

**TOWN OF WEDDINGTON
SPECIAL TOWN COUNCIL MEETING
PLANNING RETREAT
MARCH 27 – 28, 2009 – TIMES VARIED
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Town Council Meeting/Planning Retreat at the Firethorne Country Club, 1108 Firethorne Club Drive, Marvin, NC 28173 on March 27 – 28, 2009 (times varied) with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Robert Gilmartin, Councilmembers L.A. Smith, Tommy Price and Jerry McKee, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Jordan Cook and Town Administrator/Clerk Amy S. McCollum, Planning Board Chairman Dorine Sharp, Planning Board Members Scott Buzzard and Jack Steele

Absent: None

Visitors: Walter Staton, Werner Thomisser, Jan Taylor, Dennis Taylor, Mike Treske, Anthony Burman, Richard Hancock and Craig Horn.

Item No. 1. Open the Meeting. Mayor Nancy D. Anderson opened the Special Town Council Meeting/Planning Retreat at 1:00 p.m. There was a quorum.

Item No. 2. Transportation. Mayor Anderson introduced Richard Hancock with NCDOT to speak to the group regarding transportation issues.

Mr. Hancock shared the sidewalk costs associated with the widening of Providence Road. Sidewalks are planned for both sides of Highway 16. Mr. Hancock advised that to add a sidewalk on Hemby Road the cost would be approximately \$6,813 and to add a sidewalk on Highway 84 on the Town Hall side would cost approximately \$18,157.

Mayor Anderson discussed the option of NCDOT to stop building the sidewalks and give the money to the Town to construct. Mayor Anderson spoke of areas in the widening project where meandering sidewalks could be done.

Mr. Hancock discussed the following items relative to the Providence Road Widening Project and other transportation issues:

- Typical section currently has 4' planting strip. Need wider planting strip for small trees (guidelines for planting within Highway Right-of-Way).
- Currently have \$162,000 set aside for landscape plantings after project.
- Possibility of deferring sidewalk construction and combining with landscape planting contract after completion of roadway construction.
- Landscaping is contingent upon speed limits. The design speed is 50 mph. The posted speed will be 45 mph with a small area being 35 mph.
- Additional costs for metal poles at signals. Estimated cost of \$15,000 per pole. Estimated cost for mast arms is \$150,000 - \$175,000 per intersection. These additional costs would have to be incurred by the Town.
- Realignment of Weddington Church Road cost estimated to be in \$500,000 - \$700,000 range which does not include a signal. The need for a signal has not been determined yet.

- Beulah Church/Hemby Road intersection at Weddington-Matthews Road – NCDOT is seeking spot safety funding for signalization.
- Weddington Road – I-485 Interchange (R-0211 EC) - Scheduled for 2011 Construction in current TIP.
- Scope modification for Rea Road Extension Project (U-3467A) - Scheduled for 2013 construction in current TIP. Potential for Town to front funding to advance construction of modified scope.
- Improvements are being made at the intersection of Weddington-Matthews Road and Antioch Church Road.

Mr. Hancock showed a map of the proposed relocation of Weddington Church Road. Mayor Anderson discussed this proposed relocation with the Town Council and advised if this plan was acceptable to all parties that Barry Moose with NCDOT would go to Raleigh and ask that it be a part of the Transportation Improvement Plan and be a part of the Providence Road widening project. Mr. Hancock advised that he felt this was the best scenario that could be offered. It allows the road to be removed from the middle of the two church areas. It would be located on the Family Life Center area of the pond. The assumption is that there would be no cost for the right-of-way and that the current right-of-way would go back to Weddington United Methodist Church.

Councilmember L.A. Smith moved to draft a letter instructing NCDOT that the Town is in favor of the Weddington Church Road realignment and to open negotiations with the church for right-of-way and the closing and removing of the existing Weddington Church Road and that the current section from Weddington Church Road would not have access to Providence Road. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
 NAYS: None

Mr. Hancock also showed a map that laid out a proposed connector road from Providence Road to Weddington-Matthews Road and a traffic circle at the intersection of Highway 84 and Weddington-Matthews Road.

Mr. Werner Thomisser spoke in favor of sidewalks and that they would help decrease the amount of traffic if people were able to walk to the shopping center and downtown area.

Mayor Anderson discussed the Local Area Regional Transportation Plan and map with the Council. Mayor Anderson stated, “If we can identify the improvements and the municipalities adopt the map and preserve the right-of-way, the developers will have to abide by it. This map is what the professionals think needs to be done.” Once the map and plan is approved, the municipalities (Weddington, Marvin, Wesley Chapel and Waxhaw) will give to MUMPO. Mr. Scott Buzzard advised that the final project map will have all of the projects prioritized.

Items Discussed:

- Mayor Anderson reported that NCDOT has stopped the sidewalks right now and asked if the Council would be in favor of stamped, tinted and/or meandering sidewalks and asking the contractor to stop building the sidewalks, take the allowance and the Town could coordinate the work. Councilmember Tommy Price felt that the Town should let NCDOT continue to put the sidewalks in and let them complete everything in their contract.
- Street/Decorative Lighting – Councilmember Price advised that the Town could ask the contractor to add conduit in the sidewalks every 50 feet for future lighting.

- Mayor Anderson stated, “We are in a holding pattern for Providence Road. We could do a lot with landscaping and pretty brick. We do not have to raise taxes to do any of this.”

Mayor Anderson discussed the proposed connector road from Providence Road to Weddington-Matthews Road.

Mr. Mike Treski, owner of the Weddington Activity Center, spoke to the Town Council. Mr. Treski thought the connection would be vital and he showed what property he owns to the Town Council. He stated, “Your influence with NCDOT would help me greatly to get a right in and left out movement.”

Councilmember Price did not want commercial and the connector road to be tied together and felt that they were two separate issues.

Councilmember McKee felt that anything the Town could do to enhance the shopping center and Activity Center the Town should undertake with vigor. He stated, “Representatives from the Shopping Center are begging for help. The economy has had a large impact but the widening of Highway 84 and 16 will have a greater impact.”

Mayor Anderson – I would like for the Town Council to vote yes or no in concept and if we would like to send this to the Downtown Committee for their review.

Mayor Anderson discussed the proposed traffic circle at the intersection of Highway 84 and Weddington-Matthews Road and asked if the Council was interested in pursuing this concept. She stated, “Would the Town be willing to pay for help in planning and seeking right-of-way? Would the Council consider taking money from the Rea Road Extension Project, which is not scheduled for construction until 2013, and enter into an Interlocal Agreement with NCDOT? The Town would loan money to NCDOT to complete the traffic circle and connector road and NCDOT would pay the Town 3 to 4% in interest until the funding comes available in 2013. We can do the connector road and the traffic circle for about \$1.7 million. Mr. Treski has offered the right-of-way designation to move this forward.”

Item No. 3. Parks and Recreation. Councilmember Smith gave a brief Parks and Recreation Update. She stated, “The purpose of the Board at this time is to plan events and to create a sense of togetherness. Litter Sweep will be held on May 2 at 9:00 a.m. The Board may try to plan a July 4th Celebration and will work on a Tree Lighting Event in December. The Board has requested \$15,000 to be placed in the budget. The Board is also looking at the acre behind Town Hall to make it a feature that would draw people to the downtown area, provide access to the shopping center and possibly a community events board.”

Mayor Pro Tem Robert Gilmartin discussed the need for developing the outparcels at the shopping center. Councilmember Smith stated, “We certainly want to support what we have. Tenants at the shopping center feel that we need more density, a different tenant mix, changes to the sign policy, etc.” It was advised that the tenants in the shopping center were going to be spotlighted in the next newsletter and website.

The Town can consider some type of partnership with the Optimist Park or schools for holding special events. It was discussed that the temporary use permit requirements need to be reviewed relative to the Optimist Park and what constitutes normal activities for a park. Attorney Fox advised that the Town could develop a special district for the Optimist Park.

Mr. Werner Thomisser - As far as the shopping center is concerned, there is only so much that you can do. There is no creativity. This problem lies with the owners of the shopping center. There has been no

work from the shopping center owners to promote the shopping center. We need a nice sit-down family restaurant. We need something exciting to draw people to the shopping center.

Item No. 4. Downtown Area. Councilmember Jerry McKee gave a brief update on the Downtown Development Committee. He stated, “We are still discussing different ideas presented by members of the committee. At our next meeting we will be meeting with the owners of the shopping center to talk about the future of the shopping center. I also think we are going to need to hire a consultant to help lead us in the direction that we need to take. We are moving forward. There are a lot of ideas. We need to get a plan together and market it to the community.”

Discussion surrounded whether or not the Town should do another survey to find out what the residents want or to send out a survey once a downtown plan has been created.

Mayor Pro Tem Gilmartin expressed that increasing the footprint of the existing shopping center with outparcels including sit-down restaurants would be acceptable to him.

Councilmember Price felt that there was not enough local traffic to support additional commercial and that it would make the current traffic situation worse. He stated, “We have tried before with the ULI Plan. You need to look at what the people want that you represent.”

Planning Board Chairman Sharp - There is not a mandate to create additional commercial. There is plenty of shopping around. You do not have to add commercial to be a good use of property. Expand the downtown without it being retail.

Mayor Anderson – I would be happy with the connector road, traffic circle and beautiful landscaping. If landowners came to us requesting rezoning, then it would have to go through the process. The library is also off the table. The County has advised that we could have the Capital Improvement Plan money but they do not have the operating costs to run the library.

Mr. Thomisser – The number one issue on the survey that was done is transportation. This entire Council should do everything in your power to alleviate the traffic problem. That connector and traffic circle makes a lot of sense. People need to know what you mean by commercial.

Item No. 5. WCWAA – Optimist Park. Attorney Fox gave an update on the violations at the WCWAA and discussed a meeting that occurred regarding this matter. He stated, “There is a collective spirit to work together. The Town and the County’s Attorneys are working to create an agreement outlining the plan to collectively work to correct the conditions that exist on the property. The Town and County are under a 30 day time period from the State on this matter. The agreement does not establish jurisdictional responsibility over the violations. The key issue is the no-rise study.”

Item No. 6. Closed Session. Councilmember Price moved to go into Closed Session Pursuant to NCGS 143-318.11 (5). All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS: None

Item No. 7. Proposed Budget for Fiscal Year 2009-2010. Mr. Craig Horn - Honorable Mayor and Members of the Town Council. What a difference a year makes. Just a year ago Bank of America and Wachovia combined to make this area one of the key financial centers in the world. Acquisitions by both of these companies promised to expand their impact on our region. The Town of Weddington was awash in new development and touted as a keystone in the rapidly growing western portion of the fastest

growing county in the state of North Carolina. And you raised taxes! What a difference a year makes. Today our BofA and Wachovia are on the ropes. They have laid off thousands of North Carolinians and, I dare say, hundreds of our own town citizens. Construction has slowed to less than a crawl. The crush of debt is onerous on every company and every family. The Town of Weddington participated in raising the burden on our residents. Of course I know that you did not raise our tax rate, but you did raise our taxes whilst many jurisdictions around us did not. You raised our taxes by not lowering our tax rate. You know, as we all know, that the assessed valuation of every home in Weddington went up... A lot! You chose to not lower the tax rate resulting in more money out of our pockets into the Town's coffers. And you did so with over a million dollars in the bank. For my neighbors and me it has been a double whammy! You annexed our property without our permission, giving us a new tax bill that we did not anticipate when moving here. Then you took even more of our money by pairing the increased valuation with no commensurate tax rate reduction. And what did we receive in return? At least two of my neighbors have lost their jobs in the past few months and another has lost the income-producing power of their key wage-earner in order to serve our country. Many of my neighbors are retired, including myself. "Retired" is a short word for "No Income." That means that whatever goes out does not get replaced. We divide our shrinking nest egg by our fixed overhead (which includes taxes) and we get to find out how long we are allowed to live in our homes. And that number is shrinking. We all know that federal, state and county taxes are going up. We depend on you to help us right here at home. Every budget in every home in the Town of Weddington is being hit. Every family in every home in the Town of Weddington is cutting spending. What will the Town of Weddington be doing?

Finance Officer Gaylord reviewed the budget with the Town Council. Items discussed are as follows:

- Finance Officer Gaylord advised that a 3-cent budget would have \$170,174 net revenues over operating expenditures and a 2.5-cent budget would have \$22,175.
- Parks and Recreation Advisory Board had requested \$15,000.
- Mayor Anderson advised that she would like to establish eligibility for Powell Bill Funding.
- Tax Holiday – Attorney Fox felt that in order to provide for a tax holiday special legislation would be required.
- Councilmember Price discussed lowering taxes to 2 cents.
- Mayor Anderson felt that the Town should spend money on transportation.
- Mayor Pro Tem Gilmartin advised that he is scheduled to meet with the Providence VFD regarding their budget needs but has been informed that they have a \$100,000 budget shortfall. Councilmember McKee would like to review Providence's budget in greater detail. Finance Officer Gaylord advised that the Town is Providence's biggest source of revenue.
- Finance Officer Gaylord reviewed the Town's Fund Balance Policy.

Mayor Pro Tem Gilmartin discussed the Capital Improvement Project for a weight/fitness room for the Weddington High School. He discussed the size of the current weight room. He stated, "They have been promised \$500,000 from Union County Public Schools for this project but they do not know when they will get the money. They have asked if the Town Council will lend the money to them and get paid back once Union County pays them for the project. One thing that makes Weddington great is the schools."

Attorney Fox discussed that the Town could enter into an Interlocal Agreement with the Union County Board of Education to achieve a mutual common purpose of accelerating the weight room. The vehicle would be through Town proceeds that would be repaid in the future.

Mayor Anderson discussed the possibility of a matching fund and whether Wesley Chapel would help to contribute. She stated, "Weddington has a long history of supporting its schools."

Councilmember Smith – We have already supported the schools through taxes.

Mayor Pro Tem Gilmartin will contact Wesley Chapel to see if they are interested in this project and will attempt to receive more information on when the County would pay back the Town.

Mr. Thomisser stated, “We are in the middle of a recession. You do not raise taxes in the middle of a recession. Lower the tax rate to 2.5 cents - It delivers a message that you feel the residents’ pain. What is more important – Fire, EMS, Police or a Weight Room? I support education but I think there is a lot of waste in the education system. I think they are going to be forced to watch what they spend on.”

Item No. 8. Continuation. Councilmember Smith moved to recess the meeting until March 28 at 8:30 a.m. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS: None

The meeting ended at 6:07 p.m.

Item No. 9. Reopen the Meeting. Mayor Anderson reopened the Special Town Council Meeting/Planning Retreat at 8:39 a.m.

Item No. 10. Proposed Budget for Fiscal Year 2009-2010. Discussions regarding the budget resumed with the following items discussed:

- Finance Officer Gaylord reviewed Providence VFD’s latest budget with the Town Council and advised that one of her biggest concerns was the lack of voluntary donations. Councilmember Smith discussed that for years the Town has asked that Providence work to help themselves but they do not.
- Transportation Shopping List: Mayor Anderson discussed using \$600,000 out of the Town’s fund balance to build the traffic circle at the intersection of Highway 84 and Weddington-Matthews Road. There was discussion if the traffic circle was needed and its close proximity to the traffic light at Providence Road. Mayor Anderson informed the Council that the Town could take the money from the Rea Road Extension project and loan the money to NCDOT to build the traffic circle and connector road. NCDOT would then pay the Town back once the money becomes available in 2013 for the Rea Road Extension project. Councilmember Smith would like to know if the traffic circle is feasible. Mayor Anderson asked for the Town’s direction on the traffic circle and connector road so that she can work with Barry Moose on the funding of the projects. Mayor Pro Tem Gilmartin felt that the connector road was feasible but did not endorse the traffic circle. Councilmember Price advised that he was not against the connector road but against the Town funding the building of it.
- Mast Arms for the intersections on Providence Road.
- Discussion of upgrading sidewalks to a different surface.
- Lay conduit under the sidewalks for future street lighting.
- Downtown Streetscaping project – markers, lighting and ongoing maintenance costs of these items.
- Litter Pickup (L & M Construction) would cost approximately \$100 to \$200 per mile. L & M has their own insurance and provides litter removal for Mecklenburg County. The Council asked that Town Administrator McCollum get pricing for the major roads in Weddington.

Item No. 11. Roles and Responsibilities of Staff. The Town Council and Staff discussed the roles and responsibilities of staff and the challenges for staff surrounding working for the Council as a whole versus individual request from councilmembers.

Item No. 12. Water and Sewer Issues. Planning Board Chairman Sharp felt that in light of recent issues regarding community wells the Town should adopt some sort of goal or strategy regarding community wells. Ms. Sharp read the definition of Essential Services Class I out of the Town's Code of Ordinances. The Council received the current language dealing with the extension of water. Ms. Sharp asked if the Council was comfortable with community wells and does the Council want to put additional regulations on them when they are permitted under limited circumstances. The consensus of the Council was to not allow community wells. The Council felt that infrastructure should be built as development occurs. The Council discussed that the Town relies on Union County to provide water.

The Council reviewed that strategies and goals in the Land Use Plan should be made stronger and clearer relative to sewer. It was discussed whether the Council would allow a self-contained sewer system for a subdivision. The Council felt that the same regulations regarding extension of water should apply for sewer. Mayor Anderson discussed private property owner rights and the differences in the extension of water and sewer. Mayor Anderson felt that an unintended consequence of the language would limit growth and that the County does not have sewer capacity at this time. The Planning Board will draft language regarding the extension of sewer as is in the Town's Code for water. The Council felt that self-contained sewer systems would be acceptable if it was developed in connection with the County and designed to hook on to the County once sewer is available.

Item No. 13. Miscellaneous Planning Matters.

A. Letter of Credit/Bonds. The Council asked that the language relative to letters of credit and bonds be changed to only allow complete release and no partial reductions.

B. Accessory Dwelling Structures (Mother-in-Law Suites). Chairman Sharp reviewed the accessory dwelling structure language with the Council. She stated, "We do not have any options for people to age. The language limits one accessory structure for one principal structure and the person in the principal structure has to live in it." The group discussed allowing the owner of the property to live in the accessory structure. The Planning Board will review this concept further.

C. Architectural Review Standards and Design Review Board. Chairman Sharp reviewed the architectural review standards with the Town Council and asked them to email her with any concerns. Planning Board and staff will review other municipalities' standards regarding Architectural Review Boards.

D. Review of Land Use Plan. The Planning Board and staff are currently reviewing the Land Use Plan and will bring changes forward to the Town Council in the coming months.

E. Telecommunication Towers. Chairman Sharp advised that the telecommunication tower text was written at least 15 years ago and that telecommunication facilities are now allowed to be placed on transmission lines and the Town does not allow this because of setback regulations. The Planning Board will be working on text to allow for this change.

F. Weddington School Rezoning. Due to the development of the E-D Zoning, the schools in Weddington need to be rezoned to this new district. Staff will be working on bringing this forward to the Town Council.

G. Permitted and Conditional Uses in Residential Zoning. Chairman Sharp discussed that the Chesterbrook Academy Daycare was a conditional use in residential zoning and does the Town Council want to allow daycares to continue to be allowed as a conditional use in residential zoning or be moved to

B-1 or B-2. The Council liked the idea of leaving it as a conditional use but moving it to B-1 and B-2 zoning.

H. Sign Ordinance. Chairman Sharp advised that the Planning Board and staff is working on language to allow for off-premise announcement/directional signs to be allowed through the temporary use permit process.

Item No. 14. Adjournment. Councilmember Smith moved to adjourn the March 27, 2009 Special Town Council Meeting/Planning Retreat. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS:	None

The meeting adjourned at 12:21 p.m.

Nancy D. Anderson, Mayor

Attest:

Amy S. McCollum, Town Clerk