

**TOWN OF WEDDINGTON  
REGULAR TOWN COUNCIL MEETING  
MONDAY, MARCH 14, 2016 - 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 March 14, 2016, with Mayor Bill Deter presiding.

Present: Mayor Bill Deter, Mayor Pro Tem Don Titherington, Councilmembers Michael Smith, Scott Buzzard and Janice Propst, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Julian Burton, and Town Administrator Peggy Piontek.

Visitors: Bill Price, Anna-Marie Smith, Walton Hogan, Don Titherington Sr., Peggy Stallings, Andy Stallings, Pat Harrington and Mikki Weaver.

Mayor Bill Deter offered the Invocation prior to the opening of the meeting.

**Item No. 1. Open the Meeting** Mayor Deter opened the March 14, 2016 Regular Town Council Meeting at 7:00 p.m.

**Item No. 2. Pledge of Allegiance** Mayor Deter led in the Pledge of Allegiance.

**Item No. 3. Determination of Quorum** There was a quorum.

**Item No.4. Public Comments**

Don Titherington, Sr. – First of all I would like to thank the Mayor and Council for the work you have done. Times have changed and things are great. When you have a turnout like this that means you must be doing things well. Not a whole lot of conflict as I can see in the Town anymore. When I spoke in December I asked for two issues I thought that would be helpful to the community. Both of them have been addressed and one needs a little bit more work. At that time I mentioned about getting the fire department building signage up and I think that was done before the year end. The other one was the speeding on Providence Road. I would like to share with you something I observed. This was amazing to me. On Wednesday February 10<sup>th</sup> I was exiting the shopping center late afternoon and saw 6 police cars across the street at the new office building staged. In the course of 31 minutes they made 14 chased stops on Providence Road for speeding. Union County Sheriff's, Stallings, Monroe and Marshville police cars were present. There were six cars. At one time all six cars were out writing tickets. We've got an issue and obviously you've addressed it. I appreciate it and I think we need to continue on. But

one of the other observations from where I was sitting in the parking lot for 30 minutes was 11 of the 14 cars that were stopped people were either texting or on a cell phone. Police could not see that from across the chase area where they were staged because they were looking in the passenger side. So not only were they speeding some people were not paying attention when they were driving. I'm just asking you to go back. Thank you for that day, February 10<sup>th</sup> and I'm assuming that it continued on in the afternoon. I think we need more of it because at any given time of the day it's still a speedway and I appreciate what you've done. Thank you.

Mayor Deter – I would like to point out that I, on behalf of the Council, sent a note to Sheriff Cathey thanking him for getting his guys out here. He did acknowledge to me that we do have a problem on Providence Road and as he has resources available he will be getting people out there again.

Mayor Deter closed Public Comments.

#### **Item No. 5. Additions, Deletions and/or Adoption of the Agenda**

Mayor Pro Tem Titherington moved to adopt the Agenda. All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

#### **Item No. 6. Consent Agenda**

- A. Review and Consideration of 2017 Urban Archery Season Renewal – *This matter was removed from the Consent Agenda and placed under New Business as item 11b*
- B. Review and Consideration of SR-2 Resolution for Timber Top Court, Pine Needle Court, Twin Lakes Drive and Lake Forest Drive in Lake Forest Subdivision. **(COPY ATTACHED HERewith AND MADE A PART OF THE RECORD)**
- C. Call for public hearing: Review and Consideration of a Text Amendment to Section 58-4 to revise the definition of open space and further prioritize view shed protection.
- D. Call for public hearing: Review and Consideration of Text Amendments to Section 58-58 to further prioritize the view shed in conservation subdivisions, and to encourage even distribution of conservation land when proposed subdivisions are divided by a thoroughfare.
- E. Call for public hearing: Review and Consideration of a Text Amendment to Section 58-146 to further control signs placed on trees within a right-of-way.

Councilwoman Janice Propst – I want to talk about the Urban Archery. I am not opposed to hunting because obviously we have had hunting in the area for a long time. But we do already have muzzle loader season with guns. We have the whole gun season and Urban Archery is an extra month from January.

Mayor Deter – Let’s do this from a process standpoint, let’s make a change to the agenda and pull Urban Archery out of the Consent Agenda. You can make a motion to pull it out of the Consent Agenda and let’s just add it under New Business 11b.

Councilwoman Propst made a motion to move item 6a out of the Consent Agenda to 11b for further discussion of Review and Consideration of 2017 Urban Archery Season Renewal and to approve the remaining items b through e of the Consent Agenda. All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington  
NAYS: None

**Item No. 7. Approval of Minutes**

- A. January 11, 2016 Regular Town Council Meeting
- B. February 8, 2016 Regular Town Council Meeting

Councilman Michael Smith moved to approve the January 11, 2016 Town minutes as well as the February 8, 2016 Town Council minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington  
NAYS: None

**Item No. 8. Public Hearing and Consideration of Public Hearing**

- A. Review and Consideration of Text Amendment to Section 58-543 of the Zoning Ordinance to correctly reference the “Setbacks from Streams” section of the Ordinance (Section 58-520).

Town Planner Julian Burton – This is a housekeeping item in our Stormwater Management Ordinance or policy, Section 58.543. There’s a citation that we realized was incorrect under #11. So this text amendment corrects it to cite the correct other section of the ordinance for the setbacks from streams.

Mayor Deter opened and closed the Public hearing as no one signed up to speak.

Mayor Pro Tem Titherington moved to approve change to Text Amendment 58-543 Setbacks and Streams section of the Ordinance to 58-520 as recommended by staff. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**

All were in favor, with votes recorded as follows:

AYES Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington  
NAYS: None

**Item No. 9. Old Business**

A. Review and Consideration of revised Public Records Request Policy and Form

Mayor Deter – This came up at our Retreat in February. We had some discussion and we now have documents here. Council has provided various inputs. I believe this has also been reviewed by the Town Attorney.

Town Attorney Anthony Fox – It has. I think one thing to note both the policy and form go to great pains to say that the records of the Town are public and if it's an official public record then the public is entitled to it. But for purposes of efficiency and to the accuracy of insuring that the public's request is met through the production of requested records sometimes a form may be required.

Mayor Pro Tem Titherington moved to approve the revised Public Records Request Form, which really sets to clarify the request in a way that staff can efficiently and accurately provide those records as staff recommended as well as the adoption of the revised policy language. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**  
All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

**Item No. 10. Town Hall Update**

A. Review and Consideration of exterior painting and wood repair.

Mayor Deter – You had in your agenda packet three quotes from Nu Hue, 360 Painting and Certa Pro. I did send out to all of you (hopefully you received it) a summary of those because I know a lot of times one can go in to quotes and try to figure this out and that out. In a nutshell we have three quotes and you can see that Certa Pro did not want to quote on removal of the caulking. I did break out the painting and repair. My personal recommendation is that Nu Hue is the vendor we would want. They have experience with old homes in the Charlotte area. They also offer an option that Council should consider for \$350.00 annual fee they will come out and power wash the house, fill in any cracks that may show up and do any touch up that is needed. Unless there is any discussion I would be looking for a motion. I have had some discussion with Leslie who tells me we should be able to cover that out of the Fiscal 2016 budget. If there are no questions or discussion I will ask for a motion.

Mayor Pro Tem Titherington – If we were to enter into that annual \$350.00 maintenance because with wood, mildew/mold is the biggest part of the problem. That seems to be a very reasonable, but do we need to do that with a contract or do you want to handle that separately?

Town Attorney Fox – I think that if you do proceed with the recommended contractor then make the motion subject to review of the contract by your attorney and that will be reflected in your contract.

Mayor Pro Tem Titherington moved to approve the vendor Nu Hue to provide the paint, material, labor for a total of \$18,750.00 not to exceed. **(COPY CAN BE FOUND IN THE CLERK'S OFFICE)**

Town Attorney Fox – Does that include the annual \$350.00?

Mayor Deter –It's actually \$22,500.00

Mayor Pro Tem Titherington – Right but you have \$3,750.00 for the caulk removal because we had separate quotes from other people. \$22,500 in aggregate and then the third component would be to do the annual power washing touch up for \$350.00 subject to review by the Town Attorney. **(COPY CAN BE FOUND IN THE CLERK'S OFFICE)**

All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

Mayor Deter – Hopefully once Anthony reviews that contract we can get moving on that. One of the things they did recommend was they are going to get out there and get the caulking out and actually let the house breath for a while and then they will come back out and do wood repair and start painting.

#### B. Review and Consideration of crawl space sealing process

Councilman Smith – We discussed it at the retreat I think everybody had a chance to look at the quotes. Pretty much from what I learned after I left home you can pretty much throw those quotes away. This is going to be my recommendation. I contacted the County Inspectors on this and this falls under commercial and in order to fully encapsulate what we discussed at the retreat you would have to pull a permit. It requires venting to the outside which would be in the way of a pipe, drain pipe or a pump and we have a pump that works. But in addition to that we would have to heat and air condition it just the same as the Town Hall. They took off their inspector hats both the residential and the commercial inspectors. As to their personal opinion they weren't allowed to render any. It was hypothetical. They said that really for a 125 year old home there's no problem, there's no rotting wood, no wood issues, there's no issues under there. They would not recommend it. So my recommendation is to replace the vents that need replacing with manual vents. The ones that open and close automatically tend to break down. Bill and I have both not heard anything positive about them. I recommend buying manual vents that can be opened and closed for the appropriate season. There is re-pointing that needs to be done. Some foundation work, it's not critical but it needs to be done and I recommend we do that. The commercial inspector said he would not recommend putting plastic down because there is no issue under there. That's optional to the Council and I will leave that up to the Council. My main recommendation is to repoint the brick and replace the vents. If we do go

with repointing which needs to be done, I did notice the chimney needs to be done also. I would recommend that we have the mason go around and repoint anything that needs to be repointed.

Mayor Pro Tem Titherington – From my perspective it's probably not a bad idea to have this visqueen or the plastic put down. That's usually 8 mils and is about \$750.00 at most. It does prevent some issues and doesn't hurt. The only other thing I wondered is if the pipes are sweating. So if we keep the vents open which is great do we just have someone take a look at insulating any of the wire or pipes so we don't have to worry about things in the cold weather?

Councilman Smith – It's questionable which ones are sweating because I went underneath there. There's a lot of water piping that no longer exists and a lot of loose wiring. What I did see and wasn't sure if it was from the air conditioning is there was a lot of flex pipe down there that I know I had in my house for water. So we could have that looked at. But there really hasn't been an issue. That's my recommendation.

Mayor Deter – For clarity the action item is to get three quotes for the manual vents to be installed and the bricks to be repointed on the house. So we had review and consideration do we even need to take a vote on this?

Town Attorney Fox – No. You are not really having movement on the item on the agenda and you are giving direction to obtain more quotes on bringing something back.

### **Item No. 11. New Business**

#### A. Review and Discussion of Preliminary Budget for Fiscal Year 2017

Finance Officer Leslie Gaylord – I want to show you the changes we made since the retreat. For the actual numbers for the year I have updated them through the end of March. We had them coming into February through the end of January. I had to revisit projections and added the budget for the current year so you would be able to see it and compare it to what next year's proposed budget is. There weren't any changes to the operating budget. What we ended up with after operating expenses and revenues is a net operating budget of approximately \$932,000.00. That's the money that we have basically to fund for the fire department and all that good stuff. That's what's on the page of non-operating expenditures. Then I went through the notes that I took at the retreat and the amounts that we all discussed and put them in to say if we funded all the things we discussed what would we be looking at. We would have net revenue of \$506.00 although we don't have a litigation number in there yet. But if we do the building maintenance in this fiscal year that money could get reallocated somewhere else because I have it both places for right now.

Mayor Deter – When I looked at the non-operating expenditures, I know you are going to get up with Julian and come up with a number for subdivisions and future revenue. Right now we're not sure what that number is.

Finance Officer Gaylord – Yeah, I have to wait for April when things are a little closer to being in the pipeline and having an idea of what’s out there. We also get our tax estimate from the County in April. We get our deputy number in April and towards the end of this month we will get from the League of Municipalities estimated revenues projections. So next month we will have a lot more information.

Mayor Deter – I’ll mention some things so Council can think about them next month or the month after. Trying to come up with a balanced budget I plugged in \$60,000.00 revenue for subdivision fees and I plugged in \$100,000.00 for litigation. Trying to offset and balance things I was looking at the painting and siding. We have \$35,000.00. I reduced that by \$15,000.00 and we still have \$20,000.00 in there.

Finance Officer Gaylord – That’s what I was saying because we weren’t sure what the timing of that was going to be so I have it in both years.

Mayor Deter – I still left \$20,000.00 in there to do some roof work. I went down under street lights we had \$18,000.00 and \$18,000.00. I took the \$18,000.00 out. If I do that and my math is right we still are about \$7,000.00 short, with the information we have now, of balancing the budget.

Finance Officer Gaylord – One thing also that is not on here is the new sales tax on services. There is a potential to bump up in sales tax revenue. I’m waiting to get the estimates from the League on that.

Mayor Deter – There are other things we can do on this, but I was trying to scrounge around for another \$7,000.00 and I went back. Don and I discussed this and I might have misunderstood, under 41-10-340 Events and Publications, you put in \$12,000.00. That’s because of festivals and stuff and if I go back into the non-operating....

Finance Officer Gaylord – Yeah, that’s for the newsletters and that’s the maximum amount that we would spend. That’s assuming that we would do four to six newsletters a year when actually we only average two or three.

Mayor Deter – Okay so we are within striking distance and it’s still very early.

Finance Officer Gaylord – The other piece I don’t know about is the audit number for the fire department. I don’t know if that is something that’s going to be paid out or not.

Mayor Deter – We can keep that as a placeholder for right now.

Finance Officer Gaylord – Right. I know we haven’t had to pay anything yet this year.

Mayor Pro Tem Titherington – I think when you look at the house you were saying for this year we actually had a general fund assigned house maintenance that we have been accruing over the years that Leslie has some good news on.

Finance Officer Gaylord – We are paying it out of our operating budget so we had set aside that we could pay out of fund balance if we needed to and we're not going to need to. I did on the assignment of fund balance go ahead and leave it. I just left that alone and didn't add any more to it for next year. We're having a good year.

Mayor Deter – This is a good budget. It should be noticed we put \$50,000.00 into the infrastructure fund anticipating DOT projects and other things. We've covered the house which is a pretty major expense. We're plugging in \$100,000.00 for litigation; without litigation we'd be at \$150,000.00 in the infrastructure fund. So on the surface I think this is a good budget.

Finance Officer Gaylord – Before we move on I think maybe we should just go ahead and bring it back at the April Council Meeting and then if we need to we can schedule a work session. As long as everyone is good with where we are.

Mayor Deter – I think we should have it as an agenda item.

Finance Officer Gaylord – Right. If there are some things that still need to be discussed after the April meeting we'll have a work session. But if it's looking clean...

Mayor Deter – Do you think you will have your more firm numbers early or late April?

Finance Officer Gaylord – It could go either way. I might have it the day of the Council Meeting on April 11th.

Mayor Pro Tem Titherington – We do have two street lights in this year's budget. Are we going to table that for discussion this month to kind of move that into this year or tackle that next year? What's your preference?

Finance Officer Gaylord – We'll get to that when we do the financial statements. I made a budget transfer from the current year and I went ahead and took that out of this year's budget and moved it to next year. So that the \$18,000.00 that's in there is the same two street lights from this year.

Mayor Deter – Am I correct if we just map the street lights around here that if we added a street light somewhere in the town don't we work that through Union Power? We pay for the electric for X dollars a month or something.

Councilman Smith – Well it used to be that way. We kind of dealt with that in my neighborhood. It used to be that way but it's pretty pricey.

Finance Officer Gaylord – A couple thousand dollars, right?

Councilman Smith – It's a pretty steep price because they were having people installing them in their neighborhoods and then backing out of them and closing it down and they got stuck with the bill. So it's a pricey event.



Mayor Deter – So now it’s a one-time fixed cost or is it a monthly fee?

Councilman Smith – It’s like \$11,000.00 I think. For some reason that sticks in my head.

Finance Officer Gaylord – When we bought our street lights from a vendor, I forget if we had Boswell or something, but they are the ones that we have now.

Councilman Smith – I remember something about that.

Finance Officer Gaylord – I know that depending on where you put them you might need to coordinate with DOT to make sure that you can.

Councilwoman Propst – So you’re saying if you purchase the street light then you pay whatever the monthly charge is for the electric?

Councilman Smith – Union County used to have a better deal than Duke. You were able to split between Union and Duke but it flip flopped. Union now I think is pretty pricey and you have to buy them and then in addition to pay the monthly charges.

Mayor Deter – I guess I would ask staff to investigate how lighting works. At the retreat we talked to the Public Safety Committee about possibly putting a light there at Tilley Morris and Weddington Matthews Road.

Councilman Smith – If there’s a power line or a pole they can put it on that’s easy to do. If it’s not near an electrical box then they have to run a wire that connects to it.

Finance Officer Gaylord – I know that while they were doing the construction we had them to put the conduit in to be able to have the lights at the traffic circle. So if you have to install that it gets pretty pricey.

B. Review and Consideration of 2017 Urban Archery Season Renewal – *this item was moved from the Consent Agenda as a result of a motion made by Councilwoman Propst*

Councilwoman Propst – I would like to discuss it. A citizen called me about the program and asked that we consider not having it. I thought about it and thought okay, the Town has grown quite significantly in the last few years. I’m neither here nor there there are homes still here. We have the muzzle loading season, early in season and then we have the regular gun season which you can actually do archery and hunting and then the Urban Archery is a month later and I just had these arrow points in my possession because my brother used to be an avid archery hunter. But as Weddington is changing people call me at night when they hear guns go off in the middle of the night during hunting season. So do we really need to have an extra month of archery in Weddington? I just felt we should have a conversation just because how many new Weddington residents do we have in the last two years? How many new homes and how many new neighborhoods do we have? Like I said I was sharing the points with Mike and I was looking at them. The people that go out in the woods in the winter for a walk, I just thought is this really safe for them? So I just wanted to have that conversation.

Mayor Pro Tem Titherington – From my perspective the season in North Carolina is actually very short when you look at surrounding states and archery season is probably about the safest manner. If you are worried about that even regular hunting seasons issues have dropped significantly with the safety regulations that are out there. Typically people archery hunting are doing it from a tree stand and your effective rate is about 40 to 45 yards. If you're really good you might be about 60 to 65. So I wouldn't be worried about somebody walking through the woods and running into an issue. The other issue that you really need to think about is as our deer population continues to grow it does become a safety issue. The amount of deer vehicle accidents has gone up within the insurance industry. I don't have the actual information. I didn't know we were going to discuss this. But off the wall directionally correct is well over a billion dollars a year just on deer vehicle accidents. So from my perspective when you think about our environment the reality is most of these deer drop twins every year. So if you have 10 today out of those 5 bucks you're going to have 15 does next year and it goes up. So to the extent that it helps control the population that's why North Carolina Wildlife Service's put it out there to solicit the municipalities because that's where they have the biggest challenge. It's not the guys hunting on leases South of Waxhaw it's really the municipalities. We will see most of the municipalities have actually adopted it really more from a health and safety perspective. So my vote is to continue to keep it there.

Councilman Buzzard – I would tend to agree with Don. I think that we are still a rural area. I think it's still a valid program for us. If and when we are ever 100% built out we might want to revisit it but of all the hunting that's done it's the safest.

Councilman Smith – I agree that it's a big issue in every state but I do appreciate Janice bringing it up because as we grow out it's something we will need to take a look at.

Councilwoman Propst – The biggest issue is more of the guns you hear at night because I do get people calling me about the guns and asking what is that. I'm like "call the Sheriff's office, I don't know." I was just thinking there are a lot more communities so I just thought we should at least have a conversation. Again, this is probably the safest. I'd rather have this being shot than a gun near my home but I just thought we should at least have a conversation because there are new neighborhoods.

Mayor Deter – I think it's a good conversation and I don't know whether it's possible going forward can we get a determination of how many deer are actually taken during archery season?

Mayor Pro Tem Titherington – North Carolina is not a check in state so if you were to go to Pennsylvania for example they do keep harvest records. But I don't believe North Carolina does.

Councilwoman Propst – I can check into that because I know when my brother did kill we did actually report. But I don't know how that works.

Mayor Pro Tem Titherington – It's a voluntary system.

Councilwoman Propst – So I can check into that for you. I'd love to see it. I just thought it was worth the conversation because I had people call me and say "I don't like this" and I thought well let's have a conversation. It says on the program that there are only 50 towns that actually do participate. I looked at the list and said "well Weddington's a small community and we don't have many forests left but..."

Mayor Deter – 50 towns in North Carolina?

Councilwoman Propst – Participate.

Mayor Deter – Yes, because there are 17 towns in Union County.

Councilwoman Propst – Yes, well we are more rural.

Mayor Deter – I don't think they all participate, I don't think Monroe does.

Councilwoman Propst – We're a more rural area so, okay.

Mayor Pro Tem Titherington moved to approve Weddington's participation in the 2017 Urban Archery Program . **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)** All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

### **Item No. 12. Update from Planner**

Town Planner Burton – I put my report or update in the packet. We do have a post hearing meeting for Rea Road on March 22<sup>nd</sup>. I know I heard there are a couple of things we need to try and check in on before that meeting but that should give us additional information as well. In addition to checking on a few things, I know that Don wanted to get some maps about impact of sidewalks and easements on the WCWAA property. I'll check back in. There were several things that we asked about in some emails after the initial hearing.

Mayor Pro Tem Titherington – Just for Council's information, I did ask Julian to make another polite request because when the meeting was back in January it was pretty clear that we had specific questions that as town representatives should be glad we had them. I know several went in and it's been a black hole so I've just asked him to make the first pass and if that does not get a result I would like to authorize staff to, under Town Council's signature, make another polite request to DOT prior to our going to get some action on that. If you guys are comfortable with that I would just like to phase I and phase II.

Town Planner Burton – Several subdivisions are still going through different approvals. I can answer questions about anything there. We will have another meeting, I'm waiting to hear the

exact date, but it will probably be the last week in March for a follow up with the critical intersection analysis that Union County is undertaking. I put the summary and list of 15 intersections in your packet as well from the first meeting. I'm happy to answer any questions from Council.

Mayor Pro Tem Titherington - Do we have any update on Matthews Weddington Road and DOT when they are going to start that?

Town Planner Burton – No, we do not.

Mayor Pro Tem Titherington - Because when we get that we may want to post that update on the Town website because that will be a traffic challenge.

**Item No. 13. Code Enforcement Report**

Town Planner Burton – It does appear that #4 may be resolved. We are trying to confirm that with the property owner but we do have some evidence that may be resolved in terms of the electrical contractor business operating from the home.

**Item No. 14. Update from Finance Officer and Tax Collector**

Town Finance Officer Gaylord – You have in your packets the monthly financials. Per Don's request you've got some green and yellow lines on there. For revenues green means we're doing better than we budgeted, expenditures green means we're coming in less than what we budgeted. The yellow are the lines that I'm watching and fortunately we don't have any red which would be things are bad. We are in good shape. We also have a budget change sheet where I made some line item budget transfers. We needed some additional funding in litigation and grounds maintenance and I just showed you where I moved the money from to swap out and give the money where we needed it.

Councilwoman Propst – So you moved it from the consulting?

Finance Officer Gaylord – Right. Well, I moved it from transportation and improvement. That was the street lights. We probably won't end up doing those until next fiscal year. Consulting, contract labor we budgeted to do a website redesign and we are going to push that into next year so I moved that money out. The festival money was because we came in under budget on that, knowing that we don't need that money anymore and then events and publications we didn't do as many newsletters as we had budgeted for. So it just reduced those budgets and upped the others. There was a net zero effect on our total budget. One thing I did want to say, I meant to say it when I was talking about the proposed budget, I did get with Steve McLendon about the fire department and he's working on getting us the information that you requested. He's got to present it to his Board and he will have it for the April meeting.

Mayor Pro Tem Titherington – Great job, well done.

**Item No. 15. Public Safety Report**

Councilman Smith – The Chairman couldn't make it tonight so he asked me to make some brief comments. Last month's meeting was cancelled. They did a tour of the 911 center which went very well. There were some great questions asked and it was given by the Director of 911, Larry Brinker. Some good contacts were made there and at that visit Larry has agreed to help the committee wherever it's needed. They are in the process of making up a manual. It's kind of a footprint of what the committee does so as the committee changes over and changes hands there will be some documentation on direction and what it does so it won't flounder. They are on schedule with their assigned tasks and so there will probably be some updates within the next month or two on radar schedules and some of the things they are working on that was assigned by Council.

Mayor Deter – I would like to give kudos to the Public Safety Committee. Gordon Wilson has done a great job in bringing a higher level of sophistication and analysis to car counts. Of course Marcos is leading that group so I want to give them that "Atta boy" and "Atta girl".

Mayor Pro Tem Titherington – Mike maybe you can help me with this. When I go through the total calls for the month traffic stops popped up a little bit and I'm sure that was based on some of the activity on Providence but the radar patrol is still kind of down. So is there any explanation from the deputies on that? Is that their own radar patrol here in town that they are conducting?

Councilman Smith – Yeah, I doubt very much what you saw up there. That was a special task force and I doubt very much that was probably added in there so that's probably just their staff.

**Item No. 16. Transportation Report**

Councilman Buzzard – Not a whole lot to report, I did get a letter off to NCDOT, Warren Cooksey, with regards to questions and comments that were solicited for the I77 toll lanes. I don't know if there's a time frame to hear back but I'll keep Council posted if/when we hear back on those. Outside of that we talked at the retreat getting some feedback for upcoming CRTPO items that you might want to change or at least amend some of the LARTP information so that we've got a good body of work for them to look at. Mayor Deter was very good with having gone through that and came back with some comments. If you have any questions on that feel free to ask. If not, Julian and I will be breaking it up into smaller chunks as things come about.

Mayor Deter – It's a big report, 267 pages, but I would encourage Council to go through it and provide your input to Scott because he's our guy on this. This is an opportunity. You will see stuff there that is now obsolete from a 2009 report. There are a lot of things that have been implemented and a lot of things that changed so I encourage Council to find some time to go through that report and give Scott your feedback.

**Item No. 17. Council Comments**

Mayor Pro Tem Titherington – I want to shout out to you and staff for what you have done so far for this upcoming event this weekend. We will look forward to that and tomorrow is the Primary Day so if you haven't done early voting get out and vote and exercise your right.

Councilman Buzzard – I want to thank everyone for coming out and listening to us again tonight. Always good to see a bit of a crowd in the audience.

Councilman Smith – I want to thank everyone for coming out. I appreciate it. I would like to take this opportunity to recognize Bill Price. Bill was on the first elected Council to Weddington and he shows up regularly to these meetings. Keeping an eye on us to make sure we're doing everything that we need to do. It's always a pleasure to see you out there so thank you for coming.

Councilwoman Propst – I'll second that one, Bill. I appreciate your diligence to the Town and I appreciate everything you've done. Thanks everyone for coming out and come out Saturday to the Easter Egg Hunt.

Mayor Deter – Everyone's talking about the Easter Egg Hunt. There has been a lot of work done. Peggy and staff and some town residents have done the yeomen's job. We've got 4,000 eggs stuffed, we've got a bunch of Easter baskets, and we've got some bicycles that we are going to be giving away. We piggybacked on the hard work Barbara did and collected almost \$1,500.00 from involved businesses in the community that I believe will more than support the expenses we incurred from this. I did send Council a note as I'm looking for volunteers. Don and I will get together Friday morning to do some stuff. I know some people are out of town but if anyone is willing or has the time we are looking for help Saturday before and after the event. Once we get the Easter Egg Hunt behind us, the next event will be the Litter Sweep and I will be talking to you about that soon too. I'm feeling confident about the Easter Egg Hunt. I set a tentative date for the Fall Festival on September 17<sup>th</sup>. I want to recognize Pat. I see he's back there. He is going to offer his services as the Easter Bunny again this year. I was having trouble finding someone that wasn't too tall and wasn't too small to fit. So Pat, I know Barbara's trained you and you know how to handle that. I want to thank Barbara, who is one of the residents that came here to help stuff eggs and put Easter Baskets together. As I said before I want the Town

to build on the good foundation that was created. Having said that I appreciate everyone coming out. I love to get people engaged in government.

**Item No. 18. Adjournment**

Councilman Buzzard moved to Adjourn. All were in favor, with votes recorded as follows:

AYES: Councilmembers Buzzard, Propst, Smith and Mayor Pro Tem Titherington

NAYS: None

The meeting ended at: 7:52

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**Mayor Bill Deter**

Attest:

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Town Clerk Peggy S. Piontek

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM  
TOWN OF WEDDINGTON, NORTH CAROLINA**

**R-2016-01**

**North Carolina**

**County of Union**

**Road Description: Timber Top Court, Pine Needle Court, Twin Lakes Drive and Lake Forest Drive in Lake Forest Subdivision**

**WHEREAS**, the attached petition has been filed with the Town Council of the Town of Weddington, Union County, requesting that the above described roads, the location of which has been indicated in red on the attached map, be added to the /secondary Road System; and

**WHEREAS**, the Town of Weddington is of the opinion that the above described roads should be added to the Secondary Road System, if the roads meet minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of Roads to the System.

**NOW, THEREFORE**, be it resolved by the Town of Weddington of the County of Union that the Division of Highways is hereby requested to review the above-described roads, and to take over the roads for maintenance if it meets established standards and criteria.

Adopted this 14<sup>th</sup> day of March, 2015

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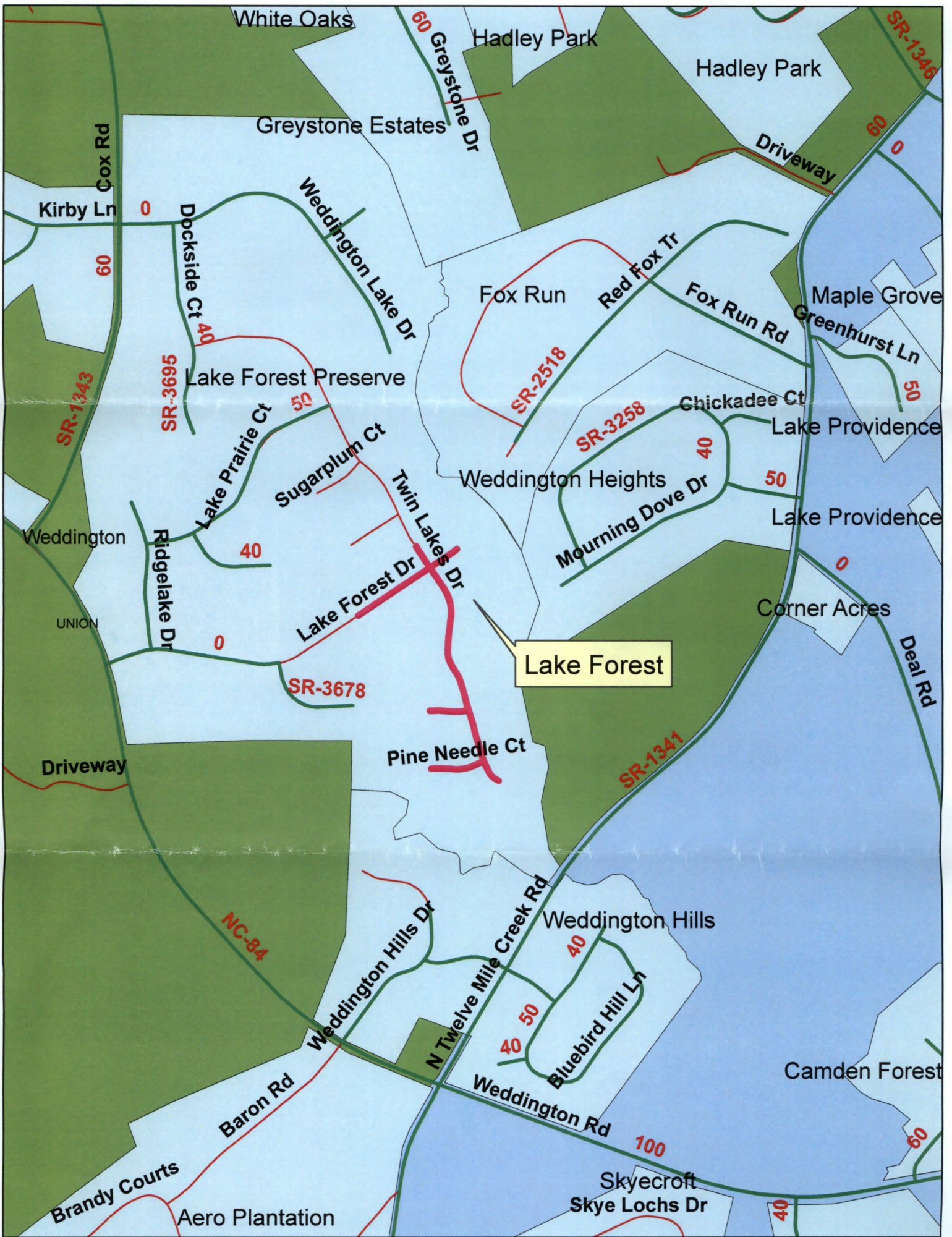
Bill Deter, Mayor

Attest:

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Peggy S. Piontek, Town Clerk





Lake Forest



**AN ORDINANCE TO AMEND SECTION 58-543.2  
OF THE CODE OF ORDINANCES  
OF THE TOWN OF WEDDINGTON**

**O-2016-1**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTION 58-543.2 OF  
THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

Sec. 58-543.2. - Maintenance of stormwater facilities.

- (a) General standards for maintenance. The owner, its successors and assigns, including any homeowners association, of a stormwater management facility installed pursuant to this division shall maintain and operate the practice so as to preserve and continue its function in controlling stormwater runoff at the degree or amount of function for which the facility was designed.
- (b) Operation and maintenance agreement.
  - (1) Prior to the conveyance or transfer of any lot or building site to be served by a stormwater control facility pursuant to this division, and prior to issuance of any permit for development requiring a stormwater control facility pursuant to this division, the applicant or owner of the site must execute an operation and maintenance agreement that shall be binding on all subsequent owners of the site, portions of the site, and lots or parcels served by the facility. Until the transference of all property, sites or lots served by facility, the original owner or applicant shall have primary responsibility for carrying out the provisions of the maintenance agreement.
  - (2) The operation and maintenance agreement shall require the owner or owners to maintain, repair and, if necessary, reconstruct the stormwater control facility, and shall state the terms, conditions and schedule of maintenance for facility. In addition, it shall grant to the town a right of entry in the event that the town administrator has reason to believe it has become necessary to inspect, monitor, maintain, repair, or reconstruct the facility; however, in no case shall the right of entry, of itself, confer an obligation on the town to assume responsibility for the facility.
  - (3) A maintenance plan must be attached as an addendum to the operation and maintenance agreement which identifies the specific maintenance activities to be performed for each facility. The operation and maintenance agreement and maintenance plan templates to be completed may be obtained from the Town of Weddington. The operation and maintenance agreement must be approved by the town administrator prior to construction plan approval. The agreement shall be referenced on the final plat and recorded with the county register of deeds upon final plat approval. A copy of the recorded maintenance agreement shall be given to the town administrator within 14 days following its recordation.
  - (4) For all stormwater management facilities required pursuant to this division, the required operation and maintenance agreement provided by the owner, homeowner's association, or similar entity, shall include all of the following provisions:
    - a. Acknowledgment that the owner or association shall continuously operate and maintain the stormwater management facilities.
    - b. Establishment of an escrow account, which can be spent solely for sediment removal, structural, biological or vegetative replacement, major repair, or reconstruction of the stormwater management facilities. If stormwater management facilities are not performing

adequately or as intended or are not properly maintained, the Town of Weddington, in its sole discretion, may remedy the situation, and in such instances the Town of Weddington shall be fully reimbursed from the escrow account. Escrowed funds may be spent by the owner or association for sediment removal, structural, biological or vegetative replacement, major repair, and reconstruction of the stormwater management facilities provided that the Town of Weddington shall first consent to the expenditure.

- c. Both developer contribution and annual sinking funds shall fund the escrow account. Prior to plat recordation or issuance of construction permits, whichever shall first occur, the developer shall pay into the escrow account an amount equal to 15 percent of the initial construction cost of the stormwater management facilities. Two-thirds of the total amount of sinking fund budget shall be deposited into the escrow account within the first five years and the full amount shall be deposited within ten years following initial construction of the stormwater management facilities. Funds shall be deposited each year into the escrow account. A portion of the annual assessments of the owner or association shall include an allocation into the escrow account. Any funds drawn down from the escrow account shall be replaced in accordance with the schedule of anticipated work used to create the sinking fund budget.
  - d. The percent of developer contribution and lengths of time to fund the escrow account may be varied by the Town of Weddington depending on the design and materials of the stormwater control and management facility.
  - e. Granting to the Town of Weddington a right of entry to inspect, monitor, maintain, repair and reconstruct stormwater management facilities.
  - f. Allowing the Town of Weddington to recover from the owner or association and its members any and all costs the Town of Weddington expends to maintain or repair the stormwater management facilities or to correct any operational deficiencies. Failure to pay the Town of Weddington all of its expended costs, after 45 days' written notice, shall constitute a breach of the agreement. In case of a deficiency, the Town of Weddington shall thereafter be entitled to bring an action against the owner or the association and its members to pay, or foreclose upon the lien hereby authorized by the agreement against the property, or both. Interest, collection costs and attorney fees shall be added to the recovery.
  - g. A statement that this agreement shall not obligate the Town of Weddington to maintain or repair any stormwater management facilities, and the Town of Weddington shall not be liable to any person for the condition or operation of stormwater management facilities.
  - h. A statement that this agreement shall not in any way diminish, limit, or restrict the right of the Town of Weddington to enforce any of its ordinances as authorized by law.
  - i. A provision indemnifying and holding harmless the Town of Weddington for any costs and injuries arising from or related to the stormwater management facilities, unless the Town of Weddington has agreed in writing to assume the maintenance responsibility for the BMP and has accepted dedication of any and all rights necessary to carry out that maintenance.
- (c) Maintenance easement. Prior to approval of the final stormwater management plan, the applicant or owner of the site must execute a maintenance easement agreement that shall be binding on all subsequent owners of land, including any homeowners associations, served by the stormwater management facility. The agreement shall provide for access to the facility at reasonable times for periodic inspection by the Town of Weddington, or their contractor or agent, and for regular or special assessments of property owners to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this division. The easement agreement shall be recorded in the Union County Register of Deeds land records.
- (d) Inspections. The person responsible for maintenance of any stormwater management facility installed pursuant to this division shall submit to the zoning administrator an annual inspection report from a qualified, registered North Carolina professional engineer performing services only in their

area of competence during the renewal window prescribed in the Town of Weddington Annual Enforcement Manual. Failure to provide the inspection report may result in enforcement and penalties described in Section 58-3. The inspection report shall contain all of the following:

- (1) The name and address of the land owner;
  - (2) The recorded book and page number of the lot of each stormwater management facility;
  - (3) A statement that an inspection was made of all stormwater management facilities;
  - (4) The date the inspection was made;
  - (5) A statement that all inspected stormwater facilities are performing properly and are in compliance with the terms and conditions of the approved maintenance agreement required by this division; and
  - (6) The original signature and seal of the engineer. An original inspection report shall be provided to the zoning administrator beginning one year from the date of as-built certification and each year thereafter on or before the anniversary date of the as-built certification.
- (e) Records of installation and maintenance activities. The owner, its successors and assigns, including any homeowners association, of each stormwater management facility shall keep records of inspections, maintenance, and repairs for at least five years from the date of creation of the record and shall submit the same upon reasonable request to the zoning administrator.
- (f) Nuisance. The owner, its successors and assigns, including any homeowners association, of each stormwater management facility, shall maintain it so as not to create a nuisance condition.

(Ord. No. O-2014-14, 11-10-2014; Ord. No. O-2015-08, 6-8-2015, Ord. No. O-2016-1, 3-14-2016).

**Adopted the 14<sup>th</sup> day of March 2016**

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**Bill Deter, Mayor**

Attest:

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Peggy Piontek, Town Clerk

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# TOWN OF WEDDINGTON

*You have a right to any public record of the Town. The purpose of this form is for staff to be able to provide the records efficiently and to ensure the accuracy of the records you are requesting. Staff will be happy to assist with this form or answer any questions pertaining to same.*

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The Town of Weddington requires payment in accordance with the adopted Public Records Request Fee Schedule and the signature of the requestor before the release of any Public Record. Persons making a Public Records Request may obtain a copy of the adopted Public Records Request Fee Schedule from the Town Clerk or on the Town website.

Date of Request:

Name of person or group making

request:

Name of person responsible for payment:

Address/phone number to contact person making request:

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Complete description of the requested records (including title, date and location, if known):

Form of request:     Inspection     Electronic Copy     Copying

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*Signature of requesting party*

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*Date*

*(Do not sign unless you have received the items requested above)*

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## For office use only

Total number of copies provided:

Amount due in accordance with fee schedule: \$

Payment received (method)    Check     Cash     Money Order

Staff filling request:

Date request filled:



**North Carolina Wildlife Resources Commission**

Gordon S. Myers, Executive Director

**Deer Urban Archery Season Renewal Form**

**Name of Municipality:** Town of Weddington

February 3, 2016

**County:** Union

Participation in the **2017 Season** (dates are *Jan. 14 to Feb. 18*)  Yes  No

It is Wildlife Management policy to provide a complete list of participating municipalities to the hunting public in the *Regulations Digest*.

Please indicate a phone number and/or Internet address for listing in the *2016-2017 Inland Fishing, Hunting and Trapping Regulations Digest*:

**Phone:** \_\_\_\_\_

**Internet address:** \_\_\_\_\_  
(Please Print)

Are there any changes to the map submitted with your participation letter?  Yes  No

*If yes, please attach new map to this form. (No larger than 11" X 17")*

**Name of Municipality Representative:** \_\_\_\_\_  
(Please Print)

**Signature of Municipality Representative:** \_\_\_\_\_

Thank you for your interest in the management of our state's wildlife resources. Please complete and return this form to: Division of Wildlife Management, 1722 Mail Service Center, Raleigh, N.C. 27699-1722 by **April 1, 2016**.

David T. Cobb, Ph.D., Chief  
Division of Wildlife Management  
(919) 707-0050