

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, APRIL 2, 2012 - 6:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Regular Session at the Weddington UMC Helms Hall, 13901 Providence Road, Weddington, NC 28104 on April 2, 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: Judy Johnston, Bill Price, Bob Rapp, Bruce Johnston, Richard Sahlie, Genny Reid, Dave Ruths, David Basri, John Hatton, Andy Stallings, Elizabeth Johnson, Walt Hogan, Mike W., Silvano Ferrazzo, Anthony Burman, Samuel Elzie, James Searle, Richard Helms, Jerry Kocsis, Robert Wilbur, Ken Evans, Jack Parks, Jerry Fitzgerald, Jim Reichenbach, Margie Timmons, Nick Moore, Garrett Hamilton, John Houston, Scott Robinson, Curtis Blackwood, Matthew Delk, Jim Rushton, Joan Kocsis, Jan Sloop and J. David Sloop, Jr.

The meeting date for this meeting was changed from April 9, 2012 to April 2, 2012.

Councilwoman Barbara Harrison offered the Invocation prior to the opening of the Town Council Meeting.

Item No. 1. Call to Order. Mayor Walker F. Davidson called the April 2, 2012 Regular Town Council Meeting to order at 6:04 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. Consider Setting Meeting End Time for 9:00 p.m. Mayor Pro Tem Daniel Barry advised that at his request the Council originally voted to have a hard stop of 9:00 p.m. for tonight's meeting. Mayor Pro Tem Barry asked to remove this request to allow the Town Council to finish business tonight. By consensus, the Council agreed.

Item No. 5. Presentation from the Union County Fire Commission. Councilmember Werner Thomisser stated, "I put this on the agenda as a placeholder. I have received information that the Union County Fire Commission plans to meet on April 5 at the Weddington High School so I withdraw this agenda item."

Item No. 6. Public Comments. Mayor Davidson reviewed a fire district map that was shown on the screen. He stated, "This map is the fire district map that has been proposed. Area 1 is the area that is covered within Weddington by the Stallings VFD. Area 2 is currently covered by the Providence VFD. Area 3 is currently being covered by the Wesley Chapel VFD and is being proposed to be covered by Providence VFD. Area 4 is currently Wesley Chapel VFD and would remain Wesley Chapel VFD in this

plan and all four of those are in the Town of Weddington. Area 5 is the Wesley Chapel VFD area outside of Weddington.”

Mr. Jerry Kocsis – I live in Weddington. I am the President of the Wellington Woods II and III Homeowners’ Association which has 74 homeowners. I am also speaking on the authority as President of Wellington Woods I which has approximately 30 homeowners. I am from Area 1 and we are covered by Stallings VFD. I have lived at the same address since 1980. I am here to speak on the fire coverage issue. Obviously, the Providence VFD has been headed for financial trouble for several years. Part of the problem is associated with the fact that the fire department was committed to giving coverage for Mecklenburg County and a large portion of their revenue flow came from Mecklenburg County. As Charlotte grew they took over property and provided fire protection to that area and therefore Providence began to lose revenue. As a basis for that, I think actions should have been taken a long time ago by that fire department and Union County. The drop in revenue is a serious consideration for that fire department. They are looking for Weddington to make up for that profit and everything that I know about the process to date and the current plan being considered, I believe the tail is wagging the dog. I believe this decision can be a political decision based on promises made in elections. Your decision should be based upon what is the best for Weddington and not what is best for the Providence Fire Department and not by those people that are covered by the Providence VFD but what is best for all of Weddington.

Mr. Jerry Fitzgerald – I live in Area 3. I have been empowered tonight by my HOA in the absence of our President to speak for our HOA. First of all we would like to thank this Council for their sincere effort to be objective to fact find to support the wishes of this constituency. Ms. Hadley and Ms. Harrison - you have done a terrific job in looking at all of the facts and gathering all of the information. You have spent hundreds of hours analyzing the information and we are grateful. Councilmember Barry I have to say you have been the numbers checker. You have done the analysis on it and you will see the wishes of the constituency and the justification of the municipal fire district is the direction to go. Mayor, I have to commend you on the letter that was sent out to the residents of Weddington. You did an outstanding job of explaining where we are, what the costs are and you obviously have done a lot of research and are well qualified to make this assessment. Thank you for your effort. We support the establishment of a municipal fire district and I trust that is where we will go.

Ms. Margie Timmons – I appreciate the dilemma that you have. We are currently in the Wesley Chapel VFD area and we have been very pleased with them. My husband was one of the people instrumental in initiating that fire department many years ago. He never was a fireman. He served on the board and he did the electrical work in their first building. They have fundraisers to raise more money, they have two new buildings there now and they continue to do a good job. My husband and I are opposed to the formation of a municipal fire department and I saw your figures on the taxes. I feel sure it is going to be a whole lot more than that. You are going to have to hire people. You are going to have liability issues. I think this is going to be a very big burden on the people of Weddington and I think it is going to take a lot more tax money than what was listed in this letter. I also take issue with the paragraph where you say those who participated in the 2011 Weddington Election chose candidates who supported a move to a municipal fire service. That issue was not on the ballot. I disagree with some of my best friends. That does not mean just because they are my friend that I agree with everything they say and do.

Ms. Genny Reid – I am in favor of the fire district and I want to thank the Mayor for spending the time that he has and the interest that he has put in it as well as Councilwomen Hadley and Harrison and Mayor Pro Tem Barry. I have some petitions (*Attached as an Exhibit*) that I have gathered from people that want a fire district and I want to give that to you.

Mr. David Basri – I live in the Lake Providence Subdivision in Area 3. My position is well known and documented but Mayor your letter was well written and I want to thank you for putting it out. It probably

should have happened in February but thank you for putting it out. I think the 5.2 cents may be a little optimistic but I would not disagree with it on the other side.

Mr. Curtis Blackwood – I have several pieces of property that were forced into Weddington several years ago. I get to pay twice for the services that I was getting in the County and again for what was put on me from Weddington. I have been in the Wesley Chapel VFD area for 20 to 25 years and I have been very satisfied with what they have done. They have delivered an excellent product at an extremely reasonable rate. You have different levels of government and different government entities and the volunteer fire departments are a separate entity of government. Quite frankly without the gracious consent to do a contract with Weddington, the town would not have existed because they had to go to the volunteer fire departments to get them to provide service. The Town was started to keep Charlotte from coming over here and forcibly taking this area into Charlotte. I would hope that you would back off and look at this because Providence VFD has another option that is extremely viable. My personal opinion has long been to have a tax. That was wiped out this year after I negotiated and got it into State law a couple of years ago. The people at the Providence VFD are perfectly capable of having the fire department write a letter requesting contributions from the people in addition to that money. A \$100 fee is very low for some of the houses in there that are being covered. When we were forced in, I understand that 60% of our property tax went to pay for services that went to Providence VFD and not to the people that had been put in Weddington. I have a real problem with the cost shifting that has gone on. I hope that you will go back and look and let the volunteer fire departments work this out rather than inserting Weddington into the middle of a volunteer fire department problem. Providence has known for years that this was coming.

Mr. Andy Stallings – I live in Lake Providence. What I am concerned about more than anything is the cost. You talk about \$600,000 in improvements and a fire truck alone is \$1,000,000 for a full service rescue truck. I know that it costs \$2,500 a piece to outfit a fireman. It is a ton of money. That is my main concern. Wesley Chapel VFD is going to have to be paid in addition to this to cover the areas that we need and Stallings still at a rate that they want to charge. I do not think you have any control over that. Another issue that has been a big point is the 24/7 coverage that Providence is providing and that is fine but I do not think it has been discussed why they have to have 24/7 coverage there. It is because there are no firemen in the district. We have not seen a map where the firemen live. I know there was a call the other night - they had two calls in a row and Wesley Chapel VFD had to cover one of them because there are only three people. Those are my concerns.

Ms. Judy Johnston – I live in Area 2 and I have been heavily involved with this issue since June 13, 2011 when the former Council declined to include money in the budget for expansion for Providence and renovations to that building as well as some money to go toward the employee salaries that were needed to continue operations. Since then a lot has happened and what I sense here is there is a lot of miscommunication about terminology despite all of the information that has been put in the papers, put in the press and put out to the public in all kinds of different ways and presented here for 14 months. We have gone around and around for 14 months and I want to thank each one of you for the due diligence and hard work and all of the exploration that you have done in so many various ways. You bring to the table individual talents that I am just so impressed with and I think that we have a brilliant team on the Council and I respect whatever vote you come up with tonight. It is time right now to take action and I hope that you will take advantage of that and do something tonight.

Ms. Elizabeth Johnson – I understand that this was an area that was annexed into the Town of Weddington just a few months before we purchased our home. We had an occasion to have the services from the fire departments and Providence VFD and Wesley Chapel VFD arrived at our driveway at the same time. In May of last year we had a lighting strike. They both arrived at the same time. Wesley Chapel VFD took care of our fire and Providence responded to another one at the same time. They were lightning fires. They did a fantastic job and they knocked down the fire in seven minutes with a lot of gallons of water.

Those guys were our heroes. I would like to echo the concerns already expressed this evening regarding the costs. It seems inevitable that the costs will increase. I think the fire departments do a good job of managing themselves and in the County the way that they are now. I am looking forward to hearing from the fire fighters themselves on the issue. We have a system that is not broke and we should not fix it.

Mr. Walt Hogan – I have still not heard a business case for doing this. I have heard that this is going to cost \$37.00 but I have not heard anything beyond that. For instance, this will be a contract with the Town and each department would have to be contracted. Will the people that will be working the fire department, are they going to be employees of the Town and has the cost with all that been assessed? Who is going to provide the financial oversight of this department and cost control methodologies? I believe there is a path to do this legally but I do know that anyone has been shown that path or the timeline with creating this district. If this is done, at the end of the day effectively there is no difference in the fire coverage. We have heard from many people that say all three fire houses are identical in their response and their capabilities. I believe that Providence VFD needs a few EMTs. We are going to end up paying a lot of money and we would not have changed anything as far as coverage and public safety.

Mr. Silvano Ferrazzo - I live in Area 2. First of all I would like to thank the Council for the excellent work and the Mayor for the letter that was sent. It was the first piece of rational information that we have seen that has not had a huge slant one way or the other. It is not perfect and nothing is but it was nice to see a piece of information to figure out what we are looking at. Yes, costs are probably going to go up. What has not been discussed is that Wesley Chapel VFD has a brand new fire house that needs to be paid for and those costs are going to be put on the citizens of the community. Inevitably no matter what we do costs are going to go up. If we do nothing, Providence VFD as it stands will possibly close. If we do nothing, coverage will change and our safety will change. I love having 24/7 coverage and if we do nothing that coverage could potentially go away. I think the establishment of the Municipal Fire District would increase service. Thank you for all your diligence. The letter and work that has been done have helped to restore the entire outlook of Council.

Mr. Mike W. – I live in Lake Providence. We have three fire departments that service the Town of Weddington and have backup coverage in case there are multiple incidences. I do not see why we would need to go to one municipal fire department. There are a lot of unexpected costs such as the updating of the fire department and replacing equipment. I think it is better handled at the county level where it is all combined.

Item No. 7. Additions, Deletions and/or Adoption of the Agenda. Councilmember Thomisser – I would like a clarification from Attorney Fox on Agenda Item 10A. On March 5, the Union County Board of Commissioners Agenda Item #5 addressed Weddington’s fire service. They voted unanimously 5 to 0 to direct staff to work with the Fire Commission and to provide information and to obtain public input regarding fire service in Weddington. I would like to think that the Union County Board of Commissioners are a higher authority than the municipality. Subsequent to that the Union County Fire Commission met on March 12 and part of their agenda was to discuss a motion from the Board of Commissioners regarding Weddington’s fire service. On Thursday of this week at the Weddington High School, the Union County Fire Commission is meeting to discuss fire service in Weddington and to gather public comment. How can we vote on something when a higher authority in the County has directed the Fire Commission to gather information on Thursday?

Attorney Fox – The County like the Town is a political subdivision of the State. The County does not enjoy power over the Town. Even though the County may have taken one position, it does not require adherence to by this body. The second issue is that you have not gotten to a vote yet. You do not know if there is going to be a vote to arise out of the meeting. The County does not have superiority over this

board so it does not dictate what this board can or cannot do. The agenda item is an appropriate item on this agenda and the item can stay on the agenda.

Councilmember Thomisser asked to eliminate the words “possible consideration” under that agenda item.

Mayor Davidson asked for any deletions or additions to the agenda.

Councilwoman Pam Hadley moved to delete the following item from the agenda:

Item No. 11.A. Discuss and Consider Calling for a Referendum Regarding Municipal Fire Service in Weddington – Councilmember Werner Thomisser.

The vote on the motion is as follows:

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

Councilwoman Hadley moved to approve the agenda as amended.

The vote on the motion is as follows:

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

Item No. 8. Approval of Minutes.

A. March 8, 2012 Special Town Council Work Session. Councilwoman Barbara Harrison moved to approve the March 8, 2012 Special Town Council Work Session minutes. All were in favor, with votes recorded as follows:

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

B. March 23, 2012 Special Town Council Retreat. Councilwoman Harrison moved to approve the March 23, 2012 Special Town Council Retreat minutes. All were in favor, with votes recorded as follows:

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

Item No. 9. Consent Agenda.

A. Consideration of Proclamation Proclaiming April as Child Abuse and Sexual Assault Awareness Month. Mayor Pro Tem Barry moved to approve Proclamation P-2012-02:

**TOWN OF WEDDINGTON
APRIL 2012
CHILD ABUSE PREVENTION &
SEXUAL ASSAULT AWARENESS MONTH
PROCLAMATION
P-2012-02**

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

WHEREAS, Union County Department of Social Services accepted 1,441 reports of child abuse representing over 4,275 children in 2011;

WHEREAS, more than 800 victims and family members were served through United Family Services' Victim Advocacy and Clinical Services during FY2011;

WHEREAS, 97% of the children served by the Tree House Children's Advocacy Center were sexually abused by a trusted relative or other known person and 24% of the children served were sexually abused by other children in FY2011;

WHEREAS, 87% of sexual assault victims were under the age of 19; 68% of children served were under the age of 13; 26% were under the age of 5.

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

WHEREAS, all citizens should be protected from sexual and physical violence;

WHEREAS, United Family Services' Victim Advocacy and Clinical Services programs exists because of partnerships created among social service and healthcare agencies, schools, faith communities, civic organizations, law enforcement agencies, and supportive members of Union County;

THEREFORE, I DO HEREBY PROCLAIM April as Child Abuse Prevention & Sexual Assault Awareness Month and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in efforts to support families, thereby preventing & reporting child abuse and sexual violence thereby strengthening the communities in which we live.

Adopted this 2nd day of April, 2012.

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 Shopping Center Signs Text Amendment (Public Hearing to be Held May 14, 2012 at 7:00 p.m. at the Weddington Town Hall). The Town Council received a copy of the proposed text amendment. Mayor Pro Tem Barry moved to call for a public hearing to review and consider shopping center signs text amendment. The public hearing is to be held May 14, 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. Call for Public Hearing to Review and Consider Temporary Use Permit Banners Text Amendment (Public Hearing to be Held May 14, 2012 at 7:00 p.m. at the Weddington Town Hall). The Town Council received a copy of the proposed text amendment. Mayor Pro Tem Barry moved to call for a public hearing to review and consider the temporary use permit banners text amendment. The public

hearing is to be held May 14, 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

D. Consideration of Release of Road Maintenance Money for Gardens on Providence. The Town Council received a copy of the following memo from Town Administrator/Clerk Amy McCollum and a copy of the letter from NCDOT:

The Town is currently holding \$1,608.75 in road maintenance money for Blickling Drive in the Gardens on Providence Subdivision. Attached is a letter from NCDOT stating that Blickling Drive has been added to the State Maintained System. Please consider releasing the road maintenance bond for Blickling Drive in the Gardens on Providence Subdivision.

Mayor Pro Tem Barry moved to release the road maintenance money for Gardens on Providence. All were in favor, with votes recorded as follows:

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

E. Consideration of Release of Road Maintenance Bond for Lake Forest Preserve – Phase IA and IB. The Town Council received a copy of the following memo from Town Administrator/Clerk McCollum and a copy of the letter from NCDOT:

The Town is currently holding a road maintenance bond in the amount of \$42,819.36 for the Lake Forest Preserve Subdivision – Phases IA and IB. Please see the attached letter from NCDOT advising that these roads have been added to the State maintained road system. Please consider releasing the road maintenance bond for the Lake Forest Preserve Subdivision, Phases IA and IB.

All were in favor, with votes recorded as follows:

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

Item No. 10. Old Business.

A. Discussion and Possible Consideration of a Municipal Fire Service Model in the Town of Weddington. Mayor Davidson – We have talked about fire service since January and it was talked about before then. The most recent action that we took was to send a letter to clarify and give a better description of the process. I do agree that sending out the letter earlier would have been better. The first action the prior Council took was to ask the County Commission to move the lines to include Area 2 and 3 together. That was given to the Fire Commission with no answer. I think a letter was sent to the County Commission from the Town and there was never an answer. A timeline was given by one of the County Commissioners a couple of meetings ago of 13 months of trying to get something done and if anything we have gotten some people’s attention. Nothing was done. We are looking at this municipal fire service model. Those of you that believe that the municipal fire service model is a good way to go, I want to tell you that it is not that easy. You just do not go and do it and for those of you that think we are going to do a municipal fire service model at any cost, we are not going to do that either. There are different levels that we are looking at – Plans A, B and C. I would like to try Plan A. It is cost effective. The service works, the maps looks good but it is still not easy to do. We have heard some concerns about the costs and the service level. This is not a municipal fire department. It is not Town employees. We would simply

take the role that the County has right now to be able to redraw lines in the Town of Weddington and contract with the fire departments in that service area. The fire departments are independent entities. They are not government agencies. To me they are more like Fannie Mae and Freddie Mac. They can do what they want to do and they have a monopoly on the territory and you have to deal with them. This is not new to Weddington and not new to North Carolina. This is a problem in a lot of communities. When you pick up the headlines one of the outcomes that you see frequently is fire stations going out of business.

Councilmember Thomisser - For those of you in the audience that are in the Wesley Chapel VFD Fire District - my question is are you happy with the Wesley Chapel VFD and the EMT services? This map over here shows that there are 38 EMT people either living in Weddington or are on the outskirts of Weddington. If you look at the green area, there is no red circle so one would have to surmise that at any given time there is only one EMT or possibly two EMTs that are paid that are in the Providence VFD Fire Department. The Wesley Chapel VFD has said 3.1 cents per \$100. We have not gotten a definite number although you did a great job on that letter Mayor, is it 2.2 cents or 5.2 cents? My point is you can take 3.1 cents to the bank. Mecklenburg County is proposing to establish five fire districts. The fire tax is going to run anywhere from 4.5 cents to 7 cents. Are you willing to pay 7 cents a \$100 for fire service when we have a fire department that covers 75% of Weddington that has said we will cover it for 3.1 cents? We still have not received a number. It ranges from 2.2 cents to 4 cents, to 5 cents. How can we vote on something that we do not know what the tax is going to be? In yesterday's Enquirer-Journal, the Monroe Fire Department is going to reduce their budget by 17%. Monroe has a population of 30,000 and Weddington has a population of 10,000. The budget this year for Monroe was 7 million dollars. If you want to do the math the budget for Weddington would be 2.5 million dollars. In 2013 if they did reduce it by 17% in their proposed budget it would be 2 million dollars. Are the people of Weddington ready to spend that kind of money for fire coverage? I do not think so. There has been a lot of talk about response times. In the event of a structural fire, we all know that both departments are called. Let's just assume that Providence gets there first. They have three people on duty. They get to the fire and they cannot go in the house to save somebody because the National Fire Association has a rule of two men in and two men out. Providence has to wait for Wesley Chapel VFD to come to the fire. Let's talk about the 2011 total number of calls – structural fires, medical calls – the response time for Providence was 8 minutes and 27 seconds. If you are going to double the size of the Providence VFD area, what kind of response time are you going to have? It is not going to be 8 minutes and 27 seconds because you have to go a further distance to get there. Talking about the Mayor's letter – it was based on a tax valuation of a \$400,000 house. Forty-three percent of the houses in Weddington are over \$400,000. Were the numbers in that letter overly optimistic? It is going to cost a lot more because we have more expensive houses in Weddington. What will it cost to run the fire department for a whole year? I am looking at numbers here close to \$900,000 paying Providence, Stallings and Wesley Chapel VFD. Is this a good way to go about it? I do not think so. Finally, we have a fire department that is covering 75% of the Town. It is the most cost effective way. They have 38 EMT people, they have a model set up where they have daily coverage. They have EMT people living in Weddington and its gets Weddington out of funding the emergency services business. As I stated before, if you want your taxes to go up to 7 cents per \$100 or even 5 cents per \$100 – then think twice. A merger is the most effective way to go.

Councilwoman Harrison – I have gone to multiple fire companies and every one of them has volunteers. When I look at how volunteers are recruited – I really like Waxhaw's process. Two years ago the Weddington Town Council had a presentation from the Council on Aging in Monroe. I was sitting in the audience and I was very interested in that presentation because it talked about 41% of Weddington is over the age of 60. Waxhaw has a mean average age of 32, Wesley Chapel – 33 and Stallings has a younger age where you can get volunteers. Look around and look at the people in this room. How many of us over the age of 60 could don all of the outfits and be effective? There are many people that are EMTs in every fire department. To say that only three people show up is really a false statement. I got to see a schedule for Wesley Chapel VFD and it was in November and their driver was 80 years old. I am not sure how

much he would do other than drive. There are a lot of grants out there and a lot of grants that help firefighters. It is not easy to write a grant. I am now signed up to be on several of these websites. There are grants out there that help every fire company. Most of the trucks at the Beaver Lane VFD were gotten by grants. We know that can happen. Not easy but it can happen. I want to clarify that we have volunteers in all of the stations. I never heard from one fire chief that said they did not have volunteers. It does not mean that they all going to be at one given area. I do not want people to think that if you are in the Providence District you are only going to have three people showing up. That is not true. I think that every fire company makes an effort to have many people show up whether it is fire or medical call.

Councilwoman Hadley – I wanted to speak regarding the volunteer issues as well. I told Wesley Chapel VFD that their model worked wonderfully because they are fortunate to have the volunteers that they have. Unfortunately for Weddington, firemen cannot afford to live here. Their model works well for them but it does not work well for us in my opinion. I would also like to ask if you are aware that there are two lots in Steeplechase that are part of the Wesley Chapel VFD and they are paying 2.2 cents and the other homes are paying the \$100 fee. Wesley Chapel VFD has to drive through Providence's district to get to those two lots. The back end of Highgate is in Wesley Chapel VFD's district. Once again Wesley Chapel has to come through Providence's District to get to those homes. Those homes are paying 2.2 cents and the other homes are paying \$100 per household. Multi-million dollar homes are paying \$100 and a home worth half of that is paying almost twice that. That is not fair. Tell me why the fire study suggested that the Providence area be expanded 1.5 miles in all directions from the station. That was two years ago. It has not been done. It is not Wesley Chapel VFD's fault they cannot get there soon enough but they are the only ones called for a medical call for homes that are a quarter of a mile away from Providence. That is not fair. The response times are not fair. The difference in the tax rates is not fair. We have gone from one step to another. In my opinion the best step for all the citizens of Weddington is to do a Municipal Fire Service area – not a district.

Mayor Davidson – A municipal fire district cannot be created by the Town. What that would mean is you would actually have a fire tax within the Town. This model simply says that we are within three fire districts and we would remove ourselves from those districts and would apply to the Department of Insurance for a rating for the whole Town. We would have a primary area/central location which would be Providence and we would contract for those areas with the other fire stations that Providence cannot meet the five mile rule or more preferably we would try to keep the houses that are closest to the fire stations serviced by those fire stations. This is what this map was drawn up for. That is the difference and the distinction here. There are no absolute statements in this process. It is confusing – you have tax districts, fee districts, there are a lot of rules with the Department of Insurance and we have done everything that we can to understand how to do this without jeopardizing insurance rates and keeping the taxes low and to try to simply do this map that we asked the County to do about a year ago.

Councilwoman Hadley - With a district you set up a department to where you are paying the salaries and you are responsible for the worker's compensation and you are responsible for the 401K and all of the personnel. That is not what we are talking about. The only difference is that the money would go to the fire departments from the Town of Weddington as opposed to from the County. We presently have a 3 cents tax rate for Weddington. That is what you pay for your personal property tax for Weddington. We pay three cents for Weddington taxes and 2.2 cents for fire service because most of us are currently in the Wesley Chapel district. We are paying a total of 5.2 cents with our Weddington taxes and our fire tax combined. I want to read to you the tax rates for other areas: Fairview – 4.76 cents, Hemby Bridge - 4.7 cents, Indian Trail - 4.28 cents, Lake Park – 4.7 cents, Stallings - 4.28 cents and Mineral Springs - 3 cents. We are the second highest income per capita in Union County. I did the math on my home today and if I went from 5.2 cents total Town and fire to 6 cents it would be \$3.67 a month. We have been underpaying for our service. The fire departments have had to increase the type of apparatus that they have to cover the 10,000 square foot, three story homes that we are building in Weddington. They have had to get bigger

trucks with taller ladders and they have been spending all this money while we have been paying our little 2.2 cents. When you look across the State, this makes you appreciate what you have and what good fire departments we do have surrounding us. I want you to take that into consideration.

Mayor Pro Tem Barry - Walker and I spent a couple of days yelling at each other with a 12 key calculator as we worked on these numbers. It was interesting to me as we were creating a fire service model the impact that it would have on the budget. Because I believed that it was going to be much more substantial than it turned out to actually be. Werner mentioned the 3.1 cent tax rate and 2 million dollars. The Town is not spending 2 million dollars on fire service and I do not know where this 3.1 cents tax rate is coming from. I asked to prepare a budget that included paying what I considered the worst case scenario – operating costs for the current fire delivery system based on the residents of Weddington. That would be the \$240,000 that Wesley Chapel taxes inside the Town of Weddington, the compensation that Stallings receives from inside the Town and Providence’s stipends plus their operating costs in the Town of Weddington. When you add all of that up it was within \$19,000 of 5.2 cents – the current property tax of 3 cents plus 2.2 cents which was being charged to the clear majority of the households in Weddington. I found out over the weekend that Wesley Chapel VFD is working on their budget right now at 2.4 cents. In addition they are asking each municipality for \$40,000 to supplement their budget which is an additional \$120,000. The costs for Wesley Chapel VFD are going up and would be subsidized by Marvin, Wesley Chapel and Weddington, if we agree to participate, by another \$120,000. By creating a municipal service district like we are talking about doing we are allowing the citizens to make that determination. How many folks in this room showed up this year to elect the officers at their volunteer fire department? Only three people raised their hands. What happens in a volunteer fire department model, they take your money, they tax you and they deliver a service and buy equipment and property. But once they own that property, they do not turn it back over to you when they are done with it. There are restrictions on that property. It can only be used by other charities or other fire companies. We are giving the authority to somebody else to tax, to take your property and then you have no recourse. There were only three people in this room that participated in that process. When we create a municipal fire district, you get to participate in that process every two years because a majority of this board is up for reelection and you will determine the fire service model in this Town and what is going to be delivered and what the expectations are. We will contract with the service provider and the service providers are still Stallings, Wesley Chapel and Providence VFD as long as they are within those five mile loops and that is the big key to all this. I move the following:

The Town Council move forward with the implementation of a Municipal Fire Service model contingent upon the following:

- The Town has service contracts in place with the necessary fire service providers required to meet the 5-mile rule for insurance purposes.
- The Town Attorney can verify that the automatic aid portion of the Union County contracts is not voided by the implementation of a Municipal Fire Service model.

Upon the completion of these two tasks the Town will:

- Submit to Union County the Joint Resolution between the Town of Weddington and Union County to withdraw the Town of Weddington’s consent to the inclusion of its incorporated territory with the Providence, Stallings, and Wesley Chapel Volunteer Fire Department districts.
- Submit a Resolution for approval of municipal insurance district boundaries to the North Carolina Department of Insurance

Councilmember Thomisser - With all due respect to Councilwoman Hadley, Hemby Bridge has a zero property tax rate - she used 4.6 cents which is a fire tax for Hemby Bridge. That gives you some idea of

what we were talking about. You pointed out that part of Highgate pays \$100 and the other part pays 2.2 cents but as far as I know everyone is happy with their fire service and that is exactly why we should merge and have 3.1 cents for the entire Town. I want to make it clear that I am aware that we have a 3 cent property tax but what I am talking about is beyond the 3 cents. If it takes 4.6 cents in Hemby Bridge, the people in Weddington are going to be paying 7.6 cents. You add the property tax to the fire tax. It is going to be expensive. The numbers that the Mayor put together only cover the operating costs. Nothing has been said about the capital improvements. Providence has said it is going to cost them 1 million dollars to renovate their fire house and possibly the purchase of a fire truck in 2014 for \$400,000. They are not telling you that. They should be telling the citizens of Weddington that it is not 5.2 cents or whatever the number is, it is a 3 cents property tax and it is 4.5 cents fire tax or 7 cents fire tax. You are going to be paying a whole lot more tax and you do not have to do that if these two departments merge and you would be paying 3.1 cents.

Mayor Pro Tem Barry - You are saying the merged fire company is going to charge a fire tax of 3.1 cents on top of the 3 cents residents pay for property tax. A merged fire company is going to cost 6.1 cents. A municipal fire district is going to cost, based on my numbers, 5.2 cents. He is absolutely correct about capital expenses. Wesley Chapel VFD built a new fire station and that station is going to have to be paid for. If the number is right, they are going to be increasing their tax rate to 2.4 cents this year and that number will continue to go up as the operating costs of having a building of that size comes on line. It is just a matter of fact. I had a conversation with Jack Parks a year ago when they showed up and they needed to renovate the building – the reason they were coming to Weddington was they did not have the revenue that they could borrow against so they could do it themselves. Then they enter into a contract with the Town of Weddington that we will be paying for their service which is more than \$100 per house and they will have a revenue stream that they then can borrow against. Wesley Chapel's is going to go up too because all of this structure and equipment. We have underpaid in Western Union County for fire service for years. What we are trying to do is have the elected officials regularly make that decision and you get to go to the ballot box and make that decision.

Councilmember Thomisser – What about the revaluation? We could not sell the houses for what it is assessed at?

Mayor Pro Tem Barry – The Mayor knows what we are overvalued at right now.

Mayor Davidson – I would estimate \$600,000 in property taxes.

Mayor Pro Tem Barry - So our houses are overvalued by 20%.

The vote on the motion is as follows:

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

The Council took a brief recess.

Item No. 11. New Business.

A. Discuss and Consider Calling for a Referendum Regarding Municipal Fire Service in Weddington – Councilmember Werner Thomisser. This item was removed from the agenda.

Item No. 12. Update from Town Planner. The Town Council received the following update memo from Town Planner Jordan Cook and a copy of the NCDOT Right-of-Way Map:

- 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 has asked the Town to donate approximately 8,080 square feet (0.18 acres) for the roundabout. 6,485 square feet of that will be utility right-of-way while 1,595 square feet will be road right-of-way along Weddington-Matthews Road. NCDOT will also need 7,020 square feet of right-of-way for a temporary construction easement. This land will not need to be donated. The right-of-way map with figures is attached.
- 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. I will have an update on this project next week.
- At their February 13th meeting the Town Council approved \$35,000 for additional median landscaping along Providence Road, Hemby Road and Rea Road. Councilman Thomisser, Councilwoman Harrison and I met with Union County Urban Forester David Grant on February 22nd to develop a plan. Councilman Thomisser, Councilwoman Harrison and I plan to meet next week to discuss the landscaping plan that David has prepared.
- The Agritourism and Agricultural Use Definition text amendments were on the February 27th Planning Board agenda (both received a favorable recommendation). These text amendments may be on the May 14th Town Council agenda. Town staff wishes to discuss these with the Town Attorney before proceeding.
- I will be sending the Town Council the 2002, 2006 and 2007 Town surveys. This was discussed at the Planning Retreat during the Land Use Plan update conversation.
- The following items were on the March 26th Planning Board agenda:
 - Shopping Center Signs Text Amendment
 - Temporary Use Banners Text Amendment
 - Both items received a unanimous favorable recommendation
- The following items will be on the April 23rd Planning Board agenda for discussion:
 - DrumStrong Temporary Use Permit for the May 19-20 event-Planning Board makes final determination of Temporary Use Permits.
 - Subdivision Construction Sales Signs

Mayor Pro Tem Barry asked Town Planner Cook to receive a status update on the environmental study for Rea Road.

Item No. 13. Update from Town Administrator/Clerk. The Town Council received a copy of the following memo from Town Administrator/Clerk McCollum:

The Weddington 2nd Annual Easter Egg Hunt was held on Saturday. A report on this event will be given at the May Town Council Meeting.

We have received the 2012 Welcome Magazine and copies are available at the Town Hall and on the website.

I have provided a list of ordinances to Captain Cody Luke with the Union County Sheriff's Office for their review. These are the ordinances that the Town expects the Town Deputies to enforce and also the zone deputies to be familiar with.

The Town of Weddington Parks & Recreation Advisory Board is seeking volunteers to participate in The Spring 2012 Litter Sweep Campaign. Litter Sweep is a statewide roadside litter cleanup drive sponsored by the North Carolina Department of Transportation (NCDOT). This local effort is scheduled for Saturday, April 21, 2012 at 9:00 a.m. Interested volunteers and community groups are asked to meet at

the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104. Trash bags and orange safety vests will be provided. Bring your own gloves.

The Town called a letter of credit in the amount of \$149,155.40 for the Devonridge Subdivision. Staff will work with Union County Public Works and the Town’s engineer on the remaining items that need to be completed.

Upcoming Meeting Dates:

- April 3, 2012 - Public Safety Advisory Committee Meeting at 10:00 a.m.
- April 5, 2012 - Possible Quorum of the Town Council/UC Fire Commission Meeting (6:30 p.m.)
- April 6, 2012 - Closed for Good Friday
- April 16, 2012 - Special Meeting of the Town Council at 5:00 p.m. at the Weddington Town Hall
- April 23, 2012 - Planning Board and Historic Preservation Commission Meetings – 7:00 p.m.
- May 17, 2012 - Historic Tea

Item No. 14. Public Safety Report.

Weddington Deputies – 33 Incident Reports and 566 Calls

Wesley Chapel VFD (Partial List) – 69 calls

Providence VFD – The Town Council received the Income and Expense Budget Performance and Balance Sheet for March 2012.

Item No. 15. Update from Finance Officer and Tax Collector.

A. Finance Officer’s Report. The Town Council received a copy of the following: Revenue and Expenditure Statement and Balance Sheet for 3/1/2012 to 3/31/2012, the Preliminary Operating Budget for Fiscal Year 2012/2013 showing different tax rate scenarios and a worksheet showing potential non-operating expenditures.

B. Tax Collector’s Report. Monthly Report – March 2012

Transactions:	
<\$5.00 Adjustments	\$(23.36)
2011 Interest Charges	\$212.66
Penalty and Interest Payments	\$(202.22)
Releases	\$(304.42)
Overpayments	\$ (.30)
Taxes Collected:	
2011	\$(8,259.39)
2010	\$(12.74)
2009	\$(8.31)
As of March 31, 2012; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$160.16
2004	\$159.59

2005	\$291.65
2006	\$169.79
2007	\$188.41
2008	\$2,311.99
2009	\$3,262.45
2010	\$5,630.01
2011	\$20,070.52
Total Outstanding:	\$32,326.64

Item No. 16. Transportation Report. There was no Transportation Report.

Item No. 17. Council Comments. Councilmember Thomisser thanked Councilwoman Harrison on her hard work for the Easter Egg Hunt.

Mayor Pro Tem Barry advised the Council of an upcoming meeting he has scheduled with the YMCA.

Councilwoman Harrison – I want to thank the 19 vendors that sponsored the Easter Egg Hunt. It enabled us to have a wonderful event for a minimal amount of money being spent. We will be sending a letter to the newspapers identifying all of the sponsors.

Councilwoman Hadley – I wanted to thank you as well for your work. You can go to my Facebook page to see the pictures from the event. Thank you for a job well done. The support from the vendors and businesses was incredible.

Mayor Davidson thanked Councilwoman Harrison and the Parks and Recreation Advisory Board for their hard work on the event.

Item No. 18. Adjournment. Mayor Pro Tem Barry moved to adjourn the April 2, 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 7:45 p.m.

Walker F. Davidson, Mayor

Amy S. McCollum, Town Clerk