

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JANUARY 12, 2009 - 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
AGENDA**

1. Open the Meeting – Invocation and Pledge of Allegiance
2. Determination of Quorum/Additions and Deletions to the Agenda
3. Presentation of Audit Report – Tinsley and Terry
4. Public Comment - *Speakers are limited to two (2) minutes or less and Large Groups are Encouraged to Designate a Spokesperson*
5. Approval of Minutes
 - A. November 10, 2008 Regular Town Council Meeting
6. Old Business
 - A. Consideration of Parks and Recreation Advisory Board Appointments
 - B. Consideration of Downtown Development Committee Appointments
 - C. Planning Board Directives: Review and Consideration of Possible Revisions to the Town's Land Use Plan and Ordinances
7. New Business
 - A. Consideration of Release of Letter of Credit for Williamsburg, Phase 2
 - B. Review and Consideration of the Final Plat for Sanctuary at Weddington
 - C. Review and Consideration of Proposed Realignment of Voting Districts
 - D. Consideration of Resolution Identifying the Area Described as Being Under Consideration for Annexation
 - E. Consideration of Approval of Contract with The MAPS Group for a Pay and Classification Study
8. Update from the Town Administrator/Clerk
9. Public Safety Report
10. MUMPO Report
11. Update from Finance Officer and Tax Collector
12. Council Comments
13. Closed Session
14. Adjournment

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JANUARY 12, 2009 - 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 January 12, 2009, at 7:00 p.m. with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Robert Gilmartin, Councilmembers L.A. Smith, Tommy Price and Jerry McKee, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord and Town Administrator/Clerk Amy S. McCollum.

Absent: None

Visitors: William Price, Clare Meyer, Craig Horn, Barbara and Pat Harrison and Dean Lovett

Item No. 1. Open the Meeting – Invocation and Pledge of Allegiance. Mayor Nancy D. Anderson called the January 12, 2009 Regular Town Council Meeting to order at 7:02 p.m. Mayor Anderson offered the Invocation and led in the Pledge of Allegiance.

Item No. 2. Determination of Quorum/Additions and Deletions to the Agenda. There was a quorum.

Councilmember Tommy Price moved to add the following items to the agenda:

- Closed Session in order to discuss pending litigation pursuant to NCGS 143.318-11 – IB Development versus the Town of Weddington
- Consideration of Approval of Contract with The MAPS Group for a Pay and Classification Study

All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee, Mayor Pro Tem Gilmartin
and Mayor Anderson

NAYS: None

Item No. 3. Presentation of Audit Report – Tinsley and Terry. Clare Meyer stated, “It is always a pleasure to serve Weddington. We have issued our report for the year ending June 30, 2008 and we issued an unqualified opinion which is the highest level of assurance that we can issue in a report. We had no findings within the report. We define a finding as a violation of NCGS, a contractual violation or an expenditure over appropriations and there were none of those findings. I want to thank Leslie, Kim and Amy because they are such a professional group of people and extremely diligent in getting us the information that we need in order to perform the audit.”

A copy of the June 30, 2008 Financial Statements and Management Letter is attached to the minutes as Exhibit A.

Councilmember L.A. Smith moved to accept the Audit Report. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS: None

Item No. 4. Public Comment. There was no Public Comment.

Item No. 5. Approval of Minutes.

A. November 10, 2008 Regular Town Council Meeting. Councilmember Smith moved to approve the November 10, 2008 Regular Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS:	None

Item No. 6. Old Business.

A. Consideration of Parks and Recreation Advisory Board Appointments. The Town Council received the following memo from Town Administrator/Clerk Amy S. McCollum and copies of applications:

On your agenda tonight is Consideration of Appointments to the newly structured Downtown Development Committee and Parks and Recreation Advisory Board.

Downtown Development Committee – This committee is to consist of two Councilmembers, two Planning Board Members and eight citizens. Scott Buzzard and Sarah Lowe have asked to remain on this Committee as representatives from the Planning Board.

Parks and Recreation Advisory Board – This Committee is to consist of one Councilmember, two Planning Board Members and four citizens. Scott Buzzard and Jeff Perryman have expressed their desire to remain on this Board.

Mayor Anderson – If you will recall we have been discussing the expanded role of the Parks and Recreation Board especially the recreational/activities part. The current board will have to resign once the appointments are made. The same Rules of Procedure will apply and the roles and responsibilities were established in a prior meeting.

Councilmember Smith – I would like to nominate Sharon Sanders. She is a go-getter and a good organizer. She is really high energy.

Mayor Pro Tem Robert Gilmartin – I would like to nominate Debra Korb. She has experience in Union County Parks and Recreation.

Councilmember Smith – I had spoken to Ms. Korb about serving on the Downtown Development Committee. She agreed to do that. I had not discussed with her serving on two boards.

Mayor Pro Tem Gilmartin – My nomination will be pending her ability and willingness to serve on both boards.

Councilmember Price - I do not think it is any secret about how I feel about either of these boards that we are appointing to tonight. We can call it a recreation board but every application that has come in including Mrs. Korb's talks about tired of having to leave the county to have a neighborhood picnic and the shopping center parking lot being used for events. Everyone knows how I feel about the Town owning and operating a park.

Councilmember Jerry McKee – I would like to nominate Nancy Pulcini. She is active in the community and she was the head of the litter pickup.

Mayor Anderson nominated Scott Buzzard and Jeff Perryman from the Planning Board to be on the Board.

Councilmember Smith agreed to serve as the Council liaison on the Board.

Ms. Sharp volunteered to stay as a temporary member to the Parks Board until such time as another citizen was confirmed.

Councilmember Smith moved to approve the following appointments to the Parks and Recreation Advisory Board: Nancy Pulcini, Scott Buzzard, Dorine Sharp, Jeff Perryman, Debra Korb, Sharon Sanders and L.A. Smith.

All were in favor, with votes recorded as follows:

AYES:	Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS:	None

B. Consideration of Downtown Development Committee Appointments. Councilmember McKee nominated Carol Wyant and Jan Taylor. Jan Taylor was born in Weddington and has lived here most of her life and is very involved in enhancing the Town of Weddington whatever way possible. Carol Wyant lives in Lake Providence. She is very excited about joining this committee.

Councilmember Price asked to hold off on his two nominations until the February Town Council Meeting. Councilmember Price did nominate Scott Buzzard and Sarah Lowe as the Planning Board Members to this Board.

Mayor Pro Tem Gilmartin nominated Melissa Emerine who has lived in the Town two years and resides in Aero Plantation. Mayor Pro Tem Gilmartin asked to hold off on his second appointment until the February Town Council Meeting.

Councilmember Smith nominated Dudley Stone and Debra Korb. She stated, “Dudley is an engineer by trade and has many years of experience in developing an identity for areas.”

Councilmembers Smith and McKee agreed to serve on this Committee from the Town Council.

Councilmember Smith moved to appoint the following individuals to the Downtown Development Committee: Carol Wyant, Jan Taylor, Scott Buzzard, Sarah Lowe, Melissa Emerine, Dudley Stone, Debra Korb, L.A. Smith and Jerry McKee.

All were in favor, with votes recorded as follows:

AYES:	Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS:	None

Mayor Pro Tem Gilmartin moved to nominate Councilmember Smith as the Temporary Chairman of the Committee. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
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NAYS: None

C. Planning Board Directives: Review and Consideration of Possible Revisions to the Town's Land Use Plan and Ordinances. Mayor Anderson – This was brought to our attention when we were reviewing the Conditional Use Permit Application for the Woods Subdivision. We noticed that some things might need to be updated. On Page 22, it talks about our Goal and Objective for water and sewer was to coordinate with the County but there were no specific strategies that were listed. A couple of housekeeping items such as maps and population data need to be updated.

Councilmember Price asked that the tier structure be reviewed for R-CD Subdivisions keeping viewshed as a top priority. Councilmember Price also asked that the bonding for subdivision roads be reviewed to protect the roads in Phase I of the development when other phases are built using those roads.

By consensus, the Town Council asked the Planning Board to start reviewing the Land Use Plan.

Item No. 7. New Business.

A. Consideration of Release of Letter of Credit for Williamsburg, Phase 2. The Town Council received the following memo from Town Administrator/Clerk McCollum:

The Town is currently holding the following letters of credit for Williamsburg, Phase II:

LOC# 660	\$41,950.00	Water and Sewer
LOC# 661	\$29,040.00	Road Maintenance
LOC# 662	\$47,737.50	Road Construction

Per the attached letter from US Infrastructure, please consider releasing the road construction letter of credit for this subdivision. The Town will continue to hold the road maintenance letter of credit until the roads are taken over by the North Carolina Department of Transportation. The Town will also continue to hold the water and sewer letter of credit until notice by Union County Public Works to release it.

The Town Council received a copy of the following letter dated January 5, 2009 from Ms. Bonnie Fisher with US Infrastructure:

USI conducted a field review of the Williamsburg II subdivision on January 1, 2008. The inspection was to verify the satisfactory completion of all construction activities for the purpose of releasing the developer's performance bond. All roadway and drainage items have been completed, and we recommend release of the performance bond in the amount of \$47,737.50. The roadway maintenance bond in the amount of \$29,040.00 should be held until such time that the road is taken over for maintenance by the NCDOT.

The Town Council discussed the nature of the engineer's review. It was advised that the Town's engineer approves the engineering drawings and confirms the completion of the road. Council discussed whether the Town should start requiring compaction tests on neighborhood roads.

Councilmember Price moved to release the road performance letter of credit for Williamsburg, Phase II with verification that the roads are constructed in accordance with the Town's ordinance provisions.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS: None

B. Review and Consideration of the Final Plat for Sanctuary at Weddington. The Town Council received the following memo and a copy of the Final Plat:

Project Information:

Sanctuary at Weddington Subdivision is a proposed 17.78 acre tract, 13 lot subdivision (tax parcels 06-066-019, 06-066-019A and 06-066-019B) located at the end of Partridge Lane (Providence Place V Subdivision). The subdivision is being developed by The Lovett Companies, LLC as an R-CD Conventional subdivision.

- Development standards for R-CD Conventional Subdivision are as follows:
 - Minimum lot size- 40,000 sq. feet
 - Minimum lot width- 120 feet
 - Minimum front yard setback- 50 feet
 - Minimum rear yard setback – 40 feet
 - Minimum side yard setback – 15 feet
 - Minimum corner side yard setback – 25 feet
 - Required 10% open space
- 10% required conservation open space of 17.78 acres = 1.78 acres. Proposed conservation land of 1.91 acres will be dedicated open space.
- The property currently has one single family residence.
- The smallest lot size is Lot #13 at 40,004 square feet. All proposed lots meet or exceed the Weddington's Zoning Ordinance requirements for R-40 district.
- Public Involvement Meetings were held on October 1st and 8th 2007.
- The subdivision and road names were submitted to Union County 911 Communications and have been approved. Staff has copy of such on file.
- Individual septic systems and wells will be used for each lot.
- Soil report has been completed and has been provided to planning staff and US Infrastructure for review. Additionally, septic permits for all lots were approved by Union County Health Department on November 16, 2007. Staff has a copy of such on file.
- Subdivision roads will be built to NCDOT standards and will be offered for placement on the state system after completion.
- Erosion and Sedimentation Control Plan has been submitted to NCDENR. Approval with modifications was received on January 2, 2008. The developer is working with NCDENR and US Infrastructure to address these issues.
- An application to NCDWQ for Storm Water Phase II approval has been submitted. Staff has a copy of such on file.
- A copy of the Declaration of Covenants, Conditions and Restrictions for Sanctuary at Weddington has been provided to planning staff.
- All comments from US Infrastructure have been addressed.
- Road plans and access permit has been submitted to NCDOT by the developer. Letters from NCDOT have been received by the Town stating that no access permit is required and the roads appear to be considered in accordance with NCDOT standards.

The Sanctuary at Weddington Subdivision Final Plat has been found to be in general conformance with the Town of Weddington Zoning and Subdivision Ordinances. The following issues need to be addressed:

- We are waiting on bond amounts to be confirmed from Union County Public Works and US Infrastructure.

The Town Council received a copy of the following letter dated January 7, 2009 from Ms. Bonnie Fisher with US Infrastructure:

USI conducted a field review of the Sanctuary at Weddington subdivision on January 6, 2009 to verify the satisfactory completion of construction activities. All roadway and drainage items have been completed. Based upon the original construction estimate of \$82,720.00 for the roadway base and pavement (see attached), a road maintenance bond in the amount of $\$82,720.00 \times 0.15 = \$12,408.00$ should be obtained.

Mayor Pro Tem Gilmartin moved to approve the Final Plat for Sanctuary at Weddington contingent upon the following:

- Receipt of the Letter of Credit in the amount of \$12,408.00
- Verification that the roads are constructed in accordance with the Town's ordinance provisions.

All were in favor, with votes recorded as follows:

AYES:	Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS:	None

C. Review and Consideration of Proposed Realignment of Voting Districts. The Town Council received the following memo from Town Administrator/Clerk McCollum:

The Town's voting districts must be balanced plus or minus five percent. Due to annexations done by the Town, the voting districts map needed to be amended to place those annexed areas into a voting district area and to make the current districts equitable. Former Planner Shannon Martel prepared the proposed map for the Council's review and consideration. There are 3,342 Total Housing Units in Weddington. The map was prepared using the 12/12/08 Parcel Data from Union County, compliance certificates issued by the Town and by counting all single family, duplex and manufactured home parks. District 1 contains 854 Housing Units. District 2 contains 832 Housing Units. District 3 contains 800 Housing Units and District 4 contains 856 Housing Units. Once the proposed map is approved by the Town Council, staff will send the necessary paperwork to the Justice Department for approval. Once approval has been obtained by the Justice Department the map will be provided to the Union County Board of Elections to be used in the 2009 Elections.

A copy of the map is attached to the minutes as Exhibit B.

Councilmember Smith moved to approve the proposed realignment of the voting districts. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS:	None

D. Consideration of Resolution Identifying the Area Described as Being Under Consideration for Annexation. The Town Council received the following memo from Town Administrator/Clerk McCollum:

Please find attached a map showing areas that the Town has identified as areas for possible future annexation. The original Resolution and Map identifying this area was adopted in 1998. It is recommended that the Town adopt this Resolution every year. By adopting the Resolution, it allows the Town in the future to proceed with annexation of these areas without having to wait one year before the

annexation would be effective. No annexations are planned at this time. Approval of this Resolution and Map only helps to facilitate future annexations. Please let me know if you have any questions. Thank you.

A copy of the map is attached to the minutes as Exhibit C.

Councilmember Smith moved to approve R-2009-01:

**RESOLUTION OF CONSIDERATION
TOWN OF WEDDINGTON
A RESOLUTION IDENTIFYING THE AREA DESCRIBED HEREIN AS BEING UNDER
CONSIDERATION FOR ANNEXATION
R-2009-01**

BE IT RESOLVED by the Town Council of the Town of Weddington:

Section 1. That pursuant to G.S. 160A-37 (i), the following area is hereby identified as being under consideration for future annexation by the Town of Weddington, under the provisions of Chapter 160A, Article 4A, Part 2 of the General Statutes of North Carolina.

All properties within the boundaries as shown on the attached map are incorporated by reference.

Section 2. That a copy of this resolution shall be filed with the Town Clerk.

Section 3. This resolution shall remain in effect as provided by G.S. 160A-37(i).

Adopted this 12th day of January, 2009.

Adopted: June 8, 1998.

Renewed: May 8, 2000.

Renewed: April 8, 2002.

Renewed: March 8, 2004.

Renewed: February 13, 2006.

Renewed: January 14, 2008

All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin

NAYS: None

E. Consideration of Approval of Contract with The MAPS Group for a Pay and Classification Study. The Town Council received the following memo from Town Administrator/Clerk McCollum:

When the Town contracted with Parker Poe to draft the Employee Handbook, we also discussed allowing The MAPS Group to do a Pay and Classification Study; however, it was decided to not proceed with that study at that time. I am asking the Town Council to consider the proposal with The MAPS Group to perform a Pay and Classification Study for the Town in the amount of \$3,650. The work will take approximately three months and I would like to get the report prior to the preparation of the budget.

The primary purpose of this study is to conduct a comprehensive pay and classification study for the Town of Weddington. A thorough review of the Town's present personnel system will be undertaken.

An initial meeting will be held with the Town officials and staff to discuss the study. Individuals will be asked to fill out a questionnaire and an ADA checklist. A "field audit" wherein position questionnaires and checklists will be reviewed with employees here at work will be held to review and verify information presented. Following the review and field audit of existing employee positions, a new or revised classification plan will be developed. Using the information presented, the Town will be provided guidance on the creation and maintenance of individual position descriptions. After a comparative salary analysis is completed, all classes of positions will be assigned to appropriate pay grades. Finally, the representative from The MAPS Group will present the findings and recommendations of the study to the Town Council.

Please consider approval of this contract after review by the Town Attorney and authorize the Town Administrator to enter into the agreement with The MAPS Group.

Councilmember Price moved to approve the contract with The MAPS Group with a cost not to exceed \$3,650 and contingent upon the Town Attorney's review. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS:	None

Item No. 8. Update from the Town Administrator/Clerk. The Town Council received the following memo from Town Administrator/Clerk McCollum:

COG is reviewing the resumes that we have received for the Zoning Administrator/Planner position and will start conducting phone interviews the end of January. We extended the deadline for receiving resumes to January 23 due to the holidays. Councilmember McKee and Mayor Pro Tem Gilmartin will serve on the interview committee.

The Town now owns the property donated to the Town by the Wardell Family. The deed was signed on December 31, 2008. Parker Poe is handling the closing for this property.

Providence Woods South/Stirrup Court – The Ashrafis that live on Stirrup Court are having large amounts of dirt brought to their 7 acre parcel, which has caused a great deal of concern for neighbors. A letter is being prepared asking that they acquire the necessary permits from the Town relative to the Floodplain Ordinance that was adopted in October.

Website – Will be working with Wheeler Web Works on January 14, 2009 regarding the redesign of the website. If you have any suggestions, please let me know.

Laserfiche/Agenda Manager – Will be working with One Source at the end of this month to start going paperless and hopefully by the meeting in February we will have the Agenda Manager program up and running.

Retreat – Does the Council want to schedule a retreat for February or March? Stay in Town or go out of Town? Are there two Councilmembers that would like to assist in the preparations? Council asked that the retreat will be held in Town and Town Administrator/Clerk will provide three dates for the Council to choose from.

The Board of County Commissioners has asked if the Town Council would be interested in a joint meeting with them. A letter listing topics for discussion is attached. Town Administrator/Clerk McCollum will contact County Staff to work on dates for this meeting.

Item No. 9. Public Safety Report.

Providence VFD - Monthly Call Responses –

Mecklenburg County	Fire: 6	EMS: 4	Total: 10
Union County	Fire: 18	EMS: 7	Total: 25
Monthly Total	35		

Providence VFD Chief Eric Wheeler - Incidents for December 2008 –two separate mutual aid assistance responses to Wesley Chapel VFD for motor vehicle accidents involving pinned in drivers, both occurring on the same block of New Town Road on the same day (One early morning and the second, late evening).

The Town Council also received the December 2008 Providence VFD Financial Statements.

Wesley Chapel VFD

November – 105 Calls

December – 92 Calls

Weddington Deputies - September 2008 – 144 Incidents

Item No. 10. MUMPO Report.

Mayor Anderson discussed citizen's concern over the access of Weddington Church Road. Mayor Anderson stated, "I asked a MUMPO staff member to sketch something in the past to see if it was workable to relocate Weddington Church Road to the north of the church and realign with Highway 84. That was not feasible at that time because they were using 35 mph curb radius geometry and also the grade on Providence Road construction made it impossible without completely taking out the gas station. There have been modifications to the Highway 16 widening project and the grade has changed. MUMPO is going to have something for us by the end of January. Barry Moose made it very clear that there would not be a light or median cut at the current location of Weddington Church Road and if there was a relocation of Weddington Church Road it would not be part of the widening project. It would be retrofitted. There was not funding for that at this point."

The next MUMPO meeting is January 21.

Item No. 11. Update from Finance Officer and Tax Collector.

A. Finance Officer's Report. The Town Council received the Revenue and Expenditure Statement and the Balance Sheet for December 1, 2008 through December 31, 2008.

B. Tax Collector's Report. Monthly Report – December 2008

Adjust Under \$2.00	\$(1.73)
Pay Advertising	\$(15.00)
Pay Interest and Penalties	\$(70.51)
Overpayments	\$(.01)
Refunds	\$1,169.27
Taxes Collected:	
2007	\$(203.47)
2008	\$(163,326.07)

As of December 31, 2008; the following taxes remain Outstanding:	
2001	\$9.18
2002	\$89.53
2003	\$201.15
2004	\$243.59
2005	\$395.33
2006	\$961.06
2007	\$2,477.34
2008	\$140,304.80
Total Outstanding:	
	\$144,681.98

Item No. 12. Council Comments. Councilmember Smith stated, "Al Sharp at the COG Meeting in December made a brief statement about the Stimulus Package. COG is putting together a list of projects and prioritizing them so that this region can get its fair share. Last week I was at an Economic Forum in Raleigh where Governor Perdue spoke about the stimulus package coming out of Washington and that municipalities needed to have their projects shovel ready. I know that we are not that type of municipality but we have needs that thus far have been ignored and unmet. I would like to talk with the right people to make sure that we get our fair share. I want to make sure that we are working as a lobbyist on behalf of this region."

Mayor Anderson - No projects in Weddington per NCDOT qualify as shovel ready because we have never committed any money to planning on any road issues. We do not have a shovel ready project. Even if we are not chosen for the stimulus money, it still gets the backlog out and moves us up on the list.

Item No. 13. Closed Session. Councilmember Price moved to go in to Closed Session to discuss pending litigation pursuant to NCGS 143.318-11 – IB Development versus the Town of Weddington.

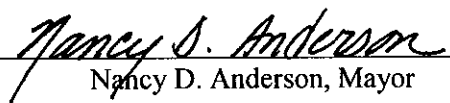
All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS: None

Item No. 14. Adjournment. Councilmember Price moved to adjourn the January 12, 2009 Regular Town Council Meeting.

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin
NAYS: None

The meeting adjourned at 8:53 p.m.


Nancy D. Anderson, Mayor

Attest:


Amy S. McCollum, Town Clerk