

MEETING OF THE BOARD OF COMMISSIONERS
TOWN OF MINT HILL, NORTH CAROLINA
MINT HILL TOWN HALL
4430 MINT HILL VILLAGE LANE
JUNE 11, 2015
7:00 P.M.

1. CALL TO ORDER
2. INVOCATION AND PLEDGE OF ALLEGIANCE
3. ADDITION, DELETION OR ARRANGEMENT OF AGENDA ITEMS
4. APPROVE MINUTES OF MAY 12, 2015 CALLED MEETING AND MAY 14, 2015 REGULAR MEETING
5. CONSENT AGENDA: (A) ACCEPT MAY TAX COLLECTOR'S REPORT; AND, (B) BUDGET AMENDMENT
6. PUBLIC HEARING ON #ZC15-2, FILED BY PAUL SLEIMAN OF S.T.O. PARTNERS, REQUESTING CONDITIONAL ZONING APPROVAL FOR A DRIVE THROUGH FACILITY IN DOWNTOWN
7. PUBLIC HEARING ON TOWN OF MINT HILL BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2016*
8. PUBLIC COMMENTS**
9. DISCUSSION AND DECISION ON #ZC14-14, FILED BY THE TOWN OF MINT HILL, TO ALLOW A TEXT AMENDMENT REGARDING FAMILY CARE HOME DISTANCE SEPARATION
10. DISCUSSION AND DECISION ON MODIFICATIONS TO THE NOISE ORDINANCE
11. APPOINTMENTS TO THE PLANNING BOARD AND THE PARK AND RECREATION COMMITTEE
12. CONSIDER ADOPTING FY16 BUDGET FOR THE TOWN OF MINT HILL
13. OTHER BUSINESS/COUNCIL MATTERS
14. ADJOURNMENT

** In accordance with North Carolina General Statutes and/or local Ordinances, a public hearing is required/scheduled on this agenda item. Public comments related to this item have been or will be heard during the scheduled public hearing. Time allotted each speaker may be limited due to length of agenda. **Up to one hour has been reserved for comments from the public on matters of general interest, or agenda items other than those for which a public hearing is required as noted above. **Individuals wishing to speak under "Public Comments" must sign up (on the sheet provided in the lobby) prior to the meeting being called to order. Speakers will be limited to two minutes per person, and recognized in the order in which they sign up.***

**MINUTES OF THE BUDGET WORKSHOP
OF THE BOARD OF COMMISSIONERS
TOWN OF MINT HILL, NORTH CAROLINA
May 12, 2015**

The Board of Commissioners of the Town of Mint Hill met in called session on Tuesday, May 12, 2015 at 6:00 p.m. in the Flex Room, Mint Hill Town Hall.

ATTENDANCE

Mayor: Ted H. Biggers, Jr.

Commissioners: Lloyd Austin, Carl M. Ellington, Richard Newton and Katrina (Tina) W. Ross

Town Manager: Brian L. Welch

Town Clerk: Michelle Wells Farrar

Mayor Biggers called the meeting to order at 6:00 p.m., ruled a quorum present and the meeting duly constituted to carry on business. Manager Welch stated the purpose of the called meeting was to provide budget information for the fiscal year ending June 30, 2016 (FY16). Manager Welch presented the attached PowerPoint (filed as copy of record).

Manager Welch presented the Manager's proposed budget for FY16 and provided the following totals per Fund: General Fund, \$11,235,238; Powell Bill Fund \$704,500; Stormwater Fund \$458,590; Infrastructure Fund \$50; and, Tourism Fund \$180,500.

Discussion ensued regarding the proposed budget. Manager Welch provided details in response to questions from the Board. The General Fund budget included a 2.5% merit pool for qualifying employees. The Planning Department budget would now included in the Administrative budget. The Fire Department budget allowed for a salaried full-time Deputy Director position. The creation of the EMS budget would be funded by Mint Hill Volunteer Fire Department and funded by ambulance proceeds. A request to Mecklenburg County had been sent to increase Fire Service District tax rate to \$.08 in accordance with the "matching" tax policy. The Public Works budget decreased slightly but accounted for new sidewalk construction, storage shed and equipment. The Solid Waste budget increased slightly to accommodate for new homes. The Police Department budget increased due to the purchase of additional body cameras, server/storage upgrades and acquisition of three replacement vehicles. The Town parks were combined to form the Parks budget which decreased from last year.

Manager Welch said the proposed tax rate for the upcoming budget year was \$.27 cents per \$100 valuation and the \$10 registered motor vehicle fee would remain the same. The Board agreed, by consensus, the Public Hearing for the FY16 Budget would be held on June 11, 2015.

There being no further business to come before the Board, Mayor Biggers adjourned the meeting at 7:16 p.m.

Michelle Wells Farrar, CMC, Town Clerk

**MINUTES OF THE MEETING OF
THE BOARD OF COMMISSIONERS
TOWN OF MINT HILL, NORTH CAROLINA
MAY 14, 2015**

The Board of Commissioners of the Town of Mint Hill met in regular session on Thursday, May 14, 2015 at 7:00 p.m. in the Mint Hill Town Hall.

ATTENDANCE

Mayor: Ted H. Biggers, Jr.
Commissioners: Lloyd Austin, Carl M. Ellington and Richard Newton
Town Attorney: Kevin M. Bringewatt
Town Manager: Brian L. Welch
Deputy Town Manager: Lee Bailey
Planning Director: John Hoard
Police Chief: Tim Ledford
Town Clerk: Michelle Wells Farrar
Absent: Katrina (Tina) W. Ross

CALL TO ORDER, INVOCATION AND PLEDGE

Mayor Biggers called the meeting to order, ruled a quorum present and the meeting duly constituted to carry on business. Following the invocation offered by Commissioner Newton, Mayor Biggers led the Pledge of Allegiance to the Flag of the United States of America.

ORDER OF BUSINESS

Addition, Deletion or Arrangement of Agenda Items: None.

Approval of March 6-7, 2015 Retreat Minutes, April 9, 2015 Quarterly Developers' Workshop and Regular Meeting, April 9, 2015 Regular Meeting and April 14, 2015 Called Meeting: Upon the motion of Commissioner Austin, seconded by Commissioner Newton, the Board unanimously approved the minutes of March 6-7, 2015 retreat minutes, April 9, 2015 quarterly developers' workshop and regular meeting, April 9, 2015 regular meeting and April 14, 2015 called meeting

Accept April Tax Collector's Report: Upon the motion of Commissioner Austin, seconded by Commissioner Ellington, the Board unanimously approved the April Tax Collector's Report. (Copy filed with minutes of record.)

Public Hearing on #ZC15-2, Filed by Paul Sleiman of S.T.O. Partners, Requesting Conditional Zoning Approval for a Drive Through Facility in Downtown: Mr. Hoard told the Board the applicant had asked for the Public Hearing to be continued until June.

Public Comments: None.

Discussion and Decision on #ZC14-11, Filed by John Thomas of Sustainable Design Consultants, Inc., Requesting a Text Amendment to Section 6.2.4 Related to Curb and Gutter: Mayor Biggers asked if Mr. Thomas was in attendance; he was not. Mayor Biggers said the Board had obtained information by Mecklenburg County Stormwater experts at the March Retreat. At that time, the majority of the Board agreed there was no reason to change the Ordinance. He opened the floor up for discussion.

Upon the motion of Commissioner Ellington, seconded by Commissioner Newton, the Board unanimously voted to deny #ZC14-11.

Other Business/Council Matters: Commissioner Newton attended Discover Mint Hill on May 2, 2015. He had an excellent time and the “Wilgrove Steak” was very good. He attended the Centralina Council of Government meeting where they gave Excellence Awards to the area towns.

Commissioner Ellington attended Discover Mint Hill, the Ribbon Cutting of Sherwin Williams and the Planning Board meeting.

Commissioner Austin attended the Chamber of Commerce meeting. He reminded everyone of the 5K that would be Saturday morning, May 23, 2015, before the Mint Hill Madness Parade.

Mayor Biggers encouraged everyone to attend Mint Hill Madness at Veterans Park over Memorial Day Weekend. Tremendous work had been put into the festival and it would be a great success. The Grand Marshal for 2015 was Tom Easterling, a World War II Prisoner of War.

Deputy Manager Bailey said Ms. Sheryl Smith had invested a lot of time and done a lot of work to make Madness a success.

Adjournment: Upon the motion of Commissioner Austin, seconded by Commissioner Ellington, the Board unanimously agreed that the meeting be adjourned. Mayor Biggers adjourned the meeting at 7:08 p.m.

Michelle Wells Farrar, CMC, Town Clerk

TAX COLLECTOR'S REPORT FOR MAY 2015

Please see attached reports from County regarding taxes collected on behalf of the Town of Mint Hill. The following is a summary of the collections during the month of May 2015:

Current/Prior Year Real Estate/Personal Property**:	\$15,156.35
Interest Collected on All Taxes:	\$1,065.23
Registered Motor Vehicle Tax (less 1.5%***):	\$391.43
Registered Motor Vehicle Fee (less 1.5%***):	\$266.55
Total Collected During May 2015	\$16,879.56

** Personal Property other than registered motor vehicles.

***In accordance with State Statutes, County receives 1.5% for billing/collecting vehicle tax/fee.

Report Parameters:

Date Sent to Finance Start: **5/1/2015**

Date Sent to Finance End: **5/31/2015**

Abstract Type: **BUS,IND,PUB,REI**

Tax District: **MINT HILL**

Tax Year: **ALL**

Year For: **2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003, 2002, 2001, 2000, 1999, 1998, 1997, 1996, 1995, 1994, 1993, 1992, 1991**

Collapse

Districts: **N**

Default Sort-By: **Tax Year**

Grouping: **Tax District,Levy Type**

Tax Year	Orig. Billed Amt (\$)	Abs. Adj (\$)	Bill Releases (\$)	Disc. Levy (\$)	Net Levy (\$)	Property Tax (\$)	Penalties (\$)	Int. Collect. (\$)	Total Collect. (\$)	% Coll.	% Un-coll.
			Assessor Refunds (\$)	Additional Levy (\$)		Assmt Fees (\$)	Coll. Fees (\$)	Net Collect. (\$)	Unpaid Balance (\$)		

TAX DISTRICT: MINT HILL LEVY TYPE: LATE LIST PENALTY

2015	0.00	0.00	0.00	1,341.69	1,341.69	0.00	1,341.69	0.00	0.00	16.62 %	83.38 %
			0.00	0.00		0.00	0.00	0.00	1,118.68		
2014	2,112.76	0.00	0.00	618.04	2,231.74	0.00	2,742.95	0.39	8.79	76.24 %	23.76 %
			0.00	12.15		0.00	0.00	8.79	530.36		
2013	1,746.82	0.00	0.00	737.20	2,425.68	0.00	2,487.29	0.17	1.41	81.05 %	18.95 %
			0.00	3.27		0.00	0.00	1.41	459.72		
2012	1,697.77	0.00	0.00	768.08	2,395.15	0.00	2,469.01	0.00	0.00	86.52 %	13.48 %
			0.00	3.16		0.00	0.00	0.00	322.96		
2011	2,129.19	0.00	0.00	3,171.44	3,898.33	0.00	5,301.44	0.00	0.00	91.44 %	8.56 %
			0.00	0.81		0.00	0.00	0.00	333.61		
2010	3,083.01	0.00	0.00	4,286.80	7,889.36	0.00	9,144.88	0.00	0.00	59.64 %	40.36 %
			0.00	1,775.07		0.00	0.00	0.00	3,183.91		
2009	2,072.67	0.00	0.00	209.41	1,753.13	0.00	2,291.43	0.00	0.00	84.81 %	15.19 %
			0.00	9.35		0.00	0.00	0.00	266.25		
2008	1,537.94	0.00	0.00	2,217.57	3,553.85	0.00	3,755.51	0.00	0.00	91.62 %	8.38 %

			0.00	0.00		0.00	0.00	0.00	297.95		
2007	1,562.60	0.00	0.00	554.83	1,883.60	0.00	2,117.43	0.00	0.00	91.59 %	8.41 %
			0.00	0.00		0.00	0.00	0.00	158.47		
2006	1,859.22	0.00	0.00	7,511.65	9,045.91	0.00	9,370.87	0.00	0.00	97.59 %	2.41 %
			0.00	0.00		0.00	0.00	0.00	218.14		
2005	1,220.48	0.00	0.00	395.41	1,583.99	0.00	1,615.89	0.00	0.00	89.57 %	10.43 %
			0.00	0.00		0.00	0.00	0.00	165.22		
2004	1,167.95	0.00	0.00	132.15	1,293.46	0.00	1,300.10	0.00	0.00	91.68 %	8.32 %
			0.00	0.00		0.00	0.00	0.00	107.65		
2003	909.62	0.00	0.00	509.91	1,334.00	0.00	1,419.53	0.00	0.00	91.27 %	8.73 %
			0.00	0.00		0.00	0.00	0.00	116.47		
2002	135.80	0.00	0.00	137.86	244.85	0.00	273.66	0.00	0.00	69.90 %	30.10 %
			0.00	0.00		0.00	0.00	0.00	73.69		
2001	131.41	0.00	0.00	4.13	114.50	0.00	135.54	0.00	0.00	5.87 %	94.13 %
			0.00	0.00		0.00	0.00	0.00	107.78		
2000	119.41	0.00	0.00	5.72	106.84	0.00	125.13	0.00	0.00	17.18 %	82.82 %
			0.00	0.00		0.00	0.00	0.00	88.48		
Subtot.	21,486.65	0.00	0.00	22,601.89	41,096.08	0.00	45,892.35	0.56	10.20	81.63 %	18.37 %
			0	1,803.81		0.00	0.00	10.20	7,549.34		

TAX DISTRICT: MINT HILL LEVY TYPE: TAX

2015	0.00	0.00	0.00	59,006.74	58,756.45	59,006.74	0.00	0.00	2,480.25	6.43 %	93.57 %
			0.00	0.00		0.00	0.00	2,480.25	54,980.89		
2014	5,791,215.02	1,329.36	0.00	12,837.46	5,630,052.34	5,812,976.97	0.00	458.08	10,173.89	99.05 %	0.95 %
			957.93	8,924.49		0.00	0.00	11,131.82	53,611.19		
2013	5,718,131.77	1,594.93	0.05	5,867.71	5,530,841.79	5,726,697.56	0.00	69.81	-404.71	99.44 %	0.56 %
			1,100.48	2,698.08		0.00	0.00	695.77	30,813.60		
2012	5,662,797.95	1,652.28	0.00	16,553.46	5,497,076.98	5,764,224.64	0.00	110.83	-781.96	99.53 %	0.47 %
			1,421.70	84,873.23		0.00	0.00	639.74	26,106.68		
2011	5,673,909.72	1,481.11	0.00	9,241.61	5,425,510.50	5,699,391.63	0.00	67.81	-962.65	99.61 %	0.39 %
			1,264.52	16,240.30		0.00	0.00	301.87	21,406.65		

2010	5,118,690.81	0.00	0.00	17,717.18	5,127,938.83	5,165,668.74	0.00	67.19	234.12	99.48 %	0.52 %
			0.00	29,260.75		0.00	0.00	234.12	26,519.67		
2009	5,012,669.43	0.00	0.00	1,119.79	5,005,982.23	5,021,015.15	0.00	153.71	463.64	99.74 %	0.26 %
			0.00	7,225.93		0.00	0.00	463.64	13,009.84		
2008	4,804,965.61	0.00	0.00	17,907.96	4,816,204.02	4,824,762.21	0.00	97.24	264.17	99.76 %	0.24 %
			0.00	1,888.64		0.00	0.00	264.17	11,589.14		
2007	4,503,833.29	0.00	0.00	4,529.97	4,462,509.20	4,508,363.26	0.00	0.00	0.00	99.80 %	0.20 %
			0.00	0.00		0.00	0.00	0.00	9,119.93		
2006	4,144,511.82	0.00	0.00	34,034.25	4,161,985.14	4,178,546.07	0.00	0.00	0.00	99.79 %	0.21 %
			0.00	0.00		0.00	0.00	0.00	8,610.18		
2005	3,895,131.33	0.00	0.00	15,803.93	3,903,099.02	3,910,935.26	0.00	0.00	0.00	99.80 %	0.20 %
			0.00	0.00		0.00	0.00	0.00	7,948.49		
2004	3,631,356.78	0.00	0.00	28,923.83	3,651,252.24	3,660,280.61	0.00	0.00	0.00	99.84 %	0.16 %
			0.00	0.00		0.00	0.00	0.00	5,947.58		
2003	3,533,766.80	0.00	0.00	12,524.77	3,531,443.74	3,546,291.57	0.00	0.00	0.00	99.84 %	0.16 %
			0.00	0.00		0.00	0.00	0.00	5,811.08		
2002	77,647.79	0.00	0.00	516.10	77,620.98	78,163.89	0.00	0.00	0.00	96.22 %	3.78 %
			0.00	0.00		0.00	0.00	0.00	2,935.13		
2001	23,357.80	0.00	0.00	16.11	23,073.62	23,373.91	0.00	0.00	0.00	89.32 %	10.68 %
			0.00	0.00		0.00	0.00	0.00	2,465.03		
2000	29,281.21	0.00	0.00	70.94	29,169.23	29,352.15	0.00	0.00	0.00	89.24 %	10.76 %
			0.00	0.00		0.00	0.00	0.00	3,138.08		
Subtot.	57,621,267.13	6,057.68	0.05	236,671.81	56,932,516.31	58,009,050.36	0.00	1,024.67	11,466.75	99.50 %	0.50 %
			4744.63	151,111.42		0.00	0.00	16,211.38	284,013.16		

TAX DISTRICT: MINT HILL LEVY TYPE: VEHICLE FEE

2014	100.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00	100 %	0 %
			0.00	0.00		100.00	0.00	0.00	0.00		
2013	70.00	0.00	0.00	0.00	70.00	0.00	0.00	0.00	0.00	100 %	0 %
			0.00	0.00		70.00	0.00	0.00	0.00		
2011	10.00	0.00	0.00	0.00	10.00	0.00	0.00	0.00	0.00	100 %	0 %

			0.00	0.00		10.00	0.00	0.00	0.00		
2010	10.00	0.00	0.00	0.00	10.00	0.00	0.00	0.00	0.00	100 %	0 %
			0.00	0.00		10.00	0.00	0.00	0.00		
2006	10.00	0.00	0.00	0.00	10.00	0.00	0.00	0.00	0.00	100 %	0 %
			0.00	0.00		10.00	0.00	0.00	0.00		
2005	60.00	0.00	0.00	0.00	60.00	0.00	0.00	0.00	0.00	100 %	0 %
			0.00	0.00		60.00	0.00	0.00	0.00		
Subtot.	260.00	0.00	0.00	0.00	260.00	0.00	0.00	0.00	0.00	100 %	0 %
			0	0.00		260.00	0.00	0.00	0.00		
Total	57,643,013.78	6,057.68	0.05	259,273.70	56,973,872.39	58,009,050.36	45,892.35	1,025.23	11,476.95	99.49 %	0.51 %
			4,744.63	152,915.23		260.00	0.00	16,221.58	291,562.50		

Signature (Tax Collector) _____

Date run: 6/1/2015 2:14:16 PM
 Data as of: 5/31/2015 9:18:50 PM

TR-401F Net Collections Report

NCPTS V4

Report Parameters:

Date Sent to Finance Start: **5/1/2015**

Date Sent to Finance End: **5/31/2015**

Abstract Type: **RMV**

Tax District: **MINT HILL**

Tax Year: **ALL**

Year For: **2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003, 2002, 2001, 2000, 1999, 1998, 1997, 1996, 1995, 1994, 1993, 1992, 1991**

Collapse
 Districts: **N**

Default Sort-By: **Tax Year**

Grouping: **Tax District,Levy Type**

Tax Year	Orig. Billed Amt (\$)	Abs. Adj (\$)	Bill Releases (\$)	Disc. Levy (\$)	Net Levy (\$)	Property Tax (\$)	Penalties (\$)	Int. Collect. (\$)	1.5% Admin	Net Amt Due	Total Collect. (\$)	% Coll.	% Un-coll.
			Assessor Refunds (\$)	Additional Levy (\$)		Assmt Fees (\$)	Coll. Fees (\$)	Net Collect. (\$)			Unpaid Balance (\$)		
TAX DISTRICT: MINT HILL LEVY TYPE: TAX													
2014	3,294.04	0.00	0.00	0.00	2,938.96	3,320.91	0.00	2.44			28.09	96.41 %	3.59 %
			0.00	26.87		0.00	0.00	28.09			105.38		
2013	322,077.93	0.00	0.00	0.00	317,114.93	322,077.93	0.00	32.95			234.23	97.59 %	2.41 %
			0.00	0.00		0.00	0.00	234.23			7,648.41		
2012	550,264.19	0.00	0.00	0.00	542,323.54	550,419.11	0.00	17.99			135.07	98.41 %	1.59 %
			0.00	154.92		0.00	0.00	135.07			8,610.51		
2011	513,213.51	0.00	0.00	0.00	506,501.35	513,307.88	0.00	0.00			0.00	98.82 %	1.18 %
			0.00	94.37		0.00	0.00	0.00			5,991.08		
2010	488,951.08	0.00	0.00	0.00	481,869.52	489,518.80	0.00	0.00			0.00	98.46 %	1.54 %
			0.00	567.72		0.00	0.00	0.00			7,417.57		
2009	501,368.74	0.00	0.00	0.00	494,162.07	502,170.92	0.00	0.00			0.00	98.58 %	1.42 %
			0.00	802.18		0.00	0.00	0.00			7,004.52		
2008	542,235.83	0.00	0.00	0.00	534,007.05	542,859.70	0.00	0.00			0.00	98.72 %	1.28 %
			0.00	623.87		0.00	0.00	0.00			6,842.21		
2007	570,743.61	0.00	0.00	0.00	555,961.15	573,148.45	0.00	0.00			0.00	97.92 %	2.08 %
			0.00	2,404.84		0.00	0.00	0.00			11,585.04		
2006	545,204.67	0.00	0.00	0.00	538,006.19	549,611.45	0.00	0.00			0.00	98.18 %	1.82 %
			0.00	4,406.78		0.00	0.00	0.00			9,782.54		

2005	228,095.33	0.00	0.00	0.00	223,747.26	229,740.47	0.00	0.00			0.00	97.77 %	2.23 %
				0.00	1,645.14	0.00	0.00	0.00			4,988.84		
Subtot.	4,265,448.93	0.00	0.00	0.00	4,196,632.02	4,276,175.62	0.00	53.38	0.80	52.58	397.39	98.33 %	1.67 %
				0	10,726.69	0.00	0.00	397.39	5.96	391.43	69,976.10		
TAX DISTRICT: MINT HILL LEVY TYPE: VEHICLE FEE													
2014	690.00	0.00	0.00	0.00	689.12	0.00	0.00	0.95			10.95	92.74 %	7.26 %
				0.00	10.00	700.00	0.00	10.95			50.00		
2013	111,822.63	0.00	0.00	0.00	110,798.20	0.00	0.00	21.69			151.69	96.46 %	3.54 %
				0.00	0.00	111,822.63	0.00	151.69			3,922.64		
2012	197,645.01	0.00	0.00	0.00	195,899.90	0.00	0.00	17.97			107.97	97.24 %	2.76 %
				0.00	30.00	197,675.01	0.00	107.97			5,415.53		
2011	193,644.99	0.00	0.00	0.00	192,190.64	0.00	0.00	0.00			0.00	97.83 %	2.17 %
				0.00	10.00	193,654.99	0.00	0.00			4,162.82		
2010	189,020.83	0.00	0.00	0.00	187,610.80	0.00	0.00	0.00			0.00	97.33 %	2.67 %
				0.00	80.00	189,100.83	0.00	0.00			5,016.13		
2009	189,032.51	0.00	0.00	0.00	187,555.64	0.00	0.00	0.00			0.00	97.46 %	2.54 %
				0.00	180.00	189,212.51	0.00	0.00			4,755.06		
2008	192,005.00	0.00	0.00	0.00	190,299.40	0.00	0.00	0.00			0.00	97.77 %	2.23 %
				0.00	170.00	192,175.00	0.00	0.00			4,251.20		
2007	192,756.67	0.00	0.00	0.00	190,799.54	0.00	0.00	0.00			0.00	96.77 %	3.23 %
				0.00	810.00	193,566.67	0.00	0.00			6,154.17		
2006	186,370.85	0.00	0.00	0.00	184,544.72	0.00	0.00	0.00			0.00	96.79 %	3.21 %
				0.00	708.33	187,079.18	0.00	0.00			5,923.20		
2005	74,844.73	0.00	0.00	0.00	73,872.50	0.00	0.00	0.00			0.00	96.26 %	3.74 %
				0.00	277.52	75,122.25	0.00	0.00			2,761.69		
Subtot.	1,527,833.22	0.00	0.00	0.00	1,514,260.46	0.00	0.00	40.61	0.61	40.00	270.61	97.20 %	2.80 %
				0	2,275.85	1,530,109.07	0.00	270.61	4.06	266.55	42,412.44		
Total	5,793,282.15	0.00	0.00	0.00	5,710,892.48	4,276,175.62	0.00	93.99	1.41	92.58	668.00	98.03 %	1.97 %
				0.00	13,002.54	1,530,109.07	0.00	668.00	10.02	657.98	112,388.54		

Signature (Tax Collector) _____

FY2015
Proposed Budget Amendments:

GENERAL FUND

Budget	Budgeted Amount	Amendment	Amended
Revenues			
Other Shared Revenues	1,360,000	112,500	1,472,500
Expenditures			
Streets	774,785	112,500	887,285

The above amendment represents an overall increase to the General Fund of \$112,500 and brings the total Revenues and Expenditures to \$11,752,398.

POWELL BILL FUND

Budget	Budgeted Amount	Amendment	Amended
Revenues			
Fund Balance	0	37,500	37,500
Expenditures			
Street Resurfacing	450,000	37,500	487,500

The above amendment represents an overall increase to the Powell Bill Fund of \$37,500 and brings the total Revenues and Expenditures to \$692,000.

Town of Mint Hill



Fiscal Year 2015-2016
Proposed Budget Document

PROPOSED BUDGET MESSAGE

DATE: 6/1/2015
TO: THE HONORABLE MAYOR BIGGERS,
MEMBERS OF THE BOARD OF COMMISSIONERS
FROM: BRIAN L. WELCH, TOWN MANAGER/BUDGET OFFICER
RE: PROPOSED FY 2015 - 2016 ANNUAL BUDGET

Pursuant to Section § 159-11 of the North Carolina General Statutes, I respectfully present the FY 2015-2016 Budget for your review and consideration. The following message summarizes and highlights the significant elements of the adopted budget, particularly in those areas where there are notable changes from the FY 2014-2015 budget.

The proposed General Fund budget totals \$11,235,238. This budget is presented with a **proposed tax rate of \$0.27 per \$100** of assessed valuation, this rate is the same as the current tax rate as adopted for FY 2014-2015.

The Town's revenue forecasting philosophy has always been conservative and will continue for this fiscal year due to the ongoing uncertainty of current local, state, and national economic trends. Economic forecasting is not an exact science and at times relies upon the best professional judgment of the forecaster. To reduce the risks of miscalculating revenues or expenditures, the Town identifies as many factors as possible that may contribute to changes in revenue and expenditures, such as population growth, property values, development, and the economy.

Our citizens and Board have much to be proud of with a tax rate of 27 cents. At 27 cents, our tax rate is one of the lowest in the state for a municipality of our size.

GENERAL FUND/POWELL BILL REVENUE HIGHLIGHTS

Ad Valorem Taxes: The Town of Mint Hill relies on property taxes for 55% of the General Fund Budget Revenues. The assessment of all property located in the Town of Mint Hill is provided to us by Mecklenburg and Union Counties. The assessed property value is projected at \$2,345,175,461.

The adopted General Fund tax rate will be set at 27¢ per one hundred dollars (\$100) valuation of property with an estimated collection rate of 98%. Ad Valorem tax revenues (including prior year taxes to be collected) for the coming Fiscal Year are budgeted at \$6,200,000.

Local Sales and Use Tax: The State of North Carolina grants local governments the authority to levy a local sales tax of up to 2.5%, with the state sales tax. Mecklenburg County levies this tax with Mint Hill receiving sales tax revenues based on an Ad Valorem basis. The FY 2015-2016 sales tax projection is \$1,450,000. Data received from the North Carolina League of Municipalities suggests that this fiscal year's sales tax collections will result in an approximate 4% increase over last fiscal year.

Franchise Tax: The state levies a franchise tax on the total gross receipts of various utilities. Each Town's share of the utility franchise tax is based on the actual receipts from electric and telephone service within their municipal boundaries during the fiscal year. The amount of revenue generated by this tax is highly dependent on weather conditions throughout the year. Also, any annexations of industrial or other facilities that are heavy users of electric or telephone services, effective during the fiscal year could impact this revenue. The Town has not annexed any industrial areas that will significantly impact this revenue. This revenue source is expected to be \$980,000 for FY 2015-2016.

Powell Bill Tax: State estimates report that the Powell Bill distribution will be approximately 1.0% lower than in FY 2014-2015. The calculating formula for this revenue is derived from the 2014 NC Certified population of Mint Hill multiplied by \$20.39 (75%) and total mileage of road maintained by Mint Hill multiplied by \$1,629 (25%). The total estimated Powell Bill Tax Revenues for the FY 2015-2016 budget is \$663,000.

GENERAL FUND / POWELL BILL EXPENDITURE HIGHLIGHTS

Personnel: The FY 2015-2016 proposed budget includes a 2.5% merit pool for Town Employees whose performance evaluation warrants a pay increase. The budget also includes funding for one additional FF/EMT position.

Administration: There are no major changes proposed in the FY 2015-2016 budget in the Administrative Department.

General Services (Non-Departmental): This account is derived from ongoing professional and contractual expenses the Town expends on an annual basis. These services include items that are associated with multiple departments or contributions to outside organizations. These items include but are not limited to the auditing/legal services, insurance and bonds, telephone and utilities. Various outside organizations will receive funding from the Town of Mint Hill during FY 2015-2016. The distribution of funds to these organizations is as follows. The Mint Hill Chamber of Commerce was approved for \$8,000. Kid's Voting was approved for \$2,500. The Levine Senior Center was approved for \$5,000. The Mint Hill Youth Football was approved for

\$5,000. Finally, the Mint Hill Athletic Association was approved for \$60,000 to finance ongoing operations.

Planning: There are no major changes proposed in the FY 2015-2016 budget in the Planning Department.

Police Department: The Police Department provides for a patrol force of five officers per shift, investigations, school resource officers and administrative staff. They continue to improve on Community based policing, problem-solving and being pro-active in reducing the overall concerns with crime in Mint Hill. This budget year includes funds for the purchase of three (3) replacement patrol vehicles.

Fire Department: Mint Hill Fire & Rescue is recognized as Mint Hill's primary provider of Fire and Ambulance Service in the Town. Mint Hill residents continue to receive the highest possible service in Mecklenburg County. The Town of Mint Hill provides and assigns the Fire Department twenty-four (24) full-time employees with benefits, employee departmental costs such as uniforms, travel/training, and the purchase of one piece of equipment (currently a 2009 ladder) every five (5) years as per our contract. Additionally, the Town provides through a contract with the Fire Department six (6) paramedics funded by proceeds from the Ambulance Service.

Idlewild Volunteer Fire department provides coverage for a portion of Mint Hill and Matthews. For this reason, both municipalities make financial contributions to the department to support ongoing operations. In an effort to combat rising operating costs while keeping the Idlewild VFD solvent and functioning at a high level, the Town has budgeted \$237,000 for FY 2015-2016 to offset operating and personnel costs and for continued help towards their recent purchase of a fire engine.

Animal Control: Animal Control Services will continue to be provided by Charlotte-Mecklenburg Animal Control through an annual contract. The contract provides for receiving all animal control complaints, dispatching service, complaint investigation and resolution, transportation of animals and housing of the animals. The FY 2015-2016 budget estimates the cost of this service at \$110,000. This estimate is based on a rate of \$140.20 per call.

Street Maintenance: The Town maintains over 100 miles of streets within the corporate limits. These streets are assessed on an annual basis and are assigned priority for repair by the Public Works Director. The FY 2015-2016 budget has identified \$450,000 for street resurfacing. Additional funds have been budgeted towards the purchase of a covered structure that will provide protection from the elements for the Town's equipment.

Solid Waste / Recycling: The adopted budget provides funding for once weekly curbside collection of one ninety-six (96) gallon can, bi-weekly recycling of one ninety-six (96) gallon can and debris pickup. The cost of this service for FY 2015-2016 is \$1,770,000 or \$16.88 per household per month. This per household monthly amount includes \$1 for the purchase of roll-out recycling containers that have been placed throughout Town. Landfill service and tipping fees will continue to be provided by Mecklenburg County Landfill service at a cost of \$29.00 per ton or \$270,000 annually. Total cost for Solid Waste Service for the proposed budget is \$2,040,000.

Parks and Recreation: Funds have been added to this year's budget to continue our commitment of maintaining structures at the parks that include shelters, the park house and other equipment. Funds have also been identified for the Parks on Wilgrove and Fairview to install equipment and make improvements as they are identified by the Public Works and/or Parks Directors.

STORMWATER FUND

Mecklenburg County and all seven municipalities assess a stormwater fee to every tax parcel except undeveloped ones including tax-exempt agencies such as Governments, Schools, and Churches. The assessments are spent only on stormwater related expenditures to repair or maintain the major and minor stormwater system. The Town will continue to contract with Mecklenburg County Stormwater Services for inspection and repair services, supplemented by the Town's Public Works Department, as well as implement the federally mandated Stormwater Phase II Permit Requirements. All priority rankings and subsequent work on stormwater complaints are in accordance with the Mecklenburg County Stormwater Services priority rating system.

TOURISM REVENUE FUND

Mecklenburg County collects hotel and motel tax from properties within the County. Revenues collected within the Town limits are shared with the County, which uses its portion of the tax to fund the Charlotte Convention Center as well as the NASCAR Hall of Fame. The remaining portion of the tax is remitted to the Town of Mint Hill to be spent on the promotion of local tourism. This fund also accounts for revenues collected from the Prepared Food and Beverage Tax for use for the same purpose. Per an interlocal agreement between all municipalities within Mecklenburg County, the Town's portion of the tax will remain at 75% of that amount collected in each municipality. Approved funding for the Mint Hill Historical Society in the amount of \$60,000, Mint Hill Arts in the amount of \$10,000, Pottery 51 in the amount of \$10,000, Mint Hill Madness in the amount of \$15,000, Discover Mint Hill in the amount of \$1,500 and the Order of the Purple Hearts in the amount of \$4,000 have been proposed in FY 2015-2016. Proceeds from this Fund also go towards the continued implementation of the Town's Cultural Action Plan via a contribution to the Arts and Science Council in the amount of \$10,000.

INFRASTRUCTURE FUND

This Fund contains proceeds for future infrastructure work that has been contributed by developers in lieu of immediately installing the infrastructure required as part of their development. Currently the Fund contains monies slated for the installation of sidewalk, curb and guttering and other improvements along Wilgrove-Mint Hill Road along with funds as per the Town's cash in lieu of bonds policy.

SUMMARY

Mint Hill will continue all efforts to provide its residents with the highest possible level of service while striving to be good stewards of the Town's tax dollars. We will manage the continued growth of our area to provide a well-balanced community with a high standard of living that is sustainable in all economic conditions. The Town will continue to work with other agencies to resolve issues related to water/sewer, transportation, growth and recreational opportunities. Identifying what are the best long-term interests for the Town, goal-setting for the future and working towards these goals will continue to be our primary focus.

In closing, I would like to extend my sincerest appreciation to the elected officials and the entire Town Staff for their dedication, hard work and genuine interest in our community. Their selfless efforts and commitment to excellence reasons Mint Hill is one of the best communities in North Carolina.

Respectfully submitted,

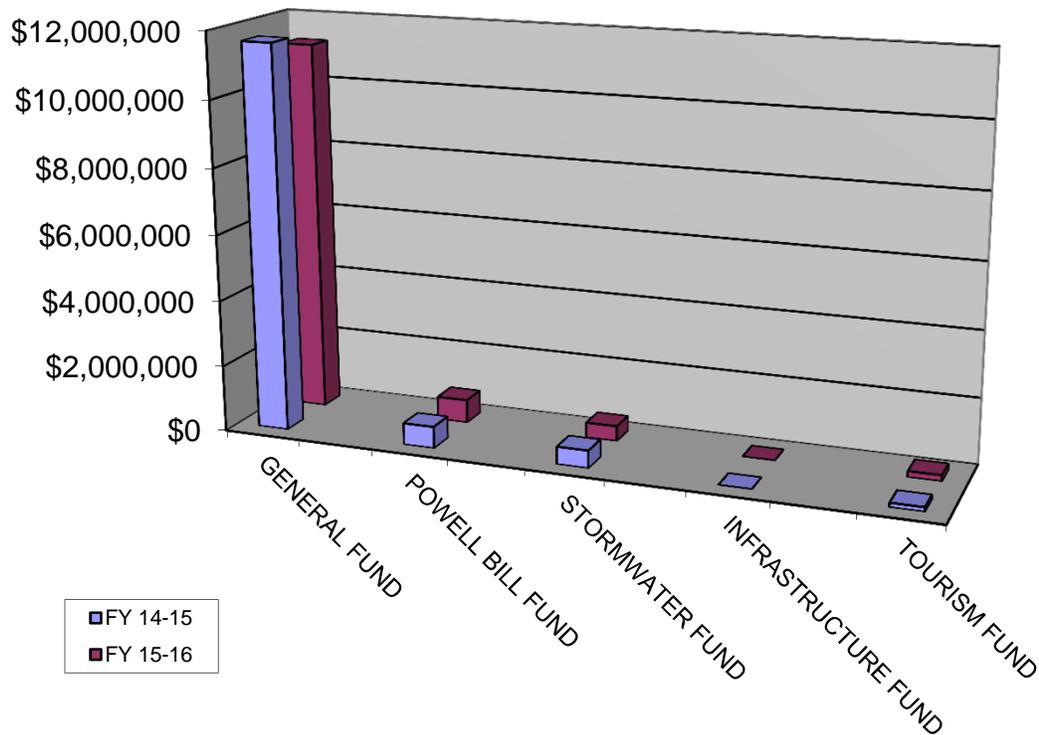


Brian L. Welch
Town Manager/Budget Officer

SUMMARY OF PROPOSED ANNUAL BUDGET BY FUND

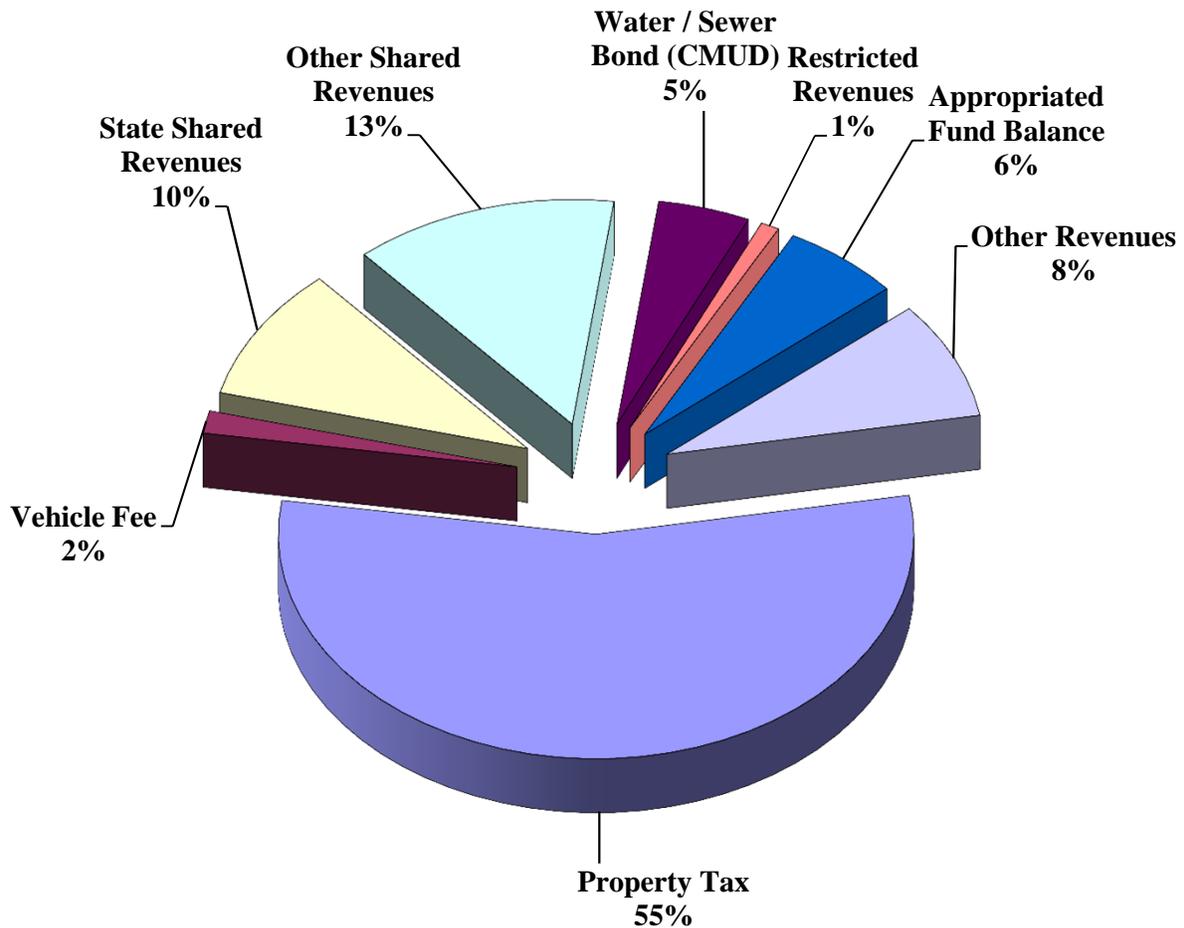
TYPE OF FUND	FY 14-15	FY 15-16
GENERAL FUND	\$11,639,898	\$11,235,238
POWELL BILL FUND	654,500	704,500
STORMWATER FUND	528,488	458,590
INFRASTRUCTURE FUND	50	50
TOURISM FUND	128,500	180,500

TOTAL \$12,951,436 \$12,578,878



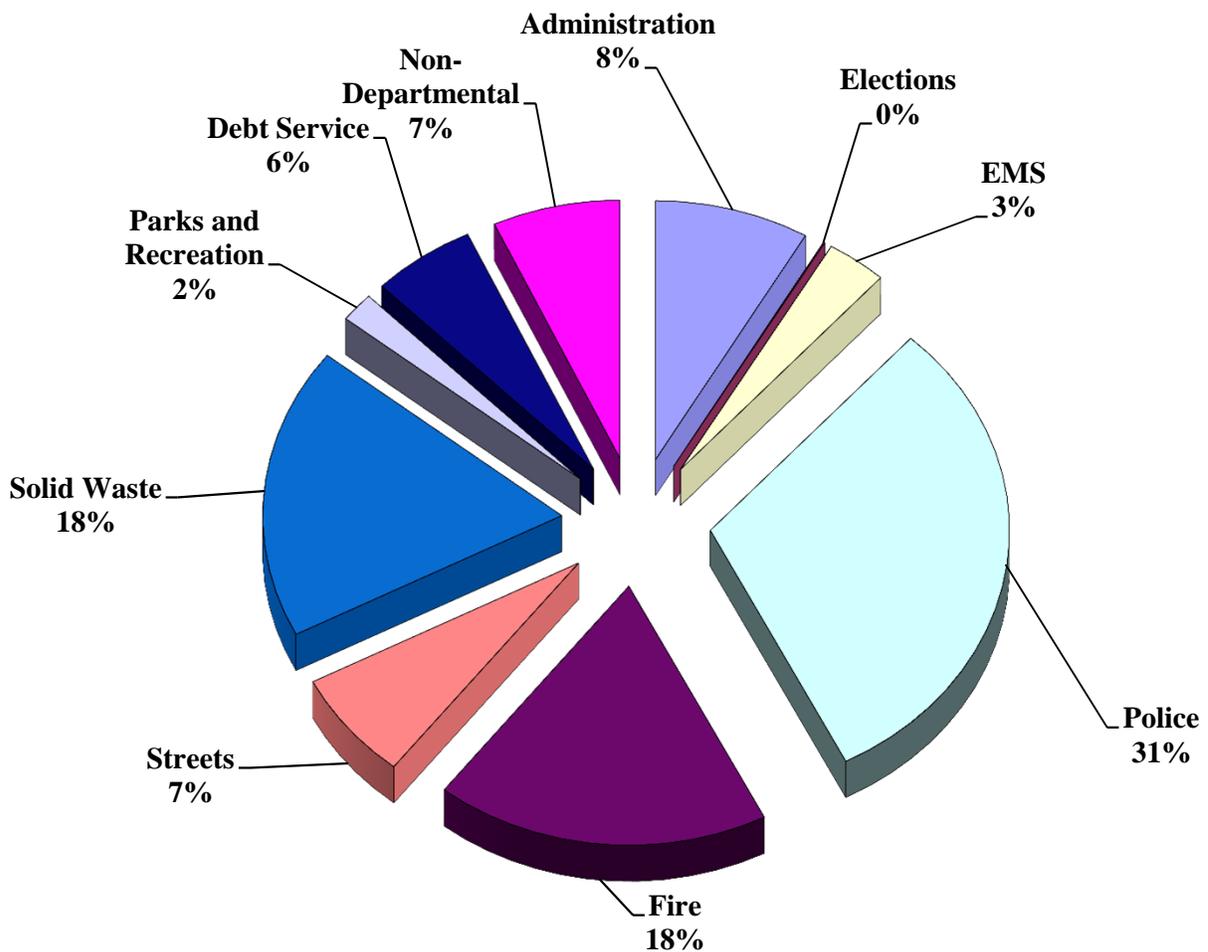
FY 2015-2016 GENERAL FUND PROPOSED REVENUE SUMMARY

REVENUES	
Property Tax	\$6,200,000
Vehicle Fee	180,000
State Shared Revenues	1,080,000
Other Shared Revenues	1,515,000
Water / Sewer Bond (CMUD)	527,375
Restricted Revenues	106,000
Appropriated Fund Balance	680,106
Other Revenues	946,757
<i>Total Revenues</i>	\$11,235,238



FY 2015-2016 GENERAL FUND PROPOSED EXPENDITURE SUMMARY

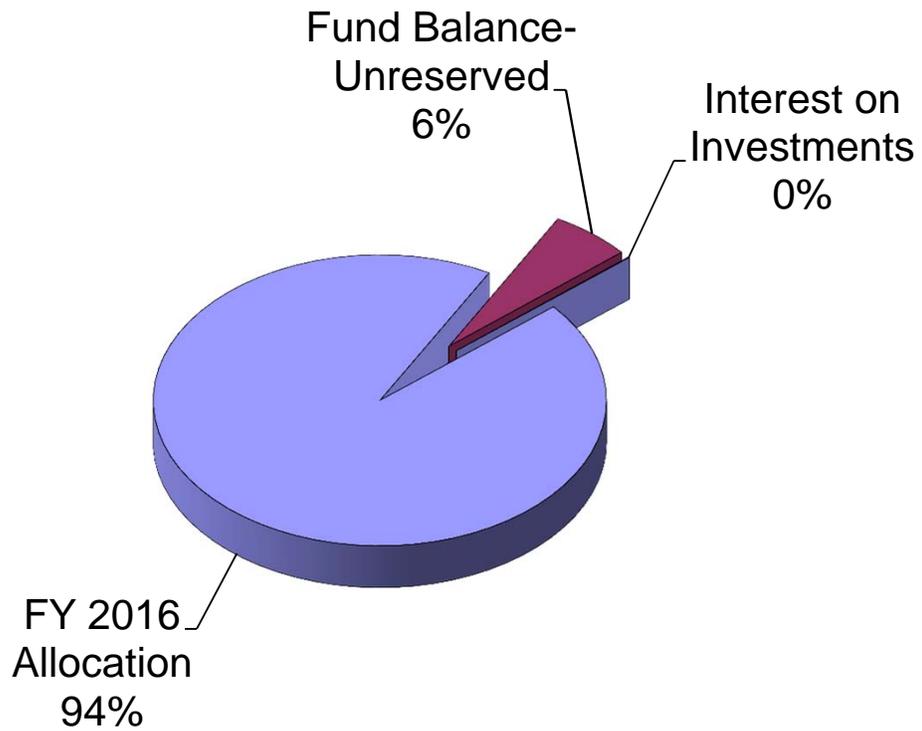
EXPENDITURES	
Governing Body	\$38,295
Administration	934,988
Elections	7,500
EMS	365,724
Police	3,453,090
Fire	2,023,911
Streets	763,585
Solid Waste	2,040,000
Parks and Recreation	206,484
Debt Service	627,661
Non-Departmental	774,000
<i>Total Expenditures</i>	\$11,235,238



**FY 2015-2016 POWELL BILL
PROPOSED REVENUE SUMMARY**

REVENUES

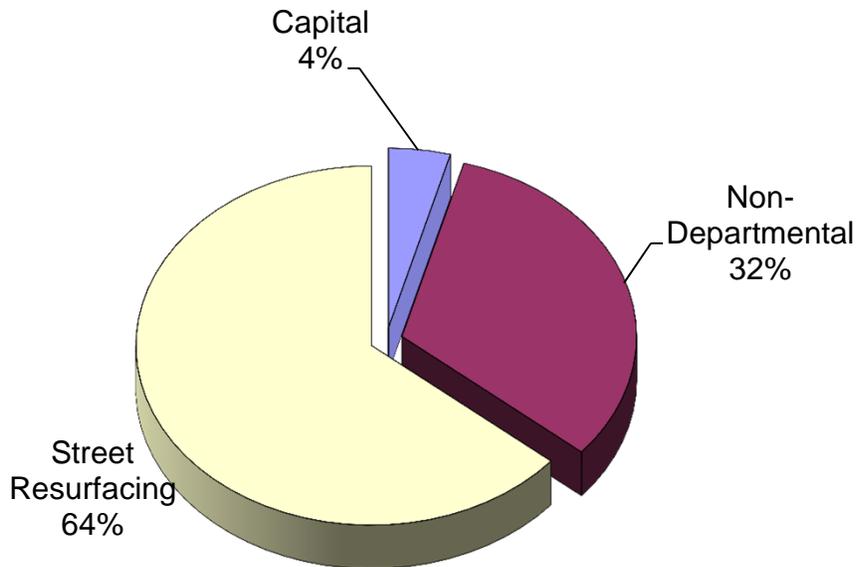
FY 2016 Allocation	\$663,000
Fund Balance-Unreserved	\$41,000
Interest on Investments	500
<hr/>	
Total Revenues	\$704,500



FY 2015-2016 POWELL BILL
PROPOSED EXPENDITURE SUMMARY

EXPENDITURES

Capital	\$30,000
Non-Departmental	224,500
Street Resurfacing	450,000
<hr/>	
Total Expenditures	\$704,500



2015-2016 PROPOSED BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of the Town of Mint Hill, NC meeting in regular session on June 11, 2015, that the following Fund Revenues and Department Expenditures together with certain restrictions and authorizations are adopted:

SUMMARY

General Fund	\$11,235,238
Powell Bill Fund	704,500
Stormwater Fund	458,590
Infrastructure Fund	50
Tourism Revenue Fund	180,500
	<hr/>

TOTAL FUND SUMMARY **\$12,578,878**

Section I GENERAL FUND

Revenues Anticipated

<u>SOURCE</u>	<u>AMOUNT</u>
Ad Valorem Taxes - Levy	\$5,600,000
Ad Valorem Taxes-Prior Years	40,000
Auto Fee	180,000
Ad Valorem Taxes-Interest	25,000
Motor Vehicle Tax	535,000
Vehicle Rental Tax	4,000
Other Taxes - ABC	65,000
Solid Waste Disposal	14,500
Beer & Wine Tax	100,000
Utility Franchise Tax	980,000
Sales and Use Tax Refund	1,450,000
Earnings on Investments	5,000
Other Miscellaneous Revenues	725,724
Other Financing Sources	150,000
Zoning Application Fees	15,000
Fund Balance-Unreserved	680,106
Char-Meck Schools (SRO)	105,000

Sewer Bonds (CMUD)	376,919
Water Bonds (CMUD)	150,456
Transfer from Other Funds	32,533
Federal Forfeiture Revenue	1,000
	<hr/>

Total General Fund Revenue **\$11,235,238**

Expenditures Authorized

<u>Department</u>	<u>Amount</u>
Governing Body	\$38,295
Administration	934,988
Elections	7,500
EMS	365,724
Police	3,453,090
Fire	2,023,911
Streets	763,585
Solid Waste	2,040,000
Parks and Recreation	206,484
Debt Service	627,661
Non-Departmental	774,000
	<hr/>

Total General Fund Expenditures **\$11,235,238**

Section II
POWELL BILL FUND

Revenues Anticipated

<u>Source</u>	<u>Amount</u>
Powell Bill Revenue	\$663,000
Fund Balance-Unreserved	\$41,000
Interest on Investments	500
	<hr/>
Total Powell Bill Revenues	\$704,500

Expenditures Authorized

<u>Department</u>	<u>Amount</u>
Planning	\$450,000
Non Departmental	224,500
Capital	30,000
	<hr/>
Total Powell Bill Expenditures	\$704,500

Section III
STORMWATER FUND

Revenues Anticipated

<u>Source</u>	<u>Amount</u>
Stormwater Fees	\$300,000
Interest on Investments	1,500
Other Financing Sources	0
Fund Balance-Unreserved	157,090

Total Stormwater Revenues **\$458,590**

Expenditures Authorized

<u>Source</u>	<u>Amount</u>
Administration	\$293,590
Non-Departmental	165,000
Capital	0

Total Stormwater Expenditures **\$458,590**

Section IV
INFRASTRUCTURE FUND

Revenues Anticipated

<u>Source</u>	<u>Amount</u>
Interest on Investments	<hr/> \$50
Total Infrastructure Revenues	\$50

Expenditures Authorized

<u>Source</u>	<u>Amount</u>
Contingency	<hr/> \$50
Total Infrastructure Expenditures	\$50

Section V
TOURISM FUND

Revenues Anticipated

<u>Source</u>	<u>Amount</u>
Prepared Food/Occupancy Tax	\$175,350
Grants	5,000
Interest on Investments	150
	<hr/>
Total Tourism Revenues	\$180,500

Expenditures Authorized

<u>Source</u>	<u>Amount</u>
Non-Departmental	\$175,500
Contingency	5,000
	<hr/>
Total Tourism Expenditures	\$180,500

**SECTION VI
TAX RATE ESTABLISHED**

An Ad Valorem Tax Rate of \$0.27 per \$100 at full valuation is hereby established as the official tax rate for the Town of Mint Hill for the fiscal year 2015-2016. This rate is based on a total true valuation of \$2,345,175,461 and an estimated rate of collection of approximately 98%. A vehicle fee of \$10 is also hereby established and is levied on all vehicles registered within the corporate limits.

**Section VII
SPECIAL AUTHORIZATION, BUDGET OFFICER**

- A The Budget Officer shall be authorized to reallocate departmental appropriations among the various objects of expenditures as he believes necessary.

**Section VIII
RESTRICTIONS, BUDGET OFFICER**

- A Utilization of appropriations established in any Capital Reserve Account may be accomplished only with the express approval of the Board

- B Upon authorization by the Board at some future time, the Budget Officer may activate the Capital Projects Fund and thereafter treat it as any other operating fund.

**Section IX
UTILIZATION OF BUDGET AND BUDGET ORDINANCE**

This Ordinance and the Budget Document shall be the basis of the financial plan for the Mint Hill Municipal Government during the 2015-2016 Fiscal Year. The Budget Officer shall administer the Budget and he shall insure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the Budget. The accounting section shall establish records that are in consonance with the Budget and this Ordinance and the appropriate statutes of the State of North Carolina.

PROPOSED THIS THE 11TH DAY OF JUNE, 2015



Planning Board Transmittal

CASE:	ZC14-14
MEETING DATE:	MAY 18, 2015
MEMBERS PRESENT:	TONY LONG ROY FIELDING BRAD SIMMONS ROGER HENDRIX
RECOMMENDATION:	FAVORABLE

Mr. Simmons made a motion to send a favorable recommendation on Text Amendment ZC14-14, Family Care Home, to amend the Unified Development Ordinance to establish a minimum distance separation for Family Care Homes and add Family Care Home Subdivision option. Mr. Fielding seconded the motion and the Board unanimously agreed.



STAFF REPORT

CASE:	ZC14-14, FAMILY CARE HOME
REQUEST:	AMEND THE UNIFIED DEVELOPMENT ORDINANCE (UDO) TO ESTABLISH A MINIMUM DISTANCE SEPARATION FOR FAMILY CARE HOMES AND ADD FAMILY CARE HOME SUBDIVISION OPTION
APPLICANT:	TOWN OF MINT HILL

The purpose of the text amendment is to establish a minimum separation distance of 2,640 feet (1/2 mile) between Family Care Home facilities and create a Family Care Home development option.

TEXT AMENDMENT OUTLINE

Family Care Home (SR Residential District-Table of Permitted Uses) *Add 7.1.13 cross reference

Add Section 7.1.13- Establish minimum distance

Add Family Care Home Subdivision (CD Residential District-Table of Permitted Uses) *Add 7.2.32 cross reference

Add new Section 7.2.32 –Specify development shall follow subdivision requirements

Add Family Care Home Subdivision to Section 2.4 Terms Defined in this Ordinance.

Family Care Home Subdivision

A subdivision development consisting of four or more residential lots, subdivided in accordance with the Mint Hill Subdivision regulations, created for the purpose of permitting Family Care Homes in close proximity with one another. The development shall be owned and operated by a single entity.

STATE STATUTE

§ 168-22. Family care home; zoning and other purposes. (a) A family care home shall be deemed a residential use of property for zoning purposes and shall be a permissible use in all residential districts of all political subdivisions. No political subdivision may require that a family care home, its owner, or operator obtain, because of the use, a conditional use permit, special use permit, special exception or variance from any such zoning ordinance or plan; provided, however, that a political subdivision may prohibit a family care home from being located within a one-half mile radius of an existing family care home. (b) A family care home shall be deemed a residential use of property for the purposes of determining charges or assessments imposed by political subdivisions or businesses for water, sewer, power, telephone service, cable television, garbage and trash collection, repairs or improvements to roads, streets, and sidewalks, and other services, utilities, and improvements. (1981, c. 565, s. 1; 1993 (Reg. Sess., 1994), c. 619, s. 1; 1999-219, s. 3.2.)

STAFF CONTACT:

Planning Staff
704-545-9726

7.1.13	RESIDENTIAL	Family Care Home	BR-SR
7.2.32	RESIDENTIAL	Family Care Home Subdivision	CD

Add new Section 7.1.13

7.1.13 Special Requirements for Family Care Homes

- A. All Family Care Homes must comply with all applicable Federal, State, local licensing requirements and health regulations.
- B. New Family Care Homes (also referred to as Group Homes) shall be separated from existing Family Care Homes in single family residential district by a distance of 2,640 feet measured from the closest point of each lot property line in a straight line.

Add new Section 7.2.32

7.2.32 Supplementary Use Regulations for Family Care Home Subdivision

- A. Family Care Home Subdivision is a subdivision development consisting of four or more residential lots, subdivided in accordance with the Mint Hill Subdivision regulations, created for the purpose of permitting Family Care Homes in close proximity with one another. The development shall be owned and operated by a single entity.

NOISE CONTROL

Section

01	Loud, Disturbing Noises Prohibited
02	Definitions
03	Certain Sounds Prohibited
04	Amplified Sound
05	Permits for Amplified Sound
06	Outdoor Amplification & Music at Commercial Establishments
07	Sound Measurement Procedures
08	Permits for Large Outdoor Music Facilities
09	Chronic Noise Producers
10	Enforcement & Penalties
11	Severability

01 LOUD, DISTURBING NOISES PROHIBITED, GENERALLY

It shall be unlawful for any person to create, or assist in creating, any unreasonably loud and/or disturbing noise in the Town of Mint Hill.

02 DEFINITIONS

For the purpose of this ordinance, the following words and phrases are defined below unless it shall be apparent from the context that a different meaning is intended.

“A” Weighting Scale The sound pressure level, in decibels, as measured with the sound level meter using the “A” weighted network scale. (Denoted ‘dB(A)’)

Amplified Sound Any sound created by a sound-magnifying device, whose source is outside or whose source is inside and where the sound propagates to the outside or to other dwellings or interior locations under separate ownership or occupancy.

‘ANSI’ American National Standards Institute or its successor bodies.

Construction On-site erection, fabrication, installation, alteration, demolition or removal of any structure, facility, or addition thereto, including all related activities, including, but not limited to, the clearing, moving, blasting or landscaping of land (earth.)

Daytime Hours 7:00 am to 9:00 pm

dB(A) Sound level in decibels, as determined by the “A” weighting scale of a sound meter having characteristics defined by the American National Standards Institute and conforming to the requirements of ANSI/NCSS Z540-1 IOS.

Decibel (dB) A unit of measure, on a logarithmic scale, of the ratio of the magnitude of a particular sound pressure to a standard reference pressure, which for the purposes of Section 07 shall be 0.0002 microbars.

Emergency Service Vehicles Publicly-owned or operated vehicles used for the purposes of responding to public emergencies, to include police, fire and medical rescue vehicles, or vehicles of public utility companies or contracted private companies conducting emergency repairs to the protection of public safety.

Exceptional Permit An amplified-sound permit authorized by the Town Manager upon a finding of ‘legal entitlement’ of an applicant’s request for a permit which is denied by the Noise Control Officer.

Motor Vehicle or Vehicle As used herein, shall mean any vehicle propelled on land by a motor, such as, but not limited to, automobiles, trucks, truck-trailers, semi-trailers, campers, go-carts, motorcycles, mopeds or buses. It shall exclude trains and Emergency Service Vehicles.

Nighttime Hours 9:00 pm to 7:00 am

Noise As used herein, any unreasonably loud, disturbing sound levels taking into consideration the volume, duration, frequency, and other characteristics of the sound.

Noise Control Officer Any police officer or other person so designated by the town manager who is trained in the operation and calibration of the noise measurement equipment. The Noise Control Officer may only operate within his/her territorial jurisdiction and must be authorized to issue a civil summons as required in this ordinance

Person Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of the state, any other state or political subdivision or agency thereof or any legal successor, representative, agent or agency of the forgoing.

Plainly Audible Any sound that can be detected by a person using his or her unaided faculties.

Sound An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that cause compression and refraction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

Sound Level In decibels, a weighted sound pressure level determined by the use of a sound meter whose characteristics and frequency weighting are specified in ANSI standards.

Sound Level Meter Any instrument certified to meet or exceed ANSI standards which include an Omni directional microphone, an amplifier, and output meter and frequency weighting network(s) for the measurement of sound level.

Violator As described herein, means any person that is in possession of or has control of any noise generating device.

03 CERTAIN SOUNDS PROHIBITED

The following acts and activities, among others, are hereby

declared to be a source of “unreasonably loud and/or disturbing noise” in violation of Section 01.

A. Sounds Impacting Residential Areas: It shall be unlawful to carry on the following activities in any residentially-zoned area of the Town, or within three hundred (300) feet of any residentially-occupied structure in any zone of the Town:

(1) The sounding of any horn, car alarm, siren, or other signal device upon any automobile, except when used as a signal of warning or danger, so as to create any unreasonable noise;

(2) The playing of any sound-magnifying device, radio, television, or musical equipment, within or outside of any structure, in a manner or at a volume so as to annoy or disturb the quiet, comfort or repose of any person in any adjoining dwelling, apartment unit, or hotel/motel room;

(3) The operation a front-end loader for refuse collection during nighttime hours;

(4) The operation of construction machinery or performing any construction activities during nighttime hours;

(5) The operation of automotive repairs equipment or garage machinery out-of-doors during nighttime hours;

(6) The operation of lawn mowers or other domestic power tools, out-of-doors during nighttime hours;

(7) The creation of any mechanical noise which registers more than 60 dB(A) during nighttime hours at the property line of the source of the noise.

B. Sounds Impacting All Areas: It shall be unlawful to carry on the following activities in any area of the town:

(1) To operate or allow the operation of any sound amplification equipment so as to create sounds registering fifty-five (55) dB(A) during daytime hours or fifty (50) dB(A) during nighttime hours, as measured at the property line of the from where the sound is being amplified, except in accordance to a permit obtained from the Noise Control Officer;

(2) To amplify sound produced by a radio, compact disc, or any other electronic device, or sounds produced by any person or musical instrument from within a motor vehicle, so as to create an unreasonable noise such that the sound is plainly audible at a distance of more than fifty (50) feet away from the vehicle. This subsection shall not apply to vehicles used for business or political purposes which, in the normal course of operation, are not within five-hundred (500) feet of any school, child care center, house of worship, personal care facility, or hospital. This subsection does not apply to vehicles operating such equipment during public parades

when a valid parade permit, with the sound conditions identified, has been issued;

(3) To discharge into the open air the exhaust of any internal combustion engine when the muffler system is missing or configured in such condition so as to result in the creation of unreasonable noise;

(4) The operation of any motor vehicle outside of any structure on private or public property in such a manner as to create unreasonable noises, by actions including, but not limited to racing engines, spinning tires, jackrabbit starts, and off-road operation.

C. This section shall not apply to:

(1) Emergency operations designed to protect the public health or safety;

(2) Work performed by State, County, Town or Government-Contracted crews in a right-of-way or utility easement when the department responsible for the work determines that it is necessary to perform the work during nighttime hours, under the following considerations:

(a) To avoid unreasonably impacting the flow of traffic; or

(b) To avoid unreasonably disrupting the provision of utility service.

04 AMPLIFIED SOUND

It shall be unlawful to operate or allow the operation of any sound amplification equipment so as to create sounds registering 55 db(A) or greater during daytime hours, or 50 db(A) during nighttime hours, unless otherwise authorized in this ordinance.

A. The following Tables shall serve as the sound emission limits of volume and measurement standards for the listed source of amplified sound except in accordance with a permit obtained from the Noise Control Officer:

Table 1 – Single Family Residential:

Daytime Hours	Nighttime Hours	Measurement
55 dB(A)	50 dB(A)	Property Line of nearest occupied residential structure

Table 2 – Multi-Family / Tenant Structures:

Daytime Hours	Nighttime Hours	Measurement
55 dB(A)	50 dB(A)	From a point within the nearest adjoining unit to the source of the sound, or from the closest ‘common area’ to the source of the sound

Table 3 – Residential / Institutional and Places of Public Gathering Having a Capacity of 1,000 or Greater (See also Section 08):

9:00am–10:00pm	10:00pm–9:00am	Measurement
65 dB(A)	50 dB(A)	As measured anywhere at property line of nearest residential property

Table 4 – Business, Commercial or Industrial, Utilizing Sound to Advertise and/or Attract Customers:

Daytime Hours	Nighttime Hours	Measurement
60 dB(A)	Not Permitted	As measured at nearest public right-of-way

Table 5 – Business, Commercial or Industrial, Other Amplified Sounds (see also Section 06):

Daytime Hours	Nighttime Hours	Measurement
60 dB(A)	Not Permitted	As measured at nearest public right-of-way

Table 6 – Street, Sidewalk, Public Right-of-Way, Public Parking Structure or Park:

Daytime Hours	Nighttime Hours	Measurement
60 dB(A)	50 dB(A)	As measured fifty (50) feet from source of amplified sound
70 dB(A)	60 dB(A)	As measured ten (10) feet from source of amplified sound

Table 7 – Street, Sidewalk, Public Right-of-Way, Public Parking Structure or Park – Portable Amplification Device (i.e. ‘PA System’):

Daytime Hours	Nighttime Hours	Measurement
60 dB(A)	Not Allowed	As measured fifty (50) feet from source of amplified sound
70 dB(A)	Not Allowed	As measured ten (10) feet from source of amplified sound

05 PERMITS FOR ADDITIONAL AMPLIFICATION

A. *Application* - An application for a permit pursuant to this section must be submitted to the Mint Hill Police Department at least fifteen (15) business days before the permit time requested. It shall specify the responsible person(s) for the sound amplification equipment.

B. *Notice of Tentative Approval* – Upon initial review

of the applicant and requested use, if found within the conditions of this section, a *Notice of Tentative Approval* shall be issued. For the permit to be considered ‘valid’ and in effect, the applicant must cause for a notice to be delivered / disseminated to all occupied properties located within 1,000 feet of the proposed location of sound amplification. This must be completed within seventy-two (72) hours of the proposed event. The confirmation of that delivery of notice shall be returned to the Noise Control Officer prior to the event / use of amplified sound.

C. *Limits on hours* - With the exception of permits issued pursuant to section 08, no permit shall be issued which will have the effect of allowing more than twenty (20) of excess amplification per year at any place of public entertainment having a capacity of one thousand (1,000) or more persons or twelve (12) hours of excess amplification at any other location.

D. *Limit on Permits* - Permits shall be tentatively approved and subsequently granted by the Mint Hill Police Department in the order of receipt. Subsequent permits shall not be issued for a location within a one thousand (1,000) foot radius of the location of an issued permit.

E. *Not Permitted in Residentially-Zoned Areas*– Pursuant to the issuance of a permit, the creation of sounds registering more than seventy (70) dB(A) anywhere within the boundary line of the nearest residentially-occupied property shall be prohibited.

F. *Sound Check(s)* – The applicant shall notify the Mint Hill Police Department when the amplification equipment is ready for a sound check by the Noise Control Officer. Using a sound-level meter, the Noise Control Officer may take readings to confirm that the levels have been set at the permitted level.

G. *Permit Revocation* – If sound checks taken by the Noise Control Officer during the event of amplified sound determines the levels to be in excess of the permit, or should it be determined that any other conditions of this section have not been completed as required or other conditions of the permit not met, the Noise Control Officer may Revoke the issued permit and require an immediate cessation of the amplified sound.

H. *Permit Denial* – If the applicant has been denied the issuance of a permit by the Noise Control Officer, and believes the denial to be illegal under applicable local, state or federal law, the applicant may appeal the denial to the Town Manager. The appeal shall be delivered in writing, and shall include a copy of the permit and a statement as to the applicant’s belief as to the legal basis for the appeal. The Town Manager shall have the discretion to grant an Exceptional Permit, waiving the exceptions for location, time of day, and/or decibel restrictions, upon his/her determination that the applicant has made a substantial showing of legal entitlement. Any such Exceptional Permits shall be promptly reported to the Board of Commissioners.

06 OUTDOOR AMPLIFICATION & MUSIC at COMMERCIAL ESTABLISHMENTS

A. Except in accordance to a permit issued pursuant to Section 05, it shall be unlawful for any commercial establishment, including, but not limited to restaurants, bars or nightclubs, to operate or allow the operation of sound amplification equipment out of doors or directed out of doors or to allow live acoustic music out of doors or directed out of doors other than during the times listed below or so as to create sounds registering in excess of:

Table 1 – Sunday through Thursday

8:00am – 9:00pm	9:00pm – 2:00am
85 dB(A)	60 dB(A)

Table 2 – Friday through Saturday

8:00am – 11:00pm	11:00pm – 2:00am
85 dB(A)	60 dB(A)

B. The decibel limits prescribed in this section shall be measured at the property line of the commercial property from where the sound is being generated

C. The amplified sound may only be produced during the operational hours of the commercial establishment.

D. An establishment that has been determined to be ‘Non-Cooperative’ pursuant to Section 09 (C) shall be subject to enhanced civil penalties and, after two violations of this section within one year of having been deemed ‘Non-Cooperative’, shall not operate or allow the operation of sound amplification or live acoustic music out of doors or directed out of doors for a period of eighteen (18) months after the second violation. The prohibition shall apply to the establishment and the property on which the establishment is located.

07 SOUND MEASUREMENT PROCEDURES & TECHNIQUES

A. For the purpose of determining decibels [dB(A)] as referenced in this ordinance, the noise shall be measured on the “A-weighting scale slow response” on a sound level meter of standard design and quality having characteristics established by the American National Standards Institute.

B. When the Noise Control Officer determines that insufficient prima facie evidence exists for establishing a noise violation case, the investigating officer will use a sound-level meter to measure the sound level. Sound measurements shall be conducted at that time, day or night, when the suspect noise source is emitting sound.

C. The following procedures shall be utilized in the sound measurement process:

(1) The sound measurement equipment shall have been calibrated within one hour before use and one hour after use to measure sound level;

(2) Prior to obtaining the sound sample, the sound level meter shall be set to the “A” weighted network at ‘slow response’;

(3) The Omni directional microphone shall be set in an approximate 70 degree position, approximately four feet from the ground or floor, facing the noise source while recording the meter’s instantaneous response (reading) observed at consecutive ten-second intervals, taking 10 to 15 sample readings.

(4) No individual other than the operator of the sound meter shall be within ten feet of the sound level meter during the measurement process.

08 PERMITS FOR LARGE OUTDOOR MUSIC FACILITIES

The purpose of this section is to establish a process by which permits may be issued to manage the musical and/or amplified sound emissions at large outdoor facilities which are designed to accommodate such events.

A. For the purposes of this section, a “Large Outdoor Music Facility” means a facility with a capacity of 1,000 or more persons and that offers musical and/or other amplified sound entertainment events at least five times a year.

B. A Large Outdoor Music Facility may, but is not required to, submit an application for a Large Outdoor Music Facility permit. When issued, the permit authorizes the sound emissions, under the conditions described within the permit, for the calendar year. All permits issued pursuant to this section expire December 31.

C. After consulting with the applicant and investigating the design and layout of the property, its proximity to residentially-zoned property, and the nature of any intervening property, a permit may be issued that contains the restrictions and/or requirements designed to strike an appropriate balance between legitimate use and operation of the facility and the noise impacts on residential life.

D. The restrictions and/or requirements may include, but are not limited to, restrictions on days of week or hours of operation, total number of events, operational requirements, design and/or structural requirements, and self-monitoring and reporting requirements.

E. A facility issued a permit pursuant to this section shall not be subject to the provisions of Section 06.

F. It shall be unlawful for a Large Outdoor Music Facility to violate the terms of a permit issued pursuant to this section.

09 CHRONIC NOISE PRODUCER

The purpose of this section is to establish a collaborative process through which the Town and the owner / manager / occupant of a property that has been identified as a chronic source of objectionable noise will develop and implement a noise mitigation plan intended to bring the noise to acceptable levels. A 'Chronic Noise Producer' is a location that, because of the sound generated by or at the location, is an annoyance to adjacent or nearby residences, lodgings, schools, businesses, or other places where people may congregate with a reasonable expectation of undisturbed activity. An establishment may be a Chronic Noise Producer without having violated other provisions of this Ordinance.

A. The Chief of Police (or designee) may designate the owner / manager / occupant of the location as a 'Chronic Noise Producer.' In making such a determination, among other factors, the following shall be taken into consideration:

- (1) The number and frequency of valid noise complaints;
- (2) The proximity and physical relationship between the location and the complaining location(s);
- (3) The severity of the sound events, both observed or measured;
- (4) The times and days of the week of sound events;
- (5) The location's history of cooperation and efforts to alleviate the problem; and
- (6) The history and context of the location, including whether the sound producing activity predates the occupation of the complaining locations and/or whether the sound producing location is located in what is generally recognized as an entertainment area.

B. Upon designation as a Chronic Noise Producer, the Chief of Police shall inform the location owner / manager / occupant of the location and that it has been referred to the Town Manager.

(1) The town Manager may request and consider the input of town staff and/or external experts with expertise in the type of location and/or noise under review.

(2) The Town Manager shall schedule a meeting with representatives of the location to review the information that formed the basis for the designation and any additional information concerning the noise produced at the location.

(3) Following the meeting, the Town Manager shall determine whether a Mitigation Plan is warranted. If determined warranted, the Town Manager

and the representatives of the location shall together develop and endorse a noise Mitigation Plan. The plan may include, among other things:

- (a) Restrictions on days of week or hours of noise producing activities;
- (b) Placement, orientation, and/or operation of sound-producing activity and/or equipment;
- (c) Structural changes including, but not limited to, sound attenuation and baffling;
- (d) Self-monitoring and reporting requirements;
- (e) A schedule of plan implementation; and
- (f) A schedule for review for possible revisions and or termination of the plan.

C. In the event that a location designated a 'Chronic Noise Producer': (i) fails or refuses to participate in good faith in the development of a noise mitigation plan, (ii) refuses to agree to the developed noise mitigation plan, or (iii) fails to implement or comply with an endorsed noise mitigation plan, the business or entity shall be deemed as 'Non-Cooperative' and shall not be entitled to the benefits of this section until that designation has been removed. The designation shall only be removed when the reason for such designation has been resolved to the acceptance of the Town Manager.

D. In the event that noise enforcement action is taken against a location previously designated as a Chronic Noise producer, evidence of the location owner / manager / occupant's participation in the development and implementation of and compliance with the noise mitigation plan shall be relevant to any prosecution or administrative or judicial review or appeal of the enforcement action. A location owner/manager/occupant who fails to comply with this subsection shall not be entitled to the benefits of this subsection unless the failure is remedied to the town's satisfaction.

E. Appeals. The owner / manager / occupant of a location that has been designated as a Chronic Noise Producer or Non-Cooperative may appeal such designation within ten (10) calendar days after receiving notice of such designation. A ruling on appeal is subject to review in superior court of Mecklenburg County by proceedings in the nature of certiorari. Any petition for writ of certiorari for review shall be filed with the clerk of superior court within thirty (30) days after notice of the decision has been sent to the appellant.

10 ENFORCEMENT & PENALTIES

A. *Enforcement* - When there is a violation of any section of this Chapter, the Town, at its discretion, may take one or more of the following enforcement remedies:

(1) *Civil Penalty* – The Noise Control Officer or any police officer may issue a notice of violation as provided subjecting the violator to a civil penalty of \$100,

which penalty may provide for a delinquency charge of \$10 per day upon non-payment, in which penalty and delinquency charge may be recovered by the Town in a civil action. The civil penalty must be paid within 72 hours of the date and hour of issuance, with the delinquency penalty beginning at the 72nd hour.

(2) *Repeated Offenses* - In the event of more than one violation within any 30-day period, the civil penalty shall be increased for each additional violation as follows:

- (a) \$250 Second Offense
- (b) \$500 Third Offense
- (c) \$750 Fourth Offense
- (d) \$1,000 Fifth & Subsequent Offense

(3) The Town may seek an injunction and order of abatement directed toward any person or entity creating or allowing the creation of any unlawful noise, including the owner or person otherwise having legal or actual control of the premises from which it emanates.

B. *Enforcement* - When there are repeated violations of section 06 or 08, the Town, at its discretion, may take following enforcement:

(1) An establishment which has been found in violation of this section more than two times within any twelve-month period may be classified a 'Chronic Noise Producer' and have its privileges under this section suspended for a period of up to twelve months. This may be relieved only if a Mitigation Plan is developed, enacted and confirmed that it brings the establishment within compliance of this section.

(2) An establishment having had its privileges under either section 06 or 08 suspended pursuant to such designation shall only legally produce or allow to be produced amplified or live sound pursuant to the restrictions described in section 04, Table 5.

(3) The Town may seek an injunction and order of abatement directed toward any person or entity creating or allowing the creation of any unlawful noise, including the owner or person otherwise having legal or actual control of the premises from which it emanates.

(4) An establishment which has had its privileges under sections 06 or 08 suspended continues to produce or allow to be produced amplified or acoustic sounds in excess of those allowed under 04, Table 5, shall be subject to a civil fine of \$1,000 per violation.

C. *Criminal Penalty* - Violators may be charged with a misdemeanor and be subject to a fine of up to \$500 and/or ordered to thirty (30) days in jail, pursuant to NC GS 14-4.

11 SEVERABILITY

If any provisions of this subchapter or the application thereof to any person or circumstance is for any reason

held invalid, such invalidity shall not affect other provisions or applications of the subchapter which can be given effect without the invalid provision or application, and to this end the provisions and subchapter are declared to be severable.

Memo

To: Board of Commissioners
From: Michelle Farrar
Date: May 1, 2015
Re: Planning Board

In accordance with your policy, this serves as notification that Mr. Tony Long, Mr. Brad Simmons, Ms. Mary McMahan and Mr. Roger Hendrix are currently serving on the Board and their terms expire June 30, 2015. Ms. McMahan is the only member not seeking re-appointment. Appointments to the Planning Board in 2015 will serve a two year term ending June 30, 2017.

Planning Board Attendance –
Tony –16 of 16 meetings
Brad –12 of 14 meetings*
Roger- 12 of 16 meetings

*was appointed to fulfill an existing appointment

Memo

To: Board of Commissioners
From: Michelle Farrar
Date: May 1, 2015
Re: Park and Recreation Committee

In accordance with your policy, this serves as notification that Ms. Sandy Barnett, Mr. Bryan Burns and Mr. Ray Thompson are currently serving on the Committee and their terms expire June 30, 2015. All three members are seeking re-appointment. Appointments to the Park and Recreation Committee in 2015 will serve a two year term ending June 30, 2017.

Park & Recreation Attendance –
Sandy –7 of 7 meetings*
Bryan –5 of 9 meetings
Ray- 7 of 9 meetings

*was appointed to fulfill an existing appointment