

**TOWN OF WEDDINGTON**  
**REGULAR TOWN COUNCIL MEETING**  
**MONDAY, SEPTEMBER 12, 2016 – 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 September 12, 2016, with Mayor Bill Deter presiding.

Present: Mayor Bill Deter, Mayor Pro Tem Don Titherington, Councilmembers Scott Buzzard, Janice Propst, Michael Smith, Town Attorney Anthony Fox, Town Administrator/Clerk Peggy S. Piontek, Finance Officer Leslie Gaylord, and Planning Board Chairman Dorine Sharp

Visitors: Joe Morreale, Union County Commissioner Richard Helms, Pam De Maria, Bill Price, David A. Weirch, Jeremia S. Murphy, Walton Hogan, Barbara Harrison, Scott Herr, Reid Owen, Robert Price, Richard Wilson, Joel Cansey, Luke Hardy, Louie Rodriguez, Jason Marton and Liz Callis

Mayor Bill Deter offered the Invocation and advised that former Council Member Ken Evans passed away today. Mayor Deter asked for thoughts to go to the Evans Family for their loss.

**Item No. 1. Open the Meeting** Mayor Deter opened the September 12, 2016 Regular Town Council Meeting at 7:00 p.m.

**Item No. 2. Pledge of Allegiance** Mayor Deter asked Boy Scout Luke Hardy to lead in the Pledge of Allegiance.

**Item No. 3. Determination of Quorum** There was a quorum.

**Item No. 4. Special Presentation**

**A. Certificate of Appreciation for Deputy Rodriguez**

Mayor Deter read the Certificate of Appreciation and presented a plaque to Deputy Louie Rodriguez. Deputy Rodriguez gave a brief description of his previous career path, expressed his excitement about his new opportunity of working with children in Union County Public Schools and his appreciation to the Town of Weddington.

**B. Boy Scout Luke Hardy on Eagle Scout Project**

Boy Scout Luke Hardy provided Council with a thorough description and drawings on the installation of a flag pole in front of Town Hall. Luke has chosen this as his Eagle Scout Project.

**C. Bond Presentation for Union County Public Schools - Mr. Jason Marton**

Mr. Marton stated that he was here to explain the purpose of the upcoming referendum that will be on the ballot for the 2016 November election. He presented to Council:

- The achievements of Union County Schools
- Their Bond history
- Why the Bond is needed and described the projects planned for those funds
- The estimated tax impact of \$.16 per \$1,000.00 house value and provided and answered frequently asked questions they have incurred.

**D. Dr. David Cook to address Council on partnership with the Town and the Artists Music Guild**

*Mr. Cook was unable to attend the meeting.*

**Item No. 5. Public Comments**

Barbara Harrison stated that she received an email after the 2016 Easter Egg Hunt from Jan Taylor and read a portion of it. The email thanked Ms. Harrison for bringing the events to Weddington because it has provided our community an opportunity to come together. Ms. Harrison expressed her appreciation and thanks to Mayor Deter, Peggy Piontek and Tonya Goodson for all their hard work and for continuing the tradition expressing confidence that the Festival will be better than last year.

Union County Commissioner Richard Helms stated that he is the Commissioner designated as the liaison to Weddington. He said that an agreement has been reached on the fire contract that brings advantages to municipalities. It states that if the department dissolves the equipment has to stay in the area they were serving. Commissioner Helms has gotten some flack because he agrees on the school needs for the bonding issues and feels it enables the citizens to determine where they want their tax dollars to be applied. Commissioner Helms encouraged everyone to contact him with questions and said he is very proud of Weddington. His cell phone number can be found on the County website. Commissioner Helms stated that he, Frank Aikmus and Pam De Maria are running for two seats on the County Commission.

Councilman Mike Smith – Thank you for all the hard work you have done with the fire service.

Union County Commissioner Helms stated his race is important but not nearly as important as the Board of Education. The Board of Education accounts for over 50% of the resources that the County brings in. He feels it's extremely important. Joe Morreale, who is running, was at the meeting. Commissioner Helms said his business acumen is needed on the Board of Education. Commissioner Helms expressed his pleasure that Miss Heintel will be on the Board of Education this year and he believes it will be a fantastic working relationship and that it's a new day.

Mr. Joe Morreale stated he is running for the Union County School Board for District 5. He said Ms. Heintel will be on the Board as she is running unopposed and hopefully the Town Council will see one of them at future meetings. Mr. Morreale provided some of his professional and personal background. He provided his children's current education level acknowledging that they had great opportunities with the Weddington schools and hopes to bring the same wonderful opportunities to other students in Union County. Mr. Morreale explained his position with the Family Dollar Corporation explaining that he needs to justify every dollar and that policy should also be applied to the School Board. He knows

transportation has been an issue and that would be something he plans to focus on. Mr. Morreale stated that we don't have a transportation committee and if elected he would like to investigate that possibility. He explained that a recently lower efficiency rating on transportation is something he would like to focus on. Other matters that are important to him are:

- Continuity in the school by providing a stable learning environment for teachers to thrive in
- Retention of teachers
- The repetitive redistricting of the students is disruptive to them and the cause of turmoil
- Working with our local government

Mr. Morreale thanked the Council for the opportunity to speak and would appreciate everyone's support by voting for him.

Ms. Pam De Maria stated that she is running for Union County Commissioner and provided some background on her personal and professional life stating that her first job was as a teacher and she is very interested on how we handle funding for Union County schools. Ms. De Maria stated it's very hard when you enter politics as an unknown but she is a hard worker and is prepared to give 100%. She has no special interests and expressed that public education is important to her. Ms. De Maria is concerned about jobs and public safety in the County.

#### **Item No. 6. Additions, Deletions and/or Adoption of the Agenda**

Councilman Scott Buzzard moved to add Review and Consideration of N-Focus Services as item 10B. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

Mayor Pro Tem Don Titherington moved to adopt the agenda as amended. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

#### **Item No. 7. Consent Agenda**

- A. Consideration of Proclamation – Constitution Week (COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- B. Review and Consideration of SR-2 Resolution for Bonner Drive (COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- C. Call for Public Hearing for Review and Consideration of Preliminary Plat for the major subdivision, Weddington Pond (formerly Sugar Magnolia)

Mayor Pro Tem Titherington moved to approve the Consent Agenda as written. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

**Item No. 8. Approval of Minutes - None**

**Item No 9. Public Hearing and Consideration of Public Hearing**

**A. Review and Consideration of Carrington Preliminary Plat**

Mayor Deter opened the Public Hearing.

Mr. Scott Herr – I am the Vice President of Land Acquisition for MI homes and we have prepared for your approval the Carrington Subdivision submittal. MI Homes has been around since 1976 and has built over 100,000 homes in our history and here in Charlotte we have built and closed on 475 homes this year. The plan being presented to you received unanimous Planning Board recommendations for approval. What you see here is the result of cooperation between the Town Planning staff, the Planning Board and the neighbors to the property. Initially there was more density on one side of the road but the Planning Board felt that although it technically complied with the ordinance it would be better to move density over to the other side of the property where it can be tucked away and less visible from the road and we were happy to do that. In addition to that, as you know, we have a very long border with the Waybridge Community and we worked very closely with their HOA over a series of months to help describe the enhanced landscaping along the connection point. Making this connection point not an official road but just an emergency access as well as educating them as to how the stormwater runoff was going to impact the property. We also agreed to adopt language from their HOA documents into the HOA documents on our property so there is a cohesive look when it comes to the landscaping between the two communities. We believe all the cohesiveness with staff, Planning Board and the neighbors has resulted in what we think is a greater plan. I'd like to highlight that in addition to meeting the technical specifications of the ordinance we also think it meets the spirit of the ordinance. This is a Conservation Subdivision that exceeds the amount of open space that's required in the ordinance. The amenity center is not just a pool and cabana, it's a series of three parks - the smaller 2 are about 1.3 acres and the larger one is over 3 acres. We are hoping as the neighborhood takes shape these public spaces draw the residents out of their homes and into the common areas forming relationships and making new friends and build a true community.

Mayor Deter Closed the Public Hearing.

Planning Board Chairman Dorine Sharp – You have the memo that Julian Burton wrote about this property. It is 71 houses. This number came from the yield plan. When we have a Conservation Subdivision they have to lay out the subdivision with one acre lots with 10 percent open space and that's the number of lots that they can build even though they are building smaller lots. Mr. Burton did review the yield plan to verify that each one of those was buildable lots and 71 was the number. Originally when it first came to the Planning Board there were 26 lots on the west side of Weddington Matthews Road and we felt there was too much density on that side of the roadway so we asked them to move 6

lots to the other side which they did. We even made some suggestions about the configuration of the lots on the west side to minimize the view from the road. They did a very good job and the Planning Board was pleased with the revision. They had their PIMs in December. The neighborhood will be public water and sewer. The entrances will be off of Weddington Matthews Road which is partway down the hill from the traffic light and there will be no entrances from Hemby Road or Beulah Church Road and they are working on the right and left turn lanes.

Mayor Deter – How far is the distance from the intersection to the entrance of the subdivision?

Mr. Herr – About 600 feet.

Planning Board Chairman Sharp – The other thing that the Planning Board and the staff were concerned about was connectivity with that number of homes on the east side of Weddington Matthews Road and having only one way in and out. Originally it was planned for connectivity but the Waybridge Subdivision has a stub for future connectivity. Even though we didn't require a through road we did require that they have some sort of access and gate. I am assuming that you and the Waybridge HOA are going to determine who does what as far as the gate is concerned.

Mr. Herr – The builder of Waybridge put up the gate and we are willing to put up an additional one to the extent that emergency services personnel believe that is appropriate.

Mayor Deter – There is a gate in there now which I believe meets the requirement. What they are going to do from the other side of the gate is run a gravel road that will connect into the paved subdivision.

Planning Board Chairman Sharp – Again, that's for emergency services.

Mayor Pro Tem Titherington – So that's an emergency activated gate?

Planning Board Chairman Sharp – Yes.

Mayor Pro Tem Titherington – Is that gate there currently an emergency activated gate or does that need to be installed?

Mayor Deter – We checked with Wesley Chapel Volunteer Fire Department. It's a gate that they need to be able to open. It's a plastic chain with a tie.

Mayor Pro Tem Titherington – I would still make it a condition that Wesley Chapel Volunteer Fire Department signs off on the gate they currently installed and that it meets their requirements.

Planning Board Chairman Sharp – So basically you would like some sort of letter from Wesley Chapel stating that the gate that they are going to install meets their needs.

Mayor Pro Tem Titherington – Correct.

Councilman Buzzard – What is currently installed I think is the key here.

Planning Board Chairman Sharp – The currently installed is Waybridge.

Mayor Deter – I think back in 2006 the Planning Board said that they need to put a gate there because it's a gated community for future access. They put the gate there a couple of months ago as Carrington was being developed. The question I'm hearing is we need verification from Wesley Chapel that the gate meets their requirements for width to ensure access and whatever the emergency service needs.

Planning Board Chairman Sharp – It's in the ordinance as an emergency access gate so therefore it has to meet whatever the emergency services needs it to have. US Infrastructure submitted on September 1<sup>st</sup> the construction plan review which the applicant has a copy of and is working on the construction documents which will come to you at some point.

Councilwoman Janice Propst – There is a typographical error in their letter. Can you just let them know that they have a sentence “ensure the headwater *does* flow on to the adjacent properties” so we just need it to say “*does not* flow onto the adjacent properties”.

Planning Board Chairman Sharp – The first item under conditions was the final approval of construction documents and the second condition is approval in permitting by Union County Public Works for their water and sewer.

Mayor Pro Tem Titherington – Again, on the gate we have that squared away. Walk through with me product information paragraph 2. It appears that MI does not own the land and have an option? So they were talking a little bit about conveyance?

Mr. Herr – Yes, we currently have an option on the land to be proposed once the approval process is completed.

Mayor Pro Tem Titherington – Is that normal and customary for us, Ms. Sharp, to say that if they don't close at whatever gets approved tonight it then conveys the land to the current owners?

Planning Board Chairman Sharp – Yes, it would convey over to any new owner such as Sugar Magnolia was an approved Preliminary Plat and when it was purchased it moved over to the new owners. They are redoing it but what was currently approved just changed ownership.

Mayor Pro Tem Titherington – That's three years to have action on it and if they don't it will expire. Is that correct?

Planning Board Chairman Sharp – Correct.

Mayor Pro Tem Titherington – The applicant is proposing right and left hand turn lanes in both directions. Are you going to commit to that?

Mr. Herr – Yes.

Mayor Pro Tem Titherington – As we look at the fall line on the west portion. We actually had USI work with All Saints Anglican Church because when their original documents came in they were

changing some of the fall lines which may have contributed to flooding abutting prior neighbors. Your last four lots to the west will abut that so what is the fall line for property does it fall back on the Anglican, in that same area or are we pitching to the front of the road?

Mr. Herr – Do you know off the top of your head what the grading looks like right here - is the water flowing back towards the road and the retaining pond?

Mayor Pro Tem Titherington – So this section here is where we had to work with the property owners to make sure they didn't change the grading you have actually done that grading coming forward, is that correct?

Mr. Herr – That's correct, we are pitching everything back towards Weddington Matthews Road.

Mayor Pro Tem Titherington – To the retaining pond?

Mr. Herr – That's correct.

Mayor Pro Tem Titherington - We have discussed the typo in the USI letter being corrected. It looked to me USI's letter had a fair amount of questions they wanted to have verified. We have actually had some calculations being redone as it relates to pre-da-1c is being recalculated so those calculations will be made a condition.

Planning Board Chairman Sharp – Right. Condition #1 says: "Development subject to review and final approval of Construction Documents by Town's Engineering Consultant US Infrastructure." That's the first condition on the last page of your memo. It also says: "Applicant must provide proof of approval before commencing with construction." So they can't start anything until all of this has been taken care of.

Mayor Pro Tem Titherington – Do we have NCDOT approval for the road widening project or do we need that as well?

Planning Board Chairman Sharp – Where are you with NCDOT?

Mr. Herr – We have been all through one review cycle with them and we are on the second review cycle.

Mayor Pro Tem Titherington – I want to add that as a condition.

Planning Board Chairman Sharp – Okay.

Town Attorney Anthony Fox – You also want a condition to ensure that the emergency access gate which is connected to Havenchase Drive. You need to see that it meets the approval of Wesley Chapel Volunteer Fire Department.

Mayor Pro Tem Titherington – My concern for the emergency access road, I just get a little bit concerned about and/or's and I want to make sure who owns this. It says "Waybridge is currently a

gated community and the developer and/or the Waybridge HOA will be responsible for installing and maintaining a gate on Havenchase Drive.” That tends to get a little vague.

Planning Board Chairman Sharp – When Mr. Burton wrote this we didn’t know that there was going to be one gate that Waybridge would own and maintain and a second gate that Carrington would maintain. So there are going to be two gates.

Mr. Herr – To the extent that emergency service providers are okay with that. If they want one gate then that’s what we will do.

Planning Board Chairman Sharp – So what we are waiting on is finding out what the fire department wants?

Mayor Pro Tem Titherington – I just want to be clear on who owns it so I want to make sure that MI Homes will be the ultimate decider of that emergency gate and is the owner of that emergency gate. I don’t want to hear Waybridge HOA, he said she said.

Mr. Herr – We will be happy to take responsibility for the emergency gate.

Mayor Deter – Let’s add that as a condition.

Town Attorney Fox – That might be subject to the approval of the HOA. If they built the gate and it is already there and their HOA may have to have responsibility so they have to concede the authority over to MI. I would give them the option of one or two. If there is one gate and it’s already in existence and this community has constructed that gate therefore they would have to, as a community, assign that responsibility to MI Homes.

Councilman Buzzard – I think Carrington’s offer was if there is only one gate required they would take over the responsibility of the existing gate.

Mr. Herr – Yes. To the extent that Waybridge conveys that to us.

Mayor Deter – The Waybridge HOA needs to convey the gate.

Mayor Pro Tem Titherington – My biggest concern is that is a dead end road today so the type of gate you need does not have to meet emergency service protocol. The fact that we are now using that for connectivity is requiring emergency services protocol. There is only going to be one gate, I don’t care, but there is going to be an expense potentially to make that an emergency gate. If that gate needs to be upgraded to an emergency services gate who will incur the expense?

Planning Board Chairman Sharp – Can we just state that by the time the final plat comes before the Town Council the configuration of the gate, the number of them and who is going to take care of them must be settled to the satisfaction of the fire department?

Mayor Deter – I think what you are saying is that you want a gate that meets the fire department needs and who is going to maintain and incur the expense.



Planning Board Chairman Sharp – Ownership and maintenance.

Mayor Deter – What I’m hearing is MI said they will maintain that gate but the Waybridge HOA needs to assign that.

Planning Board Chairman Sharp – Or take theirs down and let MI construct it but if they are only going to have one gate and Waybridge’s can be adopted then it makes sense not to incur that expense.

Mayor Deter – I don’t think we want two gates.

Town Attorney Fox – You need to put the responsibility onto MI to coordinate the gate’s control and responsibility of maintenance obligations. To present to the Town the appropriate plan to insure that the gate is going to be properly maintained and satisfies the requirements of the volunteer fire department.

Mayor Pro Tem Titherington moved to approve the Carrington RCD Conservation Subdivision Conditional Zoning Preliminary Plat as outlined with the following conditions:

1. Development subject to review and final approval of construction documents by Town’s Engineering Consultant, US Infrastructure. Applicant must provide proof of approval of the construction documents before commencing with construction. Significant changes to the site plan during construction document finalization may require a second planning board review.
2. Development subject to review and approval/permitting of construction documents by Union County Public Works. Applicant must provide proof of approval of the construction documents before commencing with construction.
3. That NCDOT approval for left and right hand turns is attained.
4. The emergency gate is installed and/or working with the adjoining Waybridge HOA for control and maintenance and to insure that it achieves the safety requirements of the volunteer fire department for emergency access.

All were in favor with the votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

## **B. Review and Consideration of Conditional Rezoning for Threshold Church**

Mayor Deter opened and closed the public hearing as no one signed up to speak.

Planning Board Chairman Sharp – I did want to make a comment before we get started. You have two memos in your packet. One in regards to the Rezoning request for Phase II and the other is for the Construction Documents and I don’t see the Construction Documents on the agenda. If you are going to also approve the Construction Documents I’m wondering if you need to amend the agenda either to make it Conditional Rezoning and Construction Documents or make Item C Review and Consideration of the Construction Documents for Threshold Church.

Town Attorney Fox – They do not have the Construction Documents.

Executive Pastor Richard Wilson – I stood here two years ago as we went through our first round of Conditional Rezoning for the property. You approved that so we have been developing the property according to those plans. We have some parking, some clearing and some good stormwater work out there. We have been using the property for small ministry gatherings and things. We have been working closely with Mr. Burton on the Construction Documents as well as the site plan. His resignation took me by surprise and I sent the Construction Documents to an email address that didn't have anyone's name attached to it but it was more of an: info@theTownofWeddington.com. So I am a little surprised.

Mayor Deter – When did you send those?

Pastor Wilson – We sent them a week before Labor Day. He notified me of his resignation on the Wednesday before Labor Day and I sent the documents either that Friday or the day after Labor Day.

Mayor Deter – I think his last day was before Labor Day.

Planning Board Chairman Sharp – His memo says on the Construction Documents the set in your packet so apparently it did not get into your packet.

Pastor Wilson – I have a full half set of our documents right here. Ms. Sharp has seen them because she made comments on them in our Planning Board meeting. We have had our Public Involvement Meetings (PIMS) around the Construction Documents. The Fuderman's were in attendance at one of our PIMS; they actually worked very closely with us through this whole process and have been very supportive. The Lights who are also some of our neighbors have been very supportive of this process. We were really hoping to start going after permits and breaking ground in the next couple of weeks.

Mayor Deter – The dilemma is without the Construction Documents in our packets and time to look at them I don't think we are able to rule and approve the Conditional Rezoning and Construction Documents. I realize that's not convenient for you and this is part of the issue we are facing here when we lose our Town Planner and being a small town we don't have a back up so we are trying to work through that. I am trying to think of a way to help you because right now my understanding is that this would probably have to go on the October agenda.

Planning Board Chairman Sharp – That's your call but I think you need to see the documents.

Mayor Deter – I know I don't want to approve anything I haven't seen and I'm sure Council doesn't either.

Town Attorney Fox – Did you call for a Public Hearing on this rezoning and Construction Documents or just on the rezoning?

Mayor Pro Tem Titherington - Tonight we can go through the review and consideration of Conditional Rezoning then we can get the Construction Documents, get the Planning Board's recommendation of that then we can call a special meeting to review the Construction Documents.

Planning Board Chairman Sharp – The Planning Board has already gone through the Construction Documents.

Mayor Pro Tem Titherington – Then we can just get that and call a special meeting and come in and do that.

There was a brief conversation amongst Council about dates but not specified. By consensus Council agreed to that recommendation of calling for a Special Meeting, the date to be determined after they review their calendars.

Mayor Pro Tem Titherington – What I’m hearing is that we want to move forward hearing the Conditional Rezoning and then for Construction Document review we will call a special meeting for that. By consensus Council agreed.

Planning Board Chairman Sharp – Phase 1 was approved in 2014 and was basically parking and a new driveway. They were using an existing house for office space. Phase II includes a 17,000 square foot building expansion, additional parking, and stormwater management facilities. You have a narrative for proposed uses of the Church in your packet. Public Involvement Meetings were held in July. You have the development standards for a church in the RCD Zoning District. Access and parking, they have an existing driveway and will continue to use the existing driveway. They were required to go through the Traffic Impact Analysis and will be providing a left turn lane and a right deceleration lane. The left turn lane will likely be coordinated with the left turn lane providing access to the subdivision the Enclave but I assume that’s probably in consideration with NCDOT at this point. The applicant has already met the landscaping requirements and will have Union County Water and a private septic system. I believe they are hoping to be able to connect to the sewer in the future but right now they have a septic system. US Infrastructure has provided an approval of the stormwater concept plan, and a first review of the full construction document set. If the site plan changes significantly, this will need to come back to the Planning Board but at this point and time Mr. Burton did not anticipate there would be any changes. The site is not within a Floodplain and the recommended condition of approval is:

1. Any revisions to the approved site plan and other documents must comply with our ordinance.

One of the other items that was discussed but the applicant did not have yet was their sign so that will need to be added. Right now their sign says “Future Home of”.

Mayor Deter – Would that be part of the Construction Documents?

Planning Board Chairman Sharp – The Planning Board has not seen the sign yet so that will probably come to you as an addendum to the Construction Documents in the future.

Mayor Deter – The first time this came through two years ago I wanted to make everyone aware that he came on a later date, built a nicer bigger church who knew that the septic system was acceptable with what was there. Now that they are building this church the implications are that the septic system either as it is or expanded will be able to handle the use.

Planning Board Chairman Sharp – The applicant has provided the septic approval from Union County Environmental Health.

Mayor Pro Tem Titherington – Ms. Sharp would you clarify:

- US Infrastructure has provided an approval of the stormwater concept plan, and a first review of the full construction document set. The set in your packet has not addressed the first round of comments, but changes to the overall site plan are unlikely.

So if we are going to be calling a special meeting to approve those Construction Documents do we have those first set of comments in?

Planning Board Chairman Sharp – The only problem I see with that is I don't know where Ms. Fisher is on those.

Pastor Wilson – She is working closely with our Civil Engineer.

Planning Board Chairman Sharp – But Ms. Fisher is out of Town until September 20<sup>th</sup> so I don't know if she has an associate she's also working with.

Mayor Pro Tem Titherington – We should try if we can to have those and if not we will have to put that as a condition to get those. The planning agreement for the first Phase was all done and there were some questions at the last Town Council meeting last month around lighting. So we will deal with that in the Construction Documents phase as well. We should share with them some protocol that we used elsewhere that they might want to have so we can make sure that it all gets bundled up.

Town Attorney Fox – Keep in mind that this is a Conditional Rezoning so to the extent you have a site plan and you have issues around lighting you could incorporate those in the notes of the site plan as to whatever comfort level Council has with it.

Planning Board Chairman Sharp – I think what we did with the Anglican Church was they stated that all of their activities will be done by 9:30 p.m. They will have motion activated lighting.

Pastor Wilson – We agreed to have the lighting put on timers so they would be turned off by 10:00 p.m. and they would not be motion activated because of all the wildlife in the area.

Planning Board Chairman Sharp – I think the Planning Board recommended that there be no lighting requirement cut off time for Easter and Christmas services.

Mayor Pro Tem Titherington – So if we could just use the other protocols so that all comes together at one time that would be great. So do we want to do that as a condition today?

Town Attorney Fox – That needs to be a part of the site plan. This is a Conditional Rezoning, so that needs to part of your approval of the site plan.

Planning Board Chairman Sharp – I think the other question we have is about security lighting. Are you going to have any security lighting that you will want to have on all night?

Pastor Wilson – Not necessarily, unless it's required by the Town.

Planning Board Chairman Sharp – It would not be required by the Town.

Mayor Deter – It will be dark there after 10:00 p.m.

Pastor Wilson – We will have an alarm system.

Planning Board Chairman Sharp – So you are saying that all lighting is turned off by 10:00 p.m. excepting the Easter and Christmas Holidays?

Mayor Deter – Is there lighting in the parking lot?

Pastor Wilson – There is lighting in the parking lot.

Mayor Deter – So all of that lighting will be included in your timer?

Pastor Wilson – Yes.

Town Attorney Fox – Ms. Sharp, the other thing we will need to do is state the consistency since this is a rezoning.

Planning Board Chairman Sharp – Right. Any time you have a Conditional Rezoning you need to state how this project is consistent with the Land Use Plan. The last time we basically stated that Weddington likes to have churches that enhance the area and provide a benefit to the local citizens.

Mayor Pro Tem Titherington – From a Condition perspective we are basically approving this without any conditions or impact from these things with the site plan. Is that the recommendation?

Planning Board Chairman Sharp – You have the one condition of approval from staff and the second condition is about lighting: all lighting is to be turned off by 10:00 p.m. with an exception for the Easter and Christmas Holidays.

Mayor Pro Tem Titherington moved to approve Threshold Church Conditional Rezoning Phase II with recommendations as approved by staff and all engineering associated with Construction Documents to be approved by the engineering consultant US Infrastructure, all lighting plan insures that all lighting on the property is to be turned off by 10:00 p.m. with an exception for the Easter and Christmas Holidays. This is a consistent use with the Land Use Plan that provides value to neighboring communities. All were in favor with the votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

## **Item No. 10. Old Business**

### **A. Discussion and Consideration for Town Hall maintenance**

Councilman Mike Smith – In your packet you have some estimates for some work that needs to be done at Town Hall. As you know we have had some previous discussions on the brick work we will need repointing which is repairing old and missing mortar. There are three estimates. I want to review them:

- Dunlap Concrete & Contractual Services – The estimate to do the work is \$5,375.00 and they are offering 1 year warranty on the work and estimates it will take 2-3 weeks to complete the work.
- Patchman – The estimate to do the work is \$5,200.00. He did not return my phone call about warranty and how long it will take him to do the job.

The next estimate is from Chris Wendt Landscaping. You will notice that this one is a little higher in cost because between the time I received the first two and this one some other work that needs to be done appeared so I had them bid on that as well.

- Chris Wendt Landscaping – The estimate to do the work is \$10,430.00. He is offering a two year warranty and stated it will take 7-10 days to do the work.

I have discussed this before with the Council and although the Wendt bid is higher for the work I would put Chris Wendt in the same category as Nu Hue and I believe that he is our best choice for this job considering that this is a historical building.

Mayor Pro Tem Titherington – Thank you for pulling all that together and if you compare Wendt's cost for the same work as the other two Wendt's is lower.

Councilman Smith – You are correct, if you compare apples to apples his bid was actually lower; it was \$3,600.00.

Councilman Smith moved to approve Chris Wendt to do the re-pointing and brick repair on the Town Hall not to exceed \$10,430.00. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**. All were in favor with the votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

Councilman Smith – We have had some leaks in the roof that has plagued Town Hall apparently for a very long time and has been attempted to be repaired on several occasion and I'm hoping to find a permanent solution to this and not a band-aid. You have three estimates for roof repairs:

- Steve Larsh – The estimate to do the work is \$6,450.00, is offering a 1 year warranty and it will take 1-2 days to complete the work.
- Roofing 21 – The estimate to do the work is \$5,800.00, is offering a 1 year warranty and it will take him 2-3 days to complete the work.
- Lundberg Specialty Services – The estimate to do the work is \$3,168.00, is offering a 5 year warranty and it will take 2 days to complete the work.

I did a lot of checking on all the contractors and I'm going with the lowest one for this. He has been in business for 31 years, is well known and has had great reviews. What I really like about this contractor is he's offering a 5 year warranty on his work and said he's doing that because he knows he won't have to come back.

Mayor Deter – The estimate indicates that three squares of shingles will be required and we have one square in the garage. I'd like to get them out of the garage and it can save us about \$100 to \$150.

Councilman Smith – It makes sense to use them so it matches.

Councilman Smith moved to approve Lundberg Specialty Services to do the roof repair on the Town Hall not to exceed \$3,168.00. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**. All were in favor with the votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

## **B. Review and Consideration of N-Focus Services**

Councilman Buzzard – I spoke with N-Focus after our meeting on Thursday and they do not offer just a Junior Planner to come out on site. So what they are offering is to meet our two days a week that we are asking for in the September time frame would be to have a Senior Planner on site on Fridays and then have a Junior Planner on site on Mondays and I wanted to make sure Council was aware of it and because it is different than what we discussed.

Councilwoman Janice Propst – How will they coordinate knowing what's going on between the two?

Councilman Buzzard - The Senior Planner will do more of the tough planning work and the Junior Planner will assist her with that and work through her and that sort of stuff.

Councilwoman Propst – The Senior Planner is going to do most of the site plan work?

Councilman Buzzard – That's correct and they do have access to one another if they have questions back and forth. The Junior Planner would have access throughout the week to the Senior Planner if there are questions that come up that they can work through.

Councilwoman Propst – The first day will be the Senior Planner on Friday.

Councilman Buzzard – Actually no, we will have both the Junior and Senior Planner on site on this Friday. We are trying to coordinate with Ms. Sharp to make sure that she is here, Ms. Woods should be here and I'm going to try and be here on Friday if the Council is okay with that direction.

Mayor Deter – Does anyone have any questions?

Town Attorney Fox – If you are looking now to engage with N-Focus in your motion to engage, do you have a contract yet or agreement yet?

Councilman Buzzard – No, on Thursday we had a motion to engage N-Focus.

Town Attorney Fox – This is a personnel tweak.

Mayor Deter – So you just want to get an alignment? I'm looking around at Council and I think everyone is aligned. So it doesn't require a motion?

Town Attorney Fox – No.

Mayor Deter – While we are on the subject can we get an update from Councilwoman Propst where we are with interviewing the one applicant we previously discussed?

Councilwoman Propst – On Thursday we discussed coordinating our calendars so I will get with everyone by tomorrow and get our calendars before going on to speaking with her.

### **Item No. 11. New Business**

#### **A. Review and Consideration of Trash Collection at Town Hall**

Mayor Deter – We have been fortunate to have complimentary trash collection for the last several years and like a lot of things it's going away. We went out and got some quotes. Our current complimentary trash collection is done by Waste Connections (God Bless America). Ms. Piontek has gone out and gotten some quotes and there is a sheet that provides the costs.

- Waste Connections estimate is \$46.00 per month, 2 carts weekly and 1 recycle bi-weekly
- Waste Pro estimate is \$45.00 per month, 2 carts weekly and 1 recycle bi-weekly
- RCS estimate is \$40 per cart monthly, 2 carts weekly and no recycling available

Councilwoman Propst – I spoke with Ms. Piontek before the meeting. When I saw the information in the packet I knew this company because RCS is the company that provides us the port a johns for all of our events and for Easter they always give us those port a johns for free. When I saw that today I knew that wasn't true because I know they do recycling so I picked up the phone (they live in Weddington) and called the owners. I asked them to correct me if I am wrong and she said no we did not put it on the pricing so its \$40.00 for one solid waste cart and one recycle bin and they will do a pick up once a week. It's \$40.00 a month for them to do the entire service. Now that's not 2 carts but I don't know that we really need 2 carts except for events. If we do we can discuss that but they do recycle.

Mayor Deter – So they do recycle. It's a question of usage. Does the Town go through 2 carts a week or can we get by with one cart a week? I don't know. I just know it always seems to be full carts out there.

Councilwoman Propst – Do you really need two carts a week?



Town Administrator Peggy Piontek – I agree with Mayor Deter. It's always full out there. The problem is that the company has been doing it for free; they pick up when they have the time. There's no way to judge how much trash we use but there are four of us here and deputies.

Councilwoman Propst – I think 2 carts for four people is a lot of waste. I didn't discuss 2 carts with them I just discussed 1 waste bin and 1 recycle bin. They do come on the same day and again they are \$40.00 per month versus the others.

Mayor Pro Tem Titherington – My take is that we have had Waste Connections here for several years, they are already here and they will do the drops we need for the festival events and get down to 2 carts and 1 recycle. We are talking about a cart difference and they have been doing it for a while. I prefer to stay with Waste Connection for consistency. They understand who we are and we have known them for a long time.

Mayor Deter – Right. Any other comments?

Councilman Buzzard – You said RCS is local to Weddington?

Councilwoman Propst – They are native of Weddington and have lived here all their lives. They were started by Joe Hudson and Joe has graciously provided for every event that we have had. When it comes to the Easter Egg Hunt, we don't pay anything for the port a johns, when it comes to the Christmas Event and Festival they only charge us half price for all the port a johns. It's just the service they provide because they are citizens of the community.

Mayor Deter – The port a johns for the festival was \$575.00, which is half of what they charge \$100.00 per day.

Councilwoman Propst – For Easter it's free. They are a busy company so it's not like, I'm just saying they live here and they can contribute to the Town.

Mayor Pro Tem Titherington – Make your motion, Janice.

Councilwoman Propst moved to approve RCS because they do contribute to our festivals and give us a lot of free service on our festivals. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**. All were in favor with the votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

## **B. Review and Consideration of Enclave at Weddington Final Plat Phase 1 Map 1**

Planning Board Chairman Sharp – The Enclave at Weddington is an approved conservation subdivision located on 53.52 acres. Phase 1 Map 1 includes 13 of the 42 approved lots. The subdivision is located on Antioch Church Rd and is being developed by Meritage Homes.

### **Conservation Land**

The conservation land calculations indicate that 29.28 acres of the 53.52 acres has been dedicated to

conservation land. 13.564 acres are included within Map 1.

### **Utilities**

- The Enclave at Weddington is to be served by Union County Public Water and Sewer.

### **Access and Traffic Analysis**

- The subdivision will be accessed by one entrance on Antioch Church Road.
- The Town Planner, in coordination with Justin Carroll, determined that the subdivision did not meet the threshold for a formal Traffic Impact Analysis. The applicant is providing a left turn lane in to the site and coordinating with NCDOT for design approvals.

### **PIMS**

- PIMs were held on June 2<sup>nd</sup> and June 3<sup>rd</sup>, 2015, both at Town Hall and on-site.

### **Additional Information:**

- Lot 40 is the largest lot at 17,072 square feet.
- Lot 42 is the smallest lot at 12,961 square feet.
- The Cluster Mailbox Unit location and hydrant are both shown on the plat.
- The subdivision will include curb and gutter, and sidewalks will be provided on one side of the street and around the cul-de-sacs.

### **Construction Documents**

- USI provided final approval for the construction documents on May 9<sup>th</sup>, 2016.

### **Recommended Conditions:**

1. Bond estimates to be approved by the Town's engineering consultant.
2. Bond instruments to be reviewed and approved by the Town Attorney, and the final bond instruments must be submitted to the Town prior to recording of the final plat.
3. Each remaining lot to be recorded in the Enclave at Weddington subdivision shall include on its Deed a statement that any roads in the subdivision that are not accepted by NCDOT are private and not the responsibility of the Town of Weddington and shall be maintained by the Enclave at Weddington Homeowners Association or its Developer.
4. Vehicle control signs including but not limited to stop signs and speed limit signs shall be installed by the Developer and maintained by the Homeowners Association on any roads not accepted by NCDOT. All speed limits within the subdivision shall be no greater than 25 mph.

### **Planning Board Action (August 22<sup>nd</sup>, 2016):**

Recommended Approval with Conditions (Unanimous)

Mayor Pro Tem Titherington – I try to avoid surprises but this is a good example because this was TDON Development that previously came before the Council and has now changed to a different organization. One of our concerns as a Town is safety. It goes along with our health and welfare which we are very concerned about. That road has a turn where your property comes into and it is right across the street from Threshold Church. Some of the things we discussed with Jonathon Keith who was a representative of TDON Development agreed to a right hand turn lane in there. I know NCDOT gets into these conversations sometimes whether it's not required by NCDOT, but the Town can actually say NCDOT plus when it comes with the health, safety and welfare. One of my concerns is hopefully Ms. Sharp or Ms. Piontek reached out to you ahead of time advising that we had a commitment from Mr. Keith for a right hand turn lane and you can see that in the documents so maybe you can help address that for us tonight.

Mr. Reid Owen – I am with Meritage Homes. On that plan there was the original submittal of February of this year. It showed a flared turn out and that was extended at your request in April and was on the final approved plans by NCDOT. Mr. Burton reviewed that and agreed to the additional length of that flared section. I have copies of the plans here if you would like to see them.

Mayor Pro Tem Titherington – For Council's information, this is for right around that bend and Threshold will literally be right across the street on the left. So you have the left hand turn lane coming south of Threshold and you should have a left hand turn lane coming north going into the Enclave. It was a southbound flare out; preferably right hand turn lane will be put in the mix but at the discretion of being open to that.

Mr. Owen pulled out the original plans, then the revised plans from April 15<sup>th</sup> showing the extended flare.

Mayor Pro Tem Titherington – How far did they get?

Mr. Owen – I believe it's about an additional 30 feet.

Mayor Deter – The total length. It's not a right hand turn lane but it's a flare out slow down lane, how long is that?

Mr. Owen – The total length is 80 feet.

Councilwoman Propst – So you are saying 80 feet down the road?

Mr. Owen – 80 feet from the center line back down the road, yes.

Mayor Deter – How wide is a flare lane versus a turn lane?

Mr. Owen – A turn lane is 11 feet wide and this is a 6 feet wide additional flare. From here back is 80 feet.

Mayor Deter – The flare being 6 feet wide versus 11 feet wide. My initial concern is that's going to create risk as people try to get in that flare lane and it's 6 feet wide they will be off the road. I don't know what a typical length is whether it's 80 feet or 60 feet.

Mr. Owen – That's an engineering design, it should depend on the speed of your roadway and those types of things.

Mayor Pro Tem Titherington – The speed limit is 45 mph on that stretch of road.

Mr. Owens – That is correct.

Mayor Deter – So if that 45 mph determines the length and if it's 80 feet long, I think a 6 foot wide flare is going to create more problems. If you have 80 feet length and the engineering design at 45 mph said it needs to be 60 feet long, I would say you are good at the 60 but it should be 11 feet wide which is what a turn lane is. I'm looking at Council because I know there was a concern back when we had this discussion with TDON.

Mayor Pro Tem Titherington – The condition as written is: "The developer will include a right turn lane consistent with the Town Engineer and NCDOT approval." That's my biggest concern because a lot of these roads were designed Antioch Church Road at one point was a gravel and farm road and they just paved over that bed. They didn't do any widening or shoulder improvements and we get a little concerned as we have a lot of drop off's. That's why as possible particularly when we have opposing roads similar to what we do with my home grass we built a right hand turn lane just to get particularly younger drivers but all drivers off the road in a safe manner. That being on a bend you weren't here in February but I shared with Jonathon at the time - that I sat there for 45 minutes one afternoon just watching the traffic and the speed of the traffic. I don't have a radar gun and I'm not trained on it but it's moving. So the concern is what would prevent a right hand turn lane from a slow down lane? What's the extra 3-5 feet that we are looking for? Is there a concern there?

Mr. Owen – Those plans were already approved by NCDOT. We have a contractor out there working now. TDON had gotten Mr. Burton's approval basically to proceed with those plans and that's the situation we are confronted with today.

Mayor Pro Tem Titherington – That frontage that you own that does not adversely affect any of the lots that you are looking at or anything like that. Correct? To have a right hand turn lane versus a slow down lane is there anything on that?

Mr. Owen – The lots are set back quite a bit from the road.

Mayor Pro Tem Titherington – Okay.

Mr. Owen - It's just taper distances and those kinds of items as to how that could impact our drainage and other issues along that frontage.

Mayor Pro Tem Titherington – You have other folks. Threshold Church coming in.

Mayor Deter – I know you say you have NCDOT approval but as you look at the minutes, I know this was before you but with TDON it reads pretty clear what the concerns of the Council was which was the safety issue coming around there. I believe we've had other roads approved by NCDOT for a subdivision right over here at Atherton Estates for example. Where there are multiple road cuts and we took them out. I would like to see and am looking at the Council to get their thoughts on a right hand turn lane in there. I don't know what that means in terms of lane length but I think you defined what that is in terms of lane width. It's really driven by some safety concerns and I appreciate the 6 foot wide lane there but in my opinion that makes it even less safe.

Mayor Pro Tem Titherington – Absolutely, and it's part of the reason we had this conversation with TDON early in the development, which is more than 200 cars are coming into that road. Weddington is one of those wonderful communities that doesn't have 1.2 cars per household; we have 3.5 car per household. So I'm looking at 200 homes down there, I'm really looking at more than 500-600 cars, 11 trips per day. I didn't see anything else that concerned me other than the right hand turn lane. I'm with Mayor Deter; we have to have it as a safety issue. Granted it's a small development but when I look at the schools being up there, the reality is that our school buses and parents are dropping off and picking up so the amount of cars that are coming up and down those roads is a safety issue.

Planning Board Chairman Sharp – My concern would be that you may run into the same problem that you had with the development on Weddington Matthews Road where NCDOT said we won't allow a right turn lane. So whatever you do it would have to be something that NCDOT would agree to.

Mayor Pro Tem Titherington – We have had the conversation with NCDOT if they look at the counts per day, we are either hitting or projected to hit those counts on a lot of these roads especially with the development that's coming. I have no problem putting a right hand turn lane and if NCDOT wants to come back and say sorry that's a slow down we can get into that conversation. When we have done that in the past we let them know what else is being developed. We are the eyes of the institution right, we are here so I will be glad to engage NCDOT in that conversation if it becomes an issue.

Mr. Owen – What we are asking for is the plat be approved. You have reviewed the drawings and have had comments and then Mr. Burton on your behalf reviewed those drawings so I just do not understand why we are talking about a turn lane today.

Town Attorney Fox – One thing we are at the final plat stage right now. Final plat approval by this Council is subject to being compliant with the preliminary plat approval. Your preliminary plat approval which you inherited had a series of conditions. One of the conditions was to address the right turn lane issue. What I'm hearing from Council is that condition doesn't seem to be met. Council has three things it can do here: It can approve this plat, it can deny this plat or it can approve with conditions. I think what they are entertaining here is whether or not they are not going to approve it and might deny it. Do you want to at least consider a way to get it consistent with conditions that you agreed to in the preliminary plat stage? I think that's where we are.

Mr. Owen – The wording in that was that TDON was going to try to work with NCDOT.

Mayor Pro Tem Titherington – I will reread it. It's dated February 8, 2016 as condition number 7: *That the developer will include a right turn lane consistent with the Town engineer and NCDOT approval.* It

wasn't "may", it wasn't nebulous, it was "will". I'm not trying to be difficult and I understand what you are trying to do. You are in a tough spot because you had a person who sold you this property. We are very specific about this safety issue. If you had a 16 year old child travelling down that road, that's the eyes and ears I'd like to put on it. That's the full grasp of what we are looking at. We can approve it with the condition that this is met but if that's something you are not comfortable with then we need to know that too because that will dictate a different decision from my perspective at least for my vote.

Town Attorney Fox – One option for the Council, if the applicant is willing to take it into consideration is that you could table this until your next meeting and allow some time for them to explore options.

Mr. Robert Price – In reference to the plat, obviously we were here for the recording of the plat based upon the recommendations and the recording of the plat. If it is based upon the conditions for the improvements of the widening how is that subject to recordation of the plat?

Town Attorney Fox – The recordation of the plat is following the final plat approval. This council is not going to allow the plat to be recorded until these conditions are satisfied.

Mr. Price – Even if there is another plat that we have that is up for review on the Planning Board with Phase II? Will it be subject to the Phase II plat from Phase I?

Town Attorney Fox – The Phase II is not before the Council right now. We are just dealing with this Phase.

Mr. Price – Even if it has the association based upon the improvements to the construction drawings for the first set of the plat? I guess where my confusion is that, which you mentioned earlier, the plan that TDON submitted was not applicable back to the actual plat itself. It should have been applicable back to construction drawings. Am I correct in that? It wasn't actually a physical. Was there a preliminary plat that was done by TDON?

Town Attorney Fox – Preliminary plat approval which begins the process before you get to final plat approval so that could be the cue to the start of the process for you to lay out your subdivision and plan it. The final plat is a review by this Council to determine that you have done things that you have committed to do from the preliminary plat stage. The conditions of approval were laid out in the preliminary plat approval that was made by this Council.

Mayor Pro Tem Titherington – We are trying to do this up front so when you get to this stage there are no "Uh Oh's" so that's why we're moving as much of it up front. Then you have that ability at that point if this had a right hand turn lane on it you would have been gone and out of here 20 minutes ago. Unfortunately you are the second person in on this deal. Again, this is the letter of what we all agreed to at the time, we were comfortable with it. All those cars going in and out are a safety issue and a concern for me.

Mayor Deter – I think we summarized it well. Council can approve it, deny it, approve it with the condition 7 or we can delay it and give you time to determine what's involved to meet condition 7. We like to keep things moving for you.

Mr. Price – I think we can easily agree that we probably want to approve it with conditions. I guess it's just understanding what you would want from us based on those conditions are the conditions.

Mayor Deter – I think we just want a drawing with a right hand turn lane.

Mr. Price – You want a turn lane, okay.

Mayor Pro Tem Titherington – We can give the conditions to you. It's out of the minutes. I am assuming Ms. Sharp, that all the other conditions were met? So the development is subject to review and approval from NCDOT, subject to review from USI, development subject review and approval permitting documents from Union County Public Works, declaration of conservation easement constrictions shall be reviewed by the Town, maintenance plan and maintenance agreement shall be reviewed and executed prior to final plat approval by Weddington Town Attorney covenants, conditions and restrictions shall be reviewed by Town Attorney and executed prior to final plat and approved by Town Council and that the developer will put a right turn lane.

Town Attorney Fox – The one issue I have with this approval with conditions as to what the condition is. The condition that you approve it to is the same condition that they are supposed to meet in the preliminary plat. I think the options really are for the Council to approve it, or to deny it, or to table it to its next month's meeting with the hopes that if you want to comply and present a revised plan that shows compliance with that condition.

Mayor Deter – We are not adding a condition, we are simply asking for compliance of the existing conditions.

Mayor Pro Tem Titherington- It sounds like we are going to be coming back together before next month's meeting to work with Threshold Church, so if this is something you think you can get done in two weeks I would have no problem adding it to that agenda and keep you rolling. From my perspective I am not comfortable approving it without the right turn lane.

Planning Board Chairman Sharp – You asked about the recording of the Mylar's. All the conditions do have to be met before the Mylar's are signed by the Mayor. That includes the bond estimates and the bond instruments while you are getting your bonds in place. If you haven't done that yet you can be working on this at the same time and it really doesn't slow you up because we wouldn't sign the Mylar's until the bonds are in place and reviewed by the Town Attorney. Also they have Phase I Map II on the Planning Board agenda for this month, so we can still move forward with that if they have both maps on their agenda that wouldn't matter, it really won't slow up map II at all.

Mayor Pro Tem Titherington – We can do both map I and map II at the next meeting.

Mr. Price – Preferably we would like to move forward with map I if at all possible. Can we at least get the approval of map I? Obviously table map II until the next meeting.

Planning Board Chairman Sharp – Map II will be a Planning Board this month and then Council next time. If you can get everything done within 2 weeks so they can hear that at the same time as Threshold then that would be another option.

Mr. Price – Right, understood.

Mayor Pro Tem Titherington moved to table the Enclave of Weddington RCD Conservation Subdivision Condition Zoning Final Plat Phase 1 Map 1 no later than a month from today but possibly earlier at a Special Meeting to be called by the Town Council. All were in favor with the votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington  
NAYS: None

**Item No. 12. Update from Planner**

Planning Board Chairman Sharp – Shortly before Mr. Burton left he was contacted by Union County asking if we would permit Union County do all the addressing for the subdivisions. Mr. Burton and staff see no issues. We do the addressing, then it has to go to them for approval and this makes the process quicker and easier. Union County is trying to take over the addressing for all the municipalities and coordinate it with their 911 communications. It makes it quicker, easier and removes the burden from staff. There will be a text amendment before the Planning Board this month and we will call for a Public Hearing at your next meeting to remove the addressing from the Zoning Administrator to Union County Administrator. As I mentioned we have map 2 for the Enclave for the Planning Board agenda and an entry monument either for the Falls of Weddington or the Enclave. Because it's part of the construction documents, normally the Planning Board approves the entry monuments however, when it's a Conservation Subdivision it becomes part of the construction documents so the entry monument will also come to you. We have three Planning Board items and then we have a couple other text amendments that we will be working on. I believe Mr. Burton said that the bond amounts now we can only hold 1.25 times the amount and there are several places in our ordinances that say 1.5 times. As a cleanup we will modify them.

**Item No. 13. Code Enforcement**

Mayor Pro Tem Titherington - What is the percentage of 405 Ambassador Court demolition? If we can have a follow up for next Council meeting on the percentage and then the Town Attorney can move to different options.

**Item No. 14. Update from Finance Officer and Tax Collector**

Town Finance Officer Leslie Gaylord – You have the monthly financial statements in your packet. I wanted to point out to you under the revenues on the local option sales tax it looks like it's zero for the year but that's because we receive those in arrears so what we have gotten is actually last year's revenues. Next month you should start getting them for this year.

**Item No. 15. Public Safety Report**

*None*

**Item No. 16. Transportation Report**



Councilman Buzzard – The CRTPO opened their public comment period for the regional tier needs. That runs through sometime this month. It's open for 26 days. We had discussed outreach for our community on our website. Outside of that it is frustrating at times because the City of Charlotte holds so much sway as a single entity over such a large area.

Mayor Deter – Any impact or update - last month or two months ago - we discussed the roundabout.

Councilman Buzzard – Yes, I provided that to NCDOT and they were appreciative of efforts that we took and they will add that information to the information they had submitted on the first go around which I believe will be in December when the next call for those types of projects will be held by the CRTPO. When that happens that should have the updated information as far as the cost sharing. The solution is sometime around or about the first quarter of the year.

Mayor Deter – Is that when we will know what the point status is? We discussed doing some matching to add some points.

Councilman Buzzard – Correct. We should be well within the threshold of the projects that were submitted the first time around. It is a second call for projects so there is the potential to have other projects that get put onto that list. If you are looking at how we would have fared with those numbers on the original list, it still would have been well within the range. There is always that possibility but I don't see where we would fall outside of that realm. Again, I don't think there is going to be just that many more projects.

Mayor Deter – It will move us up the list, right?

Councilman Buzzard – Right. There won't be that many new projects that will push us back down on the list so where we fall now I believe we have a very good opportunity for us.

Councilwoman Propst – We should know more information in the first quarter of next year?

Councilman Buzzard – That's correct. That will all be determined when they have that second call for projects.

Mayor Pro Tem Titherington – When you look at that ratio, if I'm correct from the way you explained it in the past, you get two for one for every dollar we invest on safety factor, right? So where are we in relation to the other projects, maybe if we get another \$5,000 to \$10,000 in there?

Councilman Buzzard – No. As far as the points go, that's strictly on the percentage of the project.

Mayor Pro Tem Titherington – Is there any tweaking that we could do in reference to move up that list or is there a way to move up that list to get that project done quicker?

Councilman Buzzard – Once the project is approved there might be something as far as additional monies we want to put in to move it to a quicker project. As far as where we stand right now we have done everything that we can. I submitted a letter with that condition to the monies stating that there was a time factor involved with that because it is this budget cycle. Not to say that it's not available for the

next budget cycle but the approval is just this budget cycle so that should also provide us with some opportunity points.

### **Item No. 17. Council Comments**

Councilwoman Propst – It's a great night to see so many people in the room. I appreciate your coming out and I appreciate the candidates speaking. I appreciate hearing the volunteer service to the community. Thank you.

Councilman Smith - none

Mayor Pro Tem Titherington had no comments.

Councilman Buzzard – I'd like to reiterate what Councilwoman Propst said. I appreciate everyone coming out. It's always good to hear from the public. It's good to hear that we have patriots in positions that are going to affect the lives of our residents.

Mayor Deter – There are two openings coming up on the Planning Board. One term has expired but Brad Prillaman is interested to serve again. Ms. Sharp, as much as I've talked to her, after 14-16 years she says she is out of here. You saw the email I sent to Ms. Piontek asking her to check what we have in the file and put an ad out to see if we can find some people for the Planning Board. As you have seen here tonight it is extremely important to what this Town does.

Planning Board Chairman Sharp – As I mentioned to the Mayor I really do expect to be moving out of Weddington in the next 1-2 years. It's not right to volunteer for a four year commitment and then, to me, to do that knowing that I probably would not fulfill the commitment.

Mayor Pro Tem Titherington – You didn't ask Council for their opinion, Ms. Sharp, so we will reserve judgment.

Planning Board Chairman Sharp – However, I have told Ms. Piontek and the Mayor that if you need me on a part time basis as I've been doing like being here tonight or helping the Zoning Administrator or Planner whenever needed, as long as I'm a resident of Weddington you can call on me to help. I'm just not planning to commit to a four year term.

Mayor Deter – One last item - the Town's Fall Festival is on Saturday, the 17th and we anticipate having 2,000 to 3,000 people showing up for this event. It gets bigger and bigger every year. We went out to get donations to support the festival and the numbers I see right now, we don't have all of our expenses in, but basically our donations exceed our expenses by several thousand dollars which will help us with the Christmas Tree Lighting and the Easter Festival next year. We hope all of you come out, bring the kids. We have rides, fire trucks, UCSO SWAT truck for kids to go into. We hope to see all of you out on the 17<sup>th</sup>. Richard Helms is going to be one of our baking contest judges, along with Craig Horn and Kim Andrews, the new Principal at Weddington High School. We have some all star judges on the baking contest.

**Item No. 18. Adjournment**

Councilwoman Propst moved to Adjourn. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

The meeting ended at 9:10p.m.

---

**Bill Deter, Mayor**

Attest:

---

Peggy S. Piontek, Town Clerk

# PROCLAMATION

## PROCLAIMING

### CONSTITUTION DAY AND CITIZENSHIP DAY

### CONSTITUTION WEEK 2016

**WHEREAS**, our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and

**WHEREAS**, at the culmination of months of deliberation, debate and compromise, on September 17, 1787, the Constitution of the United States of America was signed; and

**WHEREAS**, September 17, 2016, marks the 229th anniversary of the signing of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS**, through all its changes over the years, the Constitution's foundation has endured and adapted; and it is the supreme law of our land; and

**WHEREAS**, Constitution Day and Citizenship Day are celebrated on September 17<sup>th</sup> each year during the celebration of Constitution Week, September 17<sup>th</sup> through September 23<sup>rd</sup>; and

**WHEREAS**, the adoption of the Constitution and the independence guaranteed to American citizens, whether by birth or by naturalization, should be celebrated by appropriate ceremonies and activities during Constitution Week.

**NOW, THEREFORE**, I, Bill Deter, Mayor of the Town of Weddington do hereby proclaim September 17, 2016, as Constitution Day and Citizenship Day, and September 17 through September 23, 2016, as Constitution Week. I encourage governmental leaders, as well as leaders of civic, social and educational organizations, to conduct ceremonies and programs that bring together community members to reflect on the importance of active citizenship, recognize the enduring strength of our Constitution, and reaffirm our commitment to the rights and obligations of citizenship in this great Nation.

**FURTHERMORE**, I urge all citizens of Weddington to reflect during this week on the many benefits of our Federal Constitution and the responsibilities and privileges of American citizenship.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 12th day of September 2016.

---

Bill Deter, Mayor  
Town of Weddington

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM  
TOWN OF WEDDINGTON, NORTH CAROLINA  
R-2016-02**

**North Carolina  
County of Union**

**Road Description: Bonner Drive in the Arbor Oaks Subdivision in the Town of Weddington, North Carolina**

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

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

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

Adopted this 12<sup>th</sup> day of September, 2016.

---

Bill Deter, Mayor

Attest:

---

Peggy Piontek, Town Administrator

9025 Benfield Road  
Charlotte, NC 28269

iamchriswendt@yahoo.com  
7049415807

## Chris Wendt

### Estimate

For: The Town Of Weddington / I.C.O. Michael Smith  
1924 Monroe-Weddington Rd, Matthews, NC 28104  
Phone:

Estimate No: 4460  
Date: Jun 21, 2016

Description	Quantity	Rate	Amount
Lower Chimney: Cut out and remove broken brick on Chimney. Grind out and remove broken or cracked mortar joints.	1.00	\$950.00	\$950.00
Grind out and replace broken brick and loose mortar on upper chimney. The chimney appears to be in dire need some repair and some point up. The chimney is also at the roof. Appropriate steps will have to be taken for the repair. It is not a convenient place to do a repair and several safety measures will have to be taken into consideration.	1.00	\$2,650.00	\$2,650.00
Gutters on the left side of the garage need to be bent back into place and cleaned. Water will stop overflowing in most cases if this is rectified. Contractor will also fix the erosion problem that the broken gutter in need of repair has caused. The contractor and Mike also noticed that the left rear foundation corner has some extensive cracking and settling on it. As of right now it does not appear to have affected the structural integrity of the garage. The contractor is going to recommend a support footing on the corner of the home. The contractor the contractor will dig around all sides of the corner of the foundation and right underneath the footing. Then the contractor will hammer drill into the existing footing. The contractor will then use a number 5 rebar every 6 inches with a 90 degree angle bent down. Then the contractor will pour a high-strength structural concrete encasement supportive footing around the existing footing to add as extra support. And obviously when the water problem is fixed from the gutters and it is maintained in a proper way this should never happen again. If there is any type of drainage overflow or any type of erosion it must be corrected immediately, or it will affect the structural integrity of the ground.	1.00	\$3,555.00	\$3,555.00



Description	Quantity	Rate	Amount
<p>Brick pavers.</p> <p>It is my professional opinion that the majority of the papers that are currently there can be repaired. There are approximately 40 to 50 broken brick pavers that will need to be chiseled out and replaced.</p> <p>Pavers approximately are 400 square feet.</p> <p>Contractor will also use a product called polymeric sand. It is an epoxy based on material that gets brushed into all cracks and joints and then sealed. This creates a watertight lock and also stops weeds and insects for making homes in the cracks making them worse.</p> <p>More importantly, it stops the water from getting down in between the bricks and causing erosion and also in the wintertime expansion and contraction. It is absolutely imperative to do this if those pavers are going to be salvaged.</p> <p>There are several dips or settling points over by the garage where the pavers have formed dips.</p> <p>My advice is to cut these out and repair them.</p> <p>Prior paver installer used a bed of mortar or concrete.</p> <p>My advice would be the repair will go back in according to standard paver installation. All papers will match up as best as possible.</p>	1.00	\$4,150.00	\$4,150.00
<p>Contractor is willing to offer a package deal if all listed work above is completed at the same time.</p> <p>Contractor has also agreed to do a point up in certain areas around the house foundation.</p> <p>This is regular maintenance point up and contractor will notify town management if anything out of the ordinary is discovered.</p> <p>Contractor has also agreed to replace the homes foundation vents as needed.</p> <p>Contractor will swap them out and the town of Weddington will reimburse him for the cost of the vents.</p>	1.00	-\$875.00	-\$875.00
<p>Customer also requested that contractor give an estimate on fixing the grading issue in the front of the town hall.</p> <p>If you're standing in front of the home the area to the left has a negative grade going towards the structure. This means one of two things.</p> <p>The grade to be raised.</p> <p>Or installing a natural drain system to get the water out of there.</p> <p>I would need to look over it once more in detail and give a final recommendation.</p> <p>However from my notes I think installing a natural drain system and allowing the water to escape would be the most appropriate thing to do given the current grade.</p> <p>Approximate cost to repair would be about \$2,650.00</p>	1.00	\$0.00	\$0.00
* Indicates non-taxable item			
Liability insurance is available upon request.		Subtotal	\$10,430.00
No deposit is required.		TAX (0.00%)	\$0.00
Terms are 1/2 at a reasonable halfway point, and the remaining balance upon completion.		Total	\$10,430.00
Contractor will leave the project clean and complete.			
Any additional repairs that will be needed that we cannot see or that come up unexpectedly will be talked about and approved prior to any work being started or completed.			



## QUOTE

<b>Lundberg Specialty Services</b> <b>601 Eagleton Downs Dr.</b> <b>Suite D</b> <b>Pineville, NC 28134</b> <b>Phone number: <u>704-926-6577</u></b> <b>Email: <u>jenlundberg@mail.com</u></b>		<b>Customer: Town of Weddington/Michael Smith</b>  <b>Street: 1924 Weddington Rd.</b>  <b>City, State, Zip: Weddington, NC 28104</b>  <b>Phone: <u>704-846-2709</u></b>	
		<b>Date: July 26, 2016</b>	
<b>Description:</b>	<b>Rate</b>	<b>Quantity</b>	<b>Amount</b>
<p><b><u>Problem:</u></b></p> <ul style="list-style-type: none"> <li>• Low-pitch valley (approx. 15 ft.) has no way to drain. The water backs up under shingles and leaks under shingle tabs as water rises. Essentially, this is a design flaw in the construction behind the turret.</li> </ul> <p><b><u>Solution:</u></b></p> <ul style="list-style-type: none"> <li>• Create a 30 degree slope, or pitch, from the valley down to the gutters. This requires a mini-rafter system with plywood over rafters to create positive drainage.</li> <li>• .60 Gauge, E.P.D.M. rubber roofing will cover the new structure over the ½" insulation board applied to plywood.</li> <li>• This will not be visible from the ground, but will be a permanent solution.</li> <li>• Rafters, plywood insulation and a mechanically fastened, fully adhered roof system, E.P.D.M.</li> <li>• Fix all nail pops on roof and seal.</li> <li>• Caulk and seal chimney.</li> <li>• Planning Room:               <ol style="list-style-type: none"> <li>1. Fix leak on left and right side above planning room on metal standing seam roof.</li> <li>2. Replace flashing, shingles and fascia boards wherever necessary in affected area.</li> </ol> </li> </ul> <p><b>Warranty for Work: 5 Years</b></p>			

Total Investment      \$ 3,168.00