

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, FEBRUARY 14, 2011 - 7:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Regular Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on February 14, 2011, at 7:00 p.m. with Mayor Pro Tem Daniel Barry presiding.

Present: Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser, Robert Gilmartin and Jerry McKee, Town Attorney Anthony Fox, Town Planner Jordan Cook, Finance Officer Leslie Gaylord and Town Administrator/Clerk Amy S. McCollum

Absent: Mayor Nancy D. Anderson

Visitors: Walker Davidson, Bill Price, Jim Vivian, Barbara and Pat Harrison and Virginia Franco

Mayor Pro Tem Daniel Barry offered a prayer prior to the opening of the meeting.

Item No. 1. Call to Order. Mayor Pro Tem Barry called the February 14, 2011 Regular Town Council Meeting to order at 7:00 p.m.

Item No. 2. Pledge of Allegiance. Mayor Pro Tem Barry led in the Pledge of Allegiance.

Item No. 3. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum.

Councilmember Jerry McKee moved to approve the agenda with the following amendment:

- Defer Item No. 4. to the March Town Council Meeting

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 4. Presentation and Consideration of a Proposal from Centralina Council of Governments for a District Voting Plan. This item was deferred until the March Town Council Meeting.

Item No. 5. Public Hearings.

A. Public Hearing to Consider a Proposed Text Amendment to Minor Subdivisions Definition.

Mayor Pro Tem Barry opened the public hearing to consider a proposed text amendment to the minor subdivisions definition. The Town Council received the following memo from Town Planner Jordan Cook and a copy of the proposed text amendment:

- At the October 25th Planning Board meeting a resident applied for a minor subdivision to subdivide a one acre tract from their existing ten acre parcel. The ten acre parcel was vacant and the owner's home was on a three acre parcel directly adjacent to it.
- The way the ordinance is written did not allow this property owner to subdivide the one acre tract because they owned a parcel adjacent to it. The ordinance states that if the subdivider owns any land adjacent to the land being subdivided, it would be considered a major subdivision.

Therefore, the owner had to recombine all parcels and start from scratch by subdividing out the one acre parcel.

- The Planning Board realized that an owner of a large tract could subdivide into three lots but the applicant applying for the minor subdivision could not do the exact same thing because they owned adjacent property.
- The newly proposed language will allow that property owner to subdivide as long as the subdivision results in three or fewer parcels and does not change the minor or major subdivision processes.
- A copy of the original plat is on the back of this memo. Tract 1 and Tract 2 existed prior to the subdivision.

With their being no comments or questions, Mayor Pro Tem Barry closed the public hearing.

B. Public Hearing to Review and Consider Proposed Text Amendment to Add “Private Banquet, Reception and Conference Center” Uses as a Permitted Use in the MX Zoning District. Mayor Pro Tem Barry opened the public hearing to review and consider a proposed text amendment to add “Private Banquet, Reception and Conference Center” uses as a permitted use in the MX Zoning District. Councilmember McKee moved to defer this public hearing until the March 14, 2011 Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 6. Public Comment. There were no Public Comments.

Item No. 7. Approval of Minutes.

A. December 13, 2010 Regular Town Council Meeting. Councilmember Robert Gilmartin moved to approve the December 13, 2010 Regular Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

B. January 17, 2011 Special Town Council Meeting. Councilmember Gilmartin moved to approve the January 17, 2011 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

Item No. 8. Consent Agenda.

A. Call for a Public Hearing to Consider Proposed Text Amendments Regarding a Weddington Burning Ordinance (Public Hearing to be held March 14, 2011 at 7:00 p.m. at the Weddington Town Hall). The Town Council received a copy of the Proposed Text Amendment regarding a Weddington Burning Ordinance and a copy of the Notice of Violation of Town Ordinance. Councilmember Gilmartin moved to call for a public hearing to consider proposed text amendments regarding a Weddington Burning Ordinance. The public hearing is to be held March 14, 2011 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry

NAYS: None

B. Consideration of Amendments to the Public Safety Rules of Procedure. Councilmember Gilmartin moved to approve the following amendment to the Public Safety Rules of Procedure:

Add the following sentence under Article III – Membership, Section 3–2: Non-voting members may be appointed by the Town Council; however, they will not be included in the determination of a quorum and will not have voting privileges. Non-voting members will also serve a four-year term unless determined otherwise by the Town Council.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

C. Consideration of Resolution to Open Closed Session Minutes or Portions Thereof. Councilmember Gilmartin moved to approve Resolution R-2011-03:

**TOWN OF WEDDINGTON
RESOLUTION
TO OPEN CLOSED SESSION MINUTES
OR PORTIONS THEREOF
R-2011-03**

BE IT RESOLVED that the Town Council opens the following Closed Session Minutes or portions thereof:

<u>Date of Closed Session Minutes</u>	<u>Item Number</u>	<u>Item Entitled</u>
September 10, 2007	1	Open the Meeting
	2	Approval of August 13, 2007 Closed Session Minutes
	4	Adjournment
June 14, 2010	1	Open the Meeting
	3	Approval of Minutes
	4	Adjournment
August 9, 2010	1	Open the Meeting
	3	Review of Lawsuit Against Mayor Anderson
	4	Adjournment
September 13, 2010	1	Open the Meeting
	2	Discussion of Swapping Town Hall Property with the Weddington United Methodist Church
	4	Approval of Minutes
	5	Discussion of Process for Unsealing Closed Session Minutes
	6	Adjournment
October 11, 2010	1	Open the Meeting
	2	Consideration of Approval of Closed Session Minutes
	3	Consideration of Resolution to Open Closed Session Minutes or Portions Thereof
	5	Discussion of Swapping Town Hall Property

Adopted this 14th day of February, 2011.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

D. Consideration of Amendments to the Appointment Policy. Councilmember Gilmartin moved to approve the following amendments to the Appointment Policy:

RECOMMENDED PROCESS

Application. In order to be eligible for appointment to a board and continue to serve, a person must be an adult (21 years or older) permanently residing inside the town limits and file an application on a form provided by the Town Clerk. Non-residents could be appointed as **a non-voting member.** ~~ex officio members but will not be granted voting privileges.~~ **Their attendance is not included when determining a quorum.** All applications will be kept on file for a period of two (2) years from the date of submission. The Council will only consider citizens for which there is a current application on file. The Town Clerk may be instructed to investigate and verify all statements contained in the application.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

E. Consideration of Resolution to Add Beulah Oaks Way in the Beulah Oaks Subdivision to the State Maintained Secondary Road System. Councilmember Gilmartin moved to approve Resolution R-2011-02:

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM
TOWN OF WEDDINGTON, NORTH CAROLINA
R-2011-02**

**North Carolina
County of Union
Road Description: Beulah Oaks Way in the Beulah Oaks Subdivision in the Town of Weddington, North Carolina**

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

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

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

Adopted this 14th day of February, 2011.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

F. Consideration of Proclamation Proclaiming April 2 – 9, 2011 as Classics Week. Councilmember Gilmartin moved to approve Proclamation P-2011-01:

**TOWN OF WEDDINGTON
PROCLAMATION
CLASSICS WEEK
P-2011-01**

WHEREAS, the National Junior Classical League (NJCL) was founded in 1936 to encourage an interest in and an appreciation for the language, literature, and culture of the ancient Greeks and Romans; and

WHEREAS, JCL chapters are involved in the educational needs of its student members and are committed to a better future for their students and the community, through active participation in service and outreach projects; and

WHEREAS, JCL members believe that the Classics still hold great value to modern society and that the spreading of the Classics is vital to the continued appreciation and spreading of interest in the Classics; and

WHEREAS, Classics Week is held in commemoration of the traditional anniversary of the founding of ancient Rome (April 21st) and in celebration of the North Carolina Junior Classical League 60th annual state convention (April 8-9, 2011); and

WHEREAS, the Town of Weddington recognizes the relevance of Classical culture in the relation to its own history, the great interest that many residents hold for the Classics, and the countless benefits that studying Classics offer to everyone; and

NOW, THEREFORE, I, Nancy D. Anderson, do hereby recognize the week of April 2-9, 2011 as Classics Week in the Town of Weddington and I call this proclamation to the attention of all our citizens.

Adopted this 14th day of February, 2011.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

G. Call for a Public Hearing to Consider Rezoning of All B-1 and B-2 Parcels to B-1 (Conditional District) and B-2 (Conditional District) – Public Hearing to be Held March 14, 2011 at 7:00 p.m. at the Weddington Town Hall. The Town Council received the following memo from Town Planner Cook and a map of the area:

- In early to mid 2010 the Town Council approved text amendments that created B-1(CD) and B-2(CD) zoning districts. The purpose of these new zoning districts would be to allow any changes occurring at the existing B-1 and B-2 zoned properties to be reviewed under the Conditional Zoning (legislative) process rather than the Conditional Use Permit (quasi-judicial) process.
- The approved text amendments essentially changed B-1 and B-2 to B-1(CD) and B-2(CD). Changing B-1 and B-2 to B-1(CD) and B-2(CD) would then allow all modifications to existing uses to be legislative rather than quasi-judicial.
- Rezoning the existing B-1 and B-2 properties is the final step in this process.
- The Town of Weddington sent letters to all property owners impacted by these rezonings and did not get a reply from any of them.
- There is 23.87 acres of land under consideration for rezoning. The following parcels are included:
 - 06150057-Weddington Town Hall - 2.14 Acres
 - 06150053A-Dr. Pinsak’s Office - 0.67 Acres
 - 06150053-Weddington Associates Building - 0.84 Acres
 - 06150056-Weddington Associates (Weddington Corners Shopping Center)- 10 Acres
 - 06150055-Gas Station/Convenience Store - 1.34 Acres
 - 06150050A-Citizens South Bank - 1 Acre
 - 06150059A-Treski Property - 7.88 Acres

Councilmember Gilmartin moved to call for a public hearing to consider rezoning all B-1 and B-2 parcels to B-1 (Conditional District) and B-2 (Conditional District). The public hearing is to be held March 14, 2011 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

H. Consideration of Renewal of the Bromley Sales Office Trailer. The Town Council received the following memo from Town Planner Cook, a copy of the Application for the Temporary Placement of a Mobile Home, Construction Trailer or Temporary Building, and a Plot Plan of the Sales Office:

PDN, LLC requests an extension for a temporary sales office located on Lot 1 in the Bromley Subdivision. The address of Lot 1 is 1049 Bromley Drive, Weddington, NC 28104.

General Information

- A renewal for the temporary sales office is required per *Section 58-13 (4) of the Town of Weddington Zoning Ordinance*.
- The applicant is required to apply for a renewal every year (12 months).

- The first permit was approved by Town Staff in 2007 for a one year period. In December 2008 Town Staff gave a one year extension.
- Every extension after the initial two years must be approved by the Town Council.
- *Section 58-13 (4) of the Town of Weddington Zoning Ordinance* states that three or more lots must be remaining to grant the extension. The Bromley Subdivision currently has 101 lots remaining, therefore complying with the *Town of Weddington Zoning Ordinance*.

Staff has reviewed the application and submitted documents and finds the Sales Office Renewal Permit Application is in compliance with the *Town of Weddington Zoning Ordinance*.

Councilmember Gilmartin moved to approval the renewal of the Bromley Sales Office Trailer. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
 NAYS: None

I. Consideration of Authorization to Advertise Unpaid 2010 Taxes that are Liens on Real Property.

The Town Council received the following information from Tax Collector Kim Woods:

In accordance with North Carolina General Statute 105.369(a), the following represents the total of unpaid 2010 taxes that are liens on real property to date: **\$52786.80.**

In accordance with General Statutes 105.369(a), I am hereby requesting authorization to advertise unpaid 2010 taxes that are liens on real property.

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

The Town of Weddington Tax Collector is ordered to advertise all unpaid 2010 taxes that are liens on real property, pursuant to North Carolina General Statute 105-369(a), -369(c).

Witness my hand and official seal this 14th day of February, 2011.

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

Councilmember Gilmartin moved to authorize the advertisement of the 2010 unpaid taxes that are liens on real property. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
 NAYS: None

Item No. 9. Consideration of Public Hearings.

A. Consideration of Ordinance Adopting Text Amendments to the Minor Subdivision Definition.

Councilmember Gilmartiin moved to approve Ordinance O-2011-01:

**AN ORDINANCE TO AMEND SECTION 46-9
 OF THE CODE OF ORDINANCES
 OF THE TOWN OF WEDDINGTON
 O-2011-01**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTION 46-9 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Sec. 46-9. Definitions.

Subdivision, minor, means a subdivision where:

- (1) No public or private streets are proposed;
- (2) No rights-of-way are dedicated and no easements dedicated, except as provided in section 46-76; and
- (3) Three or fewer parcels result after the subdivision is completed, including any the subdivider owns, leases or holds any legal or equitable interest in and is adjacent to the property to be subdivided. For purposes of this section, property is deemed to be adjacent even if the property is separated by a street, easement or right-of-way.

Notwithstanding this provision, any subdivision that is classified as a conservation subdivision shall be considered a major subdivision and exempt from this provision. Additionally, the Procedure for Review of Minor Subdivisions may be used only once within any three year period on any property less than 1,500 feet from the original property boundaries. The Procedure for Review of Minor Subdivisions may be used by anyone who owned, had an option on, or any legal or beneficial interest in the original subdivision at the time the original subdivision received preliminary or final plat approval.

Adopted this 14th day of February, 2011.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

B. Consideration of Ordinance Adopting Text Amendments to Add “Private Banquet, Reception and Conference Center” Uses as a Permitted Use in the MX Zoning District. This item was deferred until the March Town Council Meeting.

Item No. 10. Old Business.

A. Update and Discussion on 2011 Town Council Retreat – March 18 and 19, 2011. The Town Council received the following memo from Town Administrator/Clerk McCollum:

The retreat is scheduled for March 18 and 19, 2011 at the Firethorne Country Club. We usually begin with lunch on Friday at 12:00 and end the meeting part of the day by 6:00 p.m. We begin Saturday at 9:00 and usually go to 3:00 or 4:00 that day. I need the following questions answered by the Council to help me finalize plans for the retreat:

- Who from staff would the Council like in attendance for the Retreat?
- Who from the Town’s Boards and Committees would the Council like in attendance for the Retreat?
- There have been discussions of holding a social with the Union County Board of County Commissioners for dinner on Friday night. Last year, we had a drop-in social with Town

residents with light hors d'oeuvres being served. I need the Council's direction on what you would like to do so that the proper invitations and arrangements can be made.

- Al Sharp is unable to be the facilitator for the retreat. I have contacted COG and Bill Duston could be available on Saturday but not Friday. The cost for Bill to facilitate which includes attendance all day on Saturday as well as meeting with Town officials to discuss the retreat, how it would be conducted, topics for discussion, agenda, etc, would be approximately \$1,057, including the use of six member hours from the Town's FY 2010-11 allocation. Mr. Jim Prosser, who took Al Sharp's place at COG, can come on both days at a cost of \$2,500 for two days and \$1,500 for one day. Please let me know how to proceed with the facilitator.
- I need your agenda items by March 1 to allow time to prepare the necessary backup documentation.
- There is no charge to use Firethorne Country Club. The only charge is for our food. I believe that we have approximately \$2,500 in the budget for the retreat.

The following are agenda items that I have received so far:

- Town Hall Landscaping Plan
- Parks and Recreation Trust Fund (PARTF)
- Preparation of Agenda Items for Union County Board of County Commissioners Meeting
- LARTP Text Amendment Questions
- Technology for Council and Staff
- Annexation
- Providence VFD Presentation
- Greenspace and Urban Planning

Finance Officer Gaylord asked that review of a preliminary budget be added to the agenda. Council asked that NC House of Representative Craig Horn, Senator Tommy Tucker and the Union County Board of Commissioners be invited to the Meet and Greet Reception with the Weddington Town Council and citizens for Friday night.

Town Administrator/Clerk McCollum will research other facilitators for the retreat.

Item No. 11. New Business.

A. Consideration of Resolution Regarding Countywide Property Revaluation. The Town Council received a copy of the following Resolution:

**TOWN OF WEDDINGTON
RESOLUTION IN SUPPORT OF
2012 UNION COUNTY PROPERTY REVALUATION
R-2011-04**

WHEREAS, one of the primary goals of the Union County tax system is to ensure that each property owner pays his or her fair share for the services provided by the county; and

WHEREAS, accurate property valuations are an essential part of an equitable Union County tax system; and

WHEREAS, the industry standard used to measure the accuracy of county tax values relative to market values is the Coefficient of Dispersion; and

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

WHEREAS, county tax values are currently 82% accurate, which is less accurate than they were when the 2007 BOCC determined that a level of 85% accuracy was unacceptable and thus initiated a revaluation in 2008; and

WHEREAS, the 2008 revaluation resulted in a 65% increase in property tax values within the Town of Weddington while the residential tax base of Union County increased by 30% and;

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

WHEREAS, the 2012 revaluation will accurately capture the most recent market values of Union County properties resulting in an improved level of fairness in the Union County tax system for all the citizens of Union County.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Weddington strongly recommends that Union County move forward with a property revaluation in 2012.

The Town Council also received the following:

- A copy of the City of Monroe's Resolution in Support of Postponing Countywide Property Revaluation
- A copy of several PowerPoint Presentations regarding Union County Real Property Revaluation by John C. Petoskey, Tax Administrator

Councilmember Thomisser - According to the last time that Union County did a revaluation, the Coefficient of Dispersion was around 14% and it is up to 18% now. The situation is worse now than it was in 2008. It makes sense to look at this to see what to do moving forward as 2012 is concerned. If someone that lives in Weddington wanted to sell their house today, they would not be able to get a market value that is equal to the tax valuation of 2008.

Mr. John Petoskey – There are a few terms that are a little mixed up on the Resolution. There is another measurement which is the Level of Assessment. There are two measures. The Coefficient of Dispersion measures uniformity. The Level of Assessment measures the relationship to the sales market. You really have to look at both of those to get a full picture. Our Coefficient of Dispersion is worse now than what it was before. But our Level of Assessment is not as bad as it was before. There was a change in the law since the last revaluation that puts in a trigger to when you should do a revaluation. It is based on the Level of Assessment and not the COD. It is at 85. If you are at 15% above or 15% below, you should do a revaluation and the State gives you three years from that point to do that. We have not reached that trigger yet. The COD is under 20 in a non-homogenous type of jurisdiction like we have here. You probably do not have to do a revaluation. The County Board has ordered a revaluation. Unless the new board rescinds that direction, we are on go for a revaluation. On the March 7th agenda, the new board has on their agenda to rescind that revaluation. The City of Monroe has endorsed rescinding. I know that you are looking into supporting going through with it. I did not take a position. It is a policy decision. I can advise you on the statistics that we have here. During the last revaluation we were under the market as opposed to now we are over. It is more in some jurisdictions than it is in others. In this particular jurisdiction, we are over more than some other Towns. It is also by type of home. The upper end homes are worst off in the marketplace than the average homes. The other thing that came into play last time was the utility value. The utilities are assessed by the State. Once the ratio of assessment drops 90%,

those utilities can appeal and we were sitting on that threshold back in 2008. We stood to lose \$300,000 in utility payments. That was enough to pay for the revaluation. I believe that also swung the board at that time. The market in 2008 was increasing at least 5% a year. We were approaching double digit inflation over a two year period. At that point revaluation made sense.

Councilmember McKee - When you were talking about the public service, could a delay affect that this time?

Mr. Petoskey – Not this time. We are over 90%. It is only when the ratio of assessment drops below on residential and other types of properties then the public service companies can argue and want a similar ratio and now that they are over they are not going to argue because it would cost them more. We are not in jeopardy of that situation.

Mayor Pro Tem Barry – What does it cost to do a revaluation?

Mr. Petoskey – We are estimating \$250,000 including appeals. That is estimating appeals at the same level we had last time.

Mayor Pro Tem Barry – I heard in Weddington, given the average home price is higher than the mean, we should anticipate if we go through the revaluation the valuations will be adjusted down possibly in double digits.

Mr. Petoskey – It is likely. I would say it probably would be double digit which means good news for the taxpayer and bad news for the jurisdiction. You have a loss of tax base and would have to do something with your tax rate. The biggest impact would be on the County rate. Someone could have a decrease in their assessments but have an increase in their taxes. That is a hard concept to get across to folks. There is a large amount of those in the middle category of homes from \$250,000 to \$600,000 that are going to be affected.

Councilmember Thomisser – If you did do the revaluation next year, would foreclosures be included in that revaluation?

Mr. Petoskey – Yes and no. We are prohibited from using the foreclosure price because it is not considered an arms length transaction. Foreclosures do factor into it because it drags the other prices of homes down. That is a concern I have. Those are most of the sales that we have right now is foreclosures. We have 70% less sales if we had to do a revaluation in 2012 than the previous revaluation. That concerns me because I do not have enough sales in every category, every location and every type of home. It makes it tougher on us. We have to make some assumptions. From strictly a mechanical standpoint – I would not mind having a little bit more time to get a few sales but is the market going to improve that much in the next year or two? We will have to resort to other methodology and go through a cost approach instead of a sales approach. I can give you an argument for doing it and not doing it.

Councilmember Thomisser moved to approve Resolution R-2011-04 and to authorize Mr. Petoskey to correct some of the language in the resolution.

Councilmember McKee - What is going to happen is if they do the revaluation and the overall county tax values are going to go down they are just going to adjust the rate to be revenue neutral. Whether they do this or not, it is a moot point - it would net out.

Councilmember Gilmartin - I would not support the motion because 85% of the property owners in Weddington would get a tax increase on a revaluation.

Mr. Walker Davidson – If we do a revaluation, it is my belief that Weddington would get some of the County tax burden off of it that was thrown on it in the 2008 revaluation. The Coefficient of Dispersion was at 85% last time and now it is at 82%. It is worse than it was last time. The only reason we use property values is to see who is going to pay their fair share of the taxes. We could never get it to 100%. We cannot be perfect. Right now it is worse than it was and more inequitable than it was in 2008 when they did the revaluation. You are saying that the revaluation was triggered last time because of the sales ratio. Sales ratio tells you what the whole place is worth. Coefficient of Dispersion tells what each person should pay as far as the fair share. In 2008 the tax rate went up 65% in Weddington because of the 2008 revaluation. The County residential went up 30%. The County Commissioners have not determined what is fair. In order to get more sales, you are going to have to lower prices which will increase the Coefficient of Dispersion. Monroe came in and gave a Resolution to the County. They basically are complaining what it would do to Monroe. Do you counter to represent your citizens at the County level and say it may help us? Last time we got hurt. The County Commissioners should look at what is fair because the decision that they make will hurt someone and help someone else.

Mayor Pro Tem Barry - Why do you want us to do it?

Mr. Davidson - From an equity standpoint - I am going to lose on this deal. The point is it would be nice if our County Commissioners would clarify what is equitable and create some type of standard. I do not know why the State uses the sales ratio. That has nothing to do with paying your fair share. The thing I did not like with the revaluation in 2008 with the Town of Weddington was that it went up 65% but the tax rate stayed the same. Expenses did not go up.

Ms. Barbara Harrison – When I walked around when I was campaigning, there were neighborhoods that were very angry that their neighborhood through the revaluation had to pay extra and other neighborhoods went down or remained neutral. At one point my neighborhood had all its houses over \$1 million. In 2010 we had 10 homes that were sold. Eight of them were foreclosures and most of them were for \$400,000. The people are paying taxes on a 1.2 million dollar house. They went and tried to get their taxes down and they were denied. That is what I do not understand. I do not know why people cannot go and fight their tax value if they paid \$400,000 for their home and they are being taxed on \$1.2 million.

Mr. Petoskey – The reason that we cannot is because the market is as of January 1, 2008. Any sales that have occurred since then we cannot take into consideration until we do the next revaluation. That is what Mr. Davidson is saying is do the revaluation so that we can get current with what has happened in the market. It works both ways. We are frozen in time as of 1/1/08.

The vote on the motion is as follows:

AYES: Councilmembers Thomisser and Mayor Pro Tem Barry
NAYS: Councilmembers Gilmartin and McKee

There was a tie vote; therefore the motion failed.

B. Consideration of Budget Amendment for Fiscal Year 2010-2011. Finance Officer Gaylord reviewed the following budget amendment with the Town Council:

**TOWN OF WEDDINGTON
PROPOSED AMENDED BUDGET**

FOR FY2010-2011

	Original	Proposed Amended	
Revenues			
Ad Valorem Tax	584,750	590,750	
State-Collected Revenues	552,500	594,250	A
Zoning and Subdivision Revenues	11,000	9,000	
Other Revenues	11,500	66,000	B
Total Revenues	1,159,750	1,260,000	
Appropriation from Fund Balance	63,500	55,000	
Total Revenues and Appropriation from Fund Balance	1,223,250	1,315,000	
Expenditures			
Administrative Expenditures	324,040	340,000	C
Planning & Zoning Expenditures	333,300	399,700	D
General Government Expenditures	565,910	575,300	E
Total Expenditures	1,223,250	1,315,000	

- A** Utility franchise tax revenue is greater than originally budgeted
- B** Revenue from Weddington Corners Shopping Center for driveway and for streetlights
- C** Additional funding for irrigation and landscaping in addition to funding for online tax inquiry
- D** Includes additional \$80k for downtown streetscaping contract offset somewhat by decrease in consulting budgets
- E** Additional donation to Weddstock

Councilmember McKee moved to approve the Budget Amendment. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
 NAYS: None

C. Report from Councilmember Werner Thomisser - CCOG Board of Delegates 2/9/11 Meeting.

The Town Council received a packet of information from the 2/9/11 CCOG Board of Delegates Meeting and Councilmember Thomisser reviewed the packet with the Council.

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

- Open Houses for the Carolina Thread Trail were held a couple weeks ago throughout Union County. Comments from those open houses will be used to determine proposed locations for the trails. Throughout March and April the Carolina Thread Trail Steering Committee and Consultants will begin walking the proposed trail sites and locations to determine if the land is actually suitable for the proposed trails. For a map of the proposed trail locations and a survey please visit the following website: <http://www.carolinathreadtrail.org/index.php?id=116>

- NCDOT has completed the access road behind Town Hall and removed all of the berm along Weddington-Matthews Road. A landscaping plan for the access road has been approved and the applicant has agreed to the conditions of approval recommended by the Planning Board for the ground sign. The applicant has also agreed to install a light at the rear of the Shopping Center (behind the Vet Clinic) and one at the access road and Weddington-Matthews Road intersection. The landscaping and sign should be installed in the next 2-4 weeks.
- Landscaping on Providence Road and Weddington Road has commenced. This work is being performed by NCDOT.
- NCDOT has acquired the right-of-way needed to install turn lanes and a traffic signal at the intersection of Hemby Road/Beulah Church Road and Weddington-Matthews Road. Installation of the traffic signals has begun. The turn lanes and signal should be completed in early 2011.
- The Planning Board began to review the proposed LARTP (Local Area Regional Transportation Plan) Text Amendments at their January 24th meeting. The LARTP should soon be added to the CTP (Comprehensive Transportation Plan). The Planning Board decided that some of the Text Amendments should be discussed at the March Planning Retreat.
- Mayor Anderson, Councilman Thomisser and I met with Union County Agriculture-Horticultural Extension Agent Jeff Rieves last week regarding a livestock management plan and the miniature horse text. Jeff Rieves is currently working on proposed text and information (including links to NC State University's Best Management Practices) regarding livestock within subdivisions.
- Councilman McKee and Mike Carver of the Weddington Public Safety Committee and I met with Scott Cole and Pate Butler of NCDOT last week regarding the Antioch Church Road and Beulah Church Road intersection. This meeting was arranged after discussions about the safety of this intersection at the Public Safety Committee meetings. NCDOT plans to install stop signs along Beulah Church Road to make this intersection an all-way or four-way stop. NCDOT had previously determined that this was an unsafe intersection and needed to be improved. According to NCDOT, installing an all-way intersection typically reduces crashes up to 60%. The two new stop signs should be installed within 4-6 weeks. Information about all-way stop intersections and a diagram showing all accidents at this intersection from September 2005 to August 2010 is attached to this memo.

The Town Council also received a document discussing Frequently Asked Questions About All-way Stop Intersections.

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

The Town newsletter will be mailed out to residents this week.

The encroachment agreements have been submitted to NCDOT regarding the decorative lighting for the downtown area. We are waiting for their approval. Also Anthony Fox is preparing a document to be signed by the individuals allowing the Town to locate the Town monuments on their property. We are still working with property owners on getting their permission to allow the construction of the Town markers on their property. Purchase orders and contracts are finalized and will be sent out once DOT grants approval.

We will be having some computer cabling work done within the next few weeks here at the Town Hall.

Upcoming Dates

- February 28 – Planning Board Meeting
- February 28 – Parks and Recreation Advisory Board

Item No. 14. Public Safety Report.

A. Update on Fire Department Issue. The Town Council received the following update from Mr. Steve Cloutier, President of the Board of Directors for the Providence VFD:

The two Steering Committees met. We decided that there were three key issues:

1. The firefighters need to decide if they want the merger to take place.
2. The two boards need to decide if they want to merge.
3. The citizens of Wesley Chapel need to decide if they are willing to pay a little more.

The two Steering Committees will meet again in April.

B. Public Safety Reports.

Deputies

290 Calls

Providence VFD

Union Fire - 16 calls

Union EMS - 6 calls

Mecklenburg Fire - 2 Calls

Mecklenburg EMS - 1 call

Total – 25 Calls

Training Hours - 67.50 training hours

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

Wesley Chapel VFD

110 Calls

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 1/1/11 to 1/31/11.

B. Tax Collector's Report. Monthly Report – January 2011

Transactions	
Overpayments	\$(494.97)
Pay Interest and Penalties	\$(341.27)
Refunds	\$492.62
2010 Interest Charges	\$1,163.22
Releases	\$(149.07)
Adjust Under \$5.00	\$(32.31)
Taxes Collected:	
2010	\$(76,971.92)
2009	\$(1,392.98)
2008	\$(74.14)

As of January 31, 2011; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$301.79
2006	\$195.09
2007	\$320.22
2008	\$4,379.98
2009	\$7,759.71
2010	\$53,713.82
Total Outstanding:	\$67,108.38

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

Item No. 16. Transportation Report. Mayor Pro Tem Barry advised that there has been further movement on the Rea Road project.

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

Item No. 18. Closed Session. There was no Closed Session.

Item No. 19. Adjournment. Councilmember McKee moved to adjourn the February 14, 2011 Regular Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry
NAYS: None

The meeting ended at 8:00 p.m.

Daniel Barry, Mayor Pro Tem

Amy S. McCollum, Town Clerk

Due to the absence of Mayor Anderson, Mayor Pro Tem Barry presided over the meeting. He was not aware that he voted while presiding over the meeting and did not vote during the meeting. He will be counted as voting in the affirmative on all matters due to his failure to vote.