

**TOWN OF WEDDINGTON
SPECIAL TOWN COUNCIL MEETING
MONDAY, JULY 11, 2011 - 5:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on July 11, 2011, at 5:00 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 and Town Administrator/Clerk Amy S. McCollum

Absent: None

Visitors: Walker Davidson, Genny Reid, Ken Evans, Steven R. Carow, Heather Perryman, Judy Johnston, Robert Lockerman, Chris Block, Patrick Block, Brian Carlton, Andrew Moore, Jerry Fitzgerald, Duane Baker, Ruth Bodycombe, Richard Gloor, Charles S. Denny, Robert Roth, Jessica Elliott and Jeff Perryman

Item No. 1. Open the Meeting. Mayor Nancy D. Anderson opened the July 11, 2011 Special Town Council Meeting at 5:00 p.m. There was a quorum.

Item No. 2. Work Session with the Providence VFD Board of Directors to Discuss the Progress of the Merger, Other Options for Fire Service and the Financial Needs of the Fire Department. Mayor Pro Tem Daniel Barry discussed the purpose of the meeting was to get both parties back in the same room to discuss the progress of the merger and other options for fire service.

Councilmember Werner Thomisser discussed that he had toured Monroe Fire Station #4 which is a modular facility that has separate buildings for their fire engines.

Mr. Brian Pethel with the Providence VFD explained that he works at that facility and explained that the modular facility and the building housing the fire engines were not connected. He stated, "That facility was done under the old code. This was done for a temporary facility for a maximum of four to five years until we could build the airport station. The money budgeted got pulled because of a financial situation. This is not intended to be a long-term fix. This temporary facility started in 2001."

Councilmember Jerry McKee advised that he had made a proposal to the Fire Department to buy the property next door to the station, purchase a modular unit, pay for a sprinkler system for the unit and would lease it back to the station for \$1.00 a year but the response was that the firefighters would get wet running from one building to the next.

There was a discussion of why the firefighters could not store their turnout gear in the same area as their sleeping quarters. Firefighters advised that you cannot have your turnout gear in the living quarters because of contamination.

Mr. Scott Robinson – It seems like the Town Council is willing to work on a solution. We need to rationally compare the alternatives. If the band aid solution versus a safer solution is \$50,000 difference, I would hope that would be an easy decision for the committee.

Mayor Pro Tem Barry - There was only one request and that was \$450,000 to do the renovations to the fire station. My goal was to get everyone back to the table to discuss other options to pursue. Councilmember McKee had called me about the lot. The goal is to find out what the solution needs to be. Everyone has been driving around in a Cadillac and does not want to drive a Pontiac. We are going to have to look at other options. Everyone is going to have to give. Is it the Providence VFD Board's opinion there is no other option on the table except the renovation that you are willing to work with?

Mr. Jack Parks – I told Councilmember McKee that if we put in a modular building we may have some setback issues. We would rather see what our upgrades are going to cost so we can compare the two options.

Mayor Anderson - This is “D” Day. The Fire Marshal has said you will be cited.

Councilmember McKee - We can tell the Fire Marshal that we are working with the fire department.

Mayor Anderson - Do you think it would satisfy the Fire Marshal's requirements if we put \$450,000 in the CIP Budget as we work through this process of a temporary housing issue. Do you think that would satisfy him?

Mr. Parks – Yes.

Mayor Anderson - My question to the Council is are you willing to earmark \$450,000 as we find a solution whether it be a manufactured facility versus brick and mortar?

Councilmember McKee - There are other alternatives also such as a merger and moving the fire lines. To me they come before building a modular or upgrading this fire department. If the merger is not going to work, there should be an effort to redraw the lines. I personally would support 110% the merger and redrawing of the lines. The number one thing was to merge and we do not know where they are at on that issue. I understand that is dead. Why do we not pursue moving the fire lines and tell Mr. Speer that we are working on that and see if he would grant us some time.

Mayor Anderson - The problem is the timing. We are out of code. We are obligated to do something about it. The \$450,000 in the CIP budget would demonstrate to the Fire Marshal and Code Inspector that we are trying to work with them.

Mr. Robinson - The challenge before the board, community and Council is there is one station in Western Union County that currently has 24/7 on premise firefighters and it happens to be Providence. We are in a situation that people staying there are at risk and we as a board cannot support that. If we do not have some plan, then Western Union County will lose its only station that has 24/7 coverage. I worry about the service to the community.

Mayor Anderson - I asked the question during the budget meeting if we had explored the possibility of using Station #31. It is already set up for overnight stay and they are clearly in code.

Mr. Parks - That station is over five miles from the Providence Station. To keep the ISO 6 rating the limit is five miles.

Councilmember Thomisser – We are talking 12 midnight to 6 in the morning. You are averaging 2.85 fire calls and one EMS call per month during that time frame. We invited the EMS Director for Union County to discuss this matter during our Regular Council Meeting. Every life is important – this sense of urgency is way overblown because we do have a system to back it up.

Mr. Parks – Our schedule is 6 to 6 and you are trying to change the way that the fire department operates when you suggest 12 midnight to 6 a.m. During the last quarter, we had 15 calls. During that time seven of them were in the month of May. You cannot plan on averages.

Councilmember Thomisser discussed how long it took for him to drive from the Wesley Chapel Station to the Town. He stated, “A crew of two for the ambulance stays in that station in case of a medical emergency. In case of a structure fire, you have two fire companies addressing that.”

Mayor Anderson – You seem to have a change of heart here.

Councilmember Thomisser – I object. I am merely presenting statistics. I have supported this fire department. We will continue to support the fire department. In December of last year, I wrote a check out of my personal account for this fire department and I did the same thing the year before. I have not had a change of heart. I am trying to solve a problem.

Mayor Anderson – I went back and looked at the record since 2003. You have come before this Council as a citizen and now as a Council person more than a dozen times specifically talking about response times and why it is so important. You were a huge advocate for getting the ambulance. You are known as “Mr. Public Safety”. I am trying to understand.

Councilmember Thomisser – You are misreading my efforts.

Mayor Anderson – Clearly I am.

Mr. Parks – I live in that purple area. As a citizen I would rather have my service provided by a staffed fire department right there on Hemby Road than to worry about that ambulance getting to my house if it takes them five minutes to get here and then to get to my house. I am not satisfied with that. If that ambulance is involved in another call, it could be offline for three hours. I want the best coverage that I can get.

Councilmember Thomisser – I live in the purple area also.

Mr. Robinson - Would the Council support an earmark for an agreed amount of funds while we investigate other alternatives including the modular unit? That is what we need to collectively look at and understand. The Fire Marshal wants a path forward to address the safety issue of the firefighters. This Board will support any solution that is in the best interest of the community and the safety of the firefighters that is financially prudent and fiscally responsible.

Councilmember McKee – Mr. Parks, how long have you lived in Willow Oaks?

Mr. Parks – 22 years.

Councilmember McKee – How long has there been overnight coverage at the Providence VFD?

Mr. Parks – Since December 2009.

Councilmember McKee – During the last 15 years or so, you have not advocated overnight coverage? Have you ever brought it to this Council prior to Chief Banick?

Mr. Parks – I did not know how the fire department operated until last year. That is true of many of the residents around here. Once I did become a member of the board and understood how it operates and saw how the staffing was and now see that it may change - that disturbs me. I just assumed when I dialed 911 that the most expedient help would come to me and I would be safe. What I am learning now is there are a lot of variables in that and some of them I am not comfortable with.

Councilmember Thomisser – There is a lot of hysteria running around the last 30 days. That is one of the reasons we invited the Director of EMS to address us at the next meeting. He will be able to help clear some of this up.

Mayor Anderson – EMS is good at medical response but they are not equipped to respond to structure fires.

Councilmember Thomisser – We are dealing with two different issues – house fires and medical calls.

Mr. Evans – An EMS ambulance is not the first responder.

Councilmember McKee – We know that.

Attorney Fox – The purpose of the meeting is to meet with the Board of Directors to discuss the merger and talk about other options for fire service and the secondary purpose is to talk about the financial needs of the fire department. What I heard is there is a willingness of this board to talk about and look at a host of options that would service and meet the needs of the Board of Directors for the fire department. What can we display as an indication of this Council's willingness to show that commitment to move forward and try to resolve the issues that you are facing? One of the things discussed was a dedication or earmark of funding to show the commitment of this Council to look at the various options up to and including the renovation of the fire facility. Some of the board members are concerned about limiting the review to just that option and are there other things short of that that can still meet the needs all the way down to the installation and relocation of a modular facility on the premises. The question in my mind is what is necessary to satisfy the Fire Marshal's concern and what can we do as a Council to show that we are willing to look at options whether or not it requires the earmarking of \$450,000 or if something less is sufficient to show that we are moving and advancing this ball forward.

Mayor Pro Tem Barry – Tomorrow we could authorize \$500,000 to renovate the fire station. It does not fix your problem. Your immediate problem is you have an unsafe environment for overnight housing. You have a much more dramatic problem that is more than \$500,000 because that is 18 months of your operating shortages. One of the greatest challenges that we have had in this discussion is none of us would invest our own money in a failing enterprise and at the end another organization is going to take you over and charge us a 5 cents tax rate (not true amount) and they have the wherewithal to borrow it and fund it. Then why are we dragging the rest of the Weddington taxpayers into the discussion in renovating the building? Will you address the revenue side and what your plans are?

Mr. Parks – The VFD Board does not have a lot of authority over how it is funded. All we can do is go to the County, which we did this year. We met with the County Manager and explained our needs to her to try to get some funding from there. They did agree to increase our fire fee to \$100 which is the current maximum. Obviously the only way that we can increase our funding opportunity is to go to a fire tax and get away from a fire fee. That needs to happen whether Wesley Chapel VFD or Providence VFD merges or not. You have to authorize that. What the tax would be would have to be determined. If we look at raw plain numbers we are talking about 8 cents. That would be offset by sales tax revenues that would come to the department as well as other revenues that could lower that number. Given the area that we serve right now, that is the basis for the fire tax to support our operational needs presently.

Councilmember Thomisser- Has any member of your board gone and appeared before the Union County Fire Commission or Union County Board of County Commissioners and discussed this problem and if not why?

Mr. Parks – We have not. With respect to the merger, we are working with Wesley Chapel to find some common ground that we could consider merging the two departments on and until we come to a point that we are both comfortable with that there is not a need in us going and making any recommendations to the Fire Commission or the Union County Commissioners. We are still working toward that with a proper solution. As far as moving the district lines, that is not our responsibility. We have come to you to tell you what our needs are. You are the politicians. You are the ones that have the authority to talk with people about moving district lines. We have no authority in that.

Mayor Anderson – At least five years now, Chief Carow has talked to us about the budget and what was coming down the road. We have been in a holding pattern waiting for the County's Fire Commission study to come out and it is really not that helpful to us.

Councilmember Thomisser- Councilmember McKee and I did go down to the Fire Commission Meeting and discuss the problem with them. I even gave them a map that I drew. It was based on response times and mileage. Jonathan Thomas chairs that Commission and after we presented he advised that they understood the problem and would get back to us in 30 days. We are still waiting. You could help this Town Council if you would go down and speak to the Union County Commissioners and the Fire Commission.

Mr. Robinson - The County Fire Marshal has attended our Board meetings. Mr. Thomas was invited to our last board meeting. He was unable to come so the Chairman of the County Commission came. We have interaction with those people. We appreciate the support of the Town Council. How much more meaning would that meeting have had if we had known about it and could have gone down together? I think we need to learn how to work together more effectively and collaboratively because there is power in the voice of the community working together.

Councilmember McKee – Right now I am not in favor of earmarking any money. I am willing to listen when you get actual costs of the renovation to discuss it further. At that time I am wide open to consider once the figures are in. We will write the Fire Marshal a letter signed by the Town Council and Mayor that we are working with you but we need to see what the costs are. I think it is irresponsible for us to do anything with taxpayer money until we know exactly what it is going to be.

Mr. Robinson - This board has encumbered funds in terms of commitment. The suggestion of the Council was to agree to support the idea of the renovation if the Providence VFD authorized the expenditure of the funds to commission the architectural review which was up to \$45,000. We have done that. It has been started. We have committed 10% out of our reserves. That is cash and we are moving forward. The results will be in soon hopefully.

Councilmember Thomisser – Not a single member of this Council promised \$450,000.

Councilmember McKee – I have been against it since I heard \$450,000 at our retreat.

Councilmember Thomisser- Can we not move forward without earmarking money?

Attorney Fox – It really depends on what progress does the Fire Marshal need to see in order to not start citing Providence VFD for possible violations. It is something that he is going to have to answer.

Earmarking is a symbolic gesture of good faith. The reality is that this Town has a fund balance and it can move money out of the fund balance sufficient to address a renovation of \$450,000 if it gets to the point and collectively agrees that is the approach that has the most merit. You can do that with a Special Meeting.

Mayor Anderson – It is not just the Fire Marshal that we have to satisfy, it is the board members of our fire department. I am not feeling a lot of cooperation or willingness on behalf of this body to support that effort. They have to make the decision on whether or not they will continue to provide overnight coverage. We keep talking about what the fire department needs. The fire department does not need anything. What does the Town of Weddington and the citizens need? The fire department can lock the doors and turn off the lights and go home to their families. We need them. I would like to remind you that the Town's money that we are talking about belongs to the people and this is a service to the people. We do want to be good stewards of the taxpayers' money. I do not understand the resistance of putting money in the CIP in exactly the same way that we did for the Library. We also put money aside for transportation.

Mr. Parks – Could I get you to write that letter to the Fire Marshal that you are working with us on a solution to this?

The Council answered yes.

Mayor Pro Tem Barry - The frustration is that we do not know the solution.

Mr. Parks – I told Mr. Speer that we are looking for some sign that there may be some funds available so that we can make the necessary changes so that our people can stay there at night. He said as long as you are proceeding down that way you will not have any problem.

Councilmember Thomisser – The Town Council is well intended to find a solution. The first thing out of the box was renovation of the fire station. It always seems to come back to that and we cannot look at other alternatives. Why can we not move forward to a solution without setting parameters? Let's expand the parameters and pursue this.

Mayor Pro Tem Barry – I just spoke with Mr. Speer and all he needs is a letter from us that says we are working with you on a solution. It gives broad enough opportunity to put everything on the table. I want the revenue side on the table as well.

Councilmember McKee – I want in the letter that we are working with the Providence VFD to work out the solution which could include a merger, redrawing the lines, or renovating the building. Those are the options out there. I want all of the options out there that we are willing to work with.

Mr. Parks – We have been in multiple meetings with our architect, the Fire Marshal and the Building Inspector. We have evaluated every opportunity including renovating our ladder shed in the back. We have looked at everything. We have told you that our optimal solution is to renovate the building. The others can work but there are some negatives with them that we are faced with.

Council asked that Town Attorney Fox, Mayor Pro Tem Barry and Town Clerk McCollum draft a letter to Mr. Speer and have it ready to put on the agenda for the 7:00 Regular Meeting for consideration.

Town Attorney Fox - I would suggest that the options that you are looking at also include the modular unit option.

Councilmember Thomisser - I would ask the people in the audience to take their energy against the Fire Commission and Union County Board of County Commissioners to help this board to achieve some type of solution.

Item No. 3. Adjournment. Mayor Pro Tem Barry moved to adjourn the July 11, 2011 Special 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 adjourned at 6:20 p.m.

Nancy D. Anderson, Mayor

Attest:

Amy S. McCollum, Town Clerk