

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JUNE 13, 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 June 13, 2011, at 7:00 p.m. with Mayor Nancy D. Anderson presiding.

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

Absent: None

Visitors: Bill Price, Barbara Harrison, Walker Davidson, Daryl Matthews, Steven R. Carow, Jack Parks, Joshua Dye and Brian Carlton

Item No. 1. Call to Order. Mayor Nancy D. Anderson called the June 13, 2011 Regular Town Council Meeting to order at 7:01 p.m.

Item No. 2. Pledge of Allegiance. Mayor Anderson 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 as presented. All were in favor, with votes recorded as follows:

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

Item No. 4. Public Hearing.

A. Public Hearing to Consider the Proposed Budget for Fiscal Year 2011-2012 and to Set the Tax Rate. Mayor Anderson opened the public hearing to consider the proposed budget for Fiscal Year 2011-2012 and to set the tax rate.

Finance Officer Leslie Gaylord reviewed the budget with the Town Council. She stated, "This is the proposed budget that we agreed upon at last month's meeting. It is with a 3 cents tax rate. Total revenues are \$1,231,500 and expenditures are \$1,746,500 with an appropriation from Fund Balance of \$515,000. That is primarily due to the inclusion of the \$450,000 for renovations and upgrades to the Providence Fire Station. A change that we made at that meeting was to change the subsidy to \$293,000, add in additional costs for the iPads for Council and to include the purchase of Street Banners. On the last page it shows the line items that we discussed that were non-operating expenditures and how we got from an operating revenue of \$392,000 to the appropriation of \$515,000. Fund Balance assignments are \$250,000 for the Library and \$200,000 for Rea Road."

Mayor Anderson - I thought the fire department was going to be a Fund Balance assignment and we were just going to let it sit there as an assignment and not as an expenditure.

Councilmember Robert Gilmartin - I do not remember hearing that.

Finance Officer Gaylord - It is easily done if that is the way you prefer to do it. If it is going to be an expenditure in the coming year, I would go ahead and put it in the budget.

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

Item No. 5. Public Comment. There were no public comments.

Item No. 6. Approval of Minutes.

A. April 11, 2011 Regular Town Council Meeting. Mayor Pro Tem Daniel Barry moved to approve the April 11, 2011 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. May 9, 2011 Special Town Council Meeting. Mayor Pro Tem Barry moved to approve the May 9, 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

C. May 9, 2011 Regular Town Council Meeting. Mayor Pro Tem Barry moved to approve the May 9, 2011 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

Item No. 7. Consent Agenda.

A. Call for Public Hearing to Review and Consider Orientation Signs Text Amendment (Public Hearing to be held July 11, 2011 at 7:00 p.m. at the Weddington Town Hall). The Town Council received a copy of the proposed text change. Councilmember McKee moved to call for a public hearing to review and consider the Orientation Signs Text Amendment. The public hearing is to be held July 11, 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. Call for Public Hearing to Review and Consider Weddington United Methodist Church Conditional Zoning District Minor Amendment (Public Hearing to be held July 11, 2011 at 7:00 p.m. at the Weddington Town Hall). The Town Council received a copy of the Conditional Zoning Application dated April 28, 2011. Councilmember McKee moved to call for a public hearing to review and consider the Weddington UMC Conditional Zoning District Minor Amendment. The public hearing is to be held July 11, 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

C. Consideration of Resolution Adding Providence Forest Drive, Woodview Lane and Pinewood Court in the Providence Forest Subdivision to the State Maintained Secondary Road System.

Councilmember McKee moved to adopt Resolution R-2011-06:

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM
TOWN OF WEDDINGTON, NORTH CAROLINA
R-2011-06**

**North Carolina
County of Union**

Road Description: Providence Forest Drive, Woodview Lane, and Pinewood Court in the Providence Forest 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 they meet established standards and criteria.

Adopted this 13th day of June, 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 Resolution Adding Dockside Court in the Lake Forest Subdivision to the State Maintained Secondary Road System. Councilmember McKee moved to adopt Resolution R-2011-07:

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM
TOWN OF WEDDINGTON, NORTH CAROLINA
R-2011-07**

**North Carolina
County of Union**

Road Description: Dockside Court in the Lake Forest 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 road, 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 road meets 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 road, and to take over the road for maintenance if it meets established standards and criteria.

Adopted this 13th day of June, 2011.

All were in favor, with votes recorded as follows:

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

Item No. 8. Consideration of Public Hearing.

A. Consideration of Ordinance Adopting the Fiscal Year 2011-2012 Budget and to Set the Tax Rate. Councilmember Thomisser showed a Fire Districts Map and discussed which fire department handled each area shown on the map.

Councilmember Thomisser – I move that we not fund the \$450,000 for improvements to the Providence VFD for the following reasons. If we do not have firefighters and EMT personnel sleeping in that station, none of the improvements are necessary. Five years ago, when we started this subsidy - the subsidy was put in place for three full-time fire fighters and EMTs. It was never intended to fund upgrades at the fire station. Eighty percent of Weddington is served by the Wesley Chapel VFD. Those residents pay a fire tax of 2.2 cents per \$100 based on their valuation. I feel that it is not right to double tax 80% of the residents of Weddington for improvements to the Providence VFD especially since their 2.2 cents fire tax is currently being used to build a new fire station in Wesley Chapel. Twenty percent of Weddington residents who are served by Providence VFD will have exceptional coverage from 6 in the morning until midnight 365 days a year and they will have adequate coverage from midnight to 6 a.m. since only 8 to 10% of all calls come in during that time period. The Wesley Chapel VFD is located on New Town Road and has an ambulance in that station manned by three people 24 x 7 - an ambulance that the Town of Weddington purchased. In addition to that ambulance that is located in that fire station there are least two fire trucks and a captain of the department that lives directly across the street. It is my understanding that there are volunteers that live very close to that fire station. They also have a sign up sheet that between 5 p.m. and 7 a.m. volunteers can sign up. I took a ride at 2:00 in the afternoon and it took seven (7) minutes to get to that fire department. I submit that between midnight and 6:00 a.m. with sirens screaming and lights flashing that ambulance or that fire truck can be in Weddington in less than five (5) minutes.

Mayor Anderson – Your motion is to remove the funding from the budget?

Councilmember Thomisser – That is correct.

Mayor Anderson – According to your calculations, a Fire Chief that lives across the street and two volunteers – it takes three people to respond in a truck to a fire – they can get to the station and get to the fire in five (5) minutes or less.

Councilmember Thomisser – That is correct. Let’s not forget there is an ambulance in that fire station 24 x 7 in case of an EMT call.

Mayor Anderson – Have you had any conversations with professional fire people like Fire Marshal Neal Speer or the Fire Chiefs about this or is this just your self position because you understand that this changes the fire insurance rate of all the homeowners?

Councilmember Thomisser – According to Fire Marshal Neal Speer both fire stations are rated 6 – Providence VFD and Wesley Chapel VFD.

Mayor Anderson – So we would be relying upon volunteers to run the Providence VFD station from midnight to 6 a.m. You are suggesting that we not have any overnight firefighters?

Councilmember Thomisser – In the Providence VFD fire station. We would have coverage from 6 in the morning to midnight.

Mayor Anderson - Quite a reversal from your previous position before you came on Council.

Councilmember Thomisser – Before I came on Council five years ago, we had no coverage at all.

Mayor Anderson – Yes and you convinced everyone that it was extremely important that we have it.

Councilmember Thomisser – I believe that Councilmember Gilmartin supported me the first year to put \$60,000 in the budget to have coverage Monday through Friday 6 in the morning to 6 p.m. The following year we expanded that to include Friday, Saturday and Sunday and 18 months ago we put in place 6 p.m. to 6 a.m. One must remember that 92% of those calls that are coming into the fire station are coming in between 6 in the morning and midnight. I also would like to say compared to now to 18 months ago their calls have significantly dropped because they do not go into Mecklenburg County. They are averaging 37 calls a month - 28 are fire calls and 9 are EMS calls. If you do the math, 10% of the calls come after midnight and they are averaging three (3) fire calls a month after midnight and one (1) EMS call after midnight.

Mayor Anderson – So according to your cost benefits analysis, it is not cost effective. It is no longer cost effective to man that fire station.

Councilmember Thomisser – It is not cost effective to invest \$450,000 simply to have three people sleeping in that fire station when we do have coverage from Wesley Chapel at New Town Road.

Mayor Anderson – If someone is standing in the fire station.

Councilmember Thomisser – The ambulance is in the fire station with a crew of three.

Mayor Anderson – They transfer patients. They are not firefighters and they do not respond to fire calls.

Councilmember Thomisser – Since 1954 until 18 months ago, we had no night time coverage and we seemed able to get by in those years.

Mayor Anderson – We did not have this many people out here in 1954.

Councilmember Thomisser – What about 5 years ago?

Mayor Anderson – I am just asking you to clarify and to make sure I understand you correctly that you are willing to decrease the level of service that we provide our citizens.

Councilmember Thomisser – We are not decreasing the level of service. We have ambulance coverage in the Wesley Chapel Fire Station on New Town Road and we have two fire trucks in that same station that are capable of coming in the middle of the night to answer a fire call.

Mayor Anderson – Do you have some experts that you have spoken to about this? Can they verify your ETA?

Councilmember Thomisser – I talked with the Fire Marshal.

Mayor Anderson – And he thought you could get response from New Town within five minutes even though the firefighters are not at the station?

Councilmember Thomisser – He said if a call came in, knowing that there is nobody at the Providence VFD from midnight to 6 a.m., the call would be routed to Wesley Chapel VFD.

Mayor Anderson – Did he give you an estimate of what he thought the response time would be?

Councilmember Thomisser – No, he did not.

Mayor Anderson – So you came up with five (5) minutes on your own?

Councilmember Thomisser – I drove down to the fire station at 2 p.m. in the afternoon and it took me seven (7) minutes to get there. After midnight and between 6 a.m. travel time from that fire station to this Town Hall would be less than five (5) minutes. It possibly could be less than four (4) minutes.

Mayor Anderson – I do not dispute that the travel time from the station to here is that. I do not know how you are calculating that the firefighters get to the station and then come here.

Councilmember Thomisser – They have a sign up sheet in that fire station where the volunteers sign up just like they sign up at Providence VFD.

Mayor Anderson – So maybe someone is spending the night there?

Councilmember Thomisser – That is correct and there are volunteers that live close to that fire station.

Mayor Anderson – If we were willing to pay for volunteers to spend the night in the Providence Station, have we given any thought of paying firemen to stay in that fire station?

Councilmember Thomisser – No.

Mayor Anderson – Do you think that is a viable alternative or something that would keep the level of service at a higher level?

Councilmember Thomisser – That is another issue. There are two issues. One is requested improvements to the fire station at Providence and Hemby Road. That is the issue where my motion is right now, the other issue is the funding of the firefighters at the Providence VFD. They are separate issues.

Mayor Anderson – We cannot have people sleeping there if we do not do the upgrades. If we do not have them sleeping there, then would Council ask the people that do this for a living to give us advice on having firefighters sleep there? If you are going to pay firefighters to sleep here, would you pay for firefighters to sleep at New Town?

Councilmember Thomisser – That is a different issue.

Mayor Anderson – When you pull the funding for the improvements, the overnight coverage at Providence will cease and desist.

Interim Chief Providence VFD Daryl Matthews – We only have coverage from 6 a.m. to 6 p.m. I do not know where he is getting 12 midnight. I run with Wesley Chapel and I sign up for many a night there as a driver. I live here at Old Mill Road. It would take two (2) minutes for me to get my clothes on and get to the truck, four (4) minutes to drive to the station and another minute to get in gear, get the fire truck started and then to respond up here, I would have about a 12 minute response time. The captain that works across the road works from 7 to 1 in the morning at another job.

Councilmember McKee – That scenario stands for Wesley Chapel VFD as well as Providence. So if you have to get in your truck and come up to put out a fire at my house the time is going to be same regardless whether someone is at Providence.

Councilmember Thomisser – Eighty percent of Weddington is covered by Wesley Chapel. If it takes you that long to get in a fire truck, then it takes that long for 80% of Weddington.

Mayor Anderson – Yes, but you have never been happy with that before. That has never been good enough before.

Councilmember Thomisser – I was never not happy with the coverage we had from Wesley Chapel VFD. We are talking about Providence VFD between 12 midnight and 6 a.m. Your board runs your fire station the way you want to run it. What I am talking about and it will be my next motion is an 18-hour day coverage. You could do it whatever way you want to do it. You want two (2) 9 hour shifts or one (1) 12 hour shift and one (1) 6 hour shift. That is entirely up to you on how you want to do it.

Interim Chief Matthews- That is not going to work for our guys because many of them come from the City of Charlotte and the City of Monroe. They work 12 hour shifts there.

Mayor Pro Tem Barry – I have been consistently on the record for the last six (6) months and I have been very clear that we are between a rock and a hard place with this and I do not like either option and that the ongoing issues with our ability to continue to apply pressure with the fire department is controlled almost exclusively with the power of the purse. I am going to support Councilmember Thomisser’s motion and withdraw the funding of \$450,000 for the renovations of the fire department. The money will remain in our fund balance and if the opportunity presents itself later in the year that they have addressed the issues that I have asked them to address then we will be in a position to do an amendment in the middle of the year and allocate the fund balance at that time.

Mayor Anderson – I have had conversations with the Fire Marshal twice in the last week and specifically today and I asked the question, “Since we are in violation with our folks sleeping overnight, how much time do we have?” He was willing to work with us as long as there was a plan in place and a way to fund it. What happens when the funding goes away and it looks like there is nothing in place - the pressure will be on to cite that but that would not happen as long as we are moving forward. We also discussed that we should know something by September 1 whether the merger is a go or no go. He said if the money is in the budget that he could work with that. We have heard from our Fire Board and Board Chiefs, if we decide not to do the upgrades, they will cease and desist on the fire coverage at night.

Councilmember Thomisser – Only midnight to 6 a.m.

Mayor Anderson – You just heard the Chief say that the firefighters work a 12 hour shift or a 24 hour shift. They do not do 9's or 8's. If they are at their paid job in Monroe, they cannot get here to do half of a shift.

Councilmember Thomisser – Ever since we have started talking - the only response that we have ever had from the Providence VFD is the reasons why they cannot do something. I am sure that there are firefighters out there that are willing to work a 9 hour shift or a 12 hour shift or an 18 hour shift. That is not my decision.

Mayor Anderson – I am offended by your disrespect and comments to these men and women who have served us so well.

Councilmember Thomisser – I have not said a word of disrespect to the firefighters. I appreciate what they do. The only thing that I am saying is let them work it out the way they want to work it out.

Mayor Anderson – Your Fire Chief just told you how difficult that would be. Does that not have any bearing on your decision making process?

The vote is as follows:

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

A five (5) minute recess was taken.

Councilmember Thomisser - I move that we appropriate \$236,520 for firefighters and EMTs for FY 2011-2012. This number is based on 6 a.m. to midnight coverage and I am basing it on \$14.00 an hour. It is up to the Board to schedule the way they want to schedule. For purposes of this exercise I counted 6 a.m. to 6 p.m. as a 12 hour shift with 3 people at \$14.00 which comes out to \$504.00 x 365 days which is \$183,960. Then from 6 p.m. to midnight, I counted one person at \$14.00 and two volunteers at \$30.00 which comes to \$144.00 night x 365 and that equals \$52,560. The total of those two numbers comes out to \$236,520 which is a 9% increase over what we gave the fire department last year. If the Council approves this, I would like to see this money paid out on a monthly basis. They submit a detailed report to the Town Council for the firefighters and EMT coverage and then we repay them for what they have spent.

Mayor Anderson – Does this just include salary? Does this include FICA and insurance?

It was answered that it does not.

Councilmember Thomisser – To my knowledge, we have never paid FICA, Medicare, Workman's Compensation and Unemployment since we started this program five (5) years ago.

Mayor Anderson - You are not going to fund any of the insurance, any of the disability, anything extra than the hourly rate but later on in the budget you are going to pass a budget that is going to spend \$20,000 for recreational stuff and another \$180,000 for decorative lighting? That is what is happening here.

Councilmember Thomisser – That has nothing to do with this. We have never paid this. The Providence VFD is sitting on approximately \$300,000 in CDs and I feel like it is time for them to step up to the plate and start partnering with us on this funding. This is not the Weddington Bank.

Finance Officer Gaylord – If you were to include the comparable taxes, Workers Compensation and Training bonuses, that amount would be about \$270,000.

Mayor Anderson – I would like to know if it is possible to get coverage from 6 p.m. to midnight. We just had our Fire Chief discuss how difficult that would be. I am appalled. I am done.

Mayor Pro Tem Barry – Werner, I ran some numbers over the weekend. We can vote on this or have a substitute motion or a friendly amendment. The first part of your motion, I would like to address the monthly payment. I would like to suggest that we do that quarterly instead of monthly. I have a hard time advancing that money. I think one time last year we advanced a lot of money to the fire department. We do not want to do that again. I came up with \$275,000. I would like to recommend a substitute motion or an amendment to yours to move that budget item to \$275,000 to help fund the insurance and workers compensation.

Attorney Fox – Werner’s motion is specifically to an arrangement for reimbursement for salaries for certain positions for a certain time. The line item relates to fire department subsidies. Leslie, you may want to speak to what typically has come out of that line item.

Finance Officer Gaylord – That has been to pay the salaries of paid firefighters at the fire department. It has gone back and forth. Most years it has been the salary expense. I believe the year before last it did include the taxes because we amended the budget to what they asked us for. I do not think it initially did but the final amended budget did. Last year the Chief only asked for the salary money again and that was all we budgeted. We have never paid the workers compensation piece.

Attorney Fox – By your motion, are you intending to require them to adhere to the personnel needs and the timing or was it just an example how you got to the number such that your typical definition of subsidies would apply and they would use it as they have used it in the past for subsidies?

It was advised it was just an example.

Attorney Fox - Do you accept the friendly amendment to your motion to amend the proposed budget specifically to a number that you had proposed at \$236,520 to a number of \$275,000 and that amount be paid quarterly instead of monthly?

Finance Officer Gaylord – Quarterly versus monthly - it almost seems to me that it would help their cash flow situation to pay monthly rather than quarterly. We write checks every month so I do not have a problem with it.

Mayor Pro Tem Barry – Forget that portion.

Mayor Anderson – We are just allocating the money and not taking up time sheets.

Finance Officer Gaylord – One discussion was to have them submit their salary summary and to pay the actual salary that went out versus just dividing the budget.

Mayor Anderson – So now Kim will be doing payroll for Town Hall and the Fire Station.

Mayor Pro Tem Barry – It is no different than when Parker Poe sends us his bill.

Attorney Fox – It is a \$39,000 increase over what you had proposed.

Finance Officer Gaylord – \$23,000 in taxes (FICA, Medicare, Unemployment), \$5,000 for Workers Compensation and \$5,400 for training bonuses.

Councilmember Thomisser – I think the fire department should pay the training bonus.

Mayor Anderson – Do they need to buy a new fire truck too?

Councilmember Thomisser did not accept the friendly amendment.

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

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

Mayor Anderson called for a five (5) minutes recess.

Finance Officer Gaylord presented the Council with revised figures for the Budget Ordinance.

Councilmember McKee moved to adopt Budget Ordinance O-2011-10 for Fiscal Year 2011-2012 as amended by Finance Officer Gaylord with a 3 cents tax rate per \$100 and to assign \$200,000 for Rea Road Design and \$250,000 for the Library out of the Fund Balance.

**TOWN OF WEDDINGTON, NORTH CAROLINA
2011-2012 GENERAL FUND BUDGET ORDINANCE
O-2011-10**

BE IT ORDAINED By The Town Council of Weddington, North Carolina, In Session Assembled:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of Weddington Government and its activities for the fiscal year beginning July 1, 2011 and ending June 30, 2012, according to the following summary and schedules:

SUMMARY

<u>FUND</u>	<u>ESTIMATED REVENUES</u>	<u>TOTAL APPROPRIATION</u>
General	\$1,240,020	\$1,240,020

Section 2. That for said fiscal year there is hereby appropriated out of the General Fund the following:

<u>GENERAL FUND</u>	<u>AMOUNT</u>
General Government	\$ 609,095
Planning & Zoning	196,650
Administrative	<u>434,275</u>
TOTAL APPROPRIATIONS – GENERAL FUND	<u>\$1,240,020</u>

Section 3. It is estimated that the following General Fund Revenues and Fund Balance Appropriations will be available during the fiscal year beginning July 1, 2010 and ending June 30, 2011 to meet the foregoing General Fund appropriations:

<u>REVENUE SOURCE</u>	<u>AMOUNT</u>
Ad Valorem Taxes	\$ 587,750
State-Collected Revenues	618,750
Zoning and Subdivision Revenues	11,000
Other Revenues	<u>22,520</u>
TOTAL REVENUE GENERAL FUND	<u>\$1,240,020</u>

Section 4. There is hereby levied for the fiscal year ending June 30, 2012 the following rate of taxes on each (\$100) assessed valuation of taxable property as listed as of January 1, 2011 for the purpose of raising the revenues from current year's property tax as set forth in the foregoing estimates of Revenues, and in order to finance foregoing appropriations:

GENERAL FUND	<u>\$0.03</u>
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Section 5. The Finance Officer is hereby authorized to transfer appropriations within a fund contained herein under the following conditions:

- a. She may transfer amounts between object of expenditure within a department without limitation.
- b. She may transfer amounts between departments of the same fund with an official report on such transfers to the Town Council.
- c. She may make expenditures and/or transfers from appropriations as necessary.

Section 6. All capital items, (items exceeding \$5,000), are to be approved in accord with the adopted budget. The Finance Officer will maintain a list of approved capital outlay items.

Adopted this 13th day of June, 2011.

Mayor Anderson - During the recess, I consulted with the Attorney to see if this was a substantial change from the budget that we put out. He said the procedures that we have put in place were proper and we have no mechanism for people to now comment on the changes.

Attorney Fox – You have held your public hearing which was required by the Budget Fiscal Control Act and you have taken into account what was said and you have modified your budget and there is no requirement for a further public hearing on the changes and the modifications that you have made.

Mayor Anderson – Let's go around the table. I think it is appropriate before we vote for you to state for the record your position on the budget.

Councilmember McKee and Mayor Pro Tem Barry advised that they did not have any further comments and Councilmembers Thomisser and Gilmartin shook their heads that they did not have anything else.

The vote on Councilmember McKee's motion is as follows:

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

Item No. 9. Old Business.

A. Update on 2011 Weddington Festival and Discussion and Consideration of the Naming of the Town Festival. Councilmember Gilmartin – The festival is moving along nicely with a solid response with donations and sponsorships. There were some issues with the \$20,000 commitment and how it was going to be funded and how payback was going to occur. I would like to get some clarification from this body as to what were the triggers when we were paid back and how that was vetted. Do you recall what structure was wrapped around the \$20,000 and at what point based on the sponsorship threshold that payment would be coming back to the Town to reduce the net amount?

Councilmember McKee – I do not think there was an actual schedule.

Councilmember Gilmartin - I would like to make a motion that the \$20,000 that we have sponsored for this event still be whole and the pay back if there is any would come from a net income number. In other words, you would have sponsorship, donations and income, back out all of the expenses, you have a net income number. The first \$7,500 would go to Kids First and every dollar thereafter would be split up \$.25 cents to the Town and \$.75 cents to Kids First.

The vote on this motion is as follows:

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

The Council asked that a letter be drafted to Kids First regarding this matter and signed off by Ms. Sharon Sanders.

Councilmember Gilmartin moved to keep the name Weddstock. “I think it is a neat name.”

Councilmember McKee - I personally would like to see Weddfest but I will not beat it up.

Councilmember Thomisser - I would like the Council to consider calling it The Weddington Festival. Most of the people that come to the Festival are from Weddington but some are from Wesley Chapel, Indian Trail, Waxhaw and Marvin. It identifies what it is better. Would you accept this as a friendly amendment?

Councilmember Gilmartin declined.

The vote on this motion is as follows:

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

Item No. 10. New Business.

A. Consideration of Budget Amendment for Fiscal Year 2011. Finance Officer Gaylord reviewed the following Budget Amendment for Fiscal Year 2011 with the Town Council.

Mayor Pro Tem Barry moved to adopt the Budget Amendment for Fiscal Year 2010-2011:

**TOWN OF WEDDINGTON
PROPOSED AMENDED BUDGET
FOR FY2010-2011**

	Original	Approved Amendment #1		Proposed Amendment #2
Revenues				
Ad Valorem Tax	584,750	590,750		580,750
State-Collected Revenues	552,500	594,250	A	629,250
Zoning and Subdivision Revenues	11,000	9,000		9,000
Other Revenues	11,500	66,000	B	66,000
Total Revenues	1,159,750	1,260,000		1,285,000
Appropriation from Fund Balance	63,500	55,000		64,520
Total Revenues and Appropriation from Fund Balance	1,223,250	1,315,000		1,349,520
Expenditures				
Administrative Expenditures	324,040	340,000	C	344,520
Planning & Zoning Expenditures	333,300	399,700	D	399,700
General Government Expenditures	565,910	575,300	E	605,300
Total Expenditures	1,223,250	1,315,000		1,349,520

AMENDMENT #1

- 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

AMENDMENT #2

- F** Higher than anticipated beer and wine revenue
- G** Attorney fees higher than originally projected

Adopted this 13th day of June, 2011.

All were in favor, with votes recorded as follows:

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

B. Discussion and Review of the Policy on Utilization of the Town Attorney. The Town Council received a copy of the following Town Policy:

TOWN COUNCIL POLICY ON UTILIZATION OF TOWN ATTORNEY

The Mayor and each member of the Weddington Town Council shall have equal access to the Town Attorney. The Mayor and each Councilmember shall use their discretion when utilizing Town Attorney services since such services are provided on an hourly basis. Should the Mayor or Councilmember (upon consultation with the Town Attorney) determine that a request for Town Attorney legal services will generate legal fees in excess of two (2) hours of an attorney's work product time, then the item shall require prior approval of the Council before the work is performed.

Councilmember McKee – What brought my attention to this was there were some things that were recommended at the retreat. In my opinion we were just generally discussing things that we would like to get done. There were things done which took the policy limit of two hours without Council approval. I spoke with Attorney Fox about this and he thinks he can respond back when one Council person calls about a subject that has not been brought to the Town Council for approval. I spoke with Amy and she agreed to be involved also. This was just to refresh the Council's memory on the policy.

C. Consideration of Changing Provider of Property and Liability Insurance. The Town Council received the following memo from Town Administrator/Clerk Amy McCollum:

The Town currently has its Property and Liability Insurance, Workers Compensation Insurance and Health Insurance with the North Carolina League of Municipalities (NCLM). Recently, another company requested to quote the Town's insurance.

Property and Liability

In 2010-2011, the Town paid \$20,360.91 for Property and Liability through NCLM. The quote that we received from Martin and Harrill Insurance was \$9,078. NCLM has estimated our Property and Liability insurance to cost \$20,205.00 this coming year. By switching our Property and Liability to Martin and Harrill Insurance the Town would see a savings of approximately \$11,127.00. I spoke with Ryan Ezzell with the League and they offered to review what Martin and Harrill was offering to see if it was comparable. He did advise me that the coverage appears to be the same and the biggest difference in costs involved the Public Officials/Management Liability. NCLM bases their costs on the population of the municipality (they feel the greater the population the more risk someone is going to sue). Martin and Harrill base their Public Officials Liability on the number of employees and elected officials.

Workers Compensation

In 2010-2011, the Town paid \$1,828.34 for Workers Compensation through NCLM. The quote that we received from Martin and Harrill Insurance was \$2,969.00. NCLM has estimated our Workers Compensation Insurance to cost \$1,602.75 this coming year. I would recommend that the Town leave our Workers Compensation with NCLM.

Martin and Harrill Insurance is an independent agency that has served the Carolinas since 1898. I contacted the Towns of Stallings, Indian Trail and China Grove who currently use Martin and Harrill and they had nothing but great comments regarding the service that they receive.

If the Council decides to change who provides the Town's Property and Liability Insurance, we would be required to pay the League a 2% exiting fee based on the current year annual premium which would cost the Town approximately \$407.00.

The Town Council also received a copy of the proposal from Martin & Harrill Insurance.

Mayor Pro Tem Barry moved to accept the proposal from Martin and Harrill Insurance to carry the Town's Property and Liability Insurance and to pay NCLM the appropriate exiting fee.

Councilmember Thomisser requested a friendly amendment to allow the Attorney to review the policies prior to changing.

Mayor Pro Tem Barry did not accept the amendment.

The vote is as follows:

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

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

- 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. NCDOT will soon have the asphalt for the road work and will then need about two weeks to complete the grading and pavement work.
- The DrumSTRONG 2011 Temporary Use Permit was approved at the April 25th Planning Board meeting. The event took take place on May 21-22.
- The Town Council will hold a Public Hearing on July 11th to add Orientation Signs to the Town Zoning Ordinance. These signs would be allowed only on church campuses, educational and government facilities.
- The Town Council will hold a Public Hearing on July 11th to review a CZ Amendment Application from Weddington United Methodist Church for church campus signs.
- A link to the 2012-2018 Draft TIP is available on the Town website and a hard copy is available in Town Hall for Public Comment. The Public Comment period will end on June 30th.
- Town Staff has received a Conditional Zoning Application from Union County for the construction of a Water Tower in Weddington. This project will be on the June 27th Planning Board agenda. Public Involvement meetings will be on June 16th and June 20th. The June 16th meeting will be held on-site (247 Providence Road South) from 2:00-4:00pm. The June 20th meeting will be held at Town Hall from 5:30-7:30pm. The Conditional Zoning process allows Town Council and Planning Board members to attend these Public Involvement meetings.
- Planning Board and/or Staff are working on the following text amendments:
 - Access Entrances Gates for Subdivisions (annual maintenance)
 - CUP Removals (removing any reference to CUP and replacing with CZ)
 - Farmers Market definition and development standards

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

Our Downtown Consultant advised that Ornamental Post & Panel has delivered the light poles and lights to a warehouse where Boswell Electric will attach the lighting, wire the poles and install on site. He advised that the banners will be delivered on Wednesday and Boswell feels that they will finish the job in the next 10 days. Mr. Bizzell and Scott Buzzard have tentative plans to meet next week to discuss the gateway locations further and then a Special Downtown Committee Meeting will be held to finalize the locations.

I am in contact with NCDOT about getting a Municipal Agreement to allow the Town to mow areas on Providence Road and Highway 84 and to be reimbursed for some of those costs. Daryl Matthews is also working on a contract to be reviewed and approved by the Town for the mowing of these areas.

I spoke with County Manager Cindy Coto today regarding the joint meeting between the Town Council and Board of County Commissioners. She asked that the Town Council give her some dates that she can take to her Board.

I began the process today of working with the Apple Business Store and School of Government regarding the Town's upcoming project of going to iPads for the Town Council and depending on tonight's vote on the budget will proceed further on this project this week.

I am working with the Town's engineer on getting cost estimates to complete work in several subdivisions. The Town had to call letters of credit in two subdivisions recently so now the Town will work on getting the unfinished items completed.

Upcoming Dates

June 27	-	Regular Planning Board Meeting
July 4	-	Closed for Fourth of July

Item No. 13. Public Safety Report.

Providence VFD

Fire Calls – 22
EMS Calls – 7
Training Hours – 288

The Town Council received the Income and Expense Budget Performance and Balance Sheet for May 2011.

Weddington Deputies – 484 Calls

Wesley Chapel VFD – 135 Calls

Councilmember Thomisser and Mayor Anderson discussed the first CERT Subcommittee Meeting which was held on June 9, 2011. By consensus the Council agreed to allow Councilmember Thomisser to work with the Fire Departments to discuss how the CERT Team could be used to assist them.

Chairman Walker Davidson reviewed the Public Safety Committee Meeting that was held with Scott Cole with NCDOT to discuss several transportation issues within the Town. He reported that Mr. Cole is in the process of reviewing the speed limit on Weddington-Matthews Road and will report back with any recommendations. The Council and Mr. Davidson also discussed the speed limit on Providence Road and whether Mr. Cole recommended that the speed limit be increased from 35 mph to 45 mph. He stated, "Scott Cole and Deputy Ronnie Honeycutt were both in attendance. I think Deputy Honeycutt wanted to work on more signage for the area showing the speed limits. Both of them felt you do not want to change the speed limit to 45 mph because many people exceed the posted speed limit. If you raise it to 45 mph, then people are going to be going 60 mph and it is going to create a more dangerous situation. The road is designed for 45 mph."

Mayor Anderson felt that it was very hard for the deputies to enforce 35 mph and felt that it should go to 45 mph and the deputies should ticket people who are speeding. Mayor Anderson advised that she has a meeting with NCDOT on Thursday and she would also discuss with them.

Item No. 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 5/1/2011 to 5/31/2011.

B. Tax Collector’s Report.

Monthly Report – May 2011

Transactions	
Pay Interest & Penalties	\$(593.81)
Refunds	\$101.42
Adjust Under \$5.00	\$(25.92)
Interest Charges	\$201.94
Overpayments	\$(101.42)
Taxes Collected:	
2010	\$(11,125.99)
2009	\$(624.09)
2008	\$(408.46)
2006	\$(2.77)
As of May 31, 2011; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$291.65
2006	\$180.70
2007	\$313.71
2008	\$3,478.48
2009	\$5,610.99
2010	\$16,884.15
Total Outstanding:	\$27,197.45

Finance Officer Gaylord advised that Kim has a 97% collection rate which is excellent and that she has worked extremely hard on collection of the taxes.

Item No. 15. Transportation Report. Mayor Anderson reported that the Draft TIP is out for comments and is on the MUMPO website for viewing. She stated, “You may also be aware of the accident at New Town Road three weeks ago where the student was killed. Several students have taken up that cause to get New Town Road improved. I am one of the mayors that is helping them with that project and I am taking them to NCDOT in Albemarle on Thursday.”

Item No. 16. Council Comments. Councilmember McKee advised that the landscape person for Weddington Corners has asked about hooking on to the Town’s well to do a drip irrigation for the bushes

at the access road. He stated, "I originally got him a quote from the irrigation people that put ours in but now their landscape person wants to do it. I have reservations about someone else hooking into our system other than the ones that put ours in. We have only a few zones left. If we do anything for the back yard we would have to put in a bigger controller."

Council agreed that the Town's contractor should install and Weddington Corners should pay for the upgraded controller.

Mayor Pro Tem Barry – I am meeting with Maurice Ewing with Partnership for Progress in July. Also municipal filings start in July.

Mayor Anderson – I am very disappointed in the outcome of the budget hearing. I am embarrassed that we are spending money on landscaping but we are not putting money forth for public safety. This is the first time that has ever happened.

Item No. 17. Adjournment. Mayor Pro Tem Barry moved to adjourn the June 13, 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 9:06 p.m.

Nancy D. Anderson, Mayor

Amy S. McCollum, Town Clerk