

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, APRIL 12, 2010 - 7:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Regular Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on April 12, 2010, at 7:00 p.m. with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser, Robert Gilmartin and Jerry McKee, Attorney Bobby Sullivan, Finance Officer Leslie Gaylord, Town Planner Jordan Cook and Town Administrator/Clerk Amy S. McCollum.

Absent: None

Visitors: Bill Price, Caroline Coleman, Amy and Steve Hester, Thomas L. Butz, Bonnie Wojcik, Tom Wojcik, Walker Davidson, Becca Anderson, Andy Anderson, Phil Anderson, Bailie Dye, Jeff and Teresa Carroll, Al Case, Brenda Case, Jose and Maricela Cabrera, Kim Dunn-Maclaughlin, Brian Vessels and Providence VFD Chief Dave Banick

Mayor Nancy D. Anderson offered the Invocation prior to the opening of the meeting.

Item No. 1. Call to Order. Mayor Anderson called the April 12, 2010 Regular Town Council Meeting to order at 7:08 p.m.

Item No. 2. Pledge of Allegiance by Carroll Family. The Carroll Family led in the Pledge of Allegiance.

Item No. 3. Special Recognition of Pvt. Landan Carroll, USMC and Pvt. Philip Anderson, USMC. Councilmember Werner Thomisser stated, "This is an honor. I have been in their situation where they have had to leave loved ones and deploy. I can relate to these families. Landan Carroll graduated on February 28 and Philip Anderson graduated on March 12. Landan will serve with the Marine Reserve Unit out of Columbia upon his graduation. Philip Anderson ships out tonight and will serve on active duty following graduation. You may have noticed the banners that hang at the front windows of the Town Hall. I would like to present a banner to the Carroll Family and to the Anderson Family. Please join me in honoring these men and wish them the best ahead."

Item No. 4. Special Recognition of Stallings VFD Chief Ed Deason. Mayor Anderson recognized Chief Ed Deason on his retirement and for his 38+ years of service to the Stallings Volunteer Fire Department. A Certificate of Appreciation will be sent to Mr. Deason.

Item No. 5. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum. Councilmember Robert Gilmartin moved to approve the agenda with the removal of Items 9C and 13C. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee, Mayor Pro Tem Barry and Mayor Anderson

NAYS: None

Item No. 6. Presentation by Mr. Barry Moose – Update on Weddington Transportation Items.

Mayor Anderson advised that Mr. Moose is unable to attend the meeting tonight and a future meeting for an update on Weddington transportation issues will be scheduled.

Item No. 7. Presentation by Mr. Bill Duston - Discussion and Possible Consideration of Involuntary Annexation Proposal from Centralina Council of Governments.

Mr. Bill Duston stated, “I am the Planning Director with COG in Charlotte. We received a request from the Town to see whether there would be some interest in doing an annexation for portions of the Town. There is one different procedure that I need to bring to your attention. We have amended our policies. This is a COG policy and not a State of North Carolina policy. Before we enter into a contract with a local government to pursue an annexation, we need to notify the County and give them an opportunity to comment. We notify the County of a community’s intent to pursue an annexation study and give the County an opportunity to meet with us and the Town to talk about it. The County does not have veto authority. The decision to enter into the contract rests entirely with the community. If the Town then wants to pursue it, we put together a calendar. The cost of the study is \$3,952.00 and also using 30 member hours.”

Councilmember Gilmartin moved to enter into an agreement with COG for an Annexation Study of an area at Providence Road and New Town Road. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

**SCOPE OF SERVICES
WEDDINGTON 2010 ANNEXATION PROJECT**

- **Centralina** will prepare an annexation calendar.
- **Centralina** will take the tax data provided by Union County GIS and produce a spreadsheet that shows tax value and land use information. **Centralina** will conduct an actual field survey of the proposed annexation areas to validate the information that is digitally supplied when there appear to be any discrepancies. When conducting the field survey, **Centralina** will provide the car; **Weddington** will provide the driver.
- Based on this information, **Centralina** will endeavor to qualify the largest area of land within the proposed target annexation area. Where deeded acreages are not provided in tax records, **Centralina** will calculate acreages electronically.
- **Centralina** will calculate the population of the area and make all annexation qualification calculations.
- **Centralina** will share with the Town the area that appears to qualify. **Weddington** will be asked to indicate whether the Town still has an interest in annexing the area that qualifies.
- **Centralina** will prepare a Resolution of Intent and attend the Town Council meeting at which the Resolution of Intent is adopted.
- **Centralina** will interview Town staff to determine the type and level of services provided to Town residents. **Weddington** will also provide a copy of the FY 2009-2010 (or FY 2010-11 budget, if applicable) budget to **Centralina**.
- **Centralina** will prepare an annexation report for the agreed upon annexation areas and distribute it to the Town for review and comment.
- **Weddington** will furnish Centralina with a list of all known solid waste providers in the annexation area. **Weddington** will also furnish Centralina with the list of the volunteer fire department(s) that presently serve the annexation area. **Centralina** will prepare letters that will be sent by the Town via certified return receipt to all known solid waste providers and volunteer fire department(s) in the

annexation area notifying them of the annexation and the rights they have for compensation per North Carolina General Statutes.

- **Centralina** will prepare and provide an annexation notice for the newspaper.
- **Weddington** will send copies of all notices to the newspaper.
- **Centralina** will prepare a notice that is to be sent by the Town via first class mail to all affected property owners. The person mailing these notices will certify this fact at the public hearing.
- **Centralina** will attend the meeting at which the Town Board adopts the annexation report and answer any questions.
- **Centralina** will prepare a package of information for the Union County Clerk and will mail that package.
- **Weddington** will post a copy of the annexation map, property owners in the annexation area, and a copy of the annexation report in the Town Hall.
- **Centralina** will attend the meeting at which the annexation report is adopted and make a presentation on the report to the Town Board.
- **Centralina** will attend the public informational meeting (**along with Weddington staff**) to present the report and answer questions from the public. We advise that the Town Council not conduct this meeting, but rather that the meeting be conducted by Town staff.
- **Centralina** will attend the public hearing, present the report, and answer all relevant questions.
- **Weddington** will prepare a metes and bounds survey for inclusion in the annexation ordinance that **Centralina** prepares.
- **Centralina** will prepare an annexation ordinance for the review and approval by the Weddington attorney. **Weddington** must have a metes and bounds survey completed for inclusion within the ordinance.
- **Centralina**, if requested by the Town, will attend the meeting at which the annexation ordinance is adopted.
- **Weddington** will be responsible for submitting all required information to the United States Department of Justice for their review. Given that Weddington lies in Union County, the Town is subject to the 1964 Civil Rights Act.
- **Weddington** shall be responsible for submitting the adopted annexation ordinance to the NC Secretary of State and the Union County Board of Elections. **Weddington** shall also be responsible for applying its zoning on any area that is annexed within sixty (60) days of the effective date of annexation.

The Town Council also received a proposed calendar showing the dates relative to an involuntary annexation and a document explaining annexation protocol for Centralina Council of Governments.

Item No. 8. Presentation by Residents of Walden at Providence – Road Ownership and Maintenance. Mayor Anderson stated, “The roads in Walden at Providence are public and private. The residents in that subdivision want to take back the public roads because the State is not doing an adequate job on maintenance.”

Mr. Tom Butz – Our neighborhood is unique. When we first started the development, we owned the roads and then because of the lack of density in the area, we had those roads taken over by the State. We had to invest funds to get the roads up to a certain standard and the State came in and made some provisions. We have three main roads that are considered State owned. The rest are private. The Homeowners Association is made up of 82 homeowners. Our primary objective is to make sure we are taking care of our roads. We have been trying to get assistance to get improvements as far as those public roads are concerned. We have developed relationships with the guys at NCDOT in Monroe. The bottom line is that we are not a priority as far as the road system for the State is concerned. We decided as a community that we wanted to go through an abandonment procedure and try to get our roads back. With

that came the tough challenge of getting 100% of the residents on those streets to say, ‘Yes, we will abandon those roads and take them back over.’ It took seven years and a lot of discussion and understanding. We got the last signature 45 minutes ago. We are prepared to do the funding. We have done a diligent job. We are stable and spending wisely. We had recommendations from the State regarding microsurfacing. We were very excited about this because the costs were virtually cut in half. With us taking these roads back, it develops pride back in the neighborhood. We wanted to guarantee to the citizens in our neighborhood that we wanted to make sure that future management of those roads was going to be done responsibly. We have made an amendment to our bylaws to state 10% of every single homeowner’s dues at the first of every year are set aside and put in a separate account for road maintenance. Once we take over maintenance of these roads and do our due diligence, we are going to have anywhere from 10 to 15 years of low to no maintenance because of our low density. In that 15 year period we will save the funds and will be in good shape as far as any repairs. We are asking for the approval of the Town Council to assist us in getting this through.

Mayor Anderson – Is it 100% of everybody in the subdivision?

Attorney Bobby Sullivan – I do not know off hand. It would seem that 100% of everybody in the subdivision.

Mr. Butz – When the State came back, we had a density issue. From our HOA standpoint and bylaws, we are responsible for the private roads. We were going to improve the private roads with the funds that we have. The roads are in very poor condition. It was 100% of the residents on the State owned roads. I went to NCDOT to do the research. We have to have any resident that has a mailing address on the State owned road to sign off on the abandonment documents. The roads were done back in 1984-85.

Mayor Anderson - Do we agree as a Council that we should allow the HOA to pursue this with NCDOT and have our Town Attorney research the legality on whether it is 100% of the people on the road or everyone in the subdivision?

By consensus, the Town Council agreed with the concept but continued consideration of this matter until the next Town Council Meeting to allow the Town Attorney to research further.

Item No. 9. Public Hearings.

A. Public Hearing to Consider Proposed Text Changes to Section 58-151 (Temporary Signs).

Mayor Anderson opened the public hearing to consider proposed text changes to Section 58-151. A copy of the proposed text change is attached to the minutes.

Town Planner Cook stated, “This text amendment came from a discussion that we had involving the shopping center. We have been pretty lenient recently because of the road construction with our temporary banner signs. These are the 20 square foot plastic signs that you see advertising special events. Even before I was here a year ago, I believe the normal procedure was one temporary sign per parcel. After looking into that closer, our text actually says that there is one temporary sign permitted per address. This is one of those situations where the intent of the code does not actually meet what the code says. I believe the intent has been not to have 10 to 15 banners that could essentially be up at the same time lining Providence Road because there are separate addresses for each tenant over there. I believe the intent the whole time has been one business has one sign and they can alternate. The text is saying that these temporary banners cannot be renewed or extended so what that prevents is these temporary banners being up for 60 or 90 days or even longer than that. It is not a special event if it is occurring for 90 straight days. We also went in and said that the temporary banners cannot be on the same property or address more than four times a year and we went a step further and defined what a special event actually means.”

Councilmember McKee questioned why non-profit organizations were not exempt from this proposed text.

Councilmember McKee moved to allow two Councilmembers to work on this text and bring it back to the Town Council at its May 10, 2010 Regular Town Council Meeting. The vote on this motion is as follows:

AYES: Councilmembers Thomisser and McKee
NAYS: Councilmembers Gilmartin and Mayor Pro Tem Barry

The Mayor broke the tie by voting in the affirmative. The motion carried.

B. Public Hearing to Consider Proposed Text Changes to Section 58-11 (One Principal Building Permitted on Single Lot) and 58-16 (Accessory Uses and Structures), and Add Definition of Accessory Family Dwelling. Mayor Anderson opened the public hearing to consider proposed text changes to Section 58-11 and 58-16. A copy of the proposed text change is attached to the minutes.

Town Planner Cook - What you are seeing is pretty much all new language. This text started before I was here last year. There was a feeling that there were a lot of accessory family dwellings in the Town and they were not addressed in our code and to be proactive versus reactive we need to go ahead and address and put some guidelines in our code regarding them. Either the house or the accessory family dwelling must be owner occupied so the owner can live in either one of those structures and there must be a parking space in the driveway for that. We also added the definition of an accessory family dwelling.

Councilmember McKee – The travel trailers and recreational vehicles are for a 30 day period. If they drive around the block, are they entitled to come back?

Town Planner Cook – No, it says 30 total days per calendar year.

Councilmember McKee – So if one RV uses up that 30 days, no one else can stay in an RV.

Town Planner Cook – No, not on that property. The intent of the Code is not to have a bunch of RVs in someone’s backyard.

Councilmember McKee – How is this going to be enforced?

Town Planner Cook – Probably neighbors calling with complaints.

Mayor Anderson – Why is 30 days the magic number?

Town Planner Cook – That is the number that the Planning Board came up with.

With there being no further comments or questions, Mayor Anderson closed the public hearing.

C. Public Hearing to Consider Proposed Text Changes to Article VIII (Board of Adjustment). The Town Council received the following memo from Town Planner Cook:

Board of Adjustment Attorney Bill Brown provided some revisions to the Board of Adjustment text amendments at the March 22, 2010 Board of Adjustment meeting. Many of these revisions are based on some recently adopted 2009 legislation.

The text that was on tonight's agenda has changed substantially and will need to go back through the Public Hearing and Consideration process.

This item was removed from the agenda.

D. Public Hearing to Consider Proposed Text Changes to Section 46-46 (Information to be Contained in or Depicted on Preliminary and Final Plats) and Section 58-451 (Lands to Which this Article Applies). Mayor Anderson opened the public hearing to consider proposed text changes to Sections 46-46 and 58-451. A copy of the proposed text change is attached to the minutes as an exhibit.

Town Planner Cook – This text change came from our Town Engineer which reviews our Stormwater, Drainage, Wetland Protection Ordinance and she felt that we needed to clarify this item in the Code. The underlined is what our Town Engineer came up with.

With there being no comments or questions, Mayor Anderson closed the public hearing.

E. Public Hearing to Consider Proposed Text Changes for Essential Services to Section 58-52 (R-80 Single Family District), Section 58-53 (R-60 Single Family District), 58-54 (R-40 Single Family District), Section 58-55 (R-40D Two-Family District), Section 58-56 (B-1 General Business District), Section 58-57 (B-2 Shopping Center District), Section 58-58 (R-CD Residential Conservation District) and Section 58-59 (R-E Residential Established). Mayor Anderson opened the public hearing to consider these proposed text changes. A copy of the proposed text changes is attached to the minutes as an exhibit.

Town Planner Cook – This is another housekeeping item. When I was reviewing the water tower application, I was looking under Essential Service setbacks and requirements. If you look at that minimum front yard setback, the way the original language read was that all Essential Services, Class III uses was 300 feet. That could be interpreted to mean all essential services have a front setback of 300 feet instead of only Class III. This is to prevent future confusion with interpretation.

With there being no comments or questions, Mayor Anderson closed the public hearing.

Item No. 10. Public Comment. Brian Vessels – I want to get help from the Council in getting the speed limit on Weddington-Matthews Road reduced from 45 mph to something more reasonable. With the conditions on the road, there are a lot of blind spots and since it was made 45 mph the number of residents and population has increased greatly as well as the traffic flow. I am sure some of that is because of the widening of Highway 16. I think reducing the speed limit will greatly reduce the risk on the road. Right now there are no sidewalks. I am coming as a concerned father. I have two young kids. When they get to the age where they will be playing soccer in the front yard, I do not want a near miss because of someone speeding over the hill. I live at 4440 Weddington-Matthews Road.

Kimberly Dunn-Maclaughlin – I live at 4432 Weddington-Matthews Road. I know that Chestnut Lane is 35 mph. The area has grown because of Stratford Hall. It is a State Road. We are hoping with the increase of population to get the State to come back out and look at it.

Albert Case – It is a real battle for me to go to the mail box. My wife has called Raleigh and they said that they could not do anything about it.

Brenda Case – I live at 4440 Weddington-Matthews Road. Raleigh said that the road was too straight to lower the speed limit. The problem is if you lower just a section of it these people driving 65 mph are not

going to slow down for one section. We have to do something to get the people to change. They are using our road as a cut thru.

Jose Cabrera – I have lived here for four years and I have replaced my mail box three times. I did call a police officer to come and take a look at the situation and he said that people are driving over the speed limit. My dog got killed. My daughter was waiting for the bus one day and a car went through the stop sign for the bus. My daughter said that this has happened three times. People do not want to use Providence Road in the morning so they are using our road as a short cut. Something needs to be done before something really bad happens.

Item No. 11. Approval of Minutes.

A. February 8, 2010 Regular Town Council Meeting. Councilmember Gilmartin moved to approve the February 8, 2010 Regular Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

B. March 1, 2010 Special Town Council Meeting. Councilmember Gilmartin moved to approve the March 1, 2010 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

C. March 5 – 6, 2010 Special Town Council Meeting/Planning Board Retreat. Councilmember Gilmartin moved to approve the March 5 – 6, 2010 Special Town Council Meeting/Planning Board Retreat minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

D. March 8, 2010 Regular Town Council Meeting. Councilmember Gilmartin moved to approve the March 8, 2010 Regular Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

E. March 22, 2010 Special Town Council Meeting. Councilmember Gilmartin moved to approve the March 22, 2010 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 12. Consent Agenda.

A. Call for Public Hearing to Review and Consider a Conditional Use Permit Application for the Addition of Eight (8) Tennis Courts at Weddington Swim & Racquet Club located at 4315 Weddington-Matthews Road, Weddington, NC 28104 (Public Hearing to be held May 10, 2010 at 7:00 p.m. at the Weddington Town Hall). The Town Council received a copy of the Conditional Use

Permit application. Councilmember Gilmartin moved to call for a public hearing to be held May 10, 2010 at 7:00 p.m. at the Weddington Town Hall to consider the Conditional Use Permit Application for the Weddington Swim and Racquet Club. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

B. Consideration of Proclamation Proclaiming April 24, 2010 as Armenian Martyrs Day.
Councilmember Gilmartin moved to approve Proclamation P-2010-01 proclaiming April 24, 2010 as Armenian Martyrs Day.

**TOWN OF WEDDINGTON
PROCLAMATION
ARMENIAN MARTYRS DAY
P-2010-01**

WHEREAS, between 1915-1923, 1.5 million Armenian lives were taken in the massacre by the Ottoman Turkish Government between 1915 and 1923; and

WHEREAS, the Armenian Genocide was the first genocide of this century; and

WHEREAS, the lack of penitence and reproach for these murderous crimes has made it easier for other governments around the world to commit similar crimes; and

WHEREAS, civilization's failure to uphold each human life as sacred and precious deadens consciences and makes acceptable what is in fact, reprehensible, thereby removing the barrier that should prevent a society from perpetrating the evils of genocide; and

WHEREAS, as a community, we must stand against the individual and mass taking of human life; and

WHEREAS, the official, internationally recognized anniversary of the commencement of the Armenian Genocide atrocities is April 24th.

NOW, THEREFORE, I, Nancy D. Anderson, Mayor of the Town of Weddington, North Carolina do hereby proclaim April 24, 2010 as

“ARMENIAN MARTYRS DAY”

in Weddington, North Carolina, and commend its observance to all citizens.

WITNESS my hand and the official Seal of the Town of Weddington this 12th day of April, 2010.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

C. Consideration of Proclamation Proclaiming April as Child Abuse Prevention Month.
Councilmember Gilmartin moved to approve Proclamation P-2010-02 proclaiming April as Child Abuse Prevention Month.

**TOWN OF WEDDINGTON
CHILD ABUSE PREVENTION MONTH
PROCLAMATION
P-2010-02**

WHEREAS, preventing child abuse and neglect is a community problem affecting both the current and future quality of life of a community;

WHEREAS, Union County Department of Social Services accepted 1,888 reports of child abuse representing over 4,344 children in 2009; 73% of these children were under 13 years old;

WHEREAS, Of the 572 victims and family members served at United Family Services' Rape Crisis and The Tree House Children's Advocacy Center during 2009, over 79% of the children served were under the age of 18;

WHEREAS, 36% of the children served by the Tree House Children's Advocacy Center were sexually abused by other children;

WHEREAS, child abuse and neglect not only cause immediate harm to children, but are also proven to increase the likelihood of criminal behavior, substance abuse, health problems, and risky behavior;

WHEREAS, all citizens should become involved in supporting families to provide safe, nurturing environments for their children giving them the opportunity to grow up to be caring, contributing members of the community;

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community;

THEREFORE, I do hereby proclaim April as Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Adopted this 12th day of April, 2010.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

D. Consideration of Resolution Finding That NCDOT's Weddington Church Road Relocation Project Will Not Materially Change the Existing Conditional Use Permits Currently Existing at the Weddington United Methodist Church Family Life Center and the Verizon Wireless Cell Tower Site. Councilmember Gilmartin moved to approve Resolution R-2010-06:

**TOWN OF WEDDINGTON
RESOLUTION FINDING THAT NCDOT'S WEDDINGTON CHURCH ROAD
RELOCATION PROJECT WILL NOT MATERIALLY CHANGE THE EXISTING**

**CONDITIONAL USE PERMITS CURRENTLY EXISTING AT THE WEDDINGTON UNITED
METHODIST CHURCH FAMILY LIFE CENTER AND THE VERIZON WIRELESS CELL
TOWER SITE
R-2010-06**

WHEREAS, NCDOT is working on plans to relocate Weddington Church Road to the south side of the Weddington United Methodist Church Family Life Center and in the vicinity of the Verizon Wireless Cell Tower property; and

WHEREAS, NCDOT intends to install a new traffic signal at the intersection of Weddington Church Road and Providence Road; and

WHEREAS, NCDOT requires the Town of Weddington for this project to approve the road improvements within its jurisdiction; and

WHEREAS, the relocation of Weddington Church Road and the installation of the traffic signals alters the conditional use permits approved for the Weddington United Methodist Church Family Life Center and the Verizon Wireless Cell Tower properties; and

WHEREAS, Section 58-86 Town of Weddington Zoning Ordinance requires that material changes to conditional use permits must be reviewed by the Planning Board; and

WHEREAS, the Weddington Town Planner has reviewed the proposed Weddington Church Road relocation project and has determined that the proposed relocation will not materially change the existing conditional use permits for the properties.

NOW, THEREFORE, BE IT RESOLVED THAT the Weddington Town Council finds that the Weddington Church Road Relocation Project will not materially change the existing conditional use permits for the Weddington United Methodist Church Family Life Center and the Verizon Wireless Cell Tower properties and that an amendment to the conditional use permits governing these properties is not required.

Adopted this 12th day of April, 2010.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 13. Consideration of Public Hearings.

A. Consideration of Proposed Text Changes to Section 58-151 (Temporary Signs). This item was continued until the May 10, 2010 Regular Town Council Meeting.

B. Consideration of Proposed Text Changes to Section 58-11 (One Principal Building Permitted on Single Lot) and 58-16 (Accessory Uses and Structures), and Add Definition of Accessory Family Dwelling. Mayor Pro Tem Barry moved to adopt Ordinance O-2010-05 contingent upon the removal of Item #4 on the text amendment (Ordinance reflects change.)

**AN ORDINANCE TO AMEND
SECTION 58-4, SECTION 58-11 AND SECTION 58-16
OF THE CODE OF ORDINANCES**

**OF THE TOWN OF WEDDINGTON
O-2010-05**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTION 58-4, SECTION 58-11 AND SECTION 58-16 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Add to definitions under Section 58-4:

Accessory Family Dwelling means an incidental structure or an incidental area within a primary structure that is capable of being used as a separate dwelling and that is generally occupied and used by different person(s) than those who generally occupy and use the property's primary dwelling.

Sec. 58-11. One principal building permitted on single lot.

(a) *Single-family residential district; duplex district.* In any single-family residential district, one principal single-family dwelling unit or one mobile home and one accessory family dwelling unit and accessory structures shall be permitted on a single lot which meets at least the minimum requirements of this chapter. Accessory family dwelling units may not be permitted in the two family district (R40-D).

Section 58-16 Accessory Uses and Structures

(7) Occupancy of a travel trailer, recreational vehicle (RV), or licensed motor vehicle as an Accessory Family Dwelling shall be permitted for no more than thirty (30) total days per calendar year.

(8) Accessory Family Dwellings: An incidental structure or an incidental area within a primary structure that is capable of being used as a separate dwelling and that is generally occupied and used by a different person(s) than the person(s) that generally occupies and uses the property's primary dwelling. Such a separate structure or area shall be considered an Accessory Family Dwelling whether it is detached from the primary dwelling, attached to the primary dwelling, or partially or completely contained within the primary dwelling.

When allowed, Accessory Family Dwellings shall be subject to the following additional requirements:

1. Accessory Family Dwellings shall comply with all applicable provisions of the Weddington Code of Ordinances.
2. At least one additional off-street parking space shall be provided for the use of those occupying the Accessory Family Dwelling unless the Zoning Administrator determines that sufficient off-street parking already exists to accommodate both the property's primary dwelling and the Accessory Family Dwelling.
3. An Accessory Family Dwelling shall be allowed only on lots that meet the minimum lot area requirement of the applicable zoning district.
4. Only one Accessory Family Dwelling shall be allowed per lot.

5. The Accessory Family Dwelling shall meet all setback requirements applicable to principle structures in the zoning district.
6. The heated floor area of the Accessory Family Dwelling shall not exceed 30% of the gross floor area of the primary dwelling.

Commentary: Examples of accessory dwelling square footage are:

A 1,333 square foot primary dwelling is needed for a 400 square foot Accessory Family Dwelling. (30% of 1,333 = 400)

7. The property including the Accessory Family Dwelling shall retain a single family appearance from the street. By example only and not for purposes of limitation, the Accessory Family Dwelling shall not have its own separate mailbox, and it must share driveway access with the primary dwelling.

Adopted this 12th day of April, 2010.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
 NAYS: None

C. Consideration of Proposed Text Changes to Article VIII (Board of Adjustment). This item was removed from the agenda.

D. Consideration of Proposed Text Changes to Section 46-46 (Information to be Contained in or Depicted on Preliminary and Final Plats) and Section 58-451 (Lands to Which this Article Applies). Councilmember Gilmartin moved to adopt Ordinance O-2010-06, a copy of which is attached to the minutes as an exhibit. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
 NAYS: None

E. Consideration of Proposed Text Changes for Essential Services to Section 58-52 (R-80 Single Family District), Section 58-53 (R-60 Single Family District), 58-54 (R-40 Single Family District), Section 58-55 (R-40D Two-Family District), Section 58-56 (B-1 General Business District), Section 58-57 (B-2 Shopping Center District), Section 58-58 (R-CD Residential Conservation District) and Section 58-59 (R-E Residential Established). Mayor Pro Tem Barry moved to adopt Ordinance O-2010-07, a copy of which is attached to the minutes as an exhibit. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
 NAYS: None

Item No. 14. New Business.

A. Discussion and Presentation of Residential Open Burning Ordinance. The Town Council received a notebook entitled Open-Burning Ordinance Proposal Data Book prepared by Bonnie and Tom Wojcik.

Ms. Wojcik - I am a researcher not a public speaker. I am here because I am driven to be here. I live in Wellington Woods at 117 Oxford Terrace. I've been here 30 years. But before that, I came from a dairy farm in western Maryland. Next month my brother will collect the last check for that farm. He sold it all. When I go home these days, it doesn't feel like home anymore. There are houses all over the place. It's a lot like what has happened here in Weddington.... houses here instead of farms, people from somewhere else. It's all about change and everybody's moving faster than ever. A lot of things have changed, and one of the things that changed for the better is we gave up incinerating our old tires and last night's dinner in the back yard. That's really good. We newcomers have our houses close together, and we kind of get in each other's way on things like that. But there's a small batch of us who still pile up leaves and branches and light them off, or we set off a running ground fire to clear our leaves or we get drunk and party around the fire, and don't bother to hose it down at night or we burn all day and stink up the whole neighborhood. Sometimes we do something really stupid and have a close call. You can ask the Fire Chief about that. Every time we light a fire, we are making a decision. We are deciding that the wind won't kick up today or the sparks won't jump or the phone won't ring and cause a distraction. We are deciding we'll be able to grab a bucket of water from the garage. We're deciding we can control a fire. That's a big assumption. But it's your property; it's your fire, right? I'm here to say, "Your fire is not your fire." Not when you live beside other people. It's just not. It belongs to your neighbors too. The fire that made sense on the hundred-acre farm doesn't look so smart in a subdivision full of houses -- 15 feet from your neighbor's playhouse. No, when you light a fire, your neighbors are taking your risk along with you. Maybe you're cool with fire - "It won't happen to me." But it does! Just read the newspapers every week and, think of your neighbor. Maybe she has her dad's irreplaceable photos inside, and she doesn't share your ability to control your fire. This much is for sure: your fire is a shared fire and only one of you has any say in it because Weddington doesn't have a burning ordinance. It's all lop-sided. No speed limit on burning here. We understand why school roads should be kept to 35 mph. Isn't it time we cared enough to bring some common sense to backyard burning? So, I'm here to ask for some "speed limits" on burning. Isn't it time we cared enough to bring about a common sense burning ordinance in Weddington? Isn't it time we dropped our yard waste on the curb for Trinity to pick up and take to recycle -- at no extra charge, by the way? Isn't it time we joined Waxhaw, Stallings, Pineville, Mint Hill, and Matthews?

Mr. Wojcik – We have lived in Wellington Woods since 1981. Bonnie and I have been working on the problem of open burning of yard waste for over six years. We had a wake up call at that time when getting ready to go to Lowe's one Sunday afternoon and we looked out and a person was lighting a fire. It was windy and dry and there were code orange warnings out. It became our problem when a fire got out of control behind our house. We learned a lot from that and from the work we have done since then. The Orange Binder Data Book that we prepared for you contains a distillation of the data and information that we have compiled over the past six years. We are asking for your guidance and assistance in solving the problem of open burning of yard waste in our Town's residential subdivisions. Neighboring towns have already acted to protect the safety and property of their citizens, by adopting ordinances that sharply reduce the hazards of out-of-control fires. We're asking for your guidance and assistance. We've already invested a lot of time, energy and money working this problem. We plan to stay actively involved to help you and the Town to solve this serious and expensive public safety problem. It's important to describe and think about the problem in terms of the risks, rewards, and cost. Let's start at the State level. In North Carolina, for the past 40 years, the No. 1 cause of wildfires is not lightning. It's not even arson. These make the headlines, but they're not the main cause of wildfires. The #1 cause of wildfires is open-burning of debris piles. A graph is in your Orange Book. Notice that arson causes many fewer fires and think about it... Arson is a crime! But, these debris fires - they are legal now, and we can do something about them.

- An ordinance will keep the homeowner from setting the fire.
- Fire Department resources and money will be saved.
- Property will be protected.

- It's very interesting that lightning accounts for such a small number of these fires and that's because lightning is usually accompanied by rain, and rain puts out the fire. People who burn their yard waste can't call up a downpour. That is where our firefighters come in. They put their own lives on the line every time they fight for our property and lives. Maybe you saw the story last week about the brush-fires in Western NC which injured three firefighters, destroyed two fire trucks, wiped out homes, and required evacuations.
- Yesterday's Observer (Section U "Neighbors") listed 17 total fires in our area, of which 13 were grass/brush fires (= 76%!)
- It costs money to allow fires to be legally set. It costs to put out those fires.
- We owe it to our firefighters to respect the risks they take. We can support them by enacting an Ordinance that stops the dangerous practice of backyard burning of Yard Waste.
- If we enact an Ordinance, will residents comply? Yes, they will. Backyard fires are rarely set in our neighboring towns. As one firefighter said, "Now, whenever we get called out to a brush-fire, it's a 'real' brush fire, not some backyard getaway."
- But, if we stop the burning in Weddington neighborhoods, what will people do with their leaves and twigs? Simple! They call their garbage collection company to schedule yard debris pick-up at no extra charge. The well-known, blue-bin company, Trinity Waste is an example.
- We ask that you review the proposal and the supporting data. Please study the pictures, the "rough draft" ordinance text, residents' letters, and what other towns (our good citizen neighbors like Waxhaw, Mint Hill, Matthews, and Stallings) are doing to protect the property, health, and safety of citizens.

And, keep some important points in mind:

- Public health and safety are jeopardized by open burning.
- If citizens know that burning is banned, they will usually comply.
- Open burning is hazardous in neighborhood subdivisions, particularly wooded subdivisions.
- Most residents don't burn their yard waste.
- The minority who burn in neighborhood subdivisions jeopardize the property and personal safety of the majority of Weddington citizens.
- Our Fire Departments do a great job, and it is our responsibility to support them by reducing the excess risk placed upon them.
- We also owe it to taxpayers to save and re-direct the money that is now wasted in responding to episodes like the ones I mentioned.

Thank you for your help in solving this public safety problem.

Ms. Caroline Coleman – I live in Providence Woods South. We have enough pollution in the air right now that is causing increased lung disease in our people. I have been a nurse for 35 years. I used to see chronic lung disease in people 55 or older; now I am seeing it in 35 to 40 year olds.

Councilmember Thomisser – I believe that I gave everyone on the Town Council a copy of this. It was in the Enquirer Journal last week. It says careless burning of leaves, twigs and outdoor debris is the number one cause of wildfires in North Carolina. I dropped by the Fire Department and talked with Chief Banick. Between June 2009 and April 8, 2010, Chief Banick went to 16 brush fires.

Chief Dave Banick – That is correct.

Councilmember Thomisser- How many of those brush fires were fires that got out of control?

Chief Banick – Probably half.

Councilmember Thomisser – You stated that the average number of people that go out on one of these calls is six and the average time is 50 minutes and the longest time was 2 hours and 12 minutes. What happens if someone is having a heart attack and you are out putting this fire out? Can you help me understand what would happen?

Chief Banick – The call would be taken at the 911 center. They would dispatch the correct department whether it be us or whomever. A lot of manpower is tied up. If it is possible you try to break someone free or a truck free with the equipment. The problem with that is all of the engineers and EMTs are tied up. Hopefully while you are there some other people have become available. Dispatch procedure is if you do not check within a minute they will start asking for a response and within two minutes they will dispatch mutual aid so you would be a couple of minutes behind on response already and if it had to go to a mutual aid company to handle for you there would be increased response time because of the delayed response.

Councilmember Thomisser – Recently you went to an out of control fire between Town Hall and the Fire Station on Weddington-Matthews Road. Can you describe what kind of fire that was?

Chief Banick – It was made up of natural vegetation, leaves, twigs, trees and construction material, sheetrock, wood and carpet. It appeared that they were doing some renovation.

Councilmember Thomisser – Can you discuss the difference between Mecklenburg County and Union County as it relates to brush fires? The fact that they have an Open Burning Ordinance does that make any difference?

Chief Banick – It simplifies the problem because Mecklenburg County has a list under recreational fires you are allowed to have such as open burning for warmth, cooking purposes and fire pits. That is what is allowed under their open burning and if you are outside of those three things you are not allowed to burn. Typically if someone calls and we show up a lot of times people know that they are wrong so they put it out and if they want to push the case we can get the Fire Marshal involved.

Councilmember Thomisser – How does Mecklenburg County enforce that ordinance?

Chief Banick – We get calls, we contact the Fire Marshal and we notify the resident while we are there. The Fire Marshal has enforcement ability and there is some type of citation that can be issued.

Mayor Pro Tem Barry moved to defer consideration of this matter.

Councilmember McKee – I would like to request additional information from the Fire Chief. I would like to see all the incidences that were from backyard burning only and what the response was. I would also like for the Wesley Chapel VFD Chief to give us their data that relates to Weddington from negligence from someone burning in their backyard.

All were in favor, with votes recorded as follows:

AYES:	Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS:	None

Item No. 15. Old Business.

A. Discussion of Proposed Fiscal Year 2010-2011 Budget. The Town Council received a copy of the preliminary budget analysis along with a worksheet of proposed non-operating expenditures to be considered for funding.

Finance Officer Leslie Gaylord - You have in your packet the proposed budget showing items that were discussed at the last meeting. The items in gray are the changes. The gray items are what were on the discussion sheet and what you approved to put in here. The last page shows what they were. One thing that is not in there is the Urban Forester. We just got an estimate on that of \$2,300. I would like to revisit the online tax system of \$3,000 that would allow individuals to look up tax amounts on our website.

The Council asked that Finance Officer Gaylord add 3% to each employee's pay starting July 1 for a Cost of Living Adjustment. Councilmember Gilmartin advised that the Council will provide further instruction by the May Town Council Meeting with regards to merit increases.

Mayor Anderson – We have a benefits package for our employees who are full-time members; unfortunately we have some members that do not qualify for that but do an outstanding job and have been here for 10 years and get stellar reviews. There has been unanimous consent to redefine some type of mechanism toward retirement for our Finance Officer. We would like to provide \$2,500 for you toward your retirement.

Council thanked Ms. Gaylord for her continued professional performance.

Item No. 16. New Business.

A. Consideration of Reduction of Road Bond for Lake Forest Preserve, Phase IA and IB. The Town Council received the following memo from Town Administrator/Clerk Amy S. McCollum:

Please see attached letter from Town Engineer Bonnie Fisher recommending the reduction of the performance bond for Phase IA and IB of Lake Forest Preserve from \$134,938.50 to \$11,977.50. At this time, the Town will also need to have submitted by Lake Forest Preserve a Road Maintenance Bond in the amount of \$42,819.36.

Letter dated March 16, 2010 from Bonnie A. Fisher, P.E. with US Infrastructure of Carolina, Inc.:

USI conducted a field inspection of the Lake Forest Preserve Subdivision on February 18, 2010 to verify the satisfactory completion of construction activities for the purpose of reducing the developer's performance bond amount. Our inspection found that one erosion control sediment basin is still in place, and its associated storm drainage pipe will need to be installed after the basin is removed. The developer has provided an inspection report from NCDENR stating that the sediment pond should remain in place until all lots have been developed. Therefore, we recommend $\$7,985.00 \times 1.5 = \$11,977.50$ as the reduced amount for the performance bond. Based upon the engineer's construction estimate for the roadway base and pavement, a road maintenance bond in the amount of $\$285,462.40 \times 0.15 = \$42,819.36$ should be obtained.

Councilmember Gilmartin moved to reduce the performance bond for Phase IA and IB of Lake Forest Preserve from \$134,938.50 to \$11,977.50 and to have a Road Maintenance Bond submitted in the amount of \$42,819.36. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

B. Consideration of Appointment to the Parks and Recreation Advisory Board. The Town Council received the following memo from Town Administrator/Clerk McCollum:

There is currently one vacancy on the Parks and Recreation Advisory Board. We have advertised this vacancy in the Town Newsletter, on the Town’s website and notice was sent to the Constant Contact List. I have included in your packet the applications that I have on file requesting to be considered for this vacancy.

The Town Council received applications from interested citizens for this appointment.

Consensus of Council was to defer this appointment until the May Town Council Meeting.

C. Consideration of Interlocal Agreement Regarding the Union County - Carolina Thread Trail. A copy of the Interlocal Agreement is attached to the minutes.

Town Planner Cook – During your March Town Council Meeting last year, the Town Council approved a Resolution of Support for the Carolina Thread Trail. This is a \$60,000 grant with a 10% match from the 13 other municipalities. The final step is signing this Interlocal Agreement. This has to be signed before you can actually apply for the grant. Interviews have taken place for the consultant. The consultant has been selected.

Mayor Pro Tem Barry moved to approve the Interlocal Agreement for the Carolina Thread Trail and to allocate \$312.46 for the Town’s 10% match for the grant. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

D. Consideration of NCLM Municipal Environmental Assessment Coalition Project Participation Agreement. The Town Council received the following memo from Town Administrator/Clerk McCollum:

We have received correspondence from the NC League of Municipalities regarding the formation of the Municipal Environmental Assessment Coalition (MEAC). The Town has been asked if we would consider participating in this coalition at a cost of \$1,000 which is based on the population of the Town. The League’s Planning and Services Technical Advisory Committee members have reviewed the proposed rules and predicted that the costs to cities and towns across the state will be significant and potentially debilitating. MEAC members will fund an engineering analysis to assess the extent of that impact and provide policy suggestions that can be used to inform and influence state regulators.

Every three years, the federal Clean Water Act requires states to update their surface water quality standards. They call this process the “triennial review.” The NC Department of Environment and Natural Resources (DENR) is the state agency that undertakes the triennial review. In past years, the process has resulted in nominal changes to the water quality standards. This year, though, DENR has proposed drastic changes to the standards. In its triennial review proposal, DENR has taken two approaches to respond to water quality impairment across the state.

The first approach is to lower the metals standards. This lowering of standards would affect wastewater treatment processes in several ways. First, any local government that operates a wastewater treatment facility may have to spend large sums of money to upgrade the facility. Second, these upgrades could very well result in rate increases for water users. The rules may mean that facilities that cannot treat to

the levels prescribed by the rule would violate their discharge permits and be subject to fines and other penalties.

The second approach is a nutrient management strategy. DENR would do samples of water bodies – mostly drinking water impoundments – and determine that the water body is headed for impairment. DENR maps right now show these potentially impaired water bodies as existing across the state. Once a water body is determined to be headed for impairment, DENR would ask state regulators to designate an area upstream of that water body. Once designated, generally, any local governments within that designated area would then have to begin a stormwater program, implement riparian buffer requirements, upgrade their wastewater treatment plants, and become more restricted with their land application of biosolids.

The Town Council also received a letter dated March 15, 2010 from S. Ellis Hankins, Executive Director and Kelli Kukura, Director of Government Affairs regarding this item and a copy of the NCLM Municipal Environmental Assessment Coalition Project Participation Agreement.

Mayor Pro Tem Barry moved to table this item until the May Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

D. Consideration of Approval of Proclamation Proclaiming May 6, 2010 as the 2010 National Day of Prayer. Mayor Anderson advised that there will be a National Day of Prayer event held at the Town Hall on May 6, 2010. Councilmember McKee moved to approve Proclamation P-2010-02 proclaiming May 6, 2010 as the National Day of Prayer.

**TOWN OF WEDDINGTON
PROCLAMATION
DAY OF PRAYER
P-2010-03**

WHEREAS, Civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, The Declaration of Independence, our first statement as Americans of national purpose and identity, made “the Laws of Nature and Nature’s God” the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

WHEREAS, The Supreme Court has affirmed the right of state legislature to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

WHEREAS, In 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, The National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, It is fitting and proper to give thanks to God by observing a day of prayer in the Town of Weddington where all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nation;

WHEREAS, this year marks the 59th Annual National Day of Prayer with this year's theme, "Prayer: For Such a Time as This."

NOW, THEREFORE, I, Nancy D. Anderson, Mayor of the Town of Weddington, do hereby proclaim the first Thursday in May 2010, to be designated as

"A DAY OF PRAYER IN WEDDINGTON, NORTH CAROLINA"

and encourage the citizens of Weddington to observe the day in ways appropriate to its importance and significance.

Proclaimed this the 12th day of April, 2010.

All were in favor, with votes recorded as follows:

AYES:	Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS:	None

Item No. 17. Update from Town Planner. The Town Council received the following memo from Town Planner Cook:

- The Helms Property Conditional Zoning Rezoning Application and Land Use Amendment will be on the April 26, 2010 Planning Board agenda.
- Staff has received a Conditional Use Permit Application for additional tennis courts at the Weddington Swim & Racquet Club. This CUP Application will be on the May 10, 2010 Town Council agenda for Public Hearing and Consideration.
- The Planning Board approved the Temporary Use Permit Application for the DrumStrong event. This event is scheduled to be held on May 15-16, 2010 at Misty Meadows Farm.
- Union County Public Schools (UCPS) has completed the abatement work on the two houses located on the school property on Cox Road. The brick house was burned on April 3rd and Chief Dave Banick with the Providence Volunteer Fire Department (PVFD) has confirmed that the gray house will be burned on April 17th. Once the burn is complete, UCPS will hire a contractor to remove the remaining debris from the property. The timing of the burn and debris removal will depend largely on the weather.
- Possible text changes for the B-1 and B-2 zoning districts have been drafted and preliminarily reviewed by the Planning Board. These text changes will allow any revisions to the existing shopping center, bank, gas station, medical offices, gym and Town Hall to be legislative rather than quasi-judicial (Conditional Zoning Permit rather than a Conditional Use Permit). A rezoning of these parcels will also need to take place. Attorney Anthony Fox, Planning Board Chairman Dorine Sharp and I will continue to revise these text amendments. The revised edition of the text amendments will be on the April 26, 2010 Planning Board agenda for recommendation.
- The municipalities participating in the Carolina Thread Trail interviewed five consulting firms on Tuesday, March 23. Each municipality had one vote and the group selected The Trust for Public Land to do the work. The Carolina Thread Trail Steering Committee will meet next on May 13th to sign the contract with The Trust for Public Land.
- At the March 2010 Planning Retreat the Town Council directed the Planning Board to look at the Town Center Property along with the Treski (Weddington Activity Center) and Matthews

Properties to make a recommendation regarding the future Land Use Map. At the March 22 Planning Board meeting the Planning Board determined that they would want to see a long term vision for these properties before recommending any Land Use changes. The Planning Board did not want to plan this area piecemeal.

Item No. 18. Update from Town Administrator/Clerk. The Town Council received the following update from Town Administrator/Clerk McCollum:

If you are interesting in giving the County your input on the name for the Bypass, visit NameOurBypass@co.union.nc.us. Citizens are urged to share their views with the County and are requested to submit their suggestions by April 22.

Sam Leggett has been contacted by the owners of the property at Highway 84 and Twelve Mile Creek Road regarding the pending minimum housing issues. They are currently working with the Wesley Chapel VFD on the possible burning of this house.

Providence VFD is working with the Town on conducting a CPR class for the Council and Staff. A date has not been set.

The Mayor and Council have completed their two hours of ethics training that was required by NCGS 160A-83. The next step is to develop a Code of Ethics by 2011 for the Town.

Councilmember Werner Thomisser will be attending the 2010 N.C. League of Municipalities Regional Legislative Meeting on April 14, 2010 on behalf of the Town.

Councilmember McKee and I met with a representative from the Garden Club to discuss if they would be interested in developing a landscaping plan for the Town Hall grounds. They will bring the idea before the entire board at their next meeting.

The next newsletter will be dedicated to spotlighting the local businesses in Weddington. Business owners will have the opportunity to place an ad free of charge in this newsletter.

Attorney Anthony Fox is coming up with dates for a Town Council Session on Quasi-Judicial Hearings.

NCDOT has given the Town comments on the conduit plan developed by Bizzell Design. Those changes have been forwarded to Bizzell. We are waiting on a corrected plan that can be forwarded to Scurry Construction for pricing.

Upcoming Events

- Drop Off for Sue Myrick Art Competition – April 23, 26 and 28
- Census Training to be conducted at Town Hall – April 27 through April 30
- Town Litter Sweep on May 1 – Meet at Town Hall at 9:00 a.m.
- Town Hall Day on June 16, 2010 in Raleigh (More Details Soon)
- Weddington Night (July 31, 2010) at the Charlotte Knights (More Details Soon)

Item No. 19. Public Safety Report.

Weddington Deputies – 323 Calls with 8 Reports written.

Providence VFD

Monthly Call Responses

Union County Fire: 14 EMS: 10 Total: 24
Mecklenburg County Fire: 6 EMS: 0 Total: 6
Monthly Total: 30

Monthly Training Hours

Fire- (total Hrs): 145.5 In house: 134.5 On-Line: 11
EMS- 68 hours. Some of these hours are for a member who recently became a certified CPR/First Aid instructor through AHA.

Run Times:

6A-12N: 17% 12n-6P: 23% 6P-12M: 37 % 12M-6A: 23%

Run Data:

Avg. Turnout: 1 min. 40sec.
Avg. Response Time: 4 min. 49 sec.
Avg. On Scene Time: 22 min. 45 sec.
Avg. Members On Scene: 4.25 members

Providence Fire Department responded to the following significant events:

- 3/4/10 Assist Matthews FD with an electrical fire at 5001 Forestmont Drive
- 3/12/10 Structure Fire at 4006 Fawn Hill Drive
- 3/27/10 Brush Fire at 6011 Weddington-Matthews Rd.
- 3/27/10 Assist Stallings FD with a Brush Fire 3645 Pleasant Plains Road

The Town Council also received the Income and Expense Budget Performance and Balance Sheet.

Wesley Chapel VFD – 113 Calls

Item No. 20. Transportation Report. Councilmember Thomisser gave a brief update of the last MUMPO Meeting that he attended.

Item No. 21. Update from Finance Officer and Tax Collector.

A. Finance Officer’s Report. The Town Council received the Revenue and Expenditure Statement and the Balance Sheet for March 1, 2010 to March 31, 2010.

B. Tax Collector’s Report.

Monthly Report – March 2010

Adjust Under \$5.00	\$(16.45)
Interest Charges	\$385.23
Pay Interest and Penalties	\$(755.13)
Balance Adjustments*	\$104.59
Releases	\$(107.58)
Refunds	\$222.39
Taxes Collected:	
2009	\$(11,715.95)
2008	\$(2,177.33)
2007	\$(517.84)
2006	\$(7.11)
2004	\$(28.18)

2003	\$(10.44)
As of March 31, 2010; the following taxes remain Outstanding:	
2001	\$9.18
2002	\$89.53
2003	\$199.83
2004	\$262.01
2005	\$343.54
2006	\$276.55
2007	\$634.78
2008	\$7,999.65
2009	\$30,229.35
Total Outstanding:	\$40,044.42

Notice of Advertisements were mailed 03/04/2010

* \$17.18 and \$87.41 NSF checks

The Town Council also received the Unpaid Balance Report.

Item No. 22. Council Comments. Council requested that the Weddington Deputies place the radar trailer on Weddington-Matthews Road due to the complaints regarding speeding.

Mayor Pro Tem Barry discussed that summer is approaching and that the Town has the unfortunate situation of having undeveloped neighborhoods that attract teenagers that do not have enough to do.

Item No. 23. Adjournment. Mayor Pro Tem Barry moved to adjourn the April 12, 2010 Regular Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

The meeting adjourned at 9:52 p.m.

Nancy D. Anderson, Mayor

Amy S. McCollum, Town Clerk