

**Minutes of the
Mineral Springs Town Council
Legislative Public Hearing / Regular Meeting
November 14, 2024 – 7:30 p.m.**

The Town Council of the Town of Mineral Springs, North Carolina, met in Regular Session at the Mineral Springs Town Hall located at 3506 Potter Road S, Mineral Springs, North Carolina, at 7:30 p.m. on Thursday, November 14, 2024.

Present: Mayor Pro Tem Valerie Coffey, Councilman Jerry Countryman, Councilwoman Janet Critz, Councilwoman Bettylyn Krafft, and Councilman Jim Muller.

Absent: Mayor Frederick Becker III, Councilwoman Lundeen Cureton, and Attorney Bobby Griffin.

Staff Present: Town Clerk/Zoning Administrator Vicky Brooks and Administrative Assistant/Deputy Town Clerk Sharelle Quick.

Visitors: Lannette Bigham and Cynthia Singleton.

1. Opening

With a quorum present at 7:30 p.m. on November 14, 2024, Mayor Pro Tem Valerie Coffey called the regular meeting to order.

Councilwoman Critz delivered the invocation.

Pledge of Allegiance.

2. Legislative Public Hearing – TA2024-02 Proposed Text Amendments

Mayor Pro Tem Coffey opened the Legislative Public Hearing at 7:33 p.m.

Zoning Administrator Vicky Brooks explained there were a few [proposed] text amendments to the Mineral Springs Development Ordinance.

Article 4 – remove the “S” from NB, GB, and LI under “Caretaker’s residence [Use Table]. Ms. Brooks stated she thought that was an early error, because no one lives in those zoning districts.

The next set of text amendments had to do with stormwater. Ms. Brooks reminded the council that she had mentioned this at the October council meeting under Staff Reports. The amended language (shown in bold and underlined) will clarify that properties disturbing less than an acre will not have to adhere to the strict stormwater regulations in this section for all development in the town. The North Carolina Department of Environmental Quality only requires property owners to obtain a permit from them if one or more acres is disturbed during construction.

The amendment to Article 9 was to add a definition of “Common Plan,” because it was mentioned in the new language.

Councilwoman Critz asked if the first text amendment was only adding an “S” for it to be multiple instead of singular.

Ms. Brooks explained that the “S” stands for Special Use Permit. Under the Table of Uses, there is a “P” or an “S”. The “S” means that someone must go through the special use process. The text amendment is to remove the “S” from the categories of Neighborhood Business, General Business, and Light Industrial, because those are not residential zoning districts. Ms. Brooks reiterated that she thought that was an error to start with.

Ms. Brooks noted that she had provided the council with a Statement of Consistency from the planning board and stated they had voted unanimously to recommend that the town council approve the text amendments. The Legislative Public Hearing was advertised in the paper, posted on the website, and on the bulletin board.

Ms. Brooks pointed out that she provided the council with a proposed Statement of Consistency and a draft ordinance to officially adopt the text amendments if the council chose to. A suggested motion was included in Ms. Brooks memo.

There were no Legislative Public Hearing comments.

Mayor Pro Tem Coffey closed the Legislative Public Hearing at 7:38 p.m.

3. Public Comments

Cynthia Singleton – 2902 Harrington Place.

Lannette Bigham – 6308 Waxhaw Highway.

4. Consent Agenda – Action Item

Councilman Muller motioned to approve the consent agenda containing the October 10, 2024 Regular Meeting Minutes, the September 2024 Union County Tax Report, and the September 2024 Finance Report as presented, and Councilwoman Krafft seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Krafft, and Muller. Nays: None.

5. Consideration of the Proposed Text Amendments (TA-2024-02) and Adopting Ordinance-2024-02 – Action Item

Councilwoman Critz motioned to adopt the Statement of Consistency dated November 14, 2024, in reference to the text amendments in Articles 4, 5, and 9 of the Mineral Springs Development Ordinance and to adopt O-2024-02 and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Krafft, and Muller. Nays: None.

The Statement of Consistency is as follows:

**TOWN OF MINERAL SPRINGS
TOWN COUNCIL**

STATEMENT OF CONSISTENCY

**Mineral Springs Development Ordinance
Articles 4, 5, & 9**

In reference to the proposed text amendments to Articles 4, 5, & 9 of the Mineral Springs Development Ordinance, as described in TA-2024-02.

The Mineral Springs Planning Board hereby declares that the proposed text amendments are "**consistent**" with the Mineral Springs Comprehensive Plan adopted May 15, 2022 based on:

11. The amendments to Article 4 – Table of Uses, Article 5 – Stormwater Management Standards, and Article 9 – Definitions, identifies with the "Implementation" of the Mineral Springs Comprehensive Plan to have ongoing updates to the town's development regulations.

APPROVED by the Mineral Springs Town Council on this the 14th day of November, 2024.

Valerie Coffey, Mayor Pro Tem

Attest:

Vicky A. Brooks, CMC, NCCMC, CZO

The Ordinance is as follows:

STATE OF NORTH CAROLINA
TOWN OF MINERAL SPRINGS

**AN ORDINANCE AMENDING THE TEXT OF ARTICLES 4, 5, & 9 OF THE MINERAL SPRINGS
DEVELOPMENT ORDINANCE
O-2024-02**

WHEREAS, the Town of Mineral Springs maintains an ordinance concerning numerous development regulations; and

WHEREAS, pursuant to NC General Statutes 160D-601; 160D-604, and Article 3, Section 3.10.1 of the Mineral Springs Development Ordinance, the Mineral Springs Town Council may amend its development regulations after holding a public hearing and after the Mineral Springs Planning Board has had the opportunity to review, comment, and make a recommendation to the Town Council regarding the amendment as well as whether the same is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable; and

WHEREAS, the Mineral Springs Planning Board reviewed the proposed amendments at a regular meeting on October 22, 2024, held in accordance with law; and

WHEREAS, the Mineral Springs Planning Board recommended in a vote of 6 to 0 on October 22, 2024, that the Mineral Springs Town Council adopt the proposed amendments based on implementation of ongoing updates to the town's development regulations and enhancing the quality of life in the Mineral Springs Comprehensive Plan; and

WHEREAS, in accordance with NC General Statute 160D-601 and the provisions set forth in Article 3, Section 3.10.1 of the Mineral Springs Development Ordinance, the Town Council duly advertised and held a public hearing to consider the proposed amendments; and

WHEREAS, after reviewing the written recommendation of the Mineral Springs Planning Board, the proposed amendments, conducting a legislative public hearing on November 14, 2024, and careful review, the Town Council determines that:

1. The amendments to Article 4 – Table of Uses, Article 5 – Stormwater Management Standards, and Article 9 – Definitions, identifies with the "Implementation" of the Mineral Springs Comprehensive Plan to have ongoing updates to the town's development regulations.

NOW THEREFORE, BE IT ORDAINED BY THE MINERAL SPRINGS, NORTH CAROLINA THAT:

- Section 1. That this Town Council does hereby adopt the proposed amendments as outlined in TA-2024-02 attached hereto.
Section 2. That if any section, subsection, clause or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and
Section 3. That all ordinances and clauses of ordinance in conflict herewith be and are hereby repealed to the extent of such conflict.
Section 4. This ordinance is effective upon adoption.

ADOPTED this 14th day of November, 2024.

Valerie Coffey, Mayor Pro Tem

ATTEST:

Vicky Brooks, CMC, NCCMC, CZO

TEXT AMENDMENTS TO THE MINERAL SPRINGS DEVELOPMENT ORDINANCE TA-2024-02				
Article	Section #	Subsection #	Current Language	Amendment
4	Permitted Uses	Caretaker's residence	S	Remove the "S" from NB, GB, and LI
5	Stormwater Management Standards	5.6.7.1 (B) 2	In order to prevent flooding and damage to properties, all developments shall provide stormwater detention to control the peak runoff from the 2-, 10-, 25-, 50-, and 100-year, 24-hour storm events to pre-development levels.	Add to paragraph: <u>Developments disturbing less than one (1) acre and not part of a common plan of development are exempted from this stormwater detention regulation.</u>
5	Stormwater Management Standards	5.6.7.1 (B) 3	A design professional shall certify documents demonstrating that construction of the project or subdivision will not increase the rate of runoff from the site nor cause any adverse impacts on downstream facilities or property.	Replace with: <u>Minor residential subdivisions are exempt from the requirements of this section.</u> Note: The current 5.6.7.1 (B) 3 becomes 5.6.7.1 (B) 4, 4 becomes 5, 5 becomes 6, 6 becomes 7, 7 becomes 8, 8 becomes 9.
5	Stormwater Management Standards	5.6.7.1 (B) 4	A design professional shall certify documents demonstrating that construction of the project or subdivision will not increase the rate of runoff from the site nor cause any adverse impacts on downstream facilities or property.	Add to paragraph: <u>, unless otherwise exempted in Section 5.6.7.1 (B) 3 or 5.6.7.1 (B) 4.</u>
9	Definitions			Add: <u>Common Plan. A contiguous area where separate and distinct construction activities may be taking place at different times on different schedules.</u>

6. Consideration of a Resolution in Support of a Grant Application by the Town of Waxhaw – Action Item

Mayor Pro Tem Coffey pointed out there was an extensive memo from the mayor (in his absence), and this item had been discussed over the months, so the council was familiar with the document, which was in support of the Town of Waxhaw. The more support Waxhaw gets from their neighboring municipalities, the better chance they have at getting the money from CRTPO.

Councilman Countryman noted this resolution on behalf of Waxhaw was in support of Mineral Springs too, because it would enable Waxhaw to proceed with moving their beltway to the west, which would take a lot of pressure off Downtown Waxhaw.

Ms. Brooks clarified Waxhaw would be providing access for people to go around in a different way, but it would not put a halt on what they were wanting to do with the Waxhaw Parkway.

It was clarified that the beltway and the parkway were two separate things.

Mayor Pro Tem recognized that Councilman Countryman attended a CRTPO meeting on behalf of Mayor Becker at one point and he brought information back to the council from that meeting.

Councilman Countryman explained that the resolution was for the west side of Waxhaw that they are trying to get funding and matching funds to allow them to proceed with the western end of the transition with Helms Road to Highway 75. When the project is completed, someone might realize that it is a good thing and maybe it will take the pressure off the eastbound side.

The timeline for the project's completion is approximately five years.

Councilman Countryman motioned to pass R-2024-02 to support Waxhaw and Councilman Muller seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Krafft, and Muller. Nays: None.

The resolution is as follows:

TOWN OF MINERAL SPRINGS

RESOLUTION IN SUPPORT OF THE TOWN OF WAXHAW'S DISCRETIONARY GRANT APPLICATION TO THE CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION FOR THE HELMS ROAD EXTENSION CONNECTOR

R-2024-02

WHEREAS, NCDOT Rail Project P-5748B is currently programmed, funded, in the right-of-way acquisition phase, and scheduled in the State Transportation Improvement Program (STIP) for completion in Federal Fiscal Year 2029; and

WHEREAS, P-5748B provides not only additional double track west of Waxhaw into South Carolina to eliminate stopped-train blockages at grade crossings in Waxhaw but also provides a new grade separation over the railroad and NC Highway 75 at Helms Road, approximately 1.4 miles west of the existing Broome Street grade crossing, with a new road continuing northeast to a new roundabout at Waxhaw Marvin Road; and

WHEREAS, the only thing standing in the way of a complete Waxhaw Parkway West segment is an approximately 1,600-foot-long "missing link" between the new roundabout and the termination of the Waxhaw Parkway in the Harrison Park subdivision; and

WHEREAS, the Town of Waxhaw has submitted an application to the Charlotte Regional Transportation Planning Organization (CRTPO) for a discretionary grant in the amount of \$4,923,274 to engineer and construct this "missing link" thereby completing Waxhaw Parkway West; and

WHEREAS, if awarded, Waxhaw's discretionary grant would allow the "missing link" to be completed in a time frame paralleling that of P-5748B's, and

WHEREAS, Waxhaw Parkway West with the grade-separated crossing at Helms Road addresses all current safety concerns regarding tractor-trailer truck traffic at the existing Broome Street grade crossing; and

WHEREAS, the new Helms Road grade separation will be located just one mile south of the Waxhaw Volunteer Fire Department, addressing the Fire Department's public-safety concerns about reliable access across the railroad tracks; and

WHEREAS, Waxhaw Parkway West will also reduce rush-hour congestion at the Broome Street crossing in a short (approximately five-year) timeframe, decades sooner than any other proposed grade-separated crossing; and

WHEREAS, the location of Waxhaw Parkway West and the Helms Road grade separation allows the project to address current transportation needs without facilitating as much new high-density residential development south of NC Highway 75 as other possible railroad-crossing projects would; and

WHEREAS, the Mineral Springs Town Council recognizes the importance of transportation improvements to address identified congestion and safety concerns.

NOW, THEREFORE BE IT RESOLVED that the Mineral Springs Town Council supports the Town of Waxhaw's discretionary grant application to CRTPO for the Helms Road Extension project; and

BE IT FURTHER RESOLVED that the Mineral Springs Town Council requests that, if CRTPO's Project Oversight Committee (POC) and Technical Coordinating Committee (TCC) recommend approval of Waxhaw's discretionary grant application based on their established quantitative scoring criteria, the CRTPO Board approve the application.

Adopted this 14th day of November, 2024.

Frederick Becker III, Mayor

Attest:

Vicky A. Brooks, Town Clerk

7. Consideration of the 2025 Town Council Meeting Schedule – Action Item

Councilwoman Critz motioned to approve the 2025 Mineral Springs Town Council Meeting Schedule and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Krafft, and Muller. Nays: None.

8. Consideration of Approving the 2025 Holiday Schedule – Action Item

Councilman Muller motioned to approve the Holiday Schedule [2025] and Councilwoman Krafft seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Krafft, and Muller. Nays: None.

9. Staff Reports

None.

10. Other Business

There was no other business.

11. Adjournment – Action Item

At 7:55 p.m. Councilman Countryman motioned to adjourn the meeting and Councilman Muller seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Krafft, and Muller. Nays: None.

The next regular meeting will be on Thursday, December 12, 2024 at 7:30 p.m. at the Mineral Springs Town Hall.

Respectfully submitted by:



Vicky A. Brooks
Vicky A. Brooks, CMC, NCCMC, Town Clerk

Valerie Coffey
Valerie Coffey, Mayor Pro Tem