

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, OCTOBER 10, 2011 – 7:00 P.M.
WEDDINGTON UNITED METHODIST CHURCH – HELMS HALL
13901 PROVIDENCE ROAD
WEDDINGTON, NC 28104
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Regular Session at the WUMC – Helms Hall, 13901 Providence Road, Weddington, NC 28104 on October 10, 2011, with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson (Left Meeting at 8:24 p.m.), Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser and Jerry McKee, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Jordan Cook and Town Administrator/Clerk Amy S. McCollum

Absent: Councilmember Robert Gilmartin

Visitors: Kent Hayes, Genny Reid, Richard Sahlie, Larry Wood, Pam Hadley, Barbara Harrison, Providence VFD Chief Joshua Dye, Andrew Moore, Brenda Stone, Walker Davidson, Annette Baker, Dick Douthwaite, Paul Gross, Craig Bohlen, Jan Taylor, Dennis Taylor, Joe Tolan, Russ Brasher, Silvano Ferrazzo, Brooke Dunwoody, John Houston, Jim Vivian and Jerry Fitzgerald

Mayor Nancy Anderson offered the Invocation prior to the opening of the meeting.

Item No. 1. Call to Order. Mayor Nancy D. Anderson called the October 10, 2011 Regular Town Council Meeting to order at 7:03 p.m.

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

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

Item No. 4. Public Hearing.

A. Public Hearing to Review and Consider Spittle and Matthews Land Use Map Amendment from Residential Conservation and Traditional Residential respectively to Business. Spittle property is located at 6874 Weddington-Matthews Road (Parcel # 06-150-059). Matthews Property is located at 6924 Weddington-Matthews Road (Parcel # 06-150-058). Mayor Anderson opened the public hearing to review the Spittle and Matthews Land Use Map Amendment request. The Town Council received the following memo from Town Planner Jordan Cook:

Mr. Jim Spittle requests a Land Use Map Amendment on his property located at 6874 Weddington-Matthews Road.

Application Information:

Date of Application: July 15, 2011
Applicant Name: Jim Spittle
Owner Name: Jim Spittle
Parcel ID#: 06-150-059
Property Location: 6874 Weddington-Matthews Road
Existing Zoning: RCD
Proposed Zoning: RCD (No proposed zoning change)
Existing Land Use: Residential Conservation
Proposed Land Use: Business
Existing Use: Single Family Home
Proposed Use: Single Family Home
Parcel Size: 7.09 Acres

General Information:

- The Spittle property currently has a Land Use designation of Residential Conservation. The applicant proposes that this designation be changed to Neighborhood Business or Business as shown on the Land Use Map.
- The Land Use Plan is a document used to promote the Town’s vision and shall be used as a guide for future development.
- The Land Use Plan may be amended at any time by the Town Council; however, the Land Use Plan does state on Page 25 (attached) that “land use amendments may occur more frequently than policy changes but should not occur more than twice per year.” The last Land Use Map amendment was approved by the Town Council on June 14, 2010.
- The June 14, 2010 Land Use Map amendment changed a portion of Mike Treske’s property from Traditional Residential to Business. Mr. Treske’s property is adjacent to Mr. Spittle’s property.

Planning Board Information:

- The Planning Board gave the Spittle Land Use Map Amendment a favorable recommendation with the recommendation that the Town Council also consider changing the Land Use designation of the Matthews property. The Matthews property is adjacent to the Spittle property and Town Hall property.
- The Matthews property is a 3.16 acre parcel located at 6924 Weddington-Matthews Road. It currently has a Land Use designation of Traditional Residential and is zoned R-40. The property owner, Mrs. Ella V. Matthews supports the Land Use Map Amendment for her property.

Project Narrative submitted by Paisley Gordon, Jr. – CPG Real Estate

Jim and Mettie Spittle have been trying to sell their land for many years but have been unable to find a buyer. They no longer need to live on this property and would look to downsize. The property is located adjacent to the rear of the Weddington Corner shopping center. The land use plan was changed in 2010 and several properties were changed from residential conservation to business. Originally the Spittle’s property was included in the land use change from residential conservation to business but was later removed. We are asking that the Spittle’s land be changed to business on the land use plan. We are not asking for a rezoning but a land use plan change only. This will be conditional district and will require any plan to be brought before the Planning Board and Town Council for approval. The Spittle property is important in creating a downtown core which is a natural for the area. The downtown core would provide much needed economic development to Weddington and it would also increase Weddington’s tax base.

The property is adjacent to areas that are already used for commercial uses and will provide a way to plan for future growth for Weddington. Weddington has continued to grow even during the recent recession. With all of these new residents, there will continue to be demand for new services in Weddington.

The Town Council also received the following:

- Zoning Map Change Application LUP01-11 dated July 15, 2011
- Exhibit 1: Future Land Use Categories from the Weddington Land Use Plan
- Section IV. Plan Administration and Implementation Strategies from the Land Use Plan
- Aerial Image of the Property
- Weddington Future Land Use Map

Mr. Walker Davidson – I went to the Planning Board meeting where Rob Dow brought up the issue with this property. It looks like the main reason to do this is because it is adjacent to business now. If the reason for doing this is because you are currently adjacent to business, after you do this somebody else will be adjacent to business. Where does it stop? After you do this, how many parcels come up and ask for the same thing? Mr. Dow had talked about a buffer zone. I understand why the property owners are asking for this. If you set this precedent tonight, you may get further requests for this down the road.

Mr. Jim Spittle – I am the applicant. We are asking to be treated much like you did with the Treske property. We have been behind the shopping center the whole time. It looks to me like it is in the Town's best interest if you have these two properties in the center of the Town that you can control what goes in there. What would stop me tomorrow from going in the pig business and me and Ms. Matthews getting 100 pigs? Is that going to be in the best interest of the Town of Weddington?

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

Item No. 5. Approval of Minutes.

A. August 8, 2011 Regular Town Council Meeting Minutes. Mayor Pro Tem Barry moved to defer consideration of the minutes until the next Town Council Meeting. All were in favor, with votes recorded as follows:

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

Item No. 6. Public Comment. Providence VFD Chief Joshua Dye - Have you given any thought to why local firefighters are called first responders? The reason is they are trained emergency medical technicians and the location of their fire station allows them to arrive before other medically trained personnel. They are not physicians or paramedics but first responders are credited with saving lives daily because of their quick response and their ability to stabilize the patient before other medical personnel can arrive to transport them to the hospital. The assigning of our citizens to the closest fire station to their home or place of business is fundamental in making sure our first responders are also the quickest responders. In Weddington this is not the case. Our citizens are living with fire district lines that do not give them the opportunity to have the quickest first responders come to their home on a consistent basis. There are citizens that live within a quarter of a mile of Providence VFD that are forced to wait for another department from over four miles away. This situation should make any reasonable person take action to make changes. When our citizens learned that this situation has existed for 27 years they were appalled. Our elected officials have the opportunity to correct this wrong that other leaders both past and present have been unwilling to address. The solution is for you on behalf of the Town of Weddington to pass a Resolution to form a municipal fire district so that the citizens of Weddington can have the voice in the way the fire departments serve Weddington. Providence VFD agrees with Weddington in forming a

municipal fire district and will support that action with our well trained personnel as well as apparatus. We were the first to have EMT responders on all shifts and to use AEDs in Union County. We look forward to helping the Town of Weddington take this historic step in forming a municipal fire district.

Ms. Judy Johnston – This is it. Tonight is the night. You have heard from the experts. You got information from both Providence VFD and Wesley Chapel VFD. You have done your due diligence. You have talked with Union County. The County has not shown an interest in over 27 years to address fire service issues. It is time. The time is right for the Town to take control of vital services and to protect the citizens and our homes. This is not a popularity contest about whether you like Wesley Chapel VFD better than Providence VFD or you like Providence VFD better than Wesley Chapel VFD. Creating a municipal fire district is the best option for the Town no matter what the future holds for our fire services. I would like to go over some of the costs for not voting for a municipal fire district. The first would be a loss of the 7 million dollar asset. The loss of adequate coverage to 4,200 residents. It is an increase in homeowners insurance to the tune of \$400 a piece. Fire service ratings may change. It is my understanding that a fire department receives only one insurance rating. If this is true, even residents in Marvin and Wesley Chapel may see an increase in homeowners' insurance premiums. A \$400 increase going to the insurance company is equivalent to an 8 cents fire tax rate. I might as well pay that money to Providence VFD and receive outstanding fire service. My neighbors to the south are concerned about how a water tower will affect their property values. You can bet if Providence VFD is allowed to shut down our property values will be affected greatly. You were elected to work for the protection of the residents of Weddington. It is offensive to me that Commissioner Jonathan Thomas thinks that Marvin and Wesley Chapel should have a say on whether our Town becomes a municipal fire district or whether two private entities Providence VFD and Wesley Chapel VFD merge. These are local municipal issues that should be dealt with at a local level. Take action tonight and vote to begin the process of becoming a municipal fire district and implement local costs and quality control of fire services and save Providence VFD to protect our homes and families. This is an historic moment in Weddington. Your vote tonight will send a message about the priority you have in protecting the Town and it will provide Weddington the highest emergency standards in our County. Your approval this evening will make me very proud to be a citizen of Weddington.

Mr. Silvano Ferrazzo – I live in Providence Woods South. I see on the agenda a discussion of recreational cycling. I think this new business is ill conceived for several reasons. Recreational cycling just does not happen in the morning hours. There are many people that work shift work that enjoy cycling throughout the day. I do most of my cycling on the weekend. But I really resent being restricted when I can ride my bicycle. I think restricting the hours of cycling is an intrusion of citizens' rights. I am a supporter of establishing a municipal fire district. I think it is time for Weddington to take charge of our own safety. I strongly urge you to vote in favor of the resolution establishing a municipal fire district.

Mr. Richard Sahlie – We need to ensure that Providence VFD is upgraded for 24/7 service in accordance with the philosophy of the operation of the Providence VFD which I totally agree to. I think we need to separate that from the taxation issue. If we form a municipal fire district Weddington and this Council will be able to control the revenues for fire and safety. I see no virtue in merging the management of the fire services between Wesley Chapel VFD and Providence VFD. Wesley Chapel VFD has a different set of philosophies. They have a different set of economic problems than we have. We have a fire station totally free of debt only needing to increase the number of people to serve. I count on this Council to look after the most important functions that this government has and that is fire safety and medical services. I highly recommend that we cooperate with Wesley Chapel VFD wherever that is appropriate but forget about the merger. Our interests are too different.

Ms. Pam Hadley – I live in the Williamsburg Subdivision that is .25 miles away from Providence VFD. My neighbor Monica Rushton has asked me to read her statement as she could not be here tonight. "My

husband and I recently moved from the West Coast to Weddington. When we chose to build our home in Williamsburg, we did so because the emergency response was of primary concern. My husband has had three cardiac episodes in the last three years but we felt confident being that close to Providence VFD. August 11 at 6:00 a.m. we discovered we were in the Wesley Chapel VFD district. At that time my husband woke me up complaining of chest problems. I called 911 expecting a quick response. However it took nine minutes for them to get there and an additional minute for EMS. It was a long 10 minutes. If his heart would have stopped it would have been tragic. However, they stabilized him and all is well. I would like to say that we could not have been more pleased with the professionalism and emergency service provided by Wesley Chapel VFD. They were everything that one could hope for except for the time element. Unfortunately no matter how good they are, they simply cannot physically respond any faster. Our concern is that sometime in the future, 10 minutes is simply too much. It makes no sense to us that the fire districts are drawn in such a manner that only those people lucky enough to live close to Wesley Chapel VFD can receive the life saving response times. We believe that all residents of Weddington should have equal access to emergency care. Common sense dictates that the Town of Weddington should take control of this and public safety should not be about budgets and politics. We implore you to consider the needs of the good people of Weddington who count on you to provide all of us with equal access to timely care. I support your voting for a municipal fire district.”

Mr. Brooke Dunwoody – I am one of the adjacent property owners of the WCWAA ballpark. I have lived there for the past 20 years. My house has never been in the 100 year floodplain. I have voluntarily had flood insurance just in case we did have a tremendous flood. Prior to any fill being added to the ball park, when we would have a flood situation that would rise up the creek banks it would go both ways toward the park side and towards the Wedgewood subdivision side but the water would disperse. I have lived here 20 years and there was only one occurrence that I am aware of where flood waters actually crossed Highway 84. That was prior to the park and prior to any fill being put in. The flood waters on my property never got as high then as they do now when we have a substantial rain. Now when we have a substantial rain, we are experiencing a 100-year flood event and to my knowledge there has not been a 100-year flood event in the County during this past 20 years. At a public hearing in 2001, when the park was discussing their plan, I brought up my concern about the flood issue. The park officials were very aware of the situation as well as their engineers. They specifically addressed the audience and that the park would take every effort not to do anything negative to the floodplain. Once construction started and multiple truck loads of dirt came in, the County refused to take any action whatsoever until 2005 when they issued a Notice of Violation. The plan that the park has proposed is a little band aid on a big problem.

Mr. Joe Tolan – I was looking at the agenda for tonight’s meeting and the last item said “Discussion of WCWAA Matter.” The irony of this was the way this was worded. The only ones who are subject to them that matter are the property owners and they have been the victims of the crimes committed by the WCWAA and the performance of the elected officials over the last eight years. Our property rights were stolen when WCWAA made their decision to ignore the FEMA regulations and fill in the floodway to build a playground. This has resulted in the loss of vegetation and loss of property that we owned. That matters to us. By filling in the floodway they encroached onto our property. That also matters to us. It would be nice to think that this offense committed by the WCWAA mattered to the elected officials as well. Instead we have witnessed the actions or rather inactions of the officials of the Town and the County over the last decade and listening to the officials come to the defense to the WCWAA time and time again.

Mr. Russ Brasher – I have lived in the Wedgewood Subdivision since 1994. I have been involved in the community in numerous ways. I have also served on the board of the WCWAA including three years as President and one year as Treasurer. One of the last things I did as President was sign the paper to buy that additional land. There was a discussion about that land and a concern about the fact that it was in the

floodway and floodplain. There was no discussion of bringing any dirt in. I do not know who subsequently did it. But it was wrong and the people that did it need to step up and take responsibility for it and resolve it. I have the utmost respect for what they do out there. I support the athletics. My kids played out at it. That does not come at the expense of the neighbors especially when you affect the rights and properties of others. It is important for our elected officials and our government to look out for us. We depend on all of you to make it right. It is not just what we can get away with or negotiate. I appreciate the fact that you hired Mr. Abbott to come in and review the situation. He should not be used to see what we can get away with. You need to protect the rights of the property owners and the values of our property. We have invested a lot here and we love our community.

Mr. Walker Davidson – I know that Providence VFD has declared that it will have to shut its doors in March 2013 if nothing changes. I hope you move forward with the municipal fire district. I think that Fire Commissioner Jonathan Thomas said that six out of the eight obstacles had been resolved. When I talked with Jack Parks he is unaware of that. Please do not drag this out and keep talking about the merger. We proposed a map to the Fire Commissioner and they did not want to entertain it as far as moving the lines. Move forward - friend or foe.

Ms. Brenda Stone – Last Wednesday I had the experience of having the fire department come to my house at 12:30 a.m. We had a church funeral reception the next day and I had to do three dozen deviled eggs. Before I went to bed I thought I would just get the eggs boiling before I go to sleep. I put them on and set the timer for 10 minutes and woke up to billowing smoke and the fire alarm blaring. Two minutes later our wonderful fire fighters came. Please create the municipal fire district. We need it.

Mr. Andrew Moore – I think it is in the best interest if we move forward with this municipal fire district and we take control and do what is best for the residents. Let’s move forward and get this done.

Mr. Jerry Fitzgerald – I totally support Chief Josh’s position to establish a municipal fire district here in Weddington. We have a fire department that has served this community for over 50 years. We have some of the best personnel that there is. It is well managed. It has no debt and it only serves the Town of Weddington. Listen to your constituents. We want the continued service of a terrific fire department that is staffed well and run well.

Item No. 7. Consent Agenda.

A. Call for Public Hearing to Review and Consider Text Amendments to Section 58-151 – Temporary Signs (Public Hearing to be held November 14, 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 proposed text amendments to Section 58-151. The public hearing is to be held November 14, 2011 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

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

B. Call for Public Hearing to Review and Consider Text Amendments to Section 58-149 – Freestanding Ground Signs (Public Hearing to be held November 14, 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 proposed text amendments to Section 58-149. The public hearing is to be held November 14, 2011 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry

NAYS: None

Item No. 8. Consideration of Public Hearing.

A. Consideration of Spittle and Matthews Land Use Amendment from Residential Conservation and Traditional respectively to Business. Mayor Pro Tem Barry moved to approve the Spittle and Matthews Land Use Amendment from Residential Conservation and Traditional Residential to Business. He stated, “I have struggled a great deal over this trying to figure out what the right answer is. I was taken by comments made earlier today about property rights. All of the comments during public comments tonight were about protecting an individual’s property rights. Mr. Spittle approached us now twice to change the use of his property.”

Councilmember Thomisser – I understand property rights but in 2006, 72% of people of Weddington said that they did not want any more commercial activity around this area. We have a shopping center right now that needs a lot of help. Yesterday the YMCA moved out. There is a very good possibility that the Harris Teeter may move out. To increase the amount of commercial in this area is the wrong way to go. I ran on the platform of no more commercial so I can not support this.

Councilmember McKee – These are properties that abut up to the present shopping center and they are near where the trucks are coming in and out. Their property is being abused by the shopping center location. I think they were there before the shopping center. This does not rezone them at all. It would be up to the Council to make that decision at a later date.

The vote is as follows:

AYES: Councilmember McKee and Mayor Pro Tem Barry
NAYS: Councilmember Thomisser

Item No. 9. Old Business.

A. Review and Possible Consideration - Future Fire Service in Weddington. The Town Council received a copy of a letter dated September 8, 2011 from the Town Attorney regarding Fire Protection Options.

Councilmember McKee moved to instruct the Town Attorney to draft a resolution to Union County stating that Weddington wants to proceed with a municipal fire service area and the Town requests that they relinquish their control of this area.

Attorney Fox - What I am hearing is that the Council is interested in directing staff to draft a resolution which would seek the County’s cooperation and approval in the withdrawal of the Town’s prior consent. The easiest path is to go the path of getting the collaboration of Union County.

Mayor Pro Tem Barry - We are saying that we are moving ahead with or without you.

Councilmember Thomisser - I think the Weddington Town Council is quite capable of making a decision of moving forward on this and I totally agree that it is time for the Town Council to step up and move ahead on the municipal fire district and fire tax.

Representative Craig Horn – The General Assembly goes into session in May of 2012. The local bills are not subject to veto; the only challenge is getting it on the calendar. It not as simple as it sounds. I will encourage the Council to talk to all the individuals of the delegation of the State from the Union County delegation. It should be about 10 days to get through the General Assembly. I would find a bill that someone vacated, change that bill to this bill and push it through very quickly. There is an outside

possibility that under the rules of the House that I could get a local bill considered during a session yet to be held this year. We are going into session the first week in November. I will have a bill drafted to make sure that the Town has the authority and to remove any potential obstacles. That type of bill probably could not get considered until the short session in May.

Council requested that staff prepare the resolution to be sent to the County Commissioners by their meeting on Monday and to request a response by November 14. All were in favor, with votes recorded as follows:

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

B. Review and Possible Consideration - Weddington Water Storage Facility. The Town Council by consensus tabled this item to wait until the updated Union County Water and Sewer Master Plan is available.

C. Review and Consideration of Town Hall Landscaping/Pavilion Plan – Councilmember McKee. Councilmember McKee requested that this item be delayed to allow further review of the Parks and Recreation Grant process.

Item No. 10. New Business.

A. Review and Consideration of Applications for Vacancy on Public Safety Advisory Board. The Town Council received the following memo from Town Administrator/Clerk McCollum, a copy of the Appointment Policy and a list of applications:

There currently is a vacancy on the Public Safety Advisory Board due to the resignation of Mary Ann DeSimone. The term for that seat expires on 2014. You have a list of applications that have been submitted for this vacancy. I have also attached the Appointment Policy for your review.

Councilmember Thomisser moved to appoint Mr. Gene Melchoir to the Public Safety Advisory Board.

Mayor Anderson also recommended Mr. Scott Robinson for this vacancy.

The votes are as follows for Councilmember Thomisser’s motion:

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

B. Discussion and Consideration of Creating an Ordinance to Limit Recreational Cycling on Week Days Between 6:30 a.m. and 9:00 a.m. Mayor Pro Tem Barry questioned whether the Town had jurisdiction over roadways and whether the Town could create an ordinance limiting recreational cycling. He stated, “I have received half a dozen complaints over the last few weeks regarding cyclists. They are not abiding by proper etiquette and there have been some near misses.”

Attorney Fox - You do not maintain the roads. There is the interesting issue of the constitutional right to travel. The question becomes is this an impediment to the right to travel. Your goal would be to ensure safety in your jurisdiction.

Mayor Pro Tem Barry asked that Attorney Fox review this matter to see if the Town is allowed to place regulations on recreational cycling.

Mayor Anderson asked to be excused from the meeting at 8:24 p.m.

C. Review and Consideration of Christmas Decorations for Town Street Lights and Town Hall.

Councilmember McKee showed examples of the proposed Christmas banners for the street lights. He advised that money was previously budgeted for these banners. Councilmember McKee also showed the Council examples of garland column drops that the Downtown Core Committee recommended be installed on six of the street lights along with red vinyl wrapping on all of the street lights. Councilmember McKee advised that \$2000.00 would need to be budgeted for this expense. Councilmember Thomisser informed the Council that the outside decorations at the Town Hall would be changed this year to be more in keeping with the historic nature of the home. Councilmember Thomisser moved to approve the proposed Christmas decorations for the Town Hall and street lights and to authorize the expenditure of \$2,000 for these decorations. All were in favor, with votes recorded as follows:

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

D. Review and Consideration of Town Limit Signage. The Town Council received the following memo from Town Administrator/Clerk McCollum:

The Downtown Core Committee requested that Mr. Buzz Bizzell develop a Town limits sign that would replace the NCDOT green town limit signs that currently exist in the Town. The Town monument/markers will take the place of those signs at Rea Road and on Providence Road. Town Planner Jordan Cook is currently reviewing how many of the proposed Town limit signs would be needed. The total cost of each sign is \$460.00. This project is part of the overall streetscape project that the Downtown Core Committee has been working on with the street lights, banners, Town monuments, etc.

Councilmember McKee moved to purchase six Town limit signage markers. The vote on the motion is as follows:

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

E. Review and Consideration of Award of Bids for Stratford Hall Subdivision Street Improvements. The Town Council received the following memo from Town Administrator/Clerk McCollum:

In August, the Town Council authorized US Infrastructure to provide engineering services to assist the Town in completing street improvements in the Stratford Hall subdivision. The Town is working to make the necessary street improvements to bring the subdivision to standard by utilizing the developers' performance bond money. Bids were received on October 5, 2011 for this work and US Infrastructure has recommended the work be completed by Trull Contracting in the amount of \$80,003.18. Please see the attached letter from US Infrastructure.

Councilmember McKee moved to award the bid to Trull Contracting in the amount of \$80,003.18 to complete the Stratford Hall Subdivision street improvements. All were in favor, with votes recorded as follows:

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

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

- NCDOT has notified the Town that work on the NC 84 Weddington-Matthews Road Dual Lane Roundabout has commenced. NCDOT will have engineers, surveyors, geologists, and others gathering data for the next several months. Construction of the roundabout should begin in the summer of 2012, while design plans will be done much earlier. Approximately 25% of the road design is complete.
- NCDOT has received the proper permits from NCDWQ (NC Division of Water Quality) and the US Army Corps of Engineers for the construction of the relocation of Weddington Church Road. NCDOT will begin taking bids on the project in March 2012.
- Staff has received a Land Use Map amendment application from Jim Spittle at 6874 Weddington-Matthews Road. This application will be on the October 10th Town Council agenda for Public Hearing and Consideration. The Planning Board also asked that the Town Council consider amending the Land Use Map for the Matthews property as well. The Matthews property is directly adjacent to the Spittle property.
- At the August and September Planning Board meetings the Planning Board discussed developing a Farmers Market definition and development standards to allow a Farmers Market in Weddington. The Planning Board asked that the Downtown Committee and Parks and Recreation Advisory Board discuss this and report back to the Planning Board before any text is created.
- Staff will begin working with the City of Charlotte to renew the annexation agreement prior to 2014, when it is set to expire. Union County asked that the municipalities with annexation agreements with Charlotte renew sooner to ease concerns of some citizens in unincorporated Union County.
- Town Council will hold a Public Hearing on the following text amendments at their November 14th meeting: Temporary Banner Signs for Special Events and Freestanding Ground Signs
- The following text amendments may be on the October 24th Planning Board agenda for discussion: Signage Ordinance-Staff and Planning Board member(s) will begin looking at how to improve and clarify the current signage ordinance. This may be a multi-step process and entail multiple text amendments. Staff is currently looking into creating a “quick reference table” as an element of the signage ordinance.

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

Update on Streetscape Project

- The rebuilding of the stone portion of the light poles has been completed.
- The installation of the two Town monuments/markers will be completed on Tuesday – one near the Highgate Subdivision and the other at Meadows at Weddington on Providence Road. We are working with NCDOT on the placement of the third marker on Rea Road.

The following terms on Boards and Committees will expire in December. Applications are being received.

- Planning Board – Scott Buzzard and Jeff Perryman
- Parks and Recreation Advisory Board – Scott Buzzard, Jeff Perryman and Robert Gilmartin
- Downtown Core Committee – Scott Buzzard and Jerry McKee
- Public Safety – Jerry McKee

Work is completed on the repairs to Jordan’s office due to the roof leak.

Two trees (Norway Spruce) will be planted this week to be used for Tree Lighting events for the Town.

A date is being scheduled to work on proposed revisions to the Town Council Rules of Procedures.

Events Scheduled

- Tree Lighting is scheduled for December 2 here at the Town Hall at 5:00 p.m. Rain date is December 3, 2011.
- 2012 Easter Egg Hunt is scheduled for March 31, 2012.

The Parks and Recreation Advisory Board is working on the Farmer’s Market Concept and will have representatives from Matthews and Waxhaw to speak at their November meeting.

Upcoming Dates:

- October 10 - Joint Meeting with UC Board of County Commissioners at 4:30 p.m.
- October 10 - Regular Town Council Meeting at 7:00 p.m.
- October 20 - Candidates Forum at the Weddington High School at 7:00 p.m.
- October 24 - Planning Board Meeting
- October 24 - Historic Preservation Commission Meeting

Item No. 13. Public Safety Report.

Providence VFD – The Town Council received the Income and Expense Budget Performance and Balance Sheet for September 2011.

1. NC Rescue and EMS Association application has been received. We need to send in some additional information before we can complete the process and move forward into the certification of our Rescue. Equipment that we ordered to meet the standard is arriving piece by piece and Darren Knight, John Burgess and Kenny Schott have begun organizing all equipment for ease of access.
2. Recruitment - We took on as volunteer members Richie Bingler, Jessica Elliott and Shane Lee. Also just received one additional volunteer application
3. American Red Cross blood drive: Working toward the November 19th date but this all hinges on the amount of sign ups we receive.
4. Street List Notebook: New map book has been purchased and the books are being worked on.
5. Officers line up: Chief Joshua Dye, Deputy Chief Darryl Matthews (Small Engine Repairs), Assistant Chief S. Carow (Truck Maintenance and Administration), Rescue Chief Brian Pethel (Rescue and EMS Compliance), Captain Matt Carow (Training and Logistics), Captain Kenny Schott (Building Maintenance) and Lieutenant Michael Spika (Training and Assistant Captain as needed)
6. October 3rd Officers and Firefighters meeting - discussed new officers, expectations of the members.

Training hours for the month –

Union County:

Fire	19	EMS	9	Total	28
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Mecklenburg County:

Fire	3	EMS	0	Total	3
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Department Total:

Fire	22
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EMS	9
Total	31

Wesley Chapel VFD – 121 Calls

Union County Sheriff’s Office (Weddington Deputies) – 432 Calls

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 9/1/2011 to 9/30/2011.

B. Tax Collector’s Report.

Monthly Report – September 2011

Transactions:	
2011 Tax Charge	\$638,885.64
2011 Tax Deferments	\$(37,306.08)
2011 Tax Exemptions	\$(31,287.55)
2011 Under \$5.00 Write-offs	\$(790.79)
2011 Late List Penalties	\$78.15
Under \$5.00 Adjustments	\$(72.47)
Discoveries	\$643.23
Releases	\$(947.44)
Penalty and Interest Payments	\$(475.76)
Interest Charges	\$99.23
Refunds	\$81.60
Overpayments	\$(15.46)
Taxes Collected:	
2011	\$(124,106.03)
2010	\$(5,413.67)
2009	\$(133.87)
As of September 30, 2011; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$291.65
2006	\$180.70
2007	\$308.39
2008	\$2,945.33
2009	\$4,444.23
2010	\$8,619.34
2011	\$445,158.72
Total Outstanding:	\$462,386.13

2011 Property tax notices were mailed on 09/02/2011.

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

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

Item No. 16. Council Comments. Councilmember Thomisser reviewed a meeting that was held with the Wildlife Officer regarding the discharge of firearms in the Town of Weddington. He requested that hunters of Weddington respect their neighbors when discharging firearms within the Town.

Item No. 17. Closed Session – Consideration of Approval of Closed Session Minutes, Pursuant to NCGS 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged and Pursuant to NCGS 143-318.11 (a) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. Councilmember McKee moved to go into Closed Session pursuant to NCGS 143-318.11 (a)(3) and (a)(5). All were in favor, with votes recorded as follows:

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

Item No. 18. WCWAA. Councilmember McKee moved to pay the remaining balance of invoices to US Infrastructure and FEMA Attorney Ernie Abbott and to proceed in amending the interlocal agreement between the Town and Union County to provide up to \$10,000 as the Town's 1/3 share of the costs going forward. All were in favor, with votes recorded as follows:

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

Item No. 19. Adjournment. Councilmember McKee moved to adjourn the October 10, 2011 Regular Town Council Meeting. All were in favor, with votes recorded as follows:

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

The meeting ended at 9:00 p.m.

Nancy D. Anderson, Mayor

Amy S. McCollum, Town Clerk