seats, constitutes a quorum. A member who withdraws from a meeting without being excused by majority vote of the remaining members in attendance is deemed present for quorum purposes.

Part III. Open Meetings

Rule 3. Remote Participation in Board Meetings

A member who attends a meeting electronically (via phone, skype, etc.) may take part in debate however may neither be counted toward a quorum nor vote on any matter before the board.

Rule 4. Meetings to Be Open to the Public

Except as permitted by Rule 5, all meetings of the board shall be open to the public, and any person may attend its meetings.

Rule 5. Closed Sessions

(a) Motion to Enter Closed Session. The Town Board may enter a closed session from which the public is excluded only upon a motion duly made and adopted in open session. The motion to enter closed session must cite one or more of the permissible bases for closed session listed in paragraph (b) of this rule. A motion to enter closed session under subparagraph (b)(1) or (b)(2) must contain the additional information specified in those provisions.

(b) Bases for Closed Session. A closed session is permissible under the following circumstances and no others:

- (1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of North Carolina or of the United States or that does not constitute a public record within the meaning of Chapter 132 of the General Statutes. The motion to enter closed session must name or cite the law that renders the information confidential or privileged.
- (2) To consult with the town attorney or another attorney employed or retained by the town in order to preserve the attorney–client privilege. If the board expects to discuss a pending lawsuit with its attorney, the motion to enter closed session must include the names of the parties to the lawsuit.
- (3) To discuss matters relating to (a) the location or expansion of industries or other businesses in the area served by the town or (b) the closure or realignment of a military installation. The board may reach agreement in closed session on a tentative list of economic development incentives to be offered in negotiations, but the approval of the signing of any economic development contract or commitment and the authorization of the payment of economic development expenditures must take place in open session.
- (4) To establish or instruct staff or agents concerning the town’s position in negotiating the price or other material terms of an agreement for the acquisition of real property by purchase, exchange, or lease.
- (5) To establish or instruct staff or agents concerning the amount of compensation or other material terms of an employment contract.
- (6) To consider the qualifications, competence, performance, character, fitness, or conditions of appointment or employment of a public officer or employee or prospective public officer or employee, except when the individual in question is a member of the Town Board or other public body or is being considered to fill a vacancy on the Town Board or other public body. Final action to appoint or employ a public officer or employee must take place in open session.
- (7) To hear or investigate a charge or complaint by or against a public officer or employee. Final action discharging an employee or removing an officer must occur in open session.
- (8) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
- (9) To view a law enforcement recording released pursuant to G.S. 132-1.4A.
- (10) On any other basis permitted by law.

(c) Closed Session Participants. Unless the board directs otherwise, the town manager, town attorney, and town clerk may attend closed sessions of the board. No other person may attend a closed session unless invited by majority vote of the board.

(d) Motion to Return to Open Session. Upon completing its closed session business, the board shall end the closed session by adopting a duly made motion to return to open session.

Rule 6. Meeting Minutes

(a) Minutes Required for All Meetings. The board must keep full and accurate minutes of all of its meetings, including closed sessions. To be “full and accurate,” minutes must record all actions taken by the board. They should set out the precise wording of each motion and make it possible to determine the number of votes cast for and against each motion. The minutes need not record discussions of the board, though the board in its discretion may decide to incorporate such details into the minutes.

(b) Record of “Ayes” and “Noes.” At the request of any member of the board, the minutes shall list each member by name and record how each member voted on a particular matter.

(c) General Accounts of Closed Sessions. In addition to minutes, the board must keep a general account of each closed session. The general account must be sufficiently detailed to provide a person not in attendance with a reasonable understanding of what transpired. The board may combine the minutes and general account of a closed session into one document, so long as the document contains both a complete record of actions taken and the level of detail required for a general account.

(d) Sealing Closed Session Records. Minutes and general accounts of closed sessions shall be sealed until unsealed by order of the board or, if the board delegates the authority to unseal to one or more staff members, in accordance with guidelines adopted by the board. The sealed minutes and general account of any closed session may be withheld from public inspection so long as public inspection would frustrate the purpose(s) of the closed session.

Rule 7. Broadcasting and Recording Meetings

(a) Right to Broadcast and Record. Any person may photograph, film, tape-record, or otherwise reproduce any part of a board meeting that must take place in open session. Except as provided in paragraph (c) of this rule, any radio or television station may broadcast any such part of a board meeting.

(b) Advance Notice. Any radio or television station that plans to broadcast any portion of a board meeting shall so notify the Town Clerk and Public Information Officer no later than twenty-four hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of a board meeting.

(c) Equipment Placement. The Town Manager may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a board meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the Town Manager determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the Town Manager may require the pooling of the equipment and the personnel operating it.

(d) Alternative Meeting Site. If the news media request an alternative meeting site to accommodate news coverage, and the board grants the request, the news media making the request shall pay the costs incurred by the town in securing an alternative meeting site.

Part IV. Organization of the Board

Rule 8. Organizational Meeting; Selection of Mayor Pro Tempore

(a) Scheduling Organizational Meeting. The board must hold an organizational meeting following each general election in which board members are elected. The organizational meeting must be held either (1) on the date and at the time of the board’s first regular meeting in December following the election or (2) at an earlier date, if any, set by the incumbent board. The organizational meeting may not be held before municipal election results are officially determined, certified, and published as required by law.

(b) Oath of Office. As the first order of business at the organizational meeting, all newly elected members of the board must take and subscribe the oath of office set out in Article VI, Section 7, of the North Carolina Constitution. Each member’s oath must be filed with the town clerk. Although a member who is not present for the organizational meeting may take the oath of office at another time, every member must

take, subscribe, and file the oath before he or she begins performing any of the duties of the member's office.

(c) Selection of Mayor Pro Tempore. As the second order of business at the organizational meeting, the board shall elect from among its members a mayor pro tempore using the procedures specified in Rule 38. The mayor pro tempore shall serve at the board's pleasure.

Part V. Types of Meetings

Rule 9. Regular Meetings

(a) Regular Meeting Schedule. The board shall hold a regular meeting on the second and fourth Tuesday of each month. The meeting shall be held at the Town Hall Board Room and begin at 6:00 pm. The board shall adopt a meeting schedule each year consistent with this rule. A copy of the board's current meeting schedule shall be filed with the town clerk and posted on the town's website.

(b) Change to Meeting Schedule. Notwithstanding paragraph (a) of this rule, the board may amend its regular meeting schedule to add or delete meetings or to change the date, time, or location of one or more meetings on the schedule. The amended schedule shall be filed with the town clerk at least seven (7) calendar days before the day of the first meeting held pursuant to the revised schedule and posted on the town's website.

Rule 10. Special Meetings

(a) Calling Special Meetings. A special meeting of the board may be called by the mayor, the mayor pro tempore, or any two board members. A special meeting may also be called by vote of the board in open session during a regular meeting or another duly called special meeting.

(b) Notice to the Public. At least forty-eight hours before a special meeting of the board, notice of the date, time, place, and purpose of the meeting shall be (1) posted on the board's principal bulletin board or, if the board has no such board, at the door of the board's usual meeting room and (2) delivered, e-mailed, or mailed to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the town clerk. Furthermore, if the board has a website maintained by at least one town employee, notice of the special meeting's date, time, place, and purpose shall be posted on the website in advance of the meeting.

(c) Notice to Members.

- (1) *Meeting called by the mayor, the mayor pro tempore, or any two board members.* At least forty-eight hours before a special meeting called by the mayor, the mayor pro tempore, or any two board members, written notice of the meeting stating its date, time, and place, as well as the subjects to be considered, shall be electronically delivered to the mayor and each board member or left at his or her usual dwelling place.
- (2) *Meeting called by vote of the board in open session.* When a special meeting is called by vote of the board in open session during a regular meeting or another duly called special meeting, the motion or resolution calling the special meeting shall state the meeting's date, time, place, and purpose. Written notice of the special meeting's date, time, place, and purpose shall be mailed, delivered or electronically delivered at least forty-eight hours before the meeting to each board member not present for the meeting at which the special meeting was called, and to the mayor if he or she was not present at that meeting.

(d) Transacting Other Business. Unless all members are present or any absent member has signed a

written waiver of notice, only those items of business specified in the notice to board members may be taken up at a special meeting. Even when all members are present or any absent member has signed a waiver, the board may take up an item of business not covered by the notice only if the board first determines in good faith that the item must be discussed or acted upon immediately.

Rule 11. Emergency Meetings

(a) Grounds for Emergency Meeting. Emergency meetings of the town board may be called only to address generally unexpected circumstances demanding the board's immediate attention.

(b) Calling Emergency Meetings. There are two methods by which an emergency meeting of the board may be called.

- (1) The mayor, the mayor pro tempore, or any two members of the board may at any time call an emergency board meeting by signing a written notice stating the date, time, and place of the meeting and the subjects to be considered. The notice shall be delivered to the mayor and each board member or left at his or her usual dwelling place at least six hours before the meeting.
- (2) An emergency meeting may be held when the mayor and all members of the board are present and consent thereto, or when any absent member has signed a written waiver of notice.

(c) Notice to Media of Emergency Meetings. Notice of an emergency meeting shall be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written request with the town clerk for notice of emergency meetings. To be valid, the request must include the newspaper's, wire services, or station's telephone number. Notice may be given by telephone, e-mail, or the same method used to notify board members. Notice must be provided immediately after board members have been notified and at the expense of the party notified.

(d) Transaction of Other Business Prohibited. Only business connected with the emergency may be considered at an emergency meeting.

Rule 12. Recessed Meetings

(a) Calling Recessed Meetings. When conducting a properly called regular, special, or emergency meeting, the board may recess the meeting to another date, time, or place by a procedural motion made and adopted, as provided in Rule 31, Motion 3, in open session. The motion must state the time (including the date, if the meeting will resume on a different day) and place at which the meeting will reconvene.

(b) Notice of Recessed Meetings. If the board has a website maintained by one or more town employees, notice of the recessed meeting's date, time, and place must appear on the webpage prior to the meeting. No further notice of a properly called recessed meeting is required.

Part VI. Agenda

Rule 13. Agenda

(a) Draft Agenda.

- (1) *Preparation.* The Town Manager shall prepare a draft agenda in advance of each meeting of the town board.
- (2) *Requesting placement of items on draft agenda.* For a regular meeting, a request to have an item of business placed on the draft agenda must be received by the Town Manager at least four working

days before the date of the meeting. The Town Manager must place an item on the draft agenda in response to a board member's timely request.

- (3) *Supplemental information/materials.* If the board is expected to consider a proposed ordinance or ordinance amendment, a copy of the proposed ordinance or amendment shall be attached to the draft agenda. An agenda package shall be prepared that includes, for each item of business listed on the draft agenda, as much background information on the topic as is available and feasible to provide.
- (4) *Delivery to board members.* Each board member shall receive a hard or electronic copy of the draft agenda and the agenda package. Except in the case of an emergency meeting, the agenda and agenda package shall be furnished to each member at least twenty-four hours before the meeting.
- (5) *Public inspection.* The draft agenda and agenda package shall be available to the public when the documents are ready to be, or have been, circulated.

(b) Adoption of the Agenda.

- (1) *Adoption.* As its first order of business at each meeting, the board shall review the draft agenda, make whatever revisions it deems appropriate, and adopt a formal agenda for the meeting.
- (2) *Amending the agenda.* Both before and after it adopts the agenda, the board may add or subtract agenda items by majority vote of the members present and voting, except that the board may not add to the items stated in the notice of a special meeting unless the requirements in Rule 10(d) are satisfied and only business connected with the emergency may be considered at an emergency meeting.
- (3) *Designation of items "For Discussion and Possible Action."* The board may designate an agenda item "for discussion and possible action." The designation signifies that the board intends to discuss the item and may, if it so chooses, take action on the item following the discussion.

(c) Consent Agenda. The board may designate part of an agenda for a regular meeting as the *consent agenda*. Items may be placed on the consent agenda by the person(s) charged with preparing the draft agenda if the items are judged to be noncontroversial and routine. Prior to the board's adoption of the meeting agenda under subparagraph (b)(1) of this rule, the request of any member to have an item moved from the consent agenda to unfinished business must be honored by the board. All items on the consent agenda must be voted on and adopted by a single motion, with the minutes reflecting the motion and vote for each item.

(d) Informal Discussion of Agenda Items. The board may informally discuss an agenda item even when no motion regarding that item is pending.

Rule 14. Acting by Reference to Agenda or Other Document

The board shall not deliberate, vote, or otherwise take action on any matter by reference to the agenda or any other document with the intention of preventing persons in attendance from understanding what action is being considered or undertaken. The board may deliberate and vote by reference to the agenda or any item on the agenda, including the consent agenda, provided copies of the agenda are available for public inspection at the meeting and are sufficiently worded to enable the public to understand what is being deliberated or acted upon.

Rule 15. Agenda Items from Members of the Public

If a member of the public wishes to request that the board include an item on its regular meeting agenda, he or she must submit the request to the Town Manager at least six working days before the date of the meeting. The board is not obligated to place an item on the agenda merely because such a request has been received.

Rule 16. Order of Business

Items shall be placed on a regular meeting agenda according to the order of business. The usual order of business for each regular meeting may be as follows:

- announcements
- changes/adoption of the agenda
- public comments
- public hearings
- presentations
- reports
- consent agenda
- new business
- old business

Without objection, the mayor may call agenda items in any order most convenient for the dispatch of business.

Part VII. Role of the Presiding Officer

Rule 17. The Mayor

(a) Presiding Officer. When present, the mayor shall preside at meetings of the board.

(b) Right to Vote. The mayor may vote only when an equal number of affirmative and negative votes have been cast.

(c) Recognition of Members. A member must be recognized by the mayor (or other presiding officer) in order to address the board, but recognition is not necessary for an appeal pursuant to Rule 31, Motion 1.

(d) Powers as Presiding Officer. As presiding officer, the mayor is to enforce these rules and maintain order and decorum during board meetings. To that end, the mayor may

- (1) rule on points of parliamentary procedure, to include ruling out of order any motion clearly offered for obstructive or dilatory purposes;
- (2) determine whether a member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain and rule on objections from other members on this ground;
- (3) entertain and answer questions of parliamentary procedure;
- (4) call a brief recess at any time; and
- (5) adjourn in an emergency.

(e) Appeals of Procedural Rulings. A member may appeal a decision made or answer given by the mayor under subparagraph (d)(1), (2), or (3) in accordance with Rule 31, Motion 1.

Rule 18. The Mayor Pro Tempore

(a) Presiding in Mayor's Absence. When present, the mayor pro tempore shall preside over board meetings in the mayor's absence with all the powers specified in Rule 17(d).

(b) Delegation of Mayor's Powers/Duties. In the mayor's absence, the board may confer on the mayor pro tempore any of the mayor's powers and duties. Likewise, if the mayor becomes physically or mentally

unable to perform the duties of his or her office, the board may by unanimous vote declare the mayor incapacitated and confer any of the mayor's powers and duties on the mayor pro tempore. When the mayor announces that he or she is no longer incapacitated, and a majority of the board concurs, the mayor shall resume the exercise of his or her powers and duties.

(c) Duty to Vote. Even when presiding over a board meeting, the mayor pro tempore has the same duty as other members to vote on all questions unless he or she has been excused from voting on a matter in accordance with Rule 28.

Rule 19. Other Presiding Officer

If both the mayor and mayor pro tempore are absent, the board may elect from among its members a temporary presiding officer to chair the meeting. While serving as temporary presiding officer, a member has the powers listed in Rule 17(d). Service as a temporary presiding officer does not relieve a member of the duty to vote on all questions unless excused from voting pursuant to Rule 28.

Rule 20. When the Presiding Officer Is Active in Debate

If the mayor becomes active in debate on a particular proposal, he or she may have the mayor pro tempore preside during the board's consideration of the matter. If the mayor pro tempore is absent or is also actively debating the matter, the mayor may designate another member to preside until the matter is concluded. Similarly, if the mayor pro tempore or a temporary presiding officer is presiding and takes an active part in debating a topic, he or she may designate another board member to preside temporarily.

Part VIII. Motions and Voting

Rule 21. Action by the Board

Except as otherwise provided in these rules, the board shall act by motion. Any member may make a motion, not including the mayor.

Rule 22. Second Not Required

No second is required on any motion.

Rule 23. One Motion at a Time

A member may make only one motion at a time.

Rule 24. Withdrawal of Motion

The member who introduces a motion may withdraw the motion unless the motion has been amended or the presiding officer has put the motion to a vote.

Rule 25. Debate

The presiding officer shall state the motion and then open the floor to debate, presiding over the debate according to the principles listed below.

- The maker of the motion is entitled to speak first.
- A member who has not spoken on the issue shall be recognized before a member who has already spoken.
- To the extent practicable, the debate shall alternate between proponents and opponents of the measure.

Rule 26. Adoption by Majority Vote

A motion is adopted if supported by a simple majority of the votes cast, a quorum being present, except when a larger majority is required by these rules or state law.

Rule 27. Changing a Vote

A member may change his or her vote on a motion at any time before the presiding officer announces whether the motion has passed or failed. Once the presiding officer announces the result, a member may not change his or her vote without the unanimous consent of the remaining members present. A member's request for unanimous consent to change a vote is not in order unless made immediately following the presiding officer's announcement of the result.

Rule 28. Duty to Vote

(a) Duty to Vote. Every board member must vote except when excused from voting as provided by this rule.

(b) Grounds for Excusal. A member may be excused from voting on a matter involving the member's own financial interest or official conduct, though not if the proposal in question is one to alter the compensation or allowances paid to board members. Members may also be excused from voting when prohibited from voting under G.S. 14-234 (contract providing direct benefit to member), G.S. 160A-381(d) (legislative zoning decision likely to have a direct, substantial, and readily identifiable financial impact on member), or G.S. 160A-388(e)(2) (member's participation in quasi-judicial decision would violate affected person's right to an impartial decision maker). Questions about whether a basis for excusal exists should be directed to the town attorney.

(c) Procedure for Excusal.

- (1) *At member's request.* Upon being recognized at a duly called meeting of the board, a member who wishes to be excused from voting shall so inform the presiding officer, who must then submit the matter to a vote of the remaining members present. If a majority of the remaining members present vote to excuse the member, the member is excused from voting on the matter.
- (2) *On board's initiative.* Even when a member has not asked to be excused from voting on a matter, a majority of the remaining board members present may by motion and vote excuse the member from voting if grounds for doing so exist under paragraph (b).

(d) Consequence of Non-Excused Failure to Vote. Except as specified in paragraph (e), if a member who has not been excused from voting fails to vote on a matter, the member's failure to vote shall be recorded as an affirmative vote, provided

- (1) the member is physically present in the board chamber or
- (2) the member has physically withdrawn from the meeting without being excused by majority vote of the remaining members present.

(e) Failure to Vote on Certain Zoning Matters. A member's unexcused failure to vote shall not be recorded as an affirmative vote if the motion concerns a proposal to amend, supplement, or repeal a zoning ordinance. Instead, the member's unexcused failure to vote shall be recorded as an abstention.

Rule 29. Voting by Written Ballot

(a) Secret Ballots Prohibited. The board may not vote by secret ballot.

(b) Rules for Written Ballots. The board may decide by majority vote or unanimous consent to vote on a motion by written ballot. Each member must sign his or her ballot, and the minutes must record how each member voted by name. The ballots must be made available for public inspection in the town clerk's office immediately following the meeting at which the vote took place and remain there until the minutes of that meeting are approved, at which time the ballots may be destroyed.

Rule 30. Substantive Motions

A substantive motion is not in order if made while another motion is pending. Once the board disposes of a substantive motion, it may not take up a motion that presents essentially the same issue at the same meeting, unless it first adopts a motion to reconsider pursuant to Rule 31, Motion 14.

Rule 31. Procedural Motions

(a) Certain Motions Allowed. The board may consider only those procedural motions listed in this rule. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast, a quorum being present, for adoption.

(b) Priority of Motions. The procedural motions set out in this paragraph are listed in order of priority. A procedural motion is not in order so long as another procedural motion of higher priority is pending, except that

- any procedural motion other than an appeal under Motion 1 is subject to amendment as provided in Motion 12, and
- a motion to call the question (end debate) may be made with regard to any procedural motion in accordance with Motion 9.

When several procedural motions are pending, voting must begin with the procedural motion highest in priority, provided that a motion to amend or end debate on the highest priority motion must be voted on first.

Motion 1. To Appeal a Ruling of the Presiding Officer. Any member may appeal the presiding officer's ruling on whether a motion is in order or on whether a speaker has violated reasonable standards of courtesy. The presiding officer's response to a question of parliamentary procedure may also be appealed by any member. An appeal is in order immediately after the disputed ruling or parliamentary response and at no other time. The member who moves to appeal need not be recognized by the presiding officer, and if timely made, the motion may not be ruled out of order.

Motion 2. To Adjourn. This motion may be used to close a meeting. It is not in order if the board is in closed session.

Motion 3. To Recess to a Time and Place Certain. This motion may be used to call a recessed meeting as permitted under Rule 12. The motion must state the time (including the date, if the meeting will reconvene on a different day) and place at which the meeting will resume. The motion is not in order if the board is in closed session.

Motion 4. To Take a Brief Recess.

Motion 5. To Follow the Agenda. This motion must be made at the time an item of business that deviates from the agenda is proposed; otherwise, the motion is out of order as to that item.

Motion 6. To Suspend the Rules. To be adopted, a motion to suspend the rules must receive affirmative votes equal to at least two-thirds of the board's actual membership, excluding vacant seats and not counting the mayor if the mayor votes only in case of a tie. The board may not suspend provisions in these rules that are required under state law.

Motion 7. To Divide a Complex Motion. This motion is in order whenever a member wishes to consider and vote on parts of a complex motion separately. The member who makes this motion must specify how the complex motion will be divided.

Motion 8. To Defer Consideration. The board may defer its consideration of a substantive motion, and any proposed amendments thereto, to an unspecified time. A motion that has been deferred expires unless the board votes to revive it pursuant to Motion 13 within 100 days of deferral. A new motion having the same effect as a deferred motion may not be introduced until the latter has expired.

Motion 9. To End Debate (Call the Previous Question). If adopted, this motion terminates debate on a pending motion, thereby bringing it to an immediate vote. This motion is not in order until every member has had an opportunity to speak once on the pending motion.

Motion 10. To Postpone to a Certain Time. This motion may be employed to delay the board's consideration of a substantive motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6.

Motion 11. To Refer a Motion to a Committee. The board may vote to refer a substantive motion to a committee for study and recommendations. While the substantive motion is pending before the committee, the board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6. If the committee fails to report on the motion within 60 days of the referral date, the board must take up the motion if asked to do so by the member who introduced it.

Motion 12. To Amend.

(a) Germaneness. A motion to amend must concern the same subject matter as the motion it seeks to alter.

(b) Limit on Number of Motions to Amend. When a motion to amend is under consideration, a motion to amend the amendment may be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.

(c) Amendments to Ordinances. Any amendment to a proposed ordinance must be reduced to writing before the vote on the amendment.

Motion 13. To Revive Consideration. The board may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 8, provided it does so within 100 days of its vote to defer consideration.

Motion 14. To Reconsider. The board may vote to reconsider its action on a matter, provided the motion to reconsider is made (a) at the same meeting during which the action to be reconsidered was taken and (b) by a member who voted with the prevailing side. For purposes of this motion, "the same meeting" includes any continuation of a meeting through a motion to recess to a certain time and place (Motion 3). The motion is not in order if it interrupts the board's deliberation on a pending matter.

Motion 15. To Rescind. The board may vote to rescind an action taken at a prior meeting provided rescission is not forbidden by law.

Motion 16. To Prevent Reintroduction for Six Months. This motion may be used to prevent the reintroduction of a failed substantive motion for a time, but it is in order only when made immediately following the substantive motion's defeat. To be adopted, this motion must receive votes equal to at least two-thirds of the board's actual membership, excluding vacant seats and not counting the mayor, unless the mayor may vote on all questions. If this motion is adopted, the ban on reintroduction remains in effect

for six months or until the board's next organizational meeting, whichever occurs first.

Part IX. Ordinances and Contracts

Rule 32. Introduction of Ordinances

For purposes of these rules, the "date of introduction" for a proposed ordinance is the date on which the board first votes on the proposed ordinance's subject matter. The board votes on the subject matter of a proposed ordinance when it votes on whether to adopt or make changes to the proposed ordinance.

Rule 33. Adoption, Amendment, and Repeal of Ordinances

(a) Adoption of Ordinances.

- (1) *Proposed ordinances to be in writing.* No proposed ordinance shall be adopted unless it has been reduced to writing and distributed to members before a vote on adoption is taken.
- (2) *Adoption on date of introduction.* To be approved on the date of introduction, a proposed ordinance or any action having the effect of an ordinance must receive affirmative votes equal to at least two-thirds of the board's actual membership, excluding vacant seats and not counting the mayor, unless the mayor has the right to vote on all questions before the board.
- (3) *Adoption after date of introduction.* To be approved after the date of introduction, a proposed ordinance or any action having the effect of an ordinance must receive affirmative votes equal to at least a majority of all board members not excused from voting on the matter. In calculating the number of affirmative votes necessary for approval, the board shall count the mayor if he or she votes on all questions. If the mayor votes only in the case of tie, the mayor's vote counts if there is an equal division.

(b) Amendment and Repeal of Ordinances. The same voting requirements that govern the adoption of proposed ordinances also apply to the amendment or repeal of an ordinance.

Rule 34. Adoption of the Budget Ordinance

(a) Special Rules for the Adoption or Amendment of the Budget Ordinance. Notwithstanding any provision in the town charter, general law, or local act,

- (1) the board may adopt or amend the budget ordinance at a regular or special meeting of the board by a simple majority of those members present and voting, a quorum being present;
- (2) no action taken with respect to the adoption or amendment of the budget ordinance need be published or is subject to any other procedural requirement governing the adoption of ordinances or resolutions by the board; and
- (3) the adoption or amendment of the budget ordinance and the levy of taxes in the budget ordinance are not subject to the provisions of any town charter or local act concerning initiative or referendum.

(b) Notice Requirements for Budget Meetings. During the period beginning with the submission of the budget to the board and ending with the adoption of the budget ordinance, the board may hold any special meetings that may be necessary to complete its work on the budget ordinance. Except for the notice requirements of the open meetings law, which continue to apply, no provision of law concerning the call of special meetings applies during that period so long as

- each member of the board has actual notice of each special meeting called for the purpose of considering the budget and
- no business other than consideration of the budget is taken up.

(c) No Authority for Closed Sessions. This rule shall not be construed to authorize the board to hold closed sessions on any basis other than the grounds set out in Rule 5.

Rule 35. Approval of Contracts and Authorization of Expenditures

(a) Contracts to be in Writing. No contract shall be approved or ratified by the town board unless it has been reduced to writing at the time of the board's vote.

(b) Approval of Contracts. To be approved or ratified, a contract must receive affirmative votes equal to at least a majority of all board members not excused from voting on the contract, including the mayor's vote in the event of a tie.

(c) Authorization of Expenditure of Public Funds. The same vote necessary to approve or ratify a contract is required for the board to authorize the expenditure of public funds, except when the expenditure is authorized pursuant to Rule 34.

Part X. Public Hearings and Comment Periods

Rule 36. Public Hearings

(a) Calling Public Hearings. In addition to holding public hearings required by law, the board may hold any public hearings it deems advisable. The board may schedule hearings or delegate that responsibility to town staff members, as appropriate, except when state law directs the board itself to call the hearing. If the board delegates scheduling authority, it must provide adequate guidance to assist staff members in exercising that authority.

(b) Public Hearing Locations. Public hearings may be held anywhere within the town or within the county where the town is located.

(c) Rules for Public Hearings. The board may adopt reasonable rules for public hearings that, among other things,

- fix the maximum time allotted to each speaker,
- provide for the designation of spokespersons for groups of persons supporting or opposing the same positions,
- provide for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall (so long as arrangements are made, in the case of a hearing subject to the open meetings law, for those excluded from the hall to listen to the hearing), and
- provide for the maintenance of order and decorum in the conduct of the hearing.

(d) Notice of Public Hearings. Any public hearing at which a majority of the board is present shall be considered part of a regular or special meeting. Consequently, the relevant notice and related requirements of the open meetings law, as set out in Rules 9 through 12, apply to such hearings. Some statutes mandate additional notice for particular types of hearings, and such notice must be provided together with notice of the meeting during which the hearing will take place.

(e) Continuing Public Hearings. The board may continue any public hearing without further advertisement to a time and place certain, provided the time (including the date, if the hearing will resume on a different day) and place of the continued hearing are announced in open session. Except for hearings conducted pursuant to paragraph (g), if a quorum of the board is not present for a properly scheduled

public hearing, the hearing must be continued until the board's next regular meeting without further advertisement.

(f) Conduct of Public Hearings. At the time appointed for the hearing, the mayor shall call the hearing to order and proceed to allow public input in accordance with any rules adopted by the board for the hearing. Unless the board extends the hearing, when the time allotted for the hearing expires, or when no one wishes to speak who has not done so, the mayor shall declare the hearing closed, and the board shall resume the regular order of business.

(g) Public Hearings by Less Than a Majority of Board Members. Nothing in this rule prevents the board from appointing a member or members to hold a public hearing on the board's behalf, except when state law requires that the board itself conduct the hearing.

Rule 37. Public Comment Periods

(a) Frequency of Public Comment Periods. The board must provide at least one opportunity for public comment each month at a regular meeting, except that the board need not offer a public comment period during any month in which it does not hold a regular meeting.

(b) Rules for Public Comment Periods. The board may adopt reasonable rules for public comment periods that, among other things,

- fix the maximum time allotted to each speaker,
- provide for the designation of spokespersons for groups supporting or opposing the same positions,
- provide for the selection of delegates from groups supporting or opposing the same positions when the number of persons wishing to attend the public comment period exceeds the capacity of the hall (so long as arrangements are made for those excluded from the hall to listen to the hearing), and
- provide for the maintenance of order and decorum in the conduct of the hearing.

(c) Content-Based Restrictions Generally Prohibited. The board may not restrict speakers based on subject matter, as long as their comments pertain to subjects within the board's real or apparent jurisdiction.

Part XI. Appointments and Appointed Bodies

Rule 38. Appointments

(a) Appointments in Open Session. The board must consider and make any appointment to another body or, in the event of a vacancy on the board, to its own membership in open session.

(b) Nomination and Voting Procedure. The board shall use the following procedure to fill a vacancy in the board itself or in any other body over which it has the power of appointment. The nominating committee shall be called upon to make its report and recommendation(s), if any. The mayor shall then open the floor for nominations, whereupon board members may put forward and debate nominees. When debate ends, the mayor shall call the roll of the members, and each member shall cast a vote for his or her preferred nominee. The voting shall continue until a nominee receives a majority of votes cast during a single balloting.

(c) Mayor. The mayor may make nominations and vote on appointments under this rule.

(d) Multiple Appointments. If the board is filling more than one vacancy, each member shall have as

many votes in each balloting as there are slots to be filled, and the votes of a majority of the total number of members voting shall be required for each appointment. No member may cast more than one vote for the same candidate for the same vacancy during a single balloting.

(e) Duty to Vote. It is the duty of each member to vote for as many appointees as there are appointments to be made, but failure to do so shall not invalidate a member's ballot.

(f) Vote by Written Ballot. The board may vote on proposed appointments by written ballot in accordance with Rule 29.

Rule 39. Committees and Boards

(a) Establishment and Appointment. The board may establish temporary and standing committees, boards, and other bodies to help carry on the work of town government. Unless otherwise provided by law or the board, the power of appointment to such bodies lies with the board.

- (1) *Mayoral Appointments.* The Mayor shall make the following appointments after consultation with the Board:

Lake Norman Chamber
 Lake Norman Regional Economic Development Corporation
 Visit Lake Norman
 Charlotte Regional Transportation Planning Organization
 Centralina Carolina Council of Governments
 Lake Norman Transportation Commission
 North Mecklenburg Alliance
 Metropolitan Transportation Commission

- (2) *Board Appointments.* The Board of Commissioners shall appoint members of the following boards and committees:

Planning Board
 Design Review Board/Historic Preservation Commission
 Public Art Commission
 Livability Board

(b) Advisory Board Nominating Committee Appointment Procedure. The Mayor shall convene and chair a nominating committee. The other members of the committee shall be at least the following: the Town Manager, the staff liaisons, two elected officials, and the chairs (or their designee) of the Planning Board, Design Review Board, Livability Board and Public Art Commission. This nominating committee shall solicit nominations from the public. From these nominations, the committee shall choose a number of nominees equal to the number of vacancies on the boards, and shall make a recommendation to the Board of Commissioners.

To fill unexpired, mid-term vacancies on boards and committees: The mayor shall convene and chair an ad hoc committee consisting of the chair of the board, town manager, and the staff liaison(s) to the board. They will choose nominees from among applications previously submitted, or by soliciting nominations from the public. The committee will select the number of nominees equal to the number of vacancies, and recommend them to the Board of Commissioners.

(c) Open Meetings Law. The requirements of the open meetings law apply whenever a majority of an appointed body's members gather in person or simultaneously by electronic means to discuss or conduct official business. They do not apply to meetings solely among the town's professional staff.

(d) Procedural Rules. The board may prescribe the procedures by which the town's appointed bodies operate, subject to any statutory provisions applicable to particular bodies. In the absence of rules adopted by the board, an appointed body may promulgate its own procedural rules, so long as they are in keeping with any relevant statutory provisions and generally accepted principles of parliamentary procedure.

Part XII. Miscellaneous

Rule 40. Amendment of the Rules

These rules may be amended at any regular meeting or at any properly called special meeting for which amendment of the rules is one of the meeting's stated purposes. Any amendment to these rules must be consistent with the town charter, any relevant statutes, and generally accepted principles of parliamentary procedure. To be adopted, a motion to amend these rules must be approved by a majority of the board's members, excluding vacant seats and counting the mayor only if the mayor may vote on all questions.

Rule 41. Reference to Robert's Rules of Order Newly Revised

The board shall refer to *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted *Robert's*, the mayor shall make a ruling on the issue subject to appeal to the board under Rule 31, Motion 1.



Agenda Title: Consider Researching Changes to the Planning Process

Summary: The board has expressed interest in researching how to include citizen input earlier in the planning process for private development projects. Consider directing staff to research options to make changes to the planning process.

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		



Agenda Title: Consider Community Dinners Program

Summary: The mayor has suggested organizing community dinners on a periodic basis to bring citizens together as a fellowship and community building initiative. Consider directing staff to research options to implement this initiative.

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		