

**TOWN OF WEDDINGTON  
REGULAR TOWN COUNCIL MEETING  
MONDAY, FEBRUARY 13, 2012 - 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 February 13, 2012, with Mayor Walker F. Davidson presiding.

Present: Mayor Walker F. Davidson, Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser, Pamela Hadley and Barbara Harrison, Town Attorney Anthony Fox, Town Planner Jordan Cook, Finance Officer Leslie Gaylord and Town Administrator/Clerk Amy S. McCollum

Absent: None

Visitors: Bill Price, Mike Davis, David Basri, John Houston, Marsha Mayhew, Tim Boland, John W. Underwood, Mike Smith, Judy Johnston, Ken Evans, Genny Reid, Jack Parks, Brian Carlton, Scott Buzzard, Frank Aikmus, Peter Darlington, Steven McLendon, Doug DeShields, L.A. Smith, Mike Davidson, Jerilyn Davidson, Sue Fitch, John Giattino, Eric Anderson, Jennifer Romaine, Clare Meyer, Sharon Sanders, Wendy Tonetti, Brenda Stone and Stephanie Belcher.

Mayor Walker F. Davidson offered the Invocation prior to the opening of the meeting.

**Item No. 1. Call to Order.** Mayor Davidson called the February 13, 2012 Regular Town Council Meeting to order at 7:02 p.m.

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

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

**Item No. 4. Presentation.**

**A. Tinsley and Terry – Presentation of Audit.** The Town Council received the Financial Statements for June 30, 2011. Ms. Clare Meyer stated, “We found no findings of statutory, contract or budget violations. This is as good as you can get. You need to thank Amy, Leslie and Kim. They produce a clean audit every year.”

**Item No. 5. Public Comments.**

Ms. Sue Fitch - As a member of the Weddstock Committee and Representative for the charity, Kid’s First of the Carolinas, I come before you to set the record straight regarding comments made at the January Town Council Meeting by new Councilmembers and the Finance Officer. The misinformed and senseless allegation, that “Weddstock did not pay any money back”, is 100% inaccurate. I submit for the record, a signed agreement (on file) between both parties and brought to the Finance Officer’s attention last August. This ‘agreement’ was put in place in the event Kid’s First was able to procure sponsorships and not profits, over and above expenses in the Weddstock event plan and budget report, presented in April 2011, by the then presiding Parks and Recreation Chair, Stephanie Belcher. All Weddstock financial obligations were 100% met in accordance with the agreements between the charity and the Town. It was disheartening to hear one Councilmember irresponsibly liken our group to inexperienced teenagers, when we are seasoned professionals, and event planning is our core competency. Before chastising the committee for lacking a business plan, which is not even customary for a one-day event, we request the new Councilmembers

review the minutes from the September 12, 2011 meeting, that contain the full details of expenses, sponsorships, and income. To make matters worse, at the most recent Parks and Recreation meeting when the Weddstock issue was being discussed, I personally witnessed mocking and disrespectful behavior towards the Weddstock volunteers and Parks and Recreation Committee members, from a new Councilmember and her friend from the fire department. In just two short years, ‘Weddstock’ has reached unparalleled achievement for the Town of Weddington. The success of this festival is envied by surrounding municipalities. But instead of the customary kudos and appreciation for a job well done, the charity and committee are left scratching our heads. What an appalling way to treat hard working volunteers. In closing, we want to express our deepest admiration and appreciation for all the volunteers that provide our fire safety, Providence, Wesley Chapel, and Stallings. We were happy to support Providence Fire Department and honor their service and sacrifice, by showcasing them at two years of Weddstock events. The new Town Councilmembers attempts to pit Weddstock funding against the fire department is deplorable and serves no good to anyone in this community. The Weddstock festival was designed to bring the community together and promote the Town as a great place to live... not raise taxes against an already struggling community. It appears that might not be the case with the fire department issue if the Town Council gets its way.

Sharon Sanders – I am a Parks and Recreation Committee Member and a Kid’s First Charity Representative. During the Council meeting last month, one of the new Councilmembers stated, “If you go to Matthews and Matthews Alive, the Town may fund or put up upfront money, but in the end they get their money back before any charity gets any money.” I spoke directly with the Executive Director of Matthews Alive and he advised that quote was totally inaccurate and untrue. The Town does not get their money back after the event. They have over 35 charities that volunteer and benefit from the proceeds of the event. In fact, the Town also helps to cover some of the costs associated with police officers and clean up costs. I also spoke directly with the other event planners for surrounding towns, and the answer was the same, no money goes back to the town. After recently attending the local Parks and Recreation Event Planners meeting in Indian Trail, the answer was still the same - no money goes back to the town. Those in attendance were: Indian Trail, Stallings, Wesley Chapel, Waxhaw, and Monroe. In fact, it was very clear at that meeting that there are three components necessary for a successful event: Sponsorships, charity involvement, and in-kind donations. The other quote stated by the new Councilmember was “One of the issues that I went through as I went door-to-door campaigning was people asked me why was the Town funding a charity. In the end, though we have not approved it in the minutes, it said that the charity made \$9,000. I have been told multiple times that if you went to any of the other towns they have event coordinators that cost a lot of money. Is not the charity the event coordinator and were they not paid by getting most of the profit from the festival.” Paying the salary for an event planner and the proceeds raised at an event for a charity are clearly two different things. Every surrounding town listed pays the salary for an event planner as well as the monies raised go to benefit charities. Since Kid’s First provided event planning, promotion, in-kind donations, and over 200 volunteers, Kid’s First, like other charities involved in Weddstock, received a donation back from the Weddstock event. That is the current model for all surrounding municipalities. I have invited the next Event Planner meeting to be hosted here at Weddington. All the Council and Parks and Recreation members will be able to ask questions and see for yourself the model every town uses. For several years, the Town had asked me to use my years of event planning experience to develop a killer festival for the Town. Simply, I did it because I was asked to. I am proud of the 10 women that worked so hard and I thank them for giving up their last two summers to plan such a one of a kind event! Granted, the first year is always a learning process, but we had it nailed by the 2nd year!

Ms. Wendy Tonetti - As the Director of Kid’s First, I want the Town Council to understand that statements regarding financial integrity and our charity are taken very seriously. There has been a concerning amount of misinformation and incorrect comments about monies owing that can have a deep impact on our ability to solicit funds, goods and services on behalf of needy families in our community, especially the children.

That has always been the core of our efforts of Kid's First. Kid's First would like to publicly thank all the volunteers who are the true reason that allowed Weddstock to become the huge success that it was. It is only with the hard work and support of volunteers that any event can be successful. We understand the new model for Town events does not include charity involvement; therefore, Kid's First and Weddstock respectively decline any involvement going forward. Kid's First and Weddstock wish the Town much success in their future festivals. We thank the Town for the opportunity to work together. The Weddstock committee considers this topic now closed.

Ms. Judy Johnston – If the issue of fire service was solely about funding you would have made a decision already. You know that no matter what the outcome in the future, Weddington residents will be paying more for fire and EMT protection. The issue is more than dollars and cents. It is about public safety, saving homes and lives. This is a consideration beyond finances and politics. One of your primary responsibilities as town leaders is to see that residents are safe and confident and that emergency help will be there when and if needed. You are no longer blind to the gap in public safety needing your attention. Every day and every month that no action is taken to resolve the issues at Providence you are playing Russian roulette with the safety of Weddington residents. Immediately following the August 23rd Fire Commission meeting, Johnny Blythe approached Providence VFD with the idea for Providence VFD to respond to medical calls for some neighborhoods in the Wesley Chapel fire district closest to the Providence station. He noted that this would be easy to implement for 911 dispatch and asked Josh Dye, the Chief at Providence, to make contact with John Rogers, the Chief at Wesley Chapel at the time, to negotiate a map that would work for both departments. Josh tried several times to discuss the matter with John Rogers but was unable to have a conversation of any substance on the subject. Once Weddington started to move forward in the direction of a municipal fire district, attempts by phone were unanswered. On the video recording, beginning at 18:36 into recording, of the January 11, 2012 Fire Commission meeting, Johnny Blythe (Fire Chief at Hemby Bridge VFD, member of Fire Commission and Chairman of Fire Chiefs Association in Union County) made this statement:

*“On an EMS call under the current contract system in Union County, we’re not even required to respond on a medical call as a fire department. We’re not required contractually to respond and the reason why is because where the problem comes in at on the calls where nobody else is going. On a medical call EMS is responding. On a fire call you’re it. So we’re contractually bound to respond to a fire call, but EMS is by rights, the EMS organization, we’re acting as first responders so contractually we’re not even required to respond on medical calls. I say that to say the service delivery and the medical side of things really falls on EMS.”*

The mission of the Providence Volunteer Fire Department is to provide superior fire suppression, rescue and emergency medical services to the Providence Fire District, Town of Weddington, and the citizens of the surrounding community. Based on this information and in the interest of public safety to the residents of Weddington, understanding the mission of a fire department, and referencing facts articulated by Johnny Blythe: The Providence VFD Board of Directors offers to provide first response EMT medical services for the area identified as closest to the Providence station on the proposed expanded map as additional aid to Wesley Chapel VFD and Stallings VFD first response, and at no financial compensation for this level of service. We request the Weddington Town Council consider a ruling to accept or reject this offer.

Ms. Brenda Stone - I am here in support of keeping the Weddington Volunteer Fire Station. I have to register my complete and utter frustration. Last summer I and several of my neighbors attended several meetings about the issue of fire and first responder services. One of those meetings lasted over six hours. I care about this issue and try to be a good citizen. At the last meeting I attended in September, the Weddington Town Council passed a Resolution to make our Town a municipal fire service area and even to ask Representative Craig Horn to pursue legislation in Raleigh that would reinforce the

Town's authority to do so. Those of us that showed up were elated. Then we have an election in November. The Resolution was rescinded. Now we are starting over. Government exists to serve the people and there is a substantial group of its people that the government of Union County and Weddington are not serving on one of those basic levels – public safety. There are neighborhoods that would be best served by having first response medical services provided by the nearest station. Our government ordinances, law and policies need to reflect the new reality of this area's demographics. Weddington has evolved from a rural farming community to a much more densely populated suburban neighborhood. The citizens want their government to provide them best response in a crisis whether it is a fire or medical emergency. There are wants and needs. It stresses me to think you would put a want ahead of a need. Do your part to provide your citizens with one of those basic functions of government - public safety and allow us to continue to be served by the people who have provided this area with excellent service since 1954 - The Weddington Volunteer Fire Department.

Mr. Andrew Moore - I am in favor of a municipal fire hall. I am sure at least once one of us has come in contact with a family having the appearance of affluence. Dressing up the outside of their house to impress their neighbors. I have been attending the Town meetings for almost a year now. I have been frustrated to see how much like this family I just described the Town Council of Weddington is. Time and money spent on the outward tracking of affluence such as stone boundary markers, stately light posts and attractive landscaping. While our Town's infrastructures have shifted to the back burner. Don't get me wrong – these are nice additions to our Town. What will happen if we have a water shortage or our home catches fire or a family member suffers a life threatening emergency? There are many citizens of Weddington who feel that it is imperative that we focus on essentials first yet hours have been spent discussing how much the manure output difference is between a horse and a miniature horse. While certainly important to a hand full - the safety and well being of all citizens of Weddington should be taking up the bulk of the Council's time. The fate of a firehouse is soon to be decided that will leave our citizens without speedy efficient service while being reliant on other towns to provide that service at whatever price they so choose. Not to mention the loss of the firehouses assets that the State will donate to another fire house in need. The Council voted to allocate the money and take control months ago but nothing has been done. There is obviously a Town theme here - reluctance to make or follow through on decisions. Why have we been putting ourselves in the position of letting the County and surrounding Towns tell us how to run the Town of Weddington? Shouldn't that be our decision? We have the perfect opportunity to take control of our Town as a new Mayor and Council have recently been elected. The citizens of Weddington voted out members who they felt did not have their safety and well being as a priority. They sent a message they want a Council who will act to resolve these issues with a sense of urgency.

Mr. Mike Davis – I do not think that near enough credit is and has been given for the level of service that every citizen of this Town has been given through Providence or the Wesley Chapel Fire Department. They give a lot and sacrifice a lot. Why do some people say the fire department is going to close? Because of the category 6 insurance rating by either option it has to be there so we can be within a 5 mile radius. That is not an option and has been embellished and is very misleading. It is a big issue and threatening to us the homeowners. While we are spending all this Town of Weddington time – is this not a Union County matter? Because Weddington keeps subsidizing others who can't make it on their own. I think we need to continue to support them and get the level of service we deserve and are paying for. I thought this was a six to eight month deal but it is up for consideration again so I am anxious to see where it is going.

Mr. Jack Parks read the following letter to the Weddington Town Council into the record: Last night at its regularly scheduled monthly meeting the Providence Volunteer Fire Department Board of Directors unanimously voted against a possible merger with Wesley Chapel Volunteer Fire Department. After over a year of diligently evaluating a merger in conjunction with representatives from Wesley Chapel VFD, the board of Providence VFD feels strongly that a merger would not be in the best interest of the citizens of

Weddington and therefore will no longer be considering this as a viable option. Providence VFD will continue to work with the Weddington Town Council and the citizens of Weddington to evaluate other alternatives to provide the best fire suppression and first response medical services to the Town. We are committed to delivering the best service possible to the community as long as we have sufficient funds to remain in operation.

Mr. David Basri - There is a lot of emotion around this issue. The speakers tonight reflect that. This needs to not be an emotional position. If this was a private business and 2/3 of the assets were here and 1/3 here this would be a two minute discussion. They would be put together and you would run with it. Instead we are hearing words like “our” or “Weddington” fire department. This is ultimately a County issue. I would like to submit to the Council that you should add one more option to the list of options you are formally seeking. The Town of Weddington gets out of the fire subsidy business. There is a unique opportunity by merging the departments of having a reasonable tax rate that is the same for all citizens that would fund the department and the Town could get out of the business. You could make up most of the difference if you gave back the property tax that was going to the subsidy. This is probably the only time we are going to be able to do this. If the departments would merge the stations or EMT would be there. In fact you would have far more EMTs. It is not a question of service. If this was a business decision it would be straight forward. It has become a major burden on the Town. You have the opportunity to get out of the fire funding business and leave the situation where the station at Providence is well funded and the citizens all have a consistent tax rate.

Mr. Eric Anderson – A lot of people do refer to the Providence Volunteer Fire Department as “Weddington’s Fire Department”. The reason for that is that the same people who started that Fire Department started the Town of Weddington. Most of the volunteers came from farms in this area. The reason they put it up in Mecklenburg County at the time was because there were hardly any houses here so they put it up in a central location. Union County has dropped the ball on a lot of infrastructure projects. Just look at the sewer and water. The only reason Wesley Chapel and Providence have such great service is because of the individual departments. It has nothing to do with the County Commissioners. I feel really strongly that we should not be putting our faith in their hands. Time and time again they have dropped the ball. There is no reason to think next time will be different.

Ms. Stephanie Belcher - This is a tough issue and I commend Council for taking time to think through the best way to solve it. We all want the best services and the closest station to take care of it. The issue here is how do you financially solve the problem for PVD in a way that doesn’t overly burden people within the Town of Weddington. I am concerned that Union County is not at the table. This decision affects way more than the Town of Weddington. Marvin, Stallings, Indian Trail, unincorporated Union County will all have an impact from whatever decision is made. We could end up in a situation where all of them are getting kicked with an increase in their fire tax. I would like to urge Council to get the other Towns and County at the table. This is an area problem. We have to fund it for everybody.

**Item No. 6. Additions, Deletions and/or Adoption of the Agenda.** Councilwoman Harrison moved to adopt the agenda as presented. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Thomisser, Hadley, Harrison, Mayor Pro Tem Barry and Mayor Davidson
NAYS:	None

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

**A. January 5, 2012 Special Town Council Meeting Minutes.** Mayor Pro Tem Barry moved to approve the January 5, 2012 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry  
NAYS: None

**Item No. 8. Consent Agenda (Public Hearings to be Held March 12, 2012 at 7:00 p.m. at the Weddington Town Hall).**

**A. Call for Public Hearing to Review and Consider Luminous/Lighted Signs Text Amendment.** The Town Council received a copy of the proposed text change. Councilmember Thomisser moved to call for a public hearing to review and consider luminous/lighted signs text amendment. The public hearing is to be held March 12, 2012 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry  
NAYS: None

**B. Call for Public Hearing to Review and Consider Freestanding Ground Signs Height Text Amendment.**

The Town Council received a copy of the proposed text change. Councilmember Thomisser moved to call for a public hearing to review and consider freestanding ground signs height text amendment. The public hearing is to be held March 12, 2012 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry  
NAYS: None

**C. Consideration of Authorization to Advertise Unpaid 2011 Taxes that are Liens on Real Property.**

Councilmember Thomisser moved to authorize the advertisement of unpaid 2011 taxes that are liens on real property. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry  
NAYS: None

In accordance with North Carolina General Statute 105.369 (a) the following represents the total of unpaid 2011 taxes that are liens on real property to date - \$46,007.27.

In accordance with General Statutes 105.369 (a), I am hereby requesting authorization to advertise unpaid 2011 taxes that are liens on real property.

State of North Carolina  
Town of Weddington  
To the Tax Collector of the Town of Weddington

The Town of Weddington Tax Collector is ordered to advertise all unpaid 2011 taxes that are liens on real property, pursuant to North Carolina General Statute 105-369 (a), -369 (c).

The Town Council received the Unpaid Balance Report by Receipt Number.

**Item No. 9. Old Business.**

**A. Discussion and Consideration of NCDOT Estimates for Upgrades for the Traffic Circle at Weddington-Matthews Road and Highway 84.**

Mr. Tim Boland with NCDOT discussed the traffic circle with the Town Council and spoke about a letter that was sent to the Town Council regarding enhancements requested for the traffic circle. He stated, "The design is about 85% completed. We are just

about ready to go to right-of-way acquisition. There will be 1500 linear feet of sidewalks proposed on both sides of the road and will tie back into 16. The Town's participation on that would be \$3,500. Regarding your question of having some type of plantings in the concrete area leading up to the traffic circle, typically NCDOT has had a difficult time maintaining plantings on something that narrow. There is a possibility of maybe making some accommodations for the median closer to the roundabout. I will have to ask Barry Moose if that would be acceptable. We are able to accommodate installing the conduit for the irrigation and electricity at the same time. The topsoil is something similar to what we use in our landscape beds. It would be a select backfill. The cost of \$4,000 for the dirt includes gravel on the bottom, labor, piping and 200 cubic yards at an 18-inch depth of dirt for a 70 foot diameter area. We will make available through an encroachment process to install conduit for any future extension of the street lighting. We will be working on the traffic circle during summer break and we will try to run traffic down to Hemby Road and possibly Cox Road. It will take approximately four to six weeks. That does not mean that it will be done when school starts back. We are very aware of the impact that it will have on the area. Our signage plan is about 60% complete at this time. There are minimums that we have to have. Since this is dual we will have to have more signage. I have asked our department to do some turning templates for the area because the radius does seem tight. Another project that we are working on is the relocation of Weddington Church Road and estimated completion on that project is spring of 2013."

Councilmember Thomisser moved to appropriate \$3,500 for 1,500 linear feet of sidewalks on both sides of Highway 84 and the \$4,000 for the dirt in the roundabout.

Town Planner Cook advised that he had spoken with Dr. Pinsak and Weddington Associates. Dr. Pinsak felt that there was not a need for sidewalks and they did not want to lose any parking spaces. The shopping center said that they supported the sidewalks but did not want to lose parking spaces. He stated, "I did not receive any comments from the Church."

Councilwoman Harrison questioned whether he would accept a friendly amendment to condition the sidewalks if there is enough space without losing utilities and parking spaces.

Council discussed why sidewalks would be needed. Councilmember Thomisser withdrew his motion regarding the sidewalks portion.

The Council's vote on spending \$4,000 for the dirt in the roundabout is as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry  
NAYS: None

**B. Discussion and Consideration of Interlocal Agreement with NCDOT for the Cost of the Sidewalks Along Providence Road.** The Town Council received the following:

- Letter dated October 31, 2011 from Ritchie Hearne, PE – Project Manager with NCDOT
- Letter dated July 9, 2003 from Former Mayor Ed Howie
- Email correspondence from Teresa Bruton and Robert Cook
- A copy of the Transportation Improvement Project – Municipal Agreement between the Town of Weddington and NCDOT

Mayor Pro Tem Barry moved to pay NCDOT over two budget years the amount of \$26,851.01 and to sign the Interlocal Agreement for the sidewalks along Providence Road. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry

NAYS: None

**C. Review and Consideration of Certificate of Sufficiency and Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-58.2 – New Town Market Annexation.**

The Town Council received a copy of the following:

- Petition Requesting Annexation
- A copy of the Record Plat – 6.177 acres
- GIS Map of the Area
- Memo from Town Attorney Fox regarding the New Town Market Voluntary Annexation

The Town Council received the following Certificate of Sufficiency from the Town Clerk:

**CERTIFICATE OF SUFFICIENCY**

**NEW TOWN MARKET ANNEXATION  
06-183-004F, 06-183-005 AND 06-183-022**

To the Town Council of the Town of Weddington, North Carolina:

I, Amy S. McCollum, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Weddington, this 13<sup>th</sup> day of February, 2012.

Councilwoman Harrison advised that she would like the Planning Board to review and make a recommendation.

Town Planner Cook advised that the Planning Board provided 5 to 10 minutes of feedback earlier regarding this item and he felt that their review would be very beneficial.

Mayor Pro Tem Barry expressed concern that the Planning Board reviewing would slow down the process.

Attorney Fox advised that the Planning Board could review at their meeting and provide a recommendation by the public hearing which should not slow down the process.

Mayor Pro Tem Barry moved to call for a public hearing to review the annexation request for New Town Market and to send to the Planning Board for their review and recommendation. The public hearing is to be held March 12, 2012 at 7:00 p.m. at the Weddington Town Hall.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry  
NAYS: None



**TOWN OF WEDDINGTON  
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-58.2  
R-2012-04**

**WHEREAS**, a petition requesting annexation of the non-contiguous area described herein has been received; and

**WHEREAS**, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

**WHEREAS**, certification by the Town Clerk as to the sufficiency of the petition has been made;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Weddington, North Carolina that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at the Weddington Town Hall at 7:00 p.m. on March 12, 2012.

Section 2. The area proposed for annexation is described as follows:

**NEW TOWN MARKET ANNEXATION  
06-183-004F, 06-183-005 AND 06-183-022**

Section 3. Notice of the public hearing shall be published in The Enquirer-Journal, a newspaper having general circulation in the Town of Weddington, at least ten (10) days prior to the date of the public hearing.

Adopted this 13<sup>th</sup> day of February, 2012.

**D. Discussion and Possible Consideration of Fire Service in the Town of Weddington.** The Town Council received a worksheet and financial information discussing different options for the Fire Service Decision which included: PVFD Closing, Merger, Fund PVFD, Ask County to Move Lines and Municipal District.

Mayor Davidson asked the Councilmembers to rank the following five items:

1. Do nothing and Providence VFD closes March 2013 as their funding runs out
2. Merger with Wesley Chapel VFD
3. Continue to Fund Providence VFD
4. Ask the County to move the lines
5. Municipal Fire District

Councilwoman Hadley stated that she believed that the fire service fee would increase under any option that they would move forward on. She stated that fundraising has evolved from volunteers, to paid plus volunteers, then 24/7 coverage which is also a combination of paid plus volunteers. She stated that with the current fire tax in one area and the fire fee in another that the Town has been underpaying for many years. The fire departments have been spending their resources on getting the apparatus required to keep up with the growth. She suggested that this is an issue across the country and many places are going

through this. She reminded people that we are just catching up for the services that are already being provided and that she is ready to vote.

Mayor Pro Tem Barry stated the concern lies in the long term capital issue aspects of any of the solutions is a big unknown and that we need complete transparency on exactly what those long term costs are going to be.

Councilmember Thomisser remarked that the figures that they had were only for operating expenses and that renovating the Hemby Road fire station would cost between \$750,000 and a million dollars and there is a fire truck that has to be replaced in 2014 and this will cause Providence VFD to require a tax of 4.5 cents where Wesley Chapel VFD can deliver the same services for 3.2 cents.

Councilwoman Harrison said that every truck that Marshville owns has been gotten through grants.

Mayor Pro Tem Barry felt it would be unfair not to disclose all of the costs since they will ultimately be important in the final decision. He agreed to rank the options but believes it isn't fair to discount the capital issues.

Mayor Davidson mentioned that Providence VFD had increased their figures to include some capital improvement costs but did not think that Wesley Chapel's numbers did. Councilmember Thomisser said that Wesley Chapel's estimated increase to 3.2 cents was based on costs to renovate the Hemby Road station and to replace the fire truck.

Councilwoman Harrison ranked the municipal fire district as number 1, number 2 is to fund the way we are funding now. She felt the others were no longer choices and that those options had been asked and answered.

Councilwoman Hadley ranked the municipal fire district as number 1 and to continue to fund the way we are funding now until number 1 is completed.

Mayor Pro Tem Barry ranked the County to move the lines as number 1, continuing to fund the department as number 2, and his last choice is the municipal district and that he felt the other items were no longer options.

Councilmember Thomisser's stated that his number 1 is merger, number 2 is to continue funding Providence VFD, number 3 ask the County to move the lines, number 4 municipal district and number 5 Providence VFD closes. He gave reasons why he did not think that any of the last three that he listed were viable options.

Mayor Davidson stated that moving the lines is the best thing if the County would do it which would provide local control. The municipal district is the second, continue to fund is third if the Town cannot get the lines moved and cannot get the municipal done, merger is next, and no one wants to see the station closed.

Mayor Davidson showed a video from the August 23, 2011 meeting of the Union County Fire Commission which included Fire Commissioner Jonathan Thomas' comments regarding the request from Providence VFD to move the fire district lines.

Discussion followed about the pros and cons of the various options and that the cost of fire service is going to go up. Mayor Davidson showed a map illustrating the call volume of Providence VFD.

Mayor Davidson showed another video from the February 7, 2011 meeting of the Union County Board of Commissioners which included an exchange among Butch Plyler of the Wesley Chapel VFD, Commissioner Kim Rogers, and Commissioner Jonathan Thomas regarding Wesley Chapel VFD's new station and the impact it may have on future tax rates.

Mayor Davidson stated that he wants to explore the municipal district option. Councilwomen Hadley and Harrison will do some preliminary contract work and Mayor Davidson will use the information he has gotten from Fire Marshal Neal Speer to see what a municipal district means, the ups and downs of it.

Town Attorney Anthony Fox said it appears there are some steps or action items that need to occur and recommended that a formal motion be presented.

Councilwoman Harrison made the motion to move forward with the evaluation of the municipal fire district for the Town to include authorizing the Mayor to engage in conversations at the State level and to authorize the review of preliminary contract terms and how to negotiate and evaluate contract terms with the three fire departments that serve the Town. The vote is as follows on the motion:

AYES: Councilmembers Harrison and Hadley  
NAYS: Councilmember Thomisser and Mayor Pro Tem Barry

The Mayor broke the tie and voted in the affirmative and the motion passed.

**E. Consideration of Proposed Letter to Phases I, II and III Regarding Fire Service in the Town of Weddington.** The Town Council received a copy of the proposed letter drafted by Mayor Walker Davidson and a copy of the map that would be included in the letter. Mayor Davidson advised that to send a letter to all residents in the Town it would cost approximately \$1,700.

Councilwoman Harrison discussed with the Town Council that she has requested that a Facebook page be created for the Town and would prefer that this type of information be put on Facebook and the Town's website and moved to not continue with developing a letter to send out to all residents regarding fire service.

The vote on the motion is as follows:

AYES: Councilmembers Hadley, Harrison and Mayor Pro Tem Barry  
NAYS: Councilmember Thomisser

**F. Update on Town Council Retreat.** The Town Council received a copy of the following memo from Town Administrator/Clerk McCollum:

The 2012 Town Council Retreat is scheduled for Friday, March 23, 2012 at the Firethorne Country Club in Marvin. A light breakfast will be available starting at 8:30 a.m. and then the meeting will officially begin at 9:00 a.m. We plan to meet until approximately 5:00 p.m. and then have a reception starting at 5:30 p.m. Invitations will be sent to all members of Weddington Boards and Committees, the Union County Board of Commission, Senator Tommy Tucker, and Representative Craig Horn, emailed to the Town's Notification List for Citizens and posted at Town Hall and on the website. Town Attorney Fox has agreed to facilitate the retreat. In the past the Chairman and Vice-Chairman of the Planning Board along with the Town Administrator/Clerk, Planner and Finance Officer attend the retreat. Please submit agenda items to me by March 2, 2012.

**Item No. 10. New Business.**

**A. Discussion and Consideration of Median Landscaping Plan – Councilmember Werner Thomisser.** The Town Council received a copy of the Proposed Highway Landscape Development Project.

Town Planner Cook advised that NCDOT has completed the landscaping that they proposed for the widening project. Mr. Cook mentioned that the previous council had budgeted \$75,000 for median landscaping. Mr. Cook reviewed a landscaping design developed by Union County Urban Forester David Grant. He stated, “Mr. Grant has been working with the Town and NCDOT on this project. We were considering trees along Highway 16 but after speaking with NCDOT it appears that the medians are not wide enough. Rea Road and Hemby Road are wide enough for trees.”

Councilwoman Harrison advised that she would rather do shrubs because trees get damaged due to wrecks.

Council advised that they wanted plants that would survive and would require very low maintenance costs.

Mayor Pro Tem Barry moved to appropriate \$35,000 (including labor) to be used for this project and for Councilmembers Thomisser and Harrison, Town Planner Cook and Mr. Grant to develop a plan including mainly shrubs, grass, mulch, etc. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry  
NAYS: None

**B. Discussion and Consideration of Resolution in Support of a Union County Property Revaluation.**  
Mayor Pro Tem Barry moved to approve Resolution R-2012-02:

**TOWN OF WEDDINGTON  
RESOLUTION IN SUPPORT OF  
2013 UNION COUNTY PROPERTY REVALUATION  
R-2012-02**

**WHEREAS**, one of the primary goals of the Union County tax system is to ensure that each property owner pays his or her fair share for the services provided by the county; and accurate property valuations are an essential part of an equitable Union County tax system; and

**WHEREAS**, the Union County Board of County Commissioners determines the level of property value accuracy that is suitable for the county; and

**WHEREAS**, the Town of Weddington believes that its citizens understand and accept their responsibility of paying their fair share of the Union County tax burden; and

**WHEREAS**, the current assessed values that were calculated in 2008 are out of date and no longer reflect the current market prices.

**WHEREAS**, a 2013 revaluation will accurately capture the most recent market values of Union County properties resulting in a more equitable Union County tax system for all citizens of Union County.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Weddington recommends that Union County move forward with a property revaluation in 2013.

Adopted this 9<sup>th</sup> day of February 2012.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry  
NAYS: None

**C. Approval of Resolution of Consideration Identifying Areas as Being Under Consideration for Annexation.** The Town Council received a copy of the following memo from Town Administrator/Clerk McCollum and a map of the area:

Please find attached a map showing areas that the Town has identified as areas for possible future annexation. The original Resolution and Map identifying this area was adopted in 1998. It is recommended that the Town adopt this Resolution every year. By adopting the Resolution, it allows the Town in the future to proceed with involuntary annexation of these areas without having to wait one year before the annexation would become effective. Approval of this Resolution and map only helps to facilitate future annexations.

This is further information from Bill Duston of COG regarding Resolution of Considerations (ROC):

Adoption of an ROC does not necessitate notification to affected and/or adjacent property owners. There is no obligation for a community to actually go forward with an annexation if an ROC is adopted. If an ROC is adopted and is not renewed within the initial two-year period post adoption, the ROC is null and void. Having an ROC in place does not preclude another community from adopting a Resolution of Intent (ROI) in any portion of the ROC territory. The advantage for a community to have an ROC adopted and kept in place is that once the initial one-year waiting period is met, a community can at any time thereafter adopt an ROI and formally begin annexation proceedings. Without an active ROC in place (i.e., one that has been in place for at least one year), there will be a one year hiatus in the effective date of an adopted annexation ordinance.

Mayor Pro Tem Barry moved to approve Resolution R-2012-03:

**RESOLUTION OF CONSIDERATION  
TOWN OF WEDDINGTON  
A RESOLUTION IDENTIFYING THE AREA DESCRIBED HEREIN AS BEING UNDER  
CONSIDERATION FOR ANNEXATION  
R-2012-03**

**BE IT RESOLVED** by the Town Council of the Town of Weddington:

Section 1. That pursuant to G.S. 160A-37 (i), the following area is hereby identified as being under consideration for future annexation by the Town of Weddington, under the provisions of Chapter 160A, Article 4A, Part 2 of the General Statutes of North Carolina.

All properties within the boundaries as shown on the attached map are incorporated by reference.

Section 2. That a copy of this resolution shall be filed with the Town Clerk.

Section 3. This resolution shall remain in effect as provided by G.S. 160A-37(i).

Section 4. Owners of agricultural land, horticultural land and forestland within the area under consideration for annexation as described in Section 1 above are hereby notified that they may have rights to a delayed effective date of annexation. G.S. § 160A-49(f1) and (f2) provide that land being taxed

at present-use value qualifies for delayed annexation, and land that is eligible for present-use value taxation but which has not been in actual production for the time period required by G.S. § 105-277.3 may qualify for delayed annexation by making application to the Union County Tax Assessor for certification. For qualified tracts, the annexation will not become effective for most purposes until the last day of the month in which the tract or part thereof becomes ineligible for present-use value classification under G.S. § 105-227.4 or no longer meets the requirements of G.S. § 160A-49(f1)(2). Until annexation of a tract becomes effective, the tract will not be taxed by the Town of Weddington and will not be entitled to services from the Town.

Adopted this 9<sup>th</sup> day of February, 2012.

Adopted: June 8, 1998  
Renewed: May 8, 2000  
Renewed: April 8, 2002  
Renewed: March 8, 2004  
Renewed: February 13, 2006  
Renewed: January 14, 2008  
Renewed: January 12, 2009  
Renewed: February 8, 2010  
Renewed: January 17, 2011

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry  
NAYS: None

**D. Update from February COG Meeting – Councilmember Thomisser.** The Town Council received a copy of the packet from the COG February 8 Meeting. Councilmember Thomisser briefly discussed the meeting with the Town Council.

**E. Discussion of 2012 Chiquita Classic – Club at Longview.** Town Administrator/Clerk McCollum reviewed with the Town Council the following event that will occur in September at the Club at Longview:

#### **2012 CHIQUITA CLASSIC**

The Nationwide Tour's Chiquita Classic is coming to the Club at Longview in Weddington Sept. 27-30. The 72-hole, 156-player event will be televised by The Golf Channel and will come late in the Nationwide Tour season when players are trying to lock down spots in the top 25 on the money list which will qualify them for the PGA Tour in 2013. Chiquita announced in November it would move its headquarters to Charlotte from Cincinnati. The company has a three-year sponsorship agreement with the Nationwide Tour event at the Jack Nicklaus-designed golf course.

**Item No. 11. Update from Town Planner.** The Town Council received the following update from Town Planner Cook:

- Construction of the NC 84 Weddington-Matthews Road Dual Lane Roundabout should begin this summer. NCDOT plans to begin construction as soon as schools are out. NCDOT Division 10 Engineer Barry Moose will be at this meeting to discuss additional items in or around the roundabout. Those items are sidewalks along Weddington Road, irrigation in the roundabout and additional street lighting.

- NCDOT plans to start construction of the Weddington Church Road relocation in March. All environmental permits have been approved and the construction contract will soon be awarded.
- Planning staff is currently working with the TCC, MUMPO and NCDOT on the CTP (Comprehensive Transportation Plan). Several meetings have occurred and all of the LARTP recommendations are on the CTP. The CTP should go to MUMPO in July 2012 for approval and to the NCDOT Board in September 2012 for final approval.
- The Town has received a petition for voluntary annexation of 6.177 acres located at the northwest corner of Providence Road and New Town Road. This area includes three commercial parcels with existing commercial uses.
- The Town Council approved the following text amendment at their January 9<sup>th</sup> meeting:
  - Building Mounted Signs
  - Connection to Public Water Lines
- The following text amendments will be on the March 12<sup>th</sup> Town Council agenda:
  - Luminous/Lighted Signs
  - Freestanding Ground Signs
- The following items may be on the February 27<sup>th</sup> Planning Board agenda for discussion:
  - The discussions on shopping center signage.
  - Agritourism Definition clarifications
  - Agricultural Use Definition clarifications
  - Miniature Horse Text Amendment

**Item No. 12. Update from Town Administrator/Clerk.** The Town Council received the following update from Town Administrator/Clerk McCollum:

- We are officially paperless with this Town Council agenda packet. I want to thank the Town Council for your patience and we always welcome suggestions on how to make the process better.
- VC3 has completed their initial work on doing offsite backups of the Town servers.
- The Weddington 2<sup>nd</sup> Annual Easter Egg Hunt will be held March 31, 2012 from 2 to 4 p.m. here at the Town Hall. The rain date is April 1, 2012.
- We should receive a proof for the Welcome Magazine within the next two weeks.
- The next Historic Tea is scheduled for in May.
- At the request of Councilwomen Harrison and Hadley, we will be developing a Town of Weddington Facebook page.
- We had a citizen request that Weddington work in getting a Weddington Zip Code. Tonya spoke with Mr. Timothy Clare with USPS and he advised that we would have to send a letter justifying why we wanted our own zip code. They will not do it based on “establishing identity”. It must be justified by construction and growth. He said they would probably not build a new post office but with justification they would possibly add a zip code to an existing post office. We have an address for where the letter should go if this is something that the Town Council would like to pursue.
- The Urban Archery Season dates are January 14, 2012 to February 19, 2012. I am in the process of renewing this option with the NC Wildlife Resources Commission for 2013.
- The Weddington Spring Litter Sweep will be held April 21, 2012 at 9:00 a.m. here at the Town Hall.
- We received one application from a citizen interested in serving as a liaison regarding school related issues.

**Item No. 13. Public Safety Report.**

**Weddington Deputies – 432 Calls**

**Providence VFD**

Training hours for the month - 60.5 hours. These training hours are a reflection of members doing Firefighter 1 and 2, hands on training and station meetings.

Union County:

Fire 25 EMS 8 Total 33

Mecklenburg County:

Fire 2 EMS 0 Total 2

Department Total:

Fire 27  
EMS 8

Total 35

The Town Council also received the Income and Expense Budget Performance and Balance Sheet as of January 31, 2012 for the Providence VFD.

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

**A. Tax Collector's Report.** Monthly Report – January 2012

<b>Transactions:</b>	
<\$5.00 Adjustments	\$(54.71)
Balance Adjustment	\$(5.05)
2011 Interest Charges	\$1,014.78
Penalty and Interest Payments	\$(94.76)
Refunds	\$519.55
Releases	\$(134.73)
Overpayments	\$(25.00)
<b>Taxes Collected:</b>	
2011	\$(75,816.75)
2010	\$(928.62)
<b>As of January 31, 2012; the following taxes remain Outstanding:</b>	
2002	\$82.07
2003	\$160.16
2004	\$159.59
2005	\$291.65
2006	\$180.70
2007	\$200.32
2008	\$2,945.33
2009	\$4,178.61
2010	\$6,735.93
2011	\$46,423.92



<b>Total Outstanding:</b>	\$61,358.28

**B. Finance Officer's Report.** The Town Council received the Revenue and Expenditure Statement and Balance Sheet for January 1, 2012 to January 31, 2012.

Council asked that preliminary discussion regarding the budget for Fiscal Year 2012-2013 be on the next Town Council's agenda.

**Item No. 15. Transportation Report.** There was no Transportation Report.

**Item No. 16. Council Comments.**

Mayor Pro Tem Barry thanked everyone for coming out this morning to the Town Hall for his announcement that he was running for Congress.

Councilmember Thomisser stated, "I have seen several letters come across regarding Weddstock. I want Council to know that I attended the event and they worked very hard."

**Item No. 17. Adjournment.** Councilwoman Hadley moved to adjourn the February 13, 2012 Regular Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry  
 NAYS: None

The meeting ended at 9:47 p.m.

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Walker F. Davidson, Mayor

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Amy S. McCollum, Town Clerk