

**TOWN OF WEDDINGTON  
REGULAR TOWN COUNCIL MEETING  
MONDAY, OCTOBER 8, 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 October 8, 2012, with Mayor Walker F. Davidson presiding.

Present: Mayor Walker F. Davidson, Mayor Pro Tem Daniel Barry (Arrived at 7:22 p.m.), Councilmembers Werner Thomisser, Pamela Hadley and Barbara Harrison, Town Attorney Anthony Fox, Town Planner Jordan Cook and Town Administrator Amy S. McCollum

Absent: None

Visitors: Judy Johnston, Ken Evans, Bill Price, Neil Atkins, Brian Vessels, Paisley Gordon, Jim Vivian, Rob Dow, Nancy Anderson, Chris Rea, Mike Simon, Dot Cooper and Laura Carver.

Mayor Walker F. Davidson offered the Invocation.

**Item No. 1. Call to Order.** Mayor Walker F. Davidson called the October 8, 2012 Regular Town Council Meeting to order at 7:00 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 by Citizens for Clear and Consistent Process in Local Government – Stress Test of the Current Weddington Land Use Plan (The Politics and Consequences Relevant to the Land Use Change of Parcel 06-150-045 and the Possible Land Use Change of Other Parcels Such as 06-150-047, 06-150-048, 06-150-148A, 06-147-010, 06-147-011 and 06-147-012) – 20 Minutes.** Mayor Davidson gave the gavel to Councilwoman Pamela Hadley. Attorney Anthony Fox advised that the Mayor was handing the gavel over because according to the Town’s Rules of Procedures when the Mayor is engaged in debate they are to designate a person on Council to serve in their capacity.

Mayor Davidson - I have added something to the agenda. It is basically my opinion on where we stand with our Land Use Plan after the Polivka change that we made. The group name for the presentation was developed because I have been sitting in this room for three years and have seen a lot of frustrated people on different issues. I am frustrated and this is how I am going to try to state my case. I feel like I have represented people who like a clear and consistent process and the maddest I think I see people is when they do not think they got a fair shake and it was not clear and consistent. I will leave it up to someone else to represent the unclear and inconsistent process. I now want to state my case on why I think it was unclear and inconsistent.

The Objective of the Land Use Plan – the citizens of Weddington want to maintain or improve their hometown. They have a financial investment in the house that they live in. They have their environment that they have to live here every day. The objective of the developer is to maximize their investment. I hate to say it that way. That is the facts. I am in investments. Maximize and return on investment is their objective. That does not mean that we cannot work together. That does not mean in the Land Use Plan if

there is something that we are missing and we want to improve upon that we cannot work with the developer. You take the developer's plan and you put it together with the Land Use Plan and if they fit and work together that is fine. If changes need to be made in the developer plan that is fine. If we need to make changes in the Land Use Plan that is fine.

The Land Use Plan Process – the Town Council develops a Land Use Plan based on citizen input. We have a Land Use Plan. We are in the middle of updating the Land Use Plan. Our plan is good until 2012 or until we change it. There is a map that goes with the Land Use Plan. If we change the map which we did you need to be able to explain the change within the text of the Land Use Plan. If the map does not match the text then you need to change the text. You have to apply all that text to all the parcels in Town or describe some kind of exception that was made for that parcel.

Elections – The Process - The other thing that you are familiar with is the election process. Some citizen thinks he or she can do it better than the current council and they become a candidate. The candidate develops a platform on the issues to answer the main question why should I vote for you. The voters make the decision based on the information provided by the candidate or recommendation by others. The elected official makes decisions consistent with what they said during the campaign. That is the election process that we would like to see. In reality the election and the land use process are all bundled together – with developers, citizens and the Town Council involved in both processes and they make decisions accordingly. When you look at where you want to put your influence keep in mind that we have 10,000 citizens, 7,000 registered voters, 1,400 active voters, 5 elected officials but it only takes 3 votes to make a decision. The Mayor does not get to vote unless they break the tie. Everyone is going after three votes.

This is the Land Use Plan Map as it stood a few years ago before we made some recent changes. This is the document that supports that map. This is some text in the Land Use Plan that has to do with business/commercial development:

- Commercial development in Weddington is confined (enclosed or restricted; limited) to that area located at the northeast quadrant of the intersection NC 16 and NC 84 (i.e., “Town Center”) – Page 46.
- Prohibiting additional commercial development outside of the town center, particularly in the form of linear or strip development along roadways is an important policy that residents feel should be maintained – Page 12.
- Limit such (commercial) development to small-scale retail and service businesses primarily serving Town residents – Page 17.
- Residents believe that the Town should maintain a single commercial center. While the existing commercial center should transition to become a more pedestrian-friendly town center, its geographic area should not increase significantly and individual businesses should be limited to the scale needed to serve primarily Weddington residents – Page 12.
- Limit the number of street curb cuts to avoid traffic congestion and ensure safety – Page 18.

These are the things that should be talked about when you change something from residential to business:

- Is the parcel within the northeast corner?
- Will the business serve the needs of Weddington residents?
- Does the change make the Town Center more pedestrian friendly?
- Does the change create more curb cuts?

Here is a blow up of the Town Center before all the changes took place. As I listen to these meetings over the last three years, every once in a while people talk about how they were raised, what their parents taught them. I am going to share with you something that my dad used to say to me. I remember asking him

when I wanted something I would go to him and say I want this. He would say that is great. He would tell me that people in hell want ice water. What he meant by that was I know that you want it, that does not mean you are going to get it and that does not mean you deserve it. State your case in terms that are relevant to conversations we have had in the past or a grievance we have had in the past. Stay on topic. The first change we made was the Treske property which changed this parcel to business. The reason was that he wanted to expand his existing business. The parcel is within the NE corner. It currently does service the needs of the Weddington residents. The change does make the Town Center pedestrian friendly. It does not create more curb cuts. That one passed. The next one was the Spittle and Matthews properties. Here is Spittle and as far as I know the reasoning was I am adjacent to business therefore I want business. It is in the NE corner. We do not know what business that is going to be. Does it make the Town Center more pedestrian friendly? It could. Does the change create more curb cuts? Not on Highway 16 but it could make one here. They went ahead and did the Matthews property at the same time so there would not be a donut hole. I remember that Rob Dow on the Planning Board recommended that the Town needed to provide some kind of boundary here. If you keep going with make me business because I am adjacent to business – there is no line and it is going to keep going. Let's go to Polivka that we just did. It is right here. Is the parcel within the northeast corner? It is not. Will the business serve the needs of Weddington residents – we will find out later what they said that they do. Does the change make the Town Center more pedestrian friendly? Not unless you want to walk across Highway 16 – four lanes of traffic with cars going 45 to 50 mph. Does the change create more curb cuts? Yes, in a place that we have had traffic problems before and NCDOT has just now resolved them for us. What I am getting at is that we have a map that is different than the text. We need to decide if we are going to change this text for all parcels or are we going to call out an exception for this property and use some language to tell us what happened so when we get other requests for change we will know what to do.

Why change to Business? This is the applicant's request. This is the letter that they sent. There is no application to do this.

- Enhance the quality of life in the community.
- Complement (add to something in a way that enhances or improves it; make perfect) adjacent properties which are listed as commercial and business.
- Planning Board has amended the land use of three other parcels near my property from residential to business. I am trusting that the Planning Board will provide me with the same consideration.

This concerns me more than anything – other people are doing it and therefore you will give me the right to do it too. Now on this one let's look at these adjacent properties that are listed as commercial and business. That is the property, there is Hunter Farms, there is the church, they are not listed as business but they cited them as a reason. Adjacent is touching or next to. I do not think we are going to allow adjacent meaning jumping across the road.

For the public hearing, the representative for the applicant stated the reasons to change to business.

- We want to do this to build complementary relationships together
- Change in Providence Road dictates looking at this property in a different light from residential. *(Mayor Davidson - In this case the Providence Road widening was not a surprise to anyone. In our 2002 survey we asked a question specifically given that the Highway 16 corridor between Hemby Road and Marvin-Weddington Road will be four lanes wide within four years would you like to see development other than single family detached residential units? The answer was that 31% said yes and 69% said no. That was not an issue for the Town or citizens.)*
- Not prepared to build a home there across the street from a gas station or a commercial building. *(Mayor Davidson - They bought the property with a house on residential property. They have all the property rights that the property came with. They have not been duped. They essentially overpaid for a Honda Accord and they want the Town to turn it into a Lexus.)*

- Time to come forward because there have been other amendments (other properties on the East Side).
- We realize we are across the street but we feel it is all really together.
- Mr. Polivka would like to have just his corporate office here.
- The property across the street to one side is a church. As we just heard there are 600 students there and it is really a business in the sense that there is a service provided for a fee. (*Mayor Davidson - They want us to make churches a business on our Land Use Map.*)
- To the other side is a farm but likewise there is a business that runs off that property.
- On both sides of us even though technically they are not zoned or identified as business on the Land Use Plan, there are businesses operating on both sides of us. We simply want to operate our corporate office.

Polivka International is a large corporation. They work exclusively for Class 1 railroads in the United States and Canada. They build the intermodal facilities as well as other railroad enterprises. Our definition is neighborhood scale businesses that serve the needs of Weddington residents? I doubt on Saturday morning I am going to go out and run some errands and ask Sally if she needs anything from Polivka International because I can run by there.

This is the Land Use Map before all the changes were made. This is what the Land Use Map will look like if we will take the definitions that have been put in here as far as churches or anything where there are people coming and going and transactions are taking place. If we blow it up and get close, here are three parcels that could make the same argument. I am adjacent to business. I am on Highway 16, who wants to build a house right here? This is before we started all these changes and they can be explained with everything that is in here and it is quickly turned into that and how do we explain that. The only way I can explain it is that you have blown a hole in our Land Use Plan. It is no longer recognizable and we need to make some changes to it.

Why change to business? This is from the public hearing from the people that voted for it.

Barbara Harrison

- In the past, other councilmembers have voted for things that are inconsistent with the Land Use Plan.
- Seven people are not going to cause a traffic jam.

Pam Hadley

No reasons stated

Dan Barry

- I have already voted in favor of it at the earlier hearing.
- Basil is a very good friend of mine.
- We have a donut hole of development.
- It is surrounded by commercial enterprises.
- What in the world will you put there, because no one in their right mind is going to buy a house for a million dollars because that is what it will cost you to get your money out of it?
- If not residential what will it be?

Are we going to put these things in our Land Use Plan? We have another example of a house on Providence Road down here on Bluebird Lane. This person tried to sell that house for \$3.2 million in November 2008. Then they lowered to \$2.7 million then \$2.2 and now \$1.9. I do not know why he is not in here asking to be business. What I am asking the Town Council to do is to take a survey to give me some language to put on public record as to what we did.

- Was this change to the Land Use Map consistent with the Land Use Plan text?
- If yes, please state the consistencies within the context of the Land Use Plan.
- If no, what changes or additions should be made to the Land Use Plan to support the goals and objectives of the Land Use Map?
- Of the 6 proposed parcels, which should be changed to business? Please explain your answer within the context of the Land Use Plan.

**Item No. 5. Public Comments.** Nancy Anderson – Thank you for your service. I wanted to talk about the public hearing that you are calling for the Polivka property. I would like for you to consider postponing that until after you get the survey back. I am not sure what the rush is for that. I think if you want good public input that would help you more. I want you to consider several other things when you make this decision. You have all seen what the elevation of the front of it looks like from Providence Road. I would like you to see what it looks like from behind from the view point of the Hunter Farm. I think we would all agree from past conversations with people who live here why they came here. People want to preserve the small town rural atmosphere and the agricultural heritage of the Town of Weddington. I want you to be careful not to destroy what everybody wants in favor of something that not too many people want or certainly need. I do think there is a compromise that can be made. Jamming as much in there as there was in the first application was probably not the way to go. Just a quick comment on why the former Councils changed the Land Use Plan for the Treske, Spittle and the Matthews properties is because it does enhance the walkability, the plan would be to connect the parking lots for the shopping center that we have now and those three parcels would all be connected and then NCDOT will help us put a road in and a light. That does two things - it slows traffic down but it also gives much better access.

Rob Dow – I would like to applaud the Mayor’s attempts at maintaining the integrity of the Town’s goals, plans and objectives to the Land Use Plan. A great portion of the time spent as of late has been by the Council and the Planning Board and discussions regarding commercial development. We are embarking on updating our Land Use Plan and if the results from the new survey, focus groups and public workshops generate a new Land Use Plan that shows a reversal of sentiment to favoring more non residential or commercial development, the Town needs to be aware of the very different forms that that can take. The current plan attempts to greatly restrict commercial development and to set a preference for a single downtown core off the highway where pedestrians could walk from area to area with a small town feel and a community versus the commercial strip development along a highway. I wonder if the results of the new Land Use Plan and surveys are consistent with the past. Mayor Davidson used this in his presentation - given the widening of Providence Road and Highway 16 he stated the overall return of 31% for yes for commercial and 69% for no. The next part of the question breaks it down as to of that 31% what do you want. This is astounding - 14% wanted more offices. That is 14% of 31%. That is 4.2% of the total answering the survey which is 95.8% did not want any offices. Approximately 92.25% wanted restaurants and retail. This was the survey for 2002. I am wondering if the Planning Board and Town Council will respond and respect the desires of the citizens that elected them.

Bill Price – I would like to commend Councilwoman Barbara Harrison and staff for the wonderful festival that they put on several weeks ago. I attended and had a wonderful time. There are several concerns. There is evidence from the booths that were displayed that we have a very well rounded talent here within this area. It was amazing. The entertainment was amazing. I have one question about that. Being an elderly person we had about five rocking chairs out here. In the future, I think we should have some additional seating or advertise that people bring chairs. The street into the shopping center is a main artery to get in and out of the shopping center and to also get on Highway 84. There were vehicles parked on either side of the street making it one way traffic. I tried that route four different times before I finally got out. In the future things of that nature and this size I think we should limit parking on both sides of that road for protection services.

Chris Rea – I want to commend the Mayor on his presentation. The thing that occurred to me when I saw that presentation is that the red areas look like a blood stain that was spreading out. My wife and I have lived in Weddington for 18 years and there seems to be a history of people that have gotten elected to Council saying they were going to do one thing and then turning around and doing something else entirely different. I have seen the Town change slowly but surely. The kind of things you brought up really concern me. I wanted to speak in support of you and go on the record that I am opposed to the commercial development.

Mike Simon – This is the first time I have seen this presentation. What concerns me and some other folks that I talk with when I have had discussions with members around this table and with Jordan on things in Weddington is it always came down to “what does the text say?” I have been frustrated by some of those. But I have learned that I have to abide by them. In this case with the land use I see text/rules if that is all true and see decisions being made otherwise or no explanation because of it. I would ask that you at least explain to the residents of Weddington if you are going to go forward with these kinds of decisions with what happened and why. You cannot tell me on one hand that my argument does not make sense because the text says this that was established by a Council and then turn around and say we make this decision regardless of the text. We have to have it consistent or it is not going to mean anything at all. Sure there are exceptions and you can explain it that way. I am also concerned about the process for change. If you have not done a survey of the residents of Weddington recently then how do you know what the residents of Weddington want? Whenever you listen to one person if you act on that decision without thinking about what happens in Weddington and what the future plans of Weddington will be you are setting a precedent. That precedent is just what I heard – more and more people come forward – more and more people want to do the same thing. That worries me. The Council is supposed to be about all the citizens and not just one or two. I respect the time and effort that you put into this and what you do but the rest of us only play this game once in a while and we play it when we hear things and we step up and we learn. I would ask that you be careful with what you are doing. If the Land Use Plan that you established is no longer valid, then change it, explain it and then give the citizens a chance to react to it. If it is valid, then what was the exception made to suit this decision?

Dot Cooper – I want to thank the Mayor also for presenting this. I am concerned about how we got here and how the changes and decisions were made. I know it caused uproar to me and other neighbors with the Polivka property. I want to caution you in how you move forward because I think that you are setting a precedent and we have a certain procedure that needs to be followed. I am real concerned about the decisions being made. I think we need to step back and look at that process and decide what changes need to be made and follow that in due course. I am concerned about the development also for that property. I do not think the church and the farm are a business in the sense that you are talking about. I would be real cautious on what retail development is going to go there if that is what you decide.

Laura Carver – I have participated in every Town survey. I want to let you know that I am one of the 69% that voted not in favor of commercial development except what already exists here which is in the Town plan if you so chose to read it. I am very concerned about the fact that you are interested in changing this. It does not make sense. I do not know who you think you are all of a sudden...

Councilwoman Hadley called for Point of Order. I am more than happy to hear any and everyone’s opinion but not be insulted.

Attorney Fox – This is public comment. She is allowed to just speak. She has three minutes. I did not hear any names being called so I did not associate it with any particular person.

Councilwoman Hadley – I want everyone to have that ability. I want to listen to everyone.

Councilwoman Hadley left the room.

Ms. Carver – The people that elected you are asking that you abide by this Land Use Plan and that is what we expect as voters and that is our constitutional right.

**Item No. 6. Additions, Deletions and/or Adoption of the Agenda.** Mayor Davidson requested that Council move Old Business until after New Business. Councilwoman Harrison moved to approve the amended agenda. All were in favor of the motion, with votes recorded as follows:

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

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

**A. August 9, 2012 Special Town Council and Planning Board Meeting.** Councilwoman Harrison moved to approve the August 9, 2012 Special Town Council and Planning Board Meeting minutes. All were in favor of the motion, with votes recorded as follows:

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

**B. September 10, 2012 Regular Town Council Meeting.** Councilwoman Harrison moved to approve the September 10, 2012 Regular Town Council minutes. All were in favor of the motion, with votes recorded as follows:

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

**C. September 20, 2012 Special Town Council and Planning Board Meeting.** Councilwoman Harrison moved to approve the September 20, 2012 Special Town Council and Planning Board Meeting minutes. All were in favor of the motion, with votes recorded as follows:

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

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

**A. Public Hearing to Review and Consider – Cable and Telephone Lines Text Amendment.** Mayor Davidson opened the public hearing to review and consider the cable and telephone lines text amendment. Town Planner Cook reviewed the proposed text amendment with the Town Council:

**Section 58-4 “Definitions”**

*Essential services* means publicly or privately owned facilities or systems for the distribution of gas, electricity, steam or water, the collection and disposal of sewage or refuse, the transmission of communications, or similar functions necessary for the provision of public services. The term "essential services" is divided into the following classes:

(1) *Class I.* Transmission lines, whether subterranean or overhead, including electrical, natural gas and water distribution lines, sewer gravity lines and pressure mains, underground septic tanks and drainfields, cable television and telephone transmission lines or similar utility lines. Electrical lines and electrical transmission towers, except for non-monopole structures such as steel lattice towers, are exempt from all setbacks that would otherwise be required by this Ordinance. **Cable television and telephone**

**transmission lines that co-locate on electrical transmission towers that have been exempted from the setback requirements are exempt from all setbacks that would otherwise be required by this ordinance.**

(2) *Class II.* Booster stations, pumping stations, switching facilities, substations, lift stations or other similarly required facilities in connection with telephone, nonwire communications, electricity, steam, water, water storage, sewer or other similar utilities. This classification is not intended to govern apparatus and functions set out in essential services class IV, more particularly defined below.

(3) *Class III.* Generation, production, or treatment facilities such as power plants, sewage treatment plants or similar utilities.

(4) *Class IV.* Subterranean neighborhood or cabinet-style switching facilities designed to handle telephone transmissions within the immediate vicinity of the town.

With there being no comments or questions, Mayor Davidson closed the public hearing.

**B. Consideration of Ordinance Adopting Cable and Telephone Lines Text Amendment.** Mayor Pro Tem Barry moved to adopt Ordinance O-2012-13:

**AN ORDINANCE TO AMEND SECTION 58-4  
OF THE CODE OF ORDINANCES  
OF THE TOWN OF WEDDINGTON  
O-2012-13**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTION 58-4 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

**Section 58-4 “Definitions”**

*Essential services* means publicly or privately owned facilities or systems for the distribution of gas, electricity, steam or water, the collection and disposal of sewage or refuse, the transmission of communications, or similar functions necessary for the provision of public services. The term "essential services" is divided into the following classes:

(1) *Class I.* Transmission lines, whether subterranean or overhead, including electrical, natural gas and water distribution lines, sewer gravity lines and pressure mains, underground septic tanks and drainfields, cable television and telephone transmission lines or similar utility lines. Electrical lines and electrical transmission towers, except for non-monopole structures such as steel lattice towers, are exempt from all setbacks that would otherwise be required by this Ordinance. **Cable television and telephone transmission lines that co-locate on electrical transmission towers that have been exempted from the setback requirements are exempt from all setbacks that would otherwise be required by this ordinance.**

(2) *Class II.* Booster stations, pumping stations, switching facilities, substations, lift stations or other similarly required facilities in connection with telephone, nonwire communications, electricity, steam, water, water storage, sewer or other similar utilities. This classification is not intended to govern apparatus and functions set out in essential services class IV, more particularly defined below.

(3) *Class III.* Generation, production, or treatment facilities such as power plants, sewage treatment plants or similar utilities.



(4) *Class IV*. Subterranean neighborhood or cabinet-style switching facilities designed to handle telephone transmissions within the immediate vicinity of the town.

Adopted this 8<sup>th</sup> day of October, 2012.

All were in favor of the motion, with votes recorded as follows:

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

**Item No. 9. New Business.**

**A. Call for Public Hearing – Review and Consideration of the Polivka M-X Rezoning (Public Hearing to be Held Tuesday, November 13, 2012 at 7:00 p.m. at the Weddington Town Hall)\* Meeting on Tuesday because of Veteran’s Day.** The Town Council received a copy of the Conditional Zoning Application dated April 24, 2012.

Councilwoman Harrison moved to call for the public hearing to review and consider Polivka M-X Rezoning to be held November 13, 2012 at 7:00 p.m. at the Weddington Town Hall.

Councilmember Thomisser - I do not think it is a secret I opposed the land use text amendment change for the Polivka property. I was in the minority. I feel like we are moving too fast on this. We have a Land Use Plan in effect and it specifically states in the northeast quadrant. We have a lot of new people who have moved to Weddington. We have no idea how people feel about this now versus 10 years ago. I make a substitute motion that we schedule the public hearing for the Polivka M-X rezoning until after we complete the revisions to the Land Use Plan.

Mayor Davidson questioned Attorney Fox whether the motion was valid under the law.

Attorney Fox – This is just calling for the public hearing - you set the time and date for it. You could move the date if it is the will of the Council.

Mayor Pro Tem Barry - He could say I want to change to the first week in January as an example.

The vote on Councilmember Thomisser’s motion is as follows:

AYES: Councilmember Thomisser  
NAYS: Councilwoman Harrison and Mayor Pro Tem Barry

There was a discussion on how to count Councilwoman Hadley’s vote due to the fact that she had left the Council chambers prior to discussion of this matter and returned after the vote was taken. Attorney Fox and Council discussed whether her vote would be counted in the affirmative or with the majority. Attorney Fox felt that her vote would be counted with the majority so the vote would be 3 to 1 with the motion failing. Mayor Pro Tem Barry did not feel that Attorney Fox’s ruling was consistent with rulings in the past.

Councilmember Thomisser made another substitute motion to schedule the public hearing to the first Monday in January of 2013. The vote was as follows:

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

The motion failed.

The vote on Councilwoman Harrison's original motion is as follows:

AYES: Councilmembers Harrison, Hadley and Mayor Pro Tem Barry

NAYS: Councilmember Thomisser

**B. Review and Discussion of Union County's Economic Development Program.** Town Administrator McCollum reviewed the following information with the Town Council:

Town staff received an email from County Manager Cindy Coto regarding a motion made by Chairman Simpson on August 30, 2012 regarding pursuing an Interlocal Agreement with the City of Monroe for a county-wide economic development program which would include:

- Appointing a 24-member advisory board as follows: eight (8) voting members appointed by the City; eight (8) voting members appointed by the County, and eight (8) ex officio members. In order to give the municipalities an opportunity to buy into the program financially or through strategic planning, no more than six (6) of the County's eight (8) appointees may be representatives of municipalities, with no municipality having more than one (1) seat on the board. The remaining two (2) County appointments shall be at large members.
- Offering the Chairmanship of the Board of Directors to the City of Monroe for the first two years and at the end of that two years, the board would negotiate how to decide the Chairmanship thereafter.
- Exploring the opportunity to establish a 501(c)(3) corporation, which would allow for the use of private funding in support of the economic development program.
- Designing the Interlocal Agreement so that it would sunset on June 30, 2015, which would allow approximately six months to establish the organization, and two (2) full years of operation of the program.
- If a successful negotiation has not been reached with the City of Monroe by October 1, 2012, then consider a program more in line with the town managers' proposal.
- Funding of the program on an annual basis would be \$700,000 with \$400,000 being paid by the County and \$300,000 being paid by the City. The County would pay the \$400,000 annually and then work with the municipalities, who have an interest in contributing financially to the program, on repayment of their proportionate share to the County.
- Employing five staff members who are and would continue to be employees of the City of Monroe.

Current Status – County and City staff have met and are developing an Interlocal Agreement that contains the above bullet points.

Councilwoman Harrison - I do not want to give any of our taxpayer money to Union County for this considering we paid Union County taxes already.

Mayor Pro Tem Barry - I really do not have an opinion on this. The Western Union County Municipalities Coalition has a little bit of interest in this only to make sure where something is not located. The question for this Council is do we want to engage only to be part of the team versus saying you go do what you want to do and we will sit it out.

Mayor Pro Tem Barry moved to defer consideration on this item until the Town receives a formal invitation from Union County. All were in favor of the motion, with votes recorded as follows:

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

**C. Consideration of Donating Town Laptop to Providence VFD.** Councilwoman Hadley stated, “I was asking the Providence VFD their timetable for doing the inspection of the hydrants. In that conversation I was told about a program that they can utilize to input the pressure from the hydrant at the scene and this program actually does the map, gives the gallons per minutes and creates a PDF. It takes a lot of time and effort off of the manpower needed to write it down at the scene, take it back to the department and to do the math. We are moving towards a new computer system with VC3 and we are going to have some laptops available. I suggested donating one of those laptops to Providence VFD to help with the hydrant inspections.”

Attorney Fox advised that a Resolution would need to be drafted and included in the motion for this donation.

Councilwoman Harrison questioned how old the laptop was. Town staff advised approximately eight years old. Councilwoman Harrison further discussed that in corporate America laptops are written off every three years.

Councilwoman Hadley moved to donate the laptop to the Providence VFD and to instruct staff to prepare a Resolution to declare the property surplus.

Councilmember Thomisser questioned if the computer is going to be solely used for the fire hydrant testing. He stated, “I understand that Providence’s area of responsibility has increased and I do not have a problem with the computer. Does Stallings VFD or Wesley Chapel VFD have any areas that need this computer software program?”

Councilwoman Hadley – They do not in the Town of Weddington. Providence VFD cannot use the program unless they have a laptop. I am sure they will be able to incorporate its use for some of their other duties such as taking minutes, etc.

All were in favor of the motion, with votes recorded as follows:

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

**Item No. 10. Old Business.**

**A. Review and Consideration of 2012 Land Use Town Survey.** The Town Council received a copy of the proposed Town Survey. Town Council discussed and recommended changes to the proposed land use survey. Council discussed the best way to give the survey to the citizens. The Town Council agreed to allow COG and Town Planner Cook to revise the survey and make recommendations at Thursday’s Land Use Plan Meeting on how to distribute.

Mayor Pro Tem Barry moved to approve the 2012 Land Use Town Survey as amended. All were in favor, with votes recorded as follows:

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

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

- Construction of the Weddington Church Road relocation project began on June 27<sup>th</sup>. The traffic signal has been installed and the intersection construction is nearly complete.
- The Town Council and Planning Board held another joint meeting on Thursday, September 20<sup>th</sup> to discuss the Land Use Plan Survey. Staff is working with Centralina COG to fine tune this survey based on comments received from the Town Council and Planning Board. The Council will approve a survey at their Monday, October 8<sup>th</sup> meeting.
- The Agritourism and Agricultural Use Definition text amendments were on the February 27<sup>th</sup> Planning Board agenda (both received a favorable recommendation). These text amendments have been amended since that February Planning Board meeting. Town Attorney Anthony Fox is currently reviewing these text amendments.
- Stillwell NC, LLC's Sketch Plan for a 90 lot conservation subdivision called Vintage Creek on parcels 060-90-004, 060-90-007 and 060-93-011 was approved by the Planning Board. The applicant is now working with Union County on finalizing sewer plans. Once finalized, the applicant can submit the Preliminary Plat.
- The Planning Board gave the Polivka MX Conditional Zoning Rezoning application a favorable recommendation at their September 24<sup>th</sup> meeting. This rezoning will be on the November 13<sup>th</sup> Town Council agenda for Public Hearing and Consideration.
- The Planning Board approved the Temporary Use Permit for the Weddington Country Festival. That event took place on Saturday, September 22<sup>nd</sup>.
- The following items were on the September 24<sup>th</sup> Planning Board agenda: Polivka MX Conditional Zoning Rezoning
- The following items will be on the October 22<sup>nd</sup> Planning Board agenda:
  - Section 58-60 MX Zoning Text Amendment
  - Land Use Plan/Map Text Amendment
  - Section 46-46 Subdivision Checklist Text Amendments: requirements for fire hydrants and Traffic Impact Analysis

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

- The new computers for the Weddington Deputies are up and running.
- Deputy Tyler Mills will be leaving the UCSO effective next week. They are working on getting his replacement for the Town.
- The Weddington Country Festival was a success. Councilwoman Harrison will give an update during the November Council Meeting.
- Mayor Davidson, Mayor Pro Tem Barry and Deputy Black will be attending the HOA Meeting for the Greystone Subdivision at the end of this month.
- The Fall Litter Sweep is October 6 here at the Weddington Town Hall beginning at 9:00 a.m. We are working with God Bless the USA to have containers for residents to recycle small non-hazardous waste.
- Councilwomen Hadley and Harrison and Town Planner Cook and I have been trained on how to use the defibrillator. Plans are being arranged to train the rest of the Council and staff on how to use the defibrillator.
- Plans for this year's Tree Lighting are underway. The event is scheduled for Friday, November 30.
- Applications are being requested to fill the vacant seat on the Public Safety Advisory Committee and for the two seats that are to expire on the Planning Board.
- The USPS has conducted the ZIP Code Boundary Review. After reviewing the data collected, they believe it would not be in the best interest of the 757 current customers who would have to change their ZIP Code to accommodate our request of a last line address change for all the

annexed areas of Weddington. They believe such a ZIP Code assignment is also unnecessary. Residents who have the last line address of Matthews, NC 28104 can use the alternate name of Weddington, NC 28104. However, the 757 residents who reside in Waxhaw, NC 28173 ZIP Code will not be allowed to use the last line of Weddington, NC as it would create the possibility of mail being disrupted to include return to sender as no such address exists. They are planning to have a staff member from their office to visit the Town to discuss further.

**Upcoming Meeting Dates:**

- October 6 - 9:00 a.m. (Litter Sweep)
- October 8 - Town Council Meeting at 7:00 p.m.
- October 11 - Town Council and Planning Board Land Use Plan Meeting at 6:00 p.m.
- October 22 - Planning Board and Historic Preservation Commission Meeting at 7:00 p.m.
- November 12 - Town Hall Closed for Veteran’s Day
- November 13 - Regular Town Council Meeting (One Day Later due to Veteran’s Day)

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

Weddington Deputies – 485 Calls

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

**Item 14. 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 9/1/2012 to 9/30/2012.

**B. Tax Collector’s Report.** Monthly Report – September 2012

<b>Transactions:</b>	
Tax Charge 2012	\$1,109,263.29
Tax Exemptions 2012	\$(55,337.20)
Tax Deferments 2012	\$(64,663.87)
Tax Write-offs Under \$5.00	\$(792.29)
Late List Penalties 2012	\$155.60
Adjust Under \$5.00	\$(5.89)
Advertising Fees Paid	\$(53.06)
Refund	\$1,476.77
Penalty and Interest Payments	\$(133.27)
<b>Taxes Collected:</b>	
2008	\$(60.00)
2009	\$(142.48)
2010	\$(222.79)
2011	\$(760.54)
2012	\$(129,487.48)
<b>As of September 30, 2012; the following taxes remain Outstanding:</b>	
2002	\$82.07
2003	\$129.05

2004	\$122.90
2005	\$252.74
2006	\$150.20
2007	\$144.42
2008	\$1,902.02
2009	\$2,616.79
2010	\$4,668.67
2011	\$7,109.82
2012	\$860,584.98
<b>Total Outstanding:</b>	<b>\$877,763.66</b>

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

**Item 16. Council Comments.** Mayor Davidson thanked Councilwoman Harrison for her work on the Weddington Country Festival.

**Item 17. Adjournment.** Councilwoman Harrison moved to adjourn the October 8, 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 adjourned at 9:25 p.m.

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Walker F. Davidson, Mayor

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Amy S. McCollum, Town Clerk