

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, MAY 14, 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 May 14, 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: Janice Propst, Bill Price, Judy Johnston, Jack Parks, Ken Evans, Steven Carow, Will Sanburg, Mike DeMartini, Daryl Matthews, Bob Rapp, Matthew Delk and Mark DiBiasio

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

Item No. 1. Call to Order. Mayor Walker F. Davidson called the May 14, 2012 Regular Town Council Meeting to order at 7:01 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 from Parks and Recreation Advisory Board on 2012 Easter Egg Hunt. Parks and Recreation Advisory Board Vice-Chairman Janice Propst gave the following presentation to the Town Council:

**PARKS AND RECREATION ADVISORY BOARD
EASTER EGG HUNT AND LITTER SWEEP UPDATE**

Our Mission Statement

The Town of Weddington's Parks and Recreation Advisory Board endeavors to provide safe and enjoyable recreation and leisure opportunities for a diverse population, initiate beautification projects, promote our quaint town and promote environmental awareness by partnering with NCDOT Litter Sweep program. We invite you to participate in our special events. Our committee strives to create a strong sense of community through environmental and social impacts.

Our Goals

We serve as an advisory body to the Weddington Town Council and provide insight and direction about new programs and activities as well as policies and procedures in the areas of parks and recreation. We are committed to bringing exciting and valuable activities to all Weddington residents.

Easter Egg Hunt Business Plan

- Was established to promote community spirit and provide children (ages 1 through 11) with a fun filled afternoon in a safe environment.

- Our goal was to ensure each child collects at least 10 eggs, meets the Easter bunny, gets a tattoo, has fun in an Air Castle Inflatable, plays a variety of games and has a snack.
- The event was held on Saturday, March 31st from 2 to 4 pm at the Weddington Town Hall.
- The Easter Bunny arrived by fire truck and was available for pictures.
- 2:30 to 2:45, children 6 and under hunted for eggs
- 2:45 to 3:00, children 7 to 11 hunted for eggs
- Before and after the hunt the children enjoyed themselves in the Air Castle Inflatable and played games.
- In order to provide the above, we budgeted for \$1,395
- We received from our sponsors \$850 in cash and \$1,585 in in-kind donations totaling \$2,435
- We spent \$962.31
- We distributed 2,500 flyers to schools in the area

We would like to thank our 22 sponsors:

- Gold – Harris Teeter
- Silver – Weddington Activity Center, Polivka Corporation, Pinsak Orthodontics, RCS and a Private Citizen
- Bronze – Target, Papa’s Pizza To Go, Weddington Family Medicine, Carolina Family Chiropractic, Mitch Hadley, CVS, Goddard School, Mills Cleaners, Chick-Fil-A, Bouncing House Man, Citizen South Bank, Janice & Lib Propst, Pam Hadley, GBUSA & Carvel

The Day of the Hunt

- We filled and hid 2,200 plastic eggs with candy, coins and prizes
- We gave away 250 coupons for a slice of pizza
- We gave away 12 coupons for a large pizza
- We had the Easter Bunny, Harris Teeter Harry the Dragon and the Chick-fil-A Cow in attendance
- Chick-fil-A cow gave out free mini-moos and tee shirts for the kids
- Kids were able to take a tour of a fire truck
- We had 150 small prizes for the children to win (i.e. chocolate bunnies, match box cars, stamps, pencils, bracelets)
- We gave away 150 boxes of juice and cookies
- Additionally, we gave away 20 baskets, 1 Toys R Us gift card, and 2 children’s bikes
- We had about 200 adults and 200 children in attendance
- We collected canned goods and donated them to 2 local organizations
- We would like to thank the following volunteers: Janice, Patrice & Lib Propst, Gail Giattino, Jean Lee Pirkey, Pam and Mitch Hadley, Amy McCollum, Pat Harrison, Pat Curtis, Providence VFD Chief Dye, Craig Horn, Walker Davidson, Allison Jones, Hope Soden, Veronica Trotto, Myra Banegas, Abbie Booth and Marilyn Robertson

Litter Sweep

- Weddington’s Spring Litter Sweep was held on April 21st – Earth Day
- We covered Providence Road beginning at Rea Road and ending at Hemby Road (trash on the medians was also picked up), Twelve Mile Creek to the Elementary School, across from the WCWAA – where all the political signs were mowed down, the intersections of Weddington-Matthews and Hemby, Beulah Church and Antioch Church Road, and Cox and Deal Roads.
- We would like to thank the following volunteers: Stewart Tyler, Arianna Dendrolivanos, Vickie and Stephanie Belcher, Kevin and Zach Hunnicutt, Walker Stevens, Cindy Kiker, Linda Hastings, Theresa DiCenzo, Myra Banagos from Indian Trail, Veronica Trotto from Wesley Chapel, Abbie Booth from Waxhaw, Susan and Wesley Dudas, Stephen Wierzsicki, Graham Wadsworth, Alexander Plevka, and Barbara and Pat Harrison.

Councilmember Werner Thomisser thanked Ms. Propst and Councilwomen Hadley and Harrison for their hard work on this event.

Item No. 5. Public Comments. There were no Public Comments.

Item No. 6. Additions, Deletions and/or Adoption of the Agenda. Town Administrator/Clerk Amy McCollum requested to remove Item 11. B. from the agenda to allow further review by the Town Attorney. Mayor Pro Tem Daniel Barry moved to approve the May 14, 2012 Regular Town Council Agenda with the change as requested. All were in favor, with votes recorded as follows:

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

Item No. 7. Approval of Minutes.

A. March 12, 2012 Regular Town Council Meeting Minutes. Mayor Pro Tem Barry moved to approve the March 12, 2012 Regular 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

B. April 2, 2012 Regular Town Council Meeting Minutes. Mayor Pro Tem Barry moved to approve the April 2, 2012 Regular 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

C. April 16, 2012 Special Town Council Meeting Minutes. Mayor Pro Tem Barry moved to approve the April 16, 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.

A. Consideration of Approval of Proclamation - National Police Week. Councilmember Thomisser moved to approve Proclamation P-2012-04:

**TOWN OF WEDDINGTON
PROCLAMATION DESIGNATING MAY 15 AS PEACE OFFICERS' MEMORIAL DAY
AND MAY 13 - 19 AS NATIONAL POLICE WEEK
P-2012-04**

WHEREAS, The Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

WHEREAS, the members of the law enforcement agency of Union County and the Town of Weddington play an essential role in safeguarding the rights and freedoms of Weddington; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of Union County and Weddington unceasingly provide a vital public service;

NOW, THEREFORE, I, Mayor Walker F. Davidson of the Town of Weddington, call upon all citizens of Weddington and upon all patriotic, civic and educational organizations to observe the week of May 13 – 19, 2012, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all citizens of Weddington to observe May 15, 2012, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

In witness thereof, I have hereunto set my hand and caused the Seal of the Town of Weddington to be affixed this 14th day of May, 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 Section 58-233 - Variance Text Amendment (Public Hearing to be Held June 11, 2012 at 7:00 p.m. at the Weddington Town Hall). The Town Council received a copy of the proposed text amendment. Councilmember Thomisser moved to call for a public hearing to review and consider an amendment to Section 58-233. The public hearing is to be held June 11, 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 Municipal Speed Limit Ordinance for Lochaven Road. Councilmember Thomisser moved to adopt Ordinance O-2012-08:

**TOWN OF WEDDINGTON
MUNICIPAL DECLARATION TO ENACT SPEED LIMITS
AND REQUEST FOR CONCURRENCE
O-2012-08**

BE IT ORDAINED by the Town of Weddington Town Council that the speed limit modification on the following described portion of the State Highway System Street be adopted:

SPEED LIMIT	ROUTE	DESCRIPTION
25	SR 1318	(Lochaven) from NC 16 to a point 1.787 miles east of NC 16

Adopted this 14th day of May, 2012.

All were in favor, with votes recorded as follows:

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

D. Consideration of Approval of Proclamation Honoring the Weddington High School – NCHSAA Exemplary School Award. Councilmember Thomisser moved to approve Proclamation P-2012-06:

**TOWN OF WEDDINGTON
 PROCLAMATION RECOGNIZING
 THE ACHIEVEMENTS OF THE STAFF AND STUDENTS
 AT THE WEDDINGTON HIGH SCHOOL
 P-2012-06**

WHEREAS, the NCHSAA has awarded Weddington High School with the Exemplary School Award for the entire state; and,

WHEREAS, the State only gives out one Exemplary School Award no matter what the classification of the school is (i.e. 1A, 2A, 3A, or 4A); and,

WHEREAS, this award recognizes the total school environment including academic success, community service, clubs, facilities, athletic opportunities for students, and overall athletic success; and

WHEREAS, the students at Weddington High School consistently strive at achieving success; and,

WHEREAS, the Teachers, Teacher Assistants, Counselors, Principal, Assistant Principals, Office Staff, Custodial Staff, Cafeteria Staff and its students are the reason why Weddington High School is Number 1; and,

WHEREAS, in a State and County with outstanding schools, Weddington High School stands above all others and makes the Town of Weddington extremely proud, and

NOW, THEREFORE BE IT RESOLVED THAT the Town of Weddington congratulates the Weddington High School for being awarded the NCHSAA Exemplary School for the entire State of North Carolina.

Adopted this 14th day of May, 2012.

All were in favor, with votes recorded as follows:

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

Item No. 9. Public Hearings and Consideration of Public Hearings.

A. Public Hearing to Review a Shopping Center Signs Text Amendment. Mayor Davidson opened the public hearing to review the proposed amendment. The Town Council received a copy of the following proposed text amendment:

Sec. 58-153. – Signs permitted in B-1, B-1 (CD), B-2 and B-2(CD) business districts.

b. Shopping center identification signs shall be regulated as follows:

(1) Types of signs permitted:	Shopping center identification.
(2) Permitted number of signs:	A shopping center containing three or more businesses with separate entrances shall may have one freestanding identification sign giving the names of the businesses located in the shopping center. No other freestanding signs shall be allowed. Such sign shall be in accordance with section 58-149.
(3) Maximum area of signs:	<u>The maximum total sign area per side shall be no greater than 100 square feet and the total text area per side (including logos) shall be no greater than 50 square feet,</u> provided that no portion of the sign advertising a particular business shall be in excess of 20 square feet.
(4) Permitted location:	The maximum height of said any portion of the sign shall be <u>no greater than 12 20 feet from grade</u> and shall be located behind the right-of-way line.

Town Planner Jordan Cook reviewed the proposed text change with the Council. He stated, “We currently only have one shopping center sign in the Town and it is the one at the Weddington Corners Shopping Center. The Planning Board has been reviewing the Town’s signage ordinance. They brought up the fact that they believed the sign at the shopping center was as big or much bigger than anything we would want in the future for another shopping center that would be proposed. The actual text of that sign is 97 square feet but they have about an additional 100 or 115 square feet in bricks and columns. We want to make sure that we tightened up the language to make it match what we did for our freestanding ground signs. If this text is approved, the current Weddington Corners sign will become nonconforming so if it is destroyed up to 50% or they take it down they would not be able to build that same one. They would have to conform to the new language.”

No one wished to speak in favor or against the proposed text amendment. Mayor Davidson closed the public hearing.

B. Consideration of Ordinance Adopting the Shopping Center Signs Text Amendment.

Councilwoman Barbara Harrison moved to adopt Ordinance O-2012-06:

**AN ORDINANCE TO AMEND SECTION 58-153
OF THE CODE OF ORDINANCES
OF THE TOWN OF WEDDINGTON
O-2012-06**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTION 58-153 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Sec. 58-153. – Signs permitted in B-1, B-1 (CD), B-2 and B-2(CD) business districts.

b. Shopping center identification signs shall be regulated as follows:

(1) Types of signs permitted:	Shopping center identification.
(2) Permitted number of signs:	A shopping center containing three or more businesses with separate entrances shall may have one freestanding identification sign giving the names of the businesses located in the shopping center. No other freestanding signs shall be allowed. Such sign shall be in accordance with section 58-149.
(3) Maximum area of signs:	<u>The maximum total sign area per side shall be no greater than 100 square feet and the total text area per side (including logos) shall be no greater than 50 square feet,</u> provided that no portion of the sign advertising a particular business shall be in excess of 20 square feet.
(4) Permitted location:	The maximum height of said any portion of the sign shall be <u>no greater than 12 20 feet from grade</u> and shall be located behind the right-of-way line.

Adopted this 14th day of May, 2012.

All were in favor, with votes recorded as follows:

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

C. Public Hearing to Review and Consider Temporary Use Permit Banners Text Amendment.

Mayor Davidson opened the public hearing to review the proposed amendment. The Town Council received a copy of the following proposed text amendment:

Sec. 58-151. - Temporary signs.

- (a) *Banners, pennants and temporary signs.* The following temporary signs are permitted after the zoning administrator has issued a temporary sign permit, for a total period not to exceed 30 days:
- (1) Except for temporary off-premises signs authorized under subsection (a)(3) of this section, special event signs set out below, unlighted portable signs, banners and wind-blown signs such as pennants, spinners, flags and streamers for special events, grand openings and store closings. Any such sign shall be no greater than 20 square feet and shall be limited to one sign per address. For the purposes of this section, special event shall mean any festive, educational, sporting or artistic event or activity for a limited period of time, which is not considered as part of the normal day-to-day operations of the group, organization or entity.
 - (2) Temporary banner-type signs customarily located at athletic fields containing signs shall be directed solely towards users of the athletic field. Fencing, scoreboards and structures in the athletic fields may be utilized for customary signs in order to raise funds for these same facilities. Such individual temporary signs shall not exceed 20 square feet in size, may be permitted for a period not to exceed one year, and may be renewed so long as the sign remains in compliance with the requirements of this article.
 - (3) A maximum of two off-premises signs shall be allowed per event, provided one temporary off-premises special event sign shall be allowed, per parcel fronting on a public road upon the issuance of a temporary use permit, subject to the following restrictions:
 - a. Each temporary off-premises special event sign shall be on private property, outside the road right-of-way and subject to permission of the property owner;

- b. A temporary off-premises special event sign can only be placed seven days before the special event and must be removed 48 hours after the special event;
- c. A separate permit must be issued for each temporary off-premises special event sign;
- d. No parcel may be issued more than four temporary off-premises special event sign permits during any 12-month period;
- e. Temporary off-premises special event signs shall be limited to four times per year, per group/organization;
- ~~f. After a temporary use permit has been approved by the planning board, the planning board may allow the replacement of town street banners with banners promoting the special event. The design, number and location of these banners must be approved by the planning board. These banners can only be placed seven days before the special event and must be removed and the town banners rehung within 48 hours after the special event. All costs associated with these event banners, including manufacturing, installation and removal, will be at the expense of the group that received the temporary use permit. The group must also use the same company and same materials that the town uses for their banners.~~

Town Planner Cook reviewed the text change. He stated, “All we are doing here is removing under Section 3 the entire paragraph f. This section was added in October of last year to allow any group that gets a temporary use permit to hang banners on our street lights. It also stipulated that the group must use the same company and same materials that the Town used for their banners. Councilwoman Hadley brought this text amendment to me and the Planning Board did give this a favorable recommendation. We are only down to one temporary use permit per year now in Weddington. It is not impacting a lot of people. It was only one group and they did not really express interest in hanging these signs.”

Mayor Pro Tem Barry - If this passes then no group or entity would be allowed to put signs or banners on our light poles. What is the objective? I am thinking about the Chiquita Golf Event in September.

Town Planner Cook – That is correct. To get these banners you have to apply for a temporary use permit through the Planning Board. Chiquita would not be allowed the banners anyway. This would only apply for those events in Weddington that obtain that temporary use permit.

Councilwoman Hadley – We are no longer using the same company nor do we want to use the same materials for our banners. It would cost approximately \$5,000 for someone to come in to put up their banners for two weeks. Then you are having the wear and tear on our current banners. If someone down the road had the \$5,000 and an enormous event and wanted to put their banners on the streetlights, could that be dealt with on a per incident basis?

Town Planner Cook - We could always change the text back; otherwise, we would not have an ordinance regulating that.

Attorney Fox – One of the unintended consequences or benefits of not allowing individuals to place banners on those polls is that you do not create a public forum and you do not run the issue of some use that wants to spend that \$5,000 and put on there something that the Town may not be comfortable with in terms of the speech component.

No one wished to speak in favor or against the proposed text amendment. Mayor Davidson closed the public hearing.

D. Consideration of Ordinance Adopting the Temporary Use Permit Banners Text Amendment.
Councilwoman Pamela Hadley moved to adopt Ordinance O-2012-07:

**AN ORDINANCE TO AMEND SECTION 58-151
OF THE CODE OF ORDINANCES
OF THE TOWN OF WEDDINGTON
O-2012-07**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTION 58-151 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Sec. 58-151. - Temporary signs.

- (a)** *Banners, pennants and temporary signs.* The following temporary signs are permitted after the zoning administrator has issued a temporary sign permit, for a total period not to exceed 30 days:
- (1)** Except for temporary off-premises signs authorized under subsection (a)(3) of this section, special event signs set out below, unlighted portable signs, banners and wind-blown signs such as pennants, spinners, flags and streamers for special events, grand openings and store closings. Any such sign shall be no greater than 20 square feet and shall be limited to one sign per address. For the purposes of this section, special event shall mean any festive, educational, sporting or artistic event or activity for a limited period of time, which is not considered as part of the normal day-to-day operations of the group, organization or entity.
 - (2)** Temporary banner-type signs customarily located at athletic fields containing signs shall be directed solely towards users of the athletic field. Fencing, scoreboards and structures in the athletic fields may be utilized for customary signs in order to raise funds for these same facilities. Such individual temporary signs shall not exceed 20 square feet in size, may be permitted for a period not to exceed one year, and may be renewed so long as the sign remains in compliance with the requirements of this article.
 - (3)** A maximum of two off-premises signs shall be allowed per event, provided one temporary off-premises special event sign shall be allowed, per parcel fronting on a public road upon the issuance of a temporary use permit, subject to the following restrictions:
 - a.** Each temporary off-premises special event sign shall be on private property, outside the road right-of-way and subject to permission of the property owner;
 - b.** A temporary off-premises special event sign can only be placed seven days before the special event and must be removed 48 hours after the special event;
 - c.** A separate permit must be issued for each temporary off-premises special event sign;
 - d.** No parcel may be issued more than four temporary off-premises special event sign permits during any 12-month period;
 - e.** Temporary off-premises special event signs shall be limited to four times per year, per group/organization;
- f.** ~~After a temporary use permit has been approved by the planning board, the planning board may allow the replacement of town street banners with banners promoting the special event. The design, number and location of these banners must be approved by the planning board. These banners can only be placed seven days before the special event and must be removed and the town banners rehung within 48 hours after the special event. All costs associated with these event banners, including manufacturing, installation and removal, will be at the expense of the group that received the temporary use permit. The group must also use the same company and same materials that the town uses for their banners.~~

Adopted this 14th day of May, 2012.

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 Next Steps Regarding the Municipal Fire Service Model.

Mayor Davidson reviewed this item with the Council. He stated, “We have a motion that passed that had two contingencies. The motion was the Town Council move forward with the implementation of a Municipal Fire Service model contingent upon the Town having service contracts in place with the necessary fire service providers required to meet the 5-mile rule for insurance purposes. We worked with Chett Hill with the Department of Insurance and sent him a map that mapped out the five miles from Providence VFD which would be the primary provider. There are areas of the Town in Area 1 that are beyond the five miles. We had to figure out all of these five mile limits. Area 1 is currently serviced by the Stallings VFD. We offered a contract to the Stallings VFD for Area 1 for \$48,000 and at the same time we offered a contract to Wesley Chapel VFD also for Area 1 and Area 4 for \$162,000. We received back a signed contract from Stallings VFD for Area 1 and Butch Plyler, the President of the Wesley Chapel VFD, called me on April 9 and advised that the fire department was not interested and would not sign the contract. That left us with Area 1 taken by Stallings VFD. The next question was what was going to happen with Area 4. We confirmed with Chett Hill that Area 4 can be covered by Providence VFD. I am going to be very clear and hopefully we can say this three or four times in this meeting – I think everyone involved wants to see Area 4 covered by the Wesley Chapel VFD at some point. At this point they did not want the contract under the current terms. There was a question around the New Town area and if the Town limit was within the five miles and it has been confirmed by Chett Hill. There is some commentary in here about future development. There was another piece in the Stallings area that could be a problem. If it is going to be a problem with the five miles, it probably is going to be a short term problem. We have this first contingency met.”

Councilmember Thomisser – Is there any part in the Town limits that is more than five miles from the Providence VFD?

Mayor Davidson – There is a paragraph in this letter from Chett Hill referencing an area of Partridge Lane and Elish Road of 14 parcels appearing to be beyond five miles of any current fire station. There are two things that may make that short term – one, we hope that Wesley Chapel VFD would cover the area and there is a road that may be going through Amanda Drive based on the Local Area Regional Transportation Plan (LARTP) that could shorten the distance for Providence VFD. I do have a signed contract with Providence VFD for Areas 2 and 3 and for the time being Area 4. Again, when I talked with Providence VFD I made sure it was clear that they should not do anything to their cost structure to rely on the revenues of Area 4 because the offer to Wesley Chapel VFD to cover Area 4 will be here all year. At any time they could take it and get monthly payments. We offered them \$114,000. The same thing we offered Providence VFD. That was basically 2.5 cents for the property value. The second contingency was that 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. Attorney Fox got the contracts and got the amendments and looked at them. I talked with people at the county and most of them would tell me that they were not an attorney but they did not feel it would violate the contracts. They still would be Union County contracts. There would also still be territory outside of Weddington that Providence VFD we think will cover. At this point what we are concerned about is the rating. Providence VFD will get a rating from the Department of Insurance. Right now they are a straight 6 and the whole Town will get the rating of Providence VFD, even Area 1. When I talked with the Department of Insurance they told me multiple times that there is no fire department going to guarantee you what they are going to get on their inspection because they do not know. I did ask for and got a letter from Providence Chief Dye that may suffice in meeting contingency #2. The letter says, “After reviewing the information from our previous ISO inspection, we at Providence VFD anticipate the ability to maintain the current straight 6 rating with the addition of Areas 3 and 4. In an effort to prevent any unforeseen issues that can arise during the inspection we have requested Mr. A.C. Daniels meet with us and act as a consultant prior to our March 2013

inspection. Mr. Daniels is the senior field inspector for the Office of the State Fire Marshal and is the leading authority on fire department inspections. His insight, guidance and advice will be beneficial in preventing any setbacks that can alter our current rating. We would like to extend an invitation to you or a member of your staff to participate in this meeting. As always we will work hard to keep you informed of all progress.” What Attorney Fox recommended was that we put this burden on Providence to cite that the 6 rating as best as they could estimate could be made. Attorney Fox, do you have any input on anything you did see in these contracts? I know they are old and have been amended so many times.

Attorney Fox – It was hard to follow the contract trail because they had been amended and because of the provisions. That is why I was recommending that Providence VFD be burdened with demonstrating that they will satisfy the mutual aid requirements. Aside from that I did not see anything that resolved the question from my review with absolute certainty.

Mayor Davidson – Another thing that the Department of Insurance wanted was an automatic aid agreement that the Town had with the Stallings VFD and with the Providence VFD. We do have that. Upon the completion of those two tasks, we said we would submit to Union County a resolution by the Town of Weddington approving the establishment of a municipal fire model and notifying Union County of the Town’s unilateral withdrawal of its consent to be included in the incorporated territory within the Providence, Stallings and Wesley Chapel VFD districts.

Councilwoman Hadley moved to approve Resolution R-2012-06:

**RESOLUTION BY THE TOWN OF WEDDINGTON APPROVING THE ESTABLISHMENT OF
A MUNICIPAL FIRE SERVICE MODEL PURSUANT TO G.S. 160A-209 TO PROVIDE FIRE
PROTECTION SERVICES IN THE TOWN OF WEDDINGTON AND AUTHORIZING
NOTIFICATION TO UNION COUNTY OF THE TOWN’S UNILATERAL WITHDRAWAL OF
THE TOWN OF WEDDINGTON’S CONSENT TO THE INCLUSION OF ITS INCORPORATED
TERRITORY WITHIN THE PROVIDENCE, STALLINGS, AND WESLEY CHAPEL
VOLUNTEER FIRE DEPARTMENT DISTRICTS
R-2012-06**

WHEREAS, fire protection services are currently provided to citizens of the Town of Weddington by the Providence Volunteer Fire Department, the Stallings Volunteer Fire Department and the Wesley Chapel Volunteer Fire Department; and

WHEREAS, the Providence Volunteer Fire Department and the Stallings Volunteer Departments are funded through a fire protection fee charged to residents located within their respective fire protection districts, which were established pursuant to Senate Bill No. 1150, Chapter 883; and

WHEREAS, the Wesley Chapel Volunteer Fire Department was originally funded through a fire protection district fee charged to residents located within a fire protection district established pursuant to Senate Bill No. 1150, Chapter 883, and the Wesley Chapel Volunteer Fire Department is currently funded through a fire service district tax charged to residents located within the Wesley Chapel Volunteer Fire Department fire service district that was established pursuant to G.S. 153A-300 *et seq.*; and

WHEREAS, when the Providence Volunteer Fire Department, the Stallings Volunteer Fire Department and the Wesley Chapel Volunteer Fire Department fire protection districts were established, Senate Bill No. 1150, Chapter 883 required the Weddington Town Council to enact a resolution consenting to the inclusion of incorporated territory of the Town of Weddington within those fire protection districts; and

WHEREAS, when the Wesley Chapel Volunteer Fire Department fire protection district was converted to a fire service district, G.S. 153A-302 required the Weddington Town Council to enact a resolution consenting to the inclusion of incorporated territory of the Town of Weddington within the Wesley Chapel Volunteer Fire Department fire service district; and

WHEREAS, the Weddington Town Council enacted Resolution R32 on February 25, 1993, consenting to the inclusion of incorporated territory of the Town of Weddington within the Providence Volunteer Fire Department, the Stallings Volunteer Fire Department and the Wesley Chapel Volunteer Fire Department fire protection districts; and

WHEREAS, the Weddington Town Council enacted Resolution R-2003-07 on May 12, 2003, supporting the conversion of the Wesley Chapel Volunteer Fire Department fire protection district to a fire service district and the inclusion of incorporated territory of the Town of Weddington within that fire service district; and

WHEREAS, without the Town of Weddington's consent, incorporated territory of the Town of Weddington could not be included in the Providence Volunteer Fire Department, the Stallings Volunteer Fire Department or the Wesley Chapel Volunteer Fire Department fire protection and fire service districts; and

WHEREAS, the provision of fire protection services to the citizens of the Town of Weddington by three different volunteer fire departments funded through unequal fees and taxes results in inequities in the provision of fire protection services within the corporate limits of the Town of Weddington and inequities in the allocation of costs for fire service among the Town of Weddington's citizens; and

WHEREAS, the citizens of the Town of Weddington desire for the Town of Weddington to oversee and fund the provision of fire protection services within its corporate limits; and

WHEREAS, the Town of Weddington is authorized pursuant to G.S. 160A-209 (c)(13) to levy taxes on property located within the Town to provide fire protection services and fire prevention programs: and

WHEREAS, the Town of Weddington is also authorized pursuant to G.S. 160A-291 to appoint a fire chief, employ other firemen and organize, equip and maintain a municipal fire department; and

WHEREAS, the Weddington Town Council has carefully investigated and considered its ability to oversee and fund fire protection services within the corporate limits of the Town of Weddington and has determined that it has the ability to establish, oversee and fund those services effectively: and

WHEREAS, the Town of Weddington has sought Union County's approval to the Town's withdrawal of the inclusion of its incorporated territory within the Providence Volunteer Fire Department, the Stallings Volunteer Fire Department and the Wesley Chapel Volunteer Fire Department fire protection districts and the County has indicated that it did not believe that its approval was necessary.

NOW, THEREFORE, BE IT RESOLVED THAT pursuant to G.S. 160A-209 (c)(13) the Town of Weddington shall levy taxes on property located within the Town to provide fire protection services and fire prevention programs to the residents within the incorporated limits of the Town of Weddington; and

BE IT FURTHER RESOLVED THAT the Town of Weddington hereby notifies Union County that the Town of Weddington withdraws its consent to the inclusion of its incorporated territory within the Providence Volunteer Fire Department and the Stallings Volunteer Fire Department fire protection

districts and the Wesley Chapel Volunteer Fire Department fire service district, effective on July 1, 2012 with the provision of fire protection services and fire prevention programs within the corporate limits of the Town of Weddington; and .

BE IT FURTHER RESOLVED THAT the Town of Weddington’s withdrawal of its consent to the inclusion of its incorporated territory from the Providence Volunteer Fire Department and the Stallings Volunteer Fire Department fire protection districts and the Wesley Chapel Volunteer Fire Department fire service district shall become effective on July 1, 2012. Thereafter, all incorporated territory of the Town of Weddington shall be deemed withdrawn from those fire protection districts and fire service district and those districts’ fire protection fees and fire service district taxes shall no longer be imposed on properties within the Town of Weddington’s corporate limits; and

BE IT FURTHER RESOLVED THAT beginning on July 1, 2012, the Town of Weddington shall exercise its authority to oversee and fund the provision of fire protection services within its corporate limits for Fiscal Year 2012-2013 and beyond; and

BE IT FURTHER RESOLVED THAT the Town of Weddington shall demonstrate its ability to oversee and fund the provision of fire protection services within its corporate limits through the adoption of appropriate tax rates, entering into appropriate contracts with volunteer fire departments as needed and by performing any other actions necessary to ensure that appropriate oversight and funding are in place for the provision of fire protection services for the citizens of the Town of Weddington on or before July 1, 2012.

Adopted this 14th day of May, 2012.

Mayor Pro Tem Barry - My question goes back to your interaction with the Wesley Chapel VFD. When you contacted them about Areas 1 and 4 and then followed up with 4, was there a “no, but” or was it “no we do not want to subcontract it?”

Mayor Davidson - The first contract offer was for Areas 1 and 4 for \$162,000. They said no. I sent another contract to them just for Area 4 for \$114,000. That was received on Monday, May 7 and we asked them to let us know by May 11 by 1:00 p.m. and we never heard from them.

Councilmember Thomisser - I think we are premature and there are too many unanswered questions with the Department of Insurance and whether Wesley Chapel VFD will take Area 4 and the thing that I keep thinking about is what we have said here for the last two years that Weddington wants to get out of the fire service business and leave it up to the professionals and this whole scenario does not talk to that. I am a little bit uncomfortable with that.

The vote on the motion is as follows:

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

Mayor Davidson - The next thing we said was that we would submit a Resolution for approval of the municipal insurance district boundaries to the NC Department of Insurance. I received a template from the DOI. This is us asking for the Town of Weddington to get a rating by the Department of Insurance. We will send a map of the Town along with this Resolution and they will come back and ask if our primary can cover the whole Town and we will say no not quite and they will ask to see an automatic aid agreement from a fire station that can and we will give them the one with Stallings VFD and then we will get the 6 rating until they come and do their inspection. Everyone in Town will get the same rating.

Councilwoman Hadley moved to approve Resolution R-2012-07.

**TOWN OF WEDDINGTON
RESOLUTION
FOR APPROVAL OF MUNICIPAL INSURANCE DISTRICT BOUNDARIES
R-2012-07**

**NORTH CAROLINA
UNION COUNTY**

Upon motion by Councilmember Pamela Hadley. Resolved that the Town Council of the Town of Weddington approved the boundary lines of the Weddington Municipal Fire Insurance District in accordance with the maps and description filed this date with the Town Clerk and recorded in the minutes of the meeting. Said Weddington Municipal Fire Insurance District being described as follows:

Attach Map of City Limits

**NORTH CAROLINA
UNION COUNTY**

This is to certify that the foregoing is a true and accurate copy of excerpt from the Minutes of the Town Council of the Town of Weddington, adopted this the 14th day of May, 2012.

Councilmember Thomisser – Is it possible that the insurance rating could be more than a 6?

Mayor Davidson – It is possible that we could get a lower rating or a worse rating than Providence currently has.

The vote on the motion is as follows:

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

Mayor Davidson - I have a contract with the Providence VFD to cover Areas 2, 3 and 4 and it is for \$670,320. The \$114,000 is for Area 4 which can come out any time with 30 days notice. The contract is basically the same that it was previously.

Mayor Pro Tem Barry expressed his concern that the contract was not in the packet to be reviewed and did not feel that the agenda item allowed for approval of contracts.

Mayor Davidson called for a recess to allow the Council to review the proposed contract.

The Council came out of recess.

Attorney Fox - When we go into Closed Session we also want to amend the provisions for Closed Session to instruct staff in terms of negotiating the position related to a contract and to protect the attorney-client privilege.

Councilmember Thomisser - Let's say that Wesley Chapel VFD does not sign the contract. Do they have to provide mutual aid?

Attorney Fox – The mutual aid agreements run between the fire departments and Union County. That is an arrangement that they made with Union County for assistance to various areas within the County. That would be a more appropriate question for Union County.

Councilmember Thomisser - Can we create a situation where Providence VFD would not have a mutual aid? They will have mutual aid from Stallings. Could we create a situation where Wesley Chapel would not provide mutual aid?

Mayor Davidson - I believe there is a possibility of that. All of the research and the people I have talked to at the County level do not think that is the case and believe that the contract will stay intact. Providence VFD still has territory outside of Weddington.

Mayor Pro Tem Barry - The agreements are separate – that is the most important part. There are mutual aid agreements and service agreements. We have not touched the mutual aid agreements.

Councilmember Thomisser - I thought that the Chairman of the Fire Commission said that by statute you do not have to provide mutual aid and that is just something that the fire departments have agreed to do.

Attorney Fox - What we are talking about is not statutory obligations but contractual obligations. There are mutual aid agreements with Union County with all of the volunteer fire departments within the County which contractually obligate the volunteer fire departments to provide mutual aid.

Mayor Davidson asked permission to write a letter to Wesley Chapel VFD citing that the Town would like to have a contract with them for Area 4. He stated, “We had a deadline on it. Now let us give them a letter stating that Area 4 is still available for \$114,000.”

Attorney Fox asked that the letter spell out that the percentage ratio of the dollars that they are receiving is higher than what they are receiving now.

Mayor Pro Tem Barry moved to authorize the Mayor to draft the letter to Wesley Chapel VFD and asked that the Town Attorney review the letter prior to it being sent. The vote on the motion is as follows:

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

Mayor Davidson advised that he will work on a letter of termination to be sent regarding the existing contracts.

Mayor Davidson asked that the Council allow him to write a letter to the Board of County Commissioners describing the information and stating that the Town has offered \$162,000 to Wesley Chapel VFD and the second time \$114,000 and they turned the offer down so that the County will know this information during their budget discussions.

Councilwoman Harrison moved to allow Mayor Davidson to draft the letter to the Union County Board of County Commissioners and to have the Town Attorney review prior to the letter being sent out. All were in favor, with votes recorded as follows:

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

Mayor Davidson asked to provide similar communication to the Department of Insurance. Mayor Pro Tem Barry moved to allow the Mayor to draft a letter to the Department of Insurance as well with the Attorney's review. The vote on the motion is as follows:

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

Mayor Davidson reported that he is going to meet with the Assistant County Manager to start the mapping for the 911 system.

Item No. 11. New Business.

A. Discussion of Fiscal Year 2012-2013 Budget. The Town Council received a copy of the proposed budget and potential non-operating expenditures for Fiscal Year 2012-2013 showing a \$.03 cent and \$.052 cent tax rate. Finance Officer Gaylord reviewed revisions to the budget with the Town Council.

Councilwoman Harrison discussed a budget item for a new phone system that she requested be included in the budget. She stated, "This would allow the Town to get out of the phone business. Ongoing maintenance costs would be the same as we are paying now but with added features. The \$5,000 is a one-time capital cost. In the future it is going to relieve staff and do more for us for a cheaper price."

Mayor Pro Tem Barry - There are things that we have to do and there are things that are nice to do. My concern is that we put it in the budget and there is going to be the assumption that we have agreed to do it.

Council agreed to add the requested item in the budget but this item would have to be approved by the Town Council at a later date before being purchased.

Councilmember Thomisser discussed the request for the defibrillator for the Town Hall at a cost of \$1,125.00. He stated, "Even if we have deputies or fire personnel here with a defibrillator, how long does it take to go to the car and get it and come back again versus taking it off the wall and using it right away."

Council agreed to put the purchase of the defibrillator in the budget.

Mayor Davidson advised that they would discuss a pay increase for staff in Closed Session.

B. Review and Consideration of Devonridge Subdivision Agreement. This item was removed from the agenda.

C. Review and Consideration of NCDOT Municipal Mowing Agreement. The Town Council received a copy of the following memo from Town Administrator/Clerk McCollum and a copy of the Municipal Mowing Agreement:

Attached please find a Municipal Mowing Agreement received by the Town from the NC Department of Transportation. I was contacted by representatives from NCDOT encouraging the Town to approve the agreement to allow the Town to be reimbursed for the mowing of certain areas on Rea Road and Highway 16. NCDOT currently has several of these agreements with other Union County municipalities. NCDOT would normally mow five cycles in a year. The Town would receive \$497.84 for each cycle for a total of \$2,489.20 per year for the areas being maintained on Attachment 1. The Town is currently contracting to have these areas maintained by Daryl's Lawn Care.

Councilwoman Harrison moved to approve the NCDOT Municipal Mowing Agreement. All were in favor, with votes recorded as follows:

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

D. Update from the May 9, 2012 CCOG Board of Delegates Meeting. Councilmember Thomisser gave the Council an update from the May 9, 2012 CCOG Board of Delegates Meeting. The Town Council received a copy of the agenda and materials from this meeting.

Item No. 12. Update from Town Planner. The Town Council received the following memo from Town Planner Cook:

- Construction of the NC 84 Weddington-Matthews Road Dual Lane Roundabout should begin in the next few months. NCDOT wants to begin work as soon as schools are out but may be delayed due to right-of-way concerns. I talked with new Deputy Division Engineer Tim Boland at TCC last week and he indicated that he and Barry Moose have yet to discuss the Town's decision not to donate right-of-way. Barry has been out of town for two weeks and we should have a response from him this week.

Town Planner Cook - I got an email from Tim Boland this afternoon. He talked with Barry Moose and they need to know if the Town still supports the roundabout. They advised that they have not budgeted money for the right-of-way from the Town and it seems like the current elected body is not together in endorsing this project. Regardless of the right-of-way dedication, NCDOT is looking for an answer.

Councilwoman Harrison – I heard there was a group of citizens that met with Mr. Moose about the negative effect of closing 84 and Weddington-Matthews Road during the construction of the roundabout.

Mayor Davidson - Do they see any positive effect of the traffic circle once it is completed?

Town Planner Cook - I talked with Steve McLeod of the shopping center this morning and I know he supports the roundabout in general.

Councilwoman Harrison - They have a lot of senior citizens that come to these buildings. If they are coming down Highway 84, where are they going to have to go to get access to these buildings?

Mayor Pro Tem Barry – When NCDOT was talking about how they were going to block all the left turns off of 84 and that the roundabout was the solution so all that traffic could come in and take the roundabout and come back into the shopping center, I sat in those meetings and did not hear a lot of groundswell about it. It was to help the church and the shopping center and their traffic flow.

Councilwoman Harrison – I do not think they realized that for two months this area is going to be shut down. When they are doing the construction, Highway 84 is not going to be opened.

Mayor Pro Tem Barry - It is an integral component to the transportation plan that DOT came in here for Providence Road. They know there are failures in the design and this is their answer. I think we have got them ready to create a solution that may be premature but it is not premature five to six years from now. When we are ready for them to come in and build it, there will not be any money.

Mayor Pro Tem Barry moved to inform NCDOT that the Town is supportive of the roundabout.

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

- NCDOT plans to start construction of the Weddington Church Road relocation this month. The project has been awarded to Boggs Paving. NCDOT held several meetings with adjacent landowners last month and have agreed to provide a vegetative buffer to those residents located in the Weddington Estates subdivision. NCDOT is continuing to talk with Daniel Healy (owner of the large house on Bluebird Lane) about the proposed road relocation and possible impacts to his pond.
- The Town has selected Clay Burch with GreenTek to install additional landscaping to the medians along Providence Road, Hemby Road and Rea Road. Councilman Thomisser, Councilwoman Harrison and I met with Clay last week to discuss the plan and potential contract. I will have Attorney Fox review the proposed contract this week.
- 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 amended once more. If amended, the Town Attorney and Planning Board will have another opportunity to review them before they are on a Town Council agenda.
- Polivka International Company submitted their MX Conditional Zoning Application along with a Land Use Map Amendment request. The Land Use Map Amendment must occur before the rezoning can take place per *Section 58-60* of the *Weddington Zoning Ordinance*. The Land Use Amendment will be on the May 21st Planning Board agenda. The Land Use Map Amendment will be on the June 11th Town Council Consent Agenda.
- I sent the Town Council the 2002, 2006 and 2007 Town surveys on April 12th. This was discussed at the Planning Retreat during the Land Use Plan update conversation. Please send me comments in the next week so that we can begin developing a survey.
- The following items were on the April 23rd Planning Board agenda:
 - Subdivision Sales Signs Text Amendment
 - Section 58-233 Variance Text Amendment
 - DrumStrong Temporary Use Permit for the May 19-20 event. The Planning Board approved the Temporary Use Permit application with several conditions.
- The following items will be on the May 21st Planning Board agenda for discussion:
 - Subdivision Construction Sales Signs Continued
 - Polivka Land Use Map Amendment from Traditional Residential to Business

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

I have advertised a possible quorum of the Weddington Town Council at the 2nd Annual Weddington Historic Preservation Commission Tea to be held May 17, 2012 from 2 to 4 at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC. The purpose of this meeting is to help gather information regarding Weddington's history through family stories, gathering pictures, articles and memorabilia to help preserve what makes Weddington unique.

I am working on arranging a meeting between Weddington and Marvin's Parks and Recreation Boards and with the Waxhaw Arts Council to discuss details regarding a 2012 Weddington Festival.

Upcoming Meeting Dates:

May 17, 2012	-	Historic Tea
May 21, 2012	-	Planning Board
May 21, 2012	-	Parks and Recreation Advisory Board
May 28, 2012	-	Town Hall Closed for Memorial Day

Item No. 14. Public Safety Report.

Weddington Deputies – 515 calls

PROVIDENCE VFD APRIL REPORT

1. Training- 140.00 hours

Union County:

Fire 17 EMS 9 Total 26

Mecklenburg County:

Fire 05 EMS 0 Total 5

Department Total:

Fire 22

EMS 09

Total 31

The Town Council received a copy of the following:

- NFIRS Incident Listing Summary Report
- Income and Expense Budget Performance and Balance Sheet for April 2012

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

A. Finance Officer's Report. The Town Council received the Revenue and Expenditure Statement and Balance Sheet for April 1, 2012 to April 30, 2012. Finance Officer Gaylord advised that she will bring a budget amendment for Fiscal Year 2012 for the Council's consideration at their next meeting.

B. Tax Collector's Report. Monthly Report – April 2012

Transactions:	
<\$5.00 Adjustments	\$(79.65)
Balance Adjustment	\$12.00
2011 Interest Charges	\$303.17
Penalty and Interest Payments	\$(239.38)
2011 Chargeback	259.08
Overpayments	\$(49.48)
Taxes Collected:	
2011	\$(4,176.36)
2010	\$(230.74)
2009	\$(286.87)
2008	\$(251.84)
As of May 02, 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	\$2,019.93
2009	\$2,947.36
2010	\$5,380.91
2011	\$16,186.70
Total Outstanding:	\$27,586.57

Notice of Right to Advertise was mailed 04/23/2012

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

Item No. 17. Council Comments. There were no Council Comments.

Item No. 18. Closed Session. Mayor Pro Tem Barry moved to go into Closed Session for the following:

- Consideration of Approval of Minutes
- Pursuant to NCGS 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged
- Pursuant to NCGS 143-318.11 (a) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract
- Pursuant to NCGS 143-318.11 (a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

All were in favor, with votes recorded as follows:

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

Mayor Pro Tem Barry moved to come back into open session. All were in favor, with votes recorded as follows:

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

Item No. 19. Call for Public Hearing on the Fiscal Year 2012-2013 Budget and to Set the Tax Rate (Public Hearing to be Held June 11, 2012 at 7:00 p.m. at the Weddington Town Hall). Council asked that Finance Officer Gaylord put in the budget a 1.5% pay increase for staff along with a 1.5% bonus to be paid in December. Mayor Pro Tem Barry moved to call for the public hearing to consider the Fiscal Year 2012-2013 Budget with a 5.2 cent tax rate. All were in favor, with votes recorded as follows:

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

Item No. 20. Providence VFD Contract. Councilwoman Harrison moved to direct Mayor Pro Tem Barry to work with the Town Attorney to modify the Providence VFD contract language, circulate the amended contract to all members of the Town Council and authorize the Mayor to sign the contract. All were in favor, with votes recorded as follows:

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

Item No. 21. Adjournment. Mayor Pro Tem Barry moved to adjourn the May 14, 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 9:39 p.m.

Walker F. Davidson, Mayor

Amy S. McCollum, Town Clerk