

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, SEPTEMBER 11, 2017 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104**

AGENDA

Prayer – Mayor Bill Deter

1. Open the Meeting
2. Pledge of Allegiance
3. Determination of Quorum
4. Public Comments
5. Additions, Deletions and/or Adoption of the Agenda
6. Consent Agenda
 - A. Adopt Proclamation P-2017-05 Proclaiming September 10-16 as Suicide Prevention Week
 - B. Reduction of Bond number 0192527 for the Weddington Preserve Subdivision from \$2,923,144.50 to \$579,478.51
 - C. Call for Public Hearing to be held October 9, 2017 at 7:00 PM at the Weddington Town Hall to consider the following:
 - 1) Conditional Rezoning for a Columbarium at Weddington United Methodist Church
 - 2) Conditional Rezoning Amendment for Additional Parking Spaces and Change in Lighting Requirement for All Saints Anglican Church
 - 3) Text Amendment to Section 46-76 (d)(16), 58-8 (a)(14), and Appendix D Regarding Landscaping Near Power Lines
 - 4) Canisteo Subdivision (formerly Deal Road Subdivision) Preliminary Plat/Construction Plans
 - D. Adopt Resolution R-2017-07 Petition NCDOT to Accept Ambassador Court into State Maintained Secondary Road System
7. Approval of Minutes
 - A. August 14, 2017 Town Council Regular Meeting Minutes
8. Old Business
 - A. Review and Consideration of Calling for a Public Hearing to be held October 9, 2017 at 7:00 p.m. at the Weddington Town Hall to Consider a Text Amendment to Section 22-1 Titled Excessive Noise Prohibited; Exemptions; And Section 58-19 Titled Noise

- B. Update on the Hemby Road Fire Station and Notification of Wesley Chapel Volunteer Fire Department's Intent to not Purchase the Fire Station at this Time
- C. Review and Consideration of the Receipt and Acceptance of Communication from Wesley Chapel Volunteer Fire Department Withdrawing their Option to Purchase the Real and Personal Property Located at 5025 Hemby Road and to the Consent to Withdrawal Without Prejudice by the Town
- D. Discussion of Town Survey

9. New Business

- A. Review and Consideration of Adopting Ordinance O-2017-11 Brunch Bill

10. Update from Planner

11. Code Enforcement Report

12. Update from Finance Officer and Tax Collector

13. Public Safety Report

14. Transportation Report

15. Council Comments

16. Adjournment



Agenda 6A

TOWN OF WEDDINGTON PROCLAMATION P-2017-05

WHEREAS, suicide is the 10th leading cause of death in the United States and the 2nd leading cause of death among individuals between the ages of 10 to 34; and

WHEREAS, in the United States, one person commits suicide every 12.3 minutes, resulting in more than 44,000 suicides each year (Centers for Disease Control; 2015 data); and

WHEREAS, suicide is the only leading cause of death in the United States that has increased every year for the past decade; and

WHEREAS, it is estimated that there are over 1.1 million suicide attempts each year; and

WHEREAS, in 2015, North Carolina experienced 1,406 deaths by suicide; and

WHEREAS, over 90% of the people who die by suicide have a diagnosable and treatable mental health condition, although often that condition is not recognized or treated; and

WHEREAS, suicide results in an estimated \$51 billion in combined medical and work loss costs nationally (Centers for Disease Control; 2015 data); and

WHEREAS, suicide results in an estimated \$1.39 million in combined medical and work loss costs in North Carolina annually (Centers for Disease Control; 2015 data); and

WHEREAS, the stigma associated with mental health conditions and suicidality works against suicide prevention by discouraging persons at risk for suicide from seeking life-saving help and further traumatizes survivors of suicide loss and people with lived experience of suicide; and

WHEREAS, organizations such as The American Foundation for Suicide Prevention envision a world without suicide, and are dedicated to saving lives and bringing hope to those affected by suicide, through research, education, advocacy and resources:

NOW, THEREFORE I, Bill Deter, by virtue of the authority vested in me as Mayor of the Town of Weddington do hereby proclaim the September 10-16, 2017 as

“NATIONAL SUICIDE PREVENTION WEEK”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Weddington to be affixed this 11th day of September, 2017.

Bill Deter, Mayor

Attest:

Karen Dewey, Town Clerk

TOWN OF W E D D I N G T O N

MEMORANDUM

TO: Mayor and Town Council

FROM: Lisa Thompson, Town Administrator/Planner

DATE: September 11, 2017

SUBJECT: Bond Reduction for Weddington Preserve

Pulte Group is requesting a performance bond reduction for the Weddington Preserve Subdivision. A verification letter confirming the satisfactory completion of construction items from Labella Associates, the bond estimate, and roadway testing report are attached.

Staff recommends approval of a reduction to bond number 0192527 from \$2,923,144.50 to \$579,478.51

August 16, 2017

Ms. Lisa Thompson, Zoning Administrator/Town Planner
Town of Weddington
1924 Weddington Road
Weddington, NC 28104

SUBJECT: Weddington Preserve
Roadway Performance Bond Reduction

Dear Lisa:

Labella Associates (formerly USI) conducted a field verification to confirm satisfactory completion of construction activities documented in the engineer's estimate for the Weddington Preserve subdivision dated August 14, 2017 (Attachment 1). Road base, first course of asphalt paving, and storm drainage have been completed. The engineer provided a summary of the roadway materials tests results showing acceptable compaction for the subgrade, stone base, and initial course of asphalt (Attachment 2). The Developer has submitted the materials test results to NCDOT to coordinate the future acceptance of the streets into the public system. Storm drainage system as-built drawings have been submitted to the Town.

Items that remain incomplete are shown on the estimate, and the costs listed are satisfactory to complete the remaining improvements for the development. Therefore, the proposed performance bond of \$579,478.51 as shown is recommended for approval.

If you have any questions, please contact us at 704-342-3007.

Sincerely,

Labella Associates, P.C.



Bonnie A. Fisher, P.E.
Senior Engineer

cc: Danis Simmons, PE

Attachments

Bond Estimate

Project Name and Location:

Weddington Preserve - Town of Weddington, NC

Date: August 14, 2017

Construction Item	Unit	Qty	Unit Price	Estimated Cost	% Complete	Bond Amount
2'-0" Valley Curb & Gutter	8,145	LF	\$9.80	\$ 79,821.00	100%	\$ -
10" Aggregate Base Course	11,350	SY	\$20.30	\$ 230,405.00	100%	\$ -
1.5" S9.5B Intermediate Course	11,350	SY	\$7.30	\$ 82,855.00	100%	\$ -
1.5" S9.5B Surface Course	11,350	SY	\$7.30	\$ 82,855.00	0%	\$ 82,855.00
Dead End Street Barricade	1	EA	\$2,900.00	\$ 2,900.00	0%	\$ 2,900.00
Concrete Sidewalk	33,106	SF	\$3.50	\$ 115,871.00	40%	\$ 69,522.60
ADA Ramps	20	EA	\$680.00	\$ 13,600.00	45%	\$ 7,480.00
Total Development Street Infrastructure:				\$ 608,307.00		\$ 162,757.60
Catch Basin, Drop Inlets, Yard Inlets	55	EA	\$2,100.00	\$ 115,500.00	100%	\$ -
15" HDPE	240	LF	\$23.00	\$ 5,520.00	100%	\$ -
18" HDPE	114	LF	\$29.00	\$ 3,306.00	100%	\$ -
24" HDPE	163	LF	\$37.50	\$ 6,112.50	100%	\$ -
15" Class III RCP (Gasketed Pipe)	14	LF	\$28.00	\$ 392.00	100%	\$ -
18" Class III RCP (Gasketed Pipe)	3,018	LF	\$32.00	\$ 96,576.00	100%	\$ -
24" Class III RCP (Gasketed Pipe)	501	LF	\$43.00	\$ 21,543.00	78%	\$ 4,739.46
30" Class III RCP (Gasketed Pipe)	248	LF	\$43.00	\$ 10,664.00	100%	\$ -
18" FES w/ Rip Rap Apron	3	EA	\$920.00	\$ 2,760.00	100%	\$ -
24" FES w/ Rip Rap Apron	2	EA	\$1,100.00	\$ 2,200.00	50%	\$ 1,100.00
30" FES w/ Rip Rap Apron	2	EA	\$1,400.00	\$ 2,800.00	100%	\$ -
Rip Rap	145	TN	\$50.00	\$ 7,250.00	85%	\$ 1,087.50
Total Storm Drainage:				\$ 274,623.50		\$ 6,926.96
Construction Entrance	1	EA	\$1,800.00	\$ 1,800.00	100%	\$ -
Temporary Diversion Swales	3,000	LF	\$1.40	\$ 4,200.00	100%	\$ -
Tree Protection Fence (Install & Remove)	1,200	LF	\$3.10	\$ 3,720.00	50%	\$ 1,860.00
Silt Fence (Install & Remove)	16,235	LF	\$3.90	\$ 63,316.50	50%	\$ 31,658.25
Check Dams	56	EA	\$150.00	\$ 8,400.00	100%	\$ -
Inlet Protection	44	EA	\$130.00	\$ 5,720.00	100%	\$ -
Silt Sacks	44	EA	\$140.00	\$ 6,160.00	100%	\$ -
Silt Fence Rock Outlet	6	EA	\$270.00	\$ 1,620.00	100%	\$ -
Sediment Basin (Controls)	4	EA	\$22,500.00	\$ 90,000.00	100%	\$ -
Sediment Basin (Fill Basins)	37,800	CY	\$4.60	\$ 173,880.00	0%	\$ 173,880.00
Seeding	40	AC	\$1,450.00	\$ 58,000.00	50%	\$ 29,000.00
Sediment Basin Conversion to Permanent Pond	1	LS	\$40,000.00	\$ 40,000.00	0%	\$ 40,000.00
Total Erosion Control:				\$ 416,816.50		\$ 276,398.25
Mobilization	1	LS	\$25,000.00	\$ 25,000.00	100%	\$ -
Demolition	1	LS	\$8,000.00	\$ 8,000.00	100%	\$ -
Clearing and Grubbing	27	AC	\$5,000.00	\$ 135,000.00	100%	\$ -
Strip and Place Topsoil	34,300	CY	\$2.00	\$ 68,600.00	100%	\$ -
Excavate Borrow Pit/Replace Topsoil	15,000	CY	\$4.00	\$ 60,000.00	100%	\$ -
On-Site Grading and Compaction	120,000	CY	\$2.00	\$ 240,000.00	100%	\$ -
Fine Grading	1	LS	\$87,500.00	\$ 87,500.00	80%	\$ 17,500.00
Retaining Wall	1,130	SF	\$18.00	\$ 20,340.00	100%	\$ -
Retaining Wall Fence	176	LF	\$26.00	\$ 4,576.00	100%	\$ -
Total Earthwork:				\$ 649,016.00		\$ 17,500.00

Bond Estimate

Project Name and Location:
Date: August 14, 2017

Weddington Preserve - Town of Weddington, NC

	Total Estimated Cost	% Complete	Bond Amount
Total Estimated Construction Cost	\$ 1,948,763.00		
% Complete and Amount to be Bonded		76%	\$ 463,582.81
Total Bond Amount = (1.25) x (Bond Amount)			\$ 579,478.51

ESP Associates, P.A.
P.O. Box 7030
Charlotte, NC 28241

Engineer: Danis E. Simmons, PE





November 11, 2016

Pulte Group
11121 Carmel Commons Blvd
Suite 450
Charlotte, North Carolina 28226

Attention: Mr. Brian Collins

Reference: **CONSTRUCTION MATERIALS TESTING SERVICES**
Weddington Preserve Roadway Report
Weddington, North Carolina
ESP Project No. E4-BS27.300

Dear Mr. Collins:

As requested, ESP Associates, P.A. (ESP), has provided construction materials testing services on a part-time, on-call basis for the referenced project. Our services were coordinated with representatives of CK Contracting, Inc. This letter summarizes our field density testing, subgrade evaluations, stone base evaluations, stone density testing and asphalt density testing for the period beginning July 3, 2015 through March 10, 2016.

SUBGRADE EVALUATION

During this reporting period, a representative from our office visited the site to evaluate the subgrade soils within portions of Westlake Drive, Campbell Court, Watson Way, Lindstrom Way, Morrowick Circle and the pump station access road prior to fill, stone, curb and/or asphalt placement. Our evaluation consisted of visual observations, probing with a steel probe rod and proofrolling observations. Proofrolling was performed utilizing a loaded off road dump truck, tandem axle dump truck and/or water truck. Based on our evaluation, the subgrade soils evaluated appeared stable or were cut to stable soils and appeared suitable for fill, stone and/or curb placement. For more information, please refer to the attached "Proofrolling Observations" sheets.

FIELD DENSITY TESTING

During this reporting period, an engineering technician from our office visited the site and performed field density tests on the backfill materials placed within sanitary sewer and storm drain trenches within portions of Westlake Drive, Campbell Court, Watson Way, Lindstrom Way and Morrowick Circle. The tests performed indicate densities equaling or exceeding 95 percent of the soil's maximum dry density based on a Standard Proctor moisture-density relationship with the upper 1 foot equaling 100 percent in roadways. The field density tests are representative only of the location, depth and date tested. The results of the field density tests along with the laboratory Standard Proctor moisture-density relationships performed on the fill materials are enclosed for your review.

STONE BASE EVALAUTIONS

During this reporting period, an ESP representative visited the site to observe proofrolling operations on stone base placed within portions of Westlake Drive, Campbell Court, Watson Way, Lindstrom Way, Morrowick Circle and the pump station access road prior to asphalt placement. Proofrolling was performed utilizing a loaded tandem axle dump truck and/or a loaded water truck. Based on our evaluation, portions of the stone base evaluated appeared unstable. ESP recommended removing portions of the unstable stone base and replacing with asphalt. The remaining areas of stone base appeared stable and suitable for asphalt placement. Please refer to the attached "Proofrolling Observations" sheets for more information.

AGGREGATE BASE COURSE DENSITY TESTING

During this reporting period, an engineering technician from our office visited the site and performed stone density tests on the aggregate base course placed within portions of Westlake Drive, Campbell Court, Watson Way, Lindstrom Way, Morrowick Circle and the pump station access road. The tests and/or retests indicate densities equaling or exceeding 100 percent of the stone's maximum dry density based on a modified proctor moisture-density relationship. The results of the stone density tests along with the Moisture-Density Relationship performed on the stone materials are enclosed for your review.

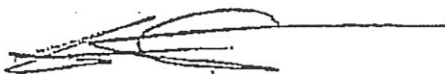
ASPHALT DENSITY TESTING

During this reporting period, a representative of ESP visited the referenced site and performed asphalt density tests utilizing a nuclear density gauge. The asphalt tests were performed on the asphalt placed within portions of Westlake Drive, Campbell Court, Watson Way, Lindstrom Way, Morrowick Circle and the pump station access road. The tests performed on the asphalt indicate densities equaling or exceeding 92 percent of the asphalt's maximum density calculated from the Rice Specific Gravity provided by the asphalt supplier. The results of the asphalt density tests are enclosed for your review.

ESP appreciates the opportunity to assist you during this phase of the project. If you should have any questions concerning this report, or if we may be of further assistance, please contact us.

Sincerely,

ESP Associates, P.A.



Robert V. Barnette, EI
Project Manager



RVB/DCS



Copies submitted (2)

Attachments: "Proofrolling Observations" (12 sheets)
"Subgrade Observations" (2 sheets)
"Drive Cylinder Density Test Report" (18 sheets)
"Nuclear Density Test Report" (6 sheets)
"Asphalt Density Test Report" (6 sheets)
"Moisture-Density Relationship" (S-1, S-2, S-3 and S-5)

TOWN OF W E D D I N G T O N

MEMORANDUM

TO: Chairman and Planning Board

FROM: Lisa Thompson, Town Administrator/Planner

DATE: August 28, 2017

SUBJECT: Weddington United Methodist Church CZ Rezoning Request

Weddington United Methodist Church requests a Conditional Rezoning (CZ) for property located on the southeast corner of NC16 and Hwy 84 to construct a columbarium in front of the existing cemetery.

Application Information

Date of Application: July 10, 2017
Applicant Name: Weddington United Methodist Church
Parcel ID#: 06150075
Property Location: 13901 Providence Road
Existing Zoning: RCD
Proposed Zoning: RCD (CZ)
Existing Use: Offices/Fellowship Hall/Cemetery
Proposed Use(s): Columbarium
Parcel Size: 5.43 acres

Project Information

The columbarium area includes a new sidewalk, fountain, pavers, benches and brick columbarium walls with niche units, and a precast concrete top. The project is broken up in three phases. Phase one includes 192 niches, phases two and three have 72 niches. The applicant will remove and refurbish the existing fence to use between the units.

The ordinance defines a cemetery as property used for the dead, which may include the commercial sale and location of burial lots, crypts or vaults for use exclusively on the subject property. A cemetery shall not be used for the preparation or embalming of bodies; or the cremation of bodies. Setbacks for cemeteries shall be measured from the nearest structure or grave sites.

Cemeteries are conditional uses in the R-CD zoning district. The use may be permitted after review through the conditional district rezoning process.

Cemeteries require a minimum of 5 acres and have the following setbacks:

Front Setback-75 feet

Rear Setback-40 feet

Side Setbacks-50 feet

The site will be accessed off of Providence Road.

Section 58-175 titled Off-street parking requires 1 space per employee during the shift of greatest employment plus parking on private internal roads for cemeteries. Approximately 3 parking spaces will be removed to accommodate the new proposed structure. The church owns the property across the street for over-flow parking, if necessary; therefore staff does not recommend additional parking spaces for this use.

Because the existing cemetery use remains, staff does not believe additional screening buffers are needed, however, staff does recommend that the applicant plant the landscaping as shown on the elevation/site plan to break up the large walls and fencing between the sidewalk and parking lot and the columbarium.

The Conditional Rezoning requires two public involvement meetings, a Planning Board recommendation, a public hearing and Town Council review.

The required public involvement meetings for this project were held on July 31, 2017. One person attended the meeting for informational purposes only.

The Planning Board reviewed the plans on August 28, 2017. Questions were raised about the type of lights that are proposed and plans for expansion/phasing. The applicant explained that the lights would be ornamental, not parking lot pole lights and the existing security light on the building would remain. The applicant hopes to do all 3 phases at once; depending on finances and has no plans for expansion.

The Board unanimously recommended approval with staff's conditions and the additional condition that the lighting be consistent with the church conditional zoning requirements.

Staff reviewed the previous conditional use submittals from WUMC. In 2014 a plan for two soccer fields and one baseball field with parking was reviewed by Town Council. A condition of that approval was that a lighting plan shall come back to Town Council for approval and comply with the Town Lighting Ordinances. Prior to that, two CUP's were approved for a family life center and mobile classrooms. Both had the condition that lights had to conform with the Town Lighting Ordinance.

Section 14-85 exempts area lighting with an upscale architectural style such as the nostalgic lanterns. These decorative post-mounted fixtures are generally non-cutoff by the IESNA but are acceptable. The maximum lumens generated from each fixture shall not exceed 9,500 initial lamp lumens per fixture, and each fixture must be equipped with a solid top to reduce the amount of *light* going into the sky. There are no other timing restrictions in the lighting ordinance.

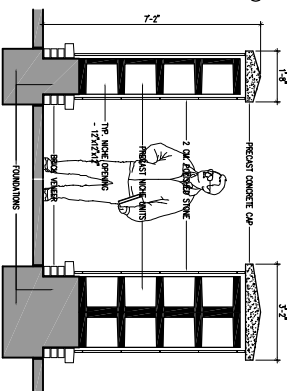
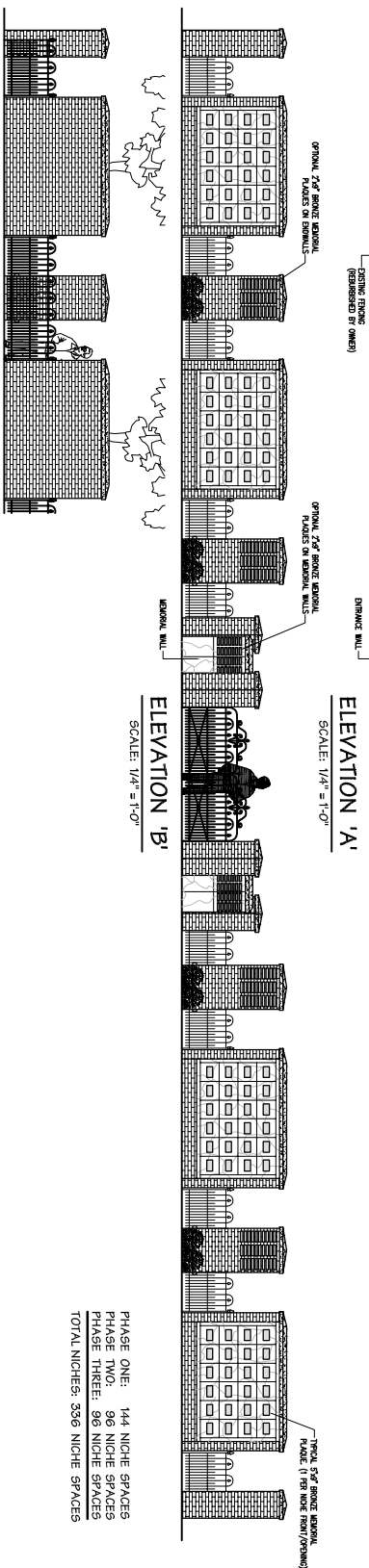
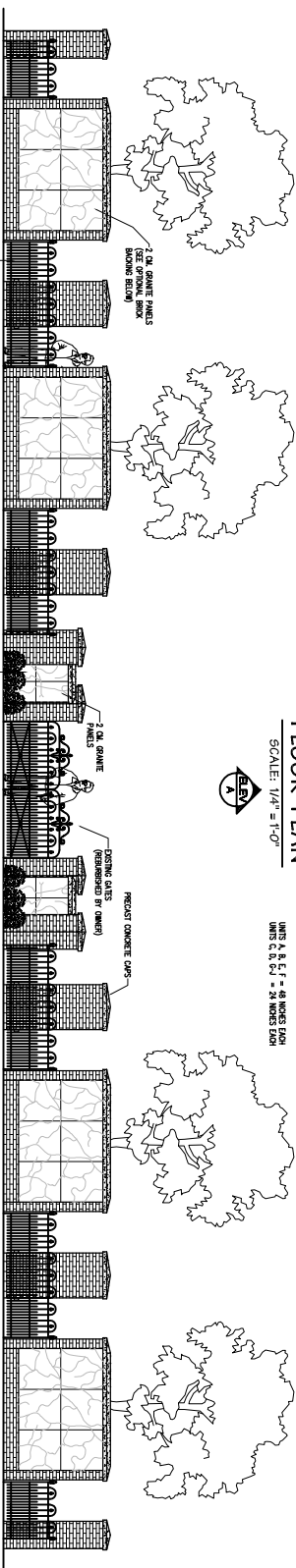
Recommended Conditions of Approval

1. Any proposed lighting shall comply with Town Lighting Ordinance;

2. The landscaping shown on the plan shall be required; any deviation shall require DRB review and approval; plant material shall be approved by the zoning administrator; and
3. Any future revisions to the approved site plan and other approved documents must comply with *Section 58-271 (i)* of the *Weddington Zoning Ordinance*;

Town Council Action

Call for a public hearing to be held October 9, 2017 at 7:00 pm at Weddington Town Hall to consider conditional rezoning for the Weddington United Methodist Church columbarium.



NOTES:

1. ALL OF THE EXISTING FENCING TO BE REMOVED AND REBURIED BY THE CHURCH. SOME OF THE FENCING WILL BE UTILIZED AND INSTALLED BY CH IN THE NEW COLUMBIANUM AS SHOWN ON THE PLAN. THE BALANCE OF THE FENCING TO BE RESED AND INSTALLED BY THE CHURCH IN OTHER AREAS DETERMINED BY THE CHURCH.
2. ALL OF THE BRICK SHOWN WILL MATCH THE EXISTING BRICK AS CLOSELY AS POSSIBLE.
3. ALL OF THE GRANITE PANELS (SIDING) WILL BE 2 CM. (3/4" TH.) PIECES UNLESS OTHERWISE NOTED

OPTIONAL BRICK BACKING

ELEVATION 'B'

SCALE: 1/4" = 1'-0"

ELEVATION 'A'
SCALE: 1/4" = 1'-0"

FLOOR PLAN
SCALE: 1/4" = 1'-0"

TYP. WALL SECTIONS

SCALE: 1/2" = 1'-0"

CDI

**Columbarium Designers
Inc.**

**723 Church Street
Buford, Georgia 30618
800-864-4020 x200**

PROJECT: MEMORIAL GARDEN
OWNER: PREPARED FOR: Weddington United Methodist Church
Weddington, North Carolina

ARCHITECT

Revisions

Date August 4, 2008

August 7, 2018
 400 Me
 WILMCO

Phonetic key

**PROPOSED
COLUMBARIUM**

Prop-1

TOWN OF W E D D I N G T O N

MEMORANDUM

TO: Mayor and Town Council

FROM: Lisa Thompson, Town Administrator/Planner

DATE: September 11, 2017

SUBJECT: All Saints Anglican Church – Conditional District Amendment

All Saints Anglican Church requests an amendment to their Conditional Rezoning (CZ) for property located at 5328 Hemby Road to construct 18 parking spaces and amend the condition that the parking lot lights must be off at 9:30 PM.

Application Information

Date of Application: July 11, 2017
Applicant Name: All Saints Anglican Church
Parcel ID#: 06120012Q
Property Location: 5328 Hemby Road
Existing Zoning: RCD (CZ)
Existing Use: Church
Parcel Size: 7.95 acres

Project Information

The church rezoning was approved on July 13, 2015. Phase 1 included a 13,900 sq ft multi-purpose building, parking, detention, two access drives off Hemby Road, and the required landscape buffering. The applicant received their certificate of occupancy with a condition that the 9' staggered evergreen bushes/trees that supplement the required landscaping along the rear property line be planted prior to December 1, 2017.

The church now seeks to amend their plans and lighting condition as stated above.

The church is requesting that the parking lot lights remain on throughout the night for security purposes. The applicant's photos are included in the packet along with their explanation.

The new parking spaces are proposed for the West side of the church with a sidewalk connection to the existing sidewalk. The spaces will be internal to the existing access drive. The town engineer concluded the approved stormwater management plans show the total impervious area at 98,313 sq ft. The total proposed to date is 85,555 sq ft. The additional impervious area that is being proposed will have to come out of the future Phase 2 amount by 17,047 sq ft. In addition, the Town has a recorded Operation and Maintenance agreement with the Church. In order to ensure that stormwater control structures installed as part of development are functioning as intended, the Town monitors the ongoing maintenance and inspection of these structures by their owners. In accordance

with the Agreement, regular maintenance and inspections of the onsite stormwater pond are to be conducted by the owner and a subsequent inspection report generated by a Professional Engineer. Reports are to be kept on file by the owner and submitted to the Town as requested. The Town requested a signed and sealed inspection report for the onsite detention pond to be completed and submitted to the Town by November 15, 2017. Any defects or maintenance needs found during the inspection are required to be addressed promptly.

Review Process

The conditional rezoning amendment process requires two public involvement meetings, a Planning Board recommendation, a public hearing and Town Council review.

The required public involvement meetings for this project were held on August 7, 2017. Approximately 15 people attended the on-site meeting and approximately 13 people attended the evening meeting.

Notes taken by staff from the daytime meeting are as follows:

- I've had no issues with the church use but I have concerns about this lighting proposal
- We were assured a berm at the beginning of the project
- Why don't you consider motion lights?
- There is a difference between dim street lights and bright LED parking lot lights
- There has been a lack of communication between the church and the neighborhood, we'd like to be informed of what's being planned
- I'm more comfortable with a motion light
- The detention area looks like a mosquito pit
- Are there any plans to develop the lawn area in the back?
- Will future buildings/development on this site have lighting?
- This feels like a done deal, the community and our comments have no effect on the decision makers
- Why not have ground lighting instead of the overhead lights?
- What are other churches doing for parking lot lights?
- Has your building been vandalized? Is there a real issue?
- Are you adding any more lighting or requesting the current parking lot lights to remain on?
- I recommend you have security lights on your building
- Did you know about the parking issues when this project started? Why are you needing an amendment so soon?
- Does the Latter Day Saints church have lights?
- What is the time frame for the sanctuary building?

Notes taken by staff from the evening meeting are as follows:

- The lights are needed for safety reasons
- There is a lot of new construction in the area that attracts crime
- The lights will keep kids out of the parking lot at night. It is a deterrent.
- Thieves could park there and access adjacent neighborhoods
- The parking spaces were a part of the original plan which had to be amended for detention purposes.
- Lights help to discourage vandalism
- The church had issues in the past

- On rare occasions we have late evening meetings or masses. The lights are needed as people walk to their cars
- The LED lights are pointed down and save money. They do not have light trespassing across the property line
- The new parking has easy access for handicap persons to the building

The Planning Board reviewed the amendment on August 28, 2017. The following excerpt was taken from the draft minutes.

Boardmember Prillaman stated that he drove by the property and confirmed that the lights are very low key. He asked if the neighbors of the church, specifically next door and across the street, have any issue with the lights.

Boardmember Klink stated that neighbors he has spoken with have a big problem with the lighting and they are unhappy with the current 9:30 cut off time.

The Applicant stated that the concern is having kids hanging out unseen. With the current construction, darkness provides opportunity for people to do things that they shouldn't be doing. The lighting doesn't permeate anybody's yard. One can see the lights, but they aren't shining in anybody's yard or into anybody's house.

Boardmember Prillaman explained that he drove around to compare lighting. He found a church farther away down Hemby, more remote, where kids would probably be hanging out. Weddington United Methodist Church has more lights from building shining out-they are security lights not street lights.

Boardmember Hogan believes that the surrounding homeowners will be affected by housing going in east of the church -they will have streetlights also. He stated that when driving around, he found lights throughout the town that are not shut off at 9:30. If it's a security and safety issue, maybe have an agreement to turn off the lights at midnight.

Boardmember Vivian suggested motion lights.

Chairman Dow asked what has been done in other situations: Weddington United Methodist Church has security lights on back and in parking lots that go off at a certain time. He confirmed that the security lights do not go off.

Boardmember Harrison is concerned with setting a precedent. She asked for confirmation if there were security lights on the outside of the church. The Applicant responded that there was no exterior security lighting, only interior emergency lighting required by code.

Boardmember Hartman asked the applicant if there had been any incidents. The Applicant responded that there were only thefts while under construction. The Applicant stated that a motion light has been considered, but wildlife would set the light off at all hours.

Chairman Dow asked if the Applicant has considered a gate at the driveway.

Boardmember Prillaman stated that Optimist Park has a gate that controls entry and exit and serves as a deterrent.

Boardmember Klink stated that as a Planning Board, one of our goals is to preserve rural character. By lighting up the place it becomes more like a city.

A motion recommending approval for the additional parking spaces was passed unanimously.

A motion to recommend denial on the amendment to the lighting condition passed unanimously.

Town Council Action

Call for a public hearing to be held October 9, 2017 at 7:00 pm at Weddington Town Hall to consider amending the conditional rezoning for All Saints Anglican Church.

\$1,200.00

Town of Weddington Conditional Zoning Application

Application Number: _____ Application Date: _____

Applicant's Name: ALL SAINTS ANGLICAN CHURCH

Applicant's Phone: 704-246-8023

Applicant's Address: 5328 HEMBY RD, MATTHEWS, NC 28104

Property Owner's Name: ALL SAINTS ANGLICAN CHURCH

Property Owner's Phone: 704-246-8023

If applicant is different from the property owner, please provide a notarized authorization from the property owner.

Property Location: 5328 HEMBY RD

Parcel Number: 06-120-0129 Deed Book and Page: _____

Total Acreage of Site: 7.950 Existing Zoning: RC D

Application Fee: \$1,200.00 Check Number: _____

All applications must include a site plan, drawn to scale, and supporting text that, as approved, will become a part of the Ordinance amendment. The site plan, drawn by an architect, landscape architect, or engineer licensed to practice in North Carolina, shall include any supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions in addition to all predetermined Ordinance requirements, will govern the development and use of the property. The applicant acknowledges that he/she will reimburse the Town for all engineering and consulting services associated with the review of the conditional zoning request prior to any zoning permits being issued by the Town for such project. The applicant shall, at a minimum, include as part of the application, each of the items listed below.

Please include the following:

- ✓ A boundary survey showing the total acreage, present zoning classifications, date and north arrow.
- ✓ The owner's names, addresses and the tax parcel numbers of all adjoining properties.

Planning Board Review

The applicant shall submit at least ten (10) copies of the application to the Zoning Administrator for transmittal to the Planning Board and other appropriate agencies. The zoning administrator shall present any properly completed application to the planning board at its next regularly scheduled meeting occurring at least 15 days after the application has been deemed complete and ready for submission to the planning board. The Planning Board by majority vote may shorten or waive the time provided for receipt for a completed application. The Planning Board shall have thirty days from the date that the application is presented to it to review the application and to take action.. If such period expires without action taken by the Planning Board, the application shall then be transferred to the Town Council without a Planning Board recommendation.

Action by Town Council

Conditional Zoning District decisions are a legislative process subject to judicial review using the same procedures and standards of review as apply to general use district zoning decisions. Conditional zoning district decisions shall take into account applicable adopted land use plans for the area and other adopted land use policy documents and/or ordinances.


Public Hearing Required

Prior to making a decision on rezoning a piece of property to a Conditional Zoning District, the Town Council shall have held a public hearing. Notice of such public hearing shall have been given as prescribed in section 12.1.7 of the Zoning Ordinance. Once the public hearing has been held, the Town Council shall take action on the petition.

The Town Council shall have the authority to:

- a. Approve the application as submitted.
- b. Deny approval of the application
- c. Approve application with modifications that are agreed to by the applicant.
- d. Submit the application to the Planning Board for further study. The Planning Board shall have up to thirty-one (31) days from the date of such submission to make a report to the Town Council. If no report is issued, the Town Council can take final action on the petition. The Town Council reserves the right to schedule and advertise a new public hearing based on the Planning Board's report.

To the best of my knowledge, all information herein submitted is accurate and complete.



Signature of Property Owner

Jul 11, 2017
Date



Signature of Applicant

Jul 11, 2017
Date

PHILIP J. GUTIERREZ
JUNIOR WARDEN
ALL SAINTS ANGLICAN CHURCH³



All Saints Anglican Church

5328 Hemby Road
Matthews, North Carolina 28104

704-246-8023
www.allsaintscharlotte.com

July 11, 2017

Ms. Lisa Thompson
Town of Weddington
1924 Weddington Road
Weddington, NC 28104

Dear Ms. Thompson,

All Saints Anglican Church is requesting the following two changes to the conditional zoning application that was approved on January 26, 2015.

1. Increase the parking on the West side of the church with an additional eighteen spaces and sidewalk connecting the parking to the existing sidewalk. These spaces will be taken from the lawn area and not change the current road connecting it with the parking on the North side of the building.
2. A change to the requirement to have the parking area lights turn off at 9:30 PM. We request that the lights be allowed to stay on until dawn for security reasons. The lighting does not encroach on any of the surrounding properties. Enclosed, please find four pages of photographs of the building during the day and at night. All photographs were taken at the rear of the East parking area, facing West.
 - a. Page 1 shows the church parking area during the day.
 - b. Page 2 shows the parking area at night, from the building facing out into the parking area, and the containment of lighting within the property.
 - c. Page 3 shows the parking area at night from the dumpster pad facing the building, and the limited coverage of the lighting to only the parking areas.
 - d. Page 4 shows the same view of the parking area as the page 3 pictures, but the parking area lights are off. Only the security lighting in the building is on. It shows that this entire area is vulnerable to unwanted activity since it is behind the building and hidden from Hemby road.

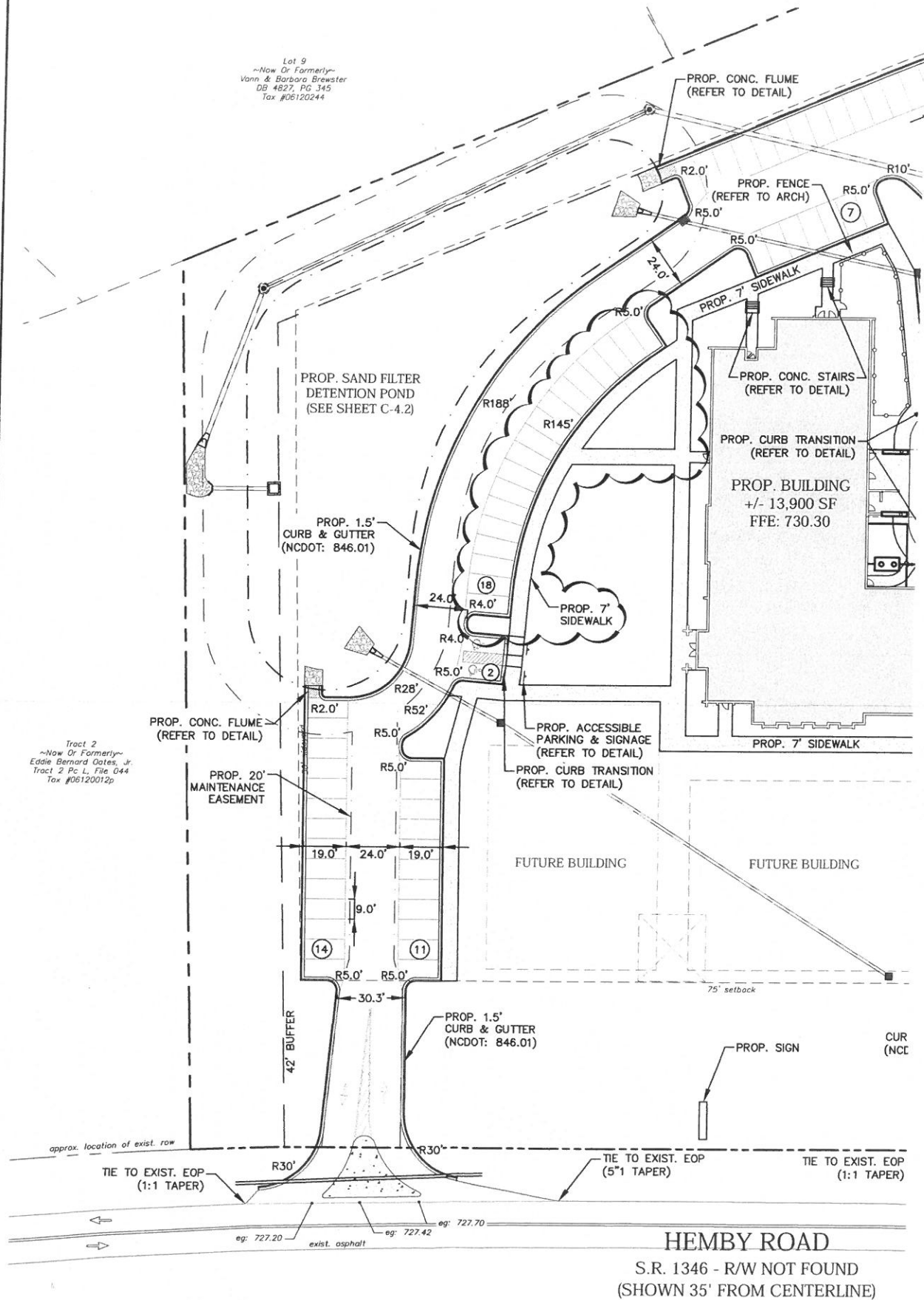
I look forward to an opportunity to discuss this with you and the Planning Board.

Sincerely,

Philip J. Gutierrez
Junior Warden
All Saints Anglican Church

Lot 9
 ~Now Or Formerly~
 Vann & Barbara Brewster
 DB 4827, PG 345
 Tax #06120244

Tract 2
 ~Now Or Formerly~
 Eddie Bernard Oates, Jr.
 Tract 2 P.C. L. File 044
 Tax #06120012p



PROJECT NO: 14-075
 DATE: 06.16.17
 DESIGNED BY: udp
 SCALE: 1"=40'

B-2
 SHEET NO

All Saints Anglican Church

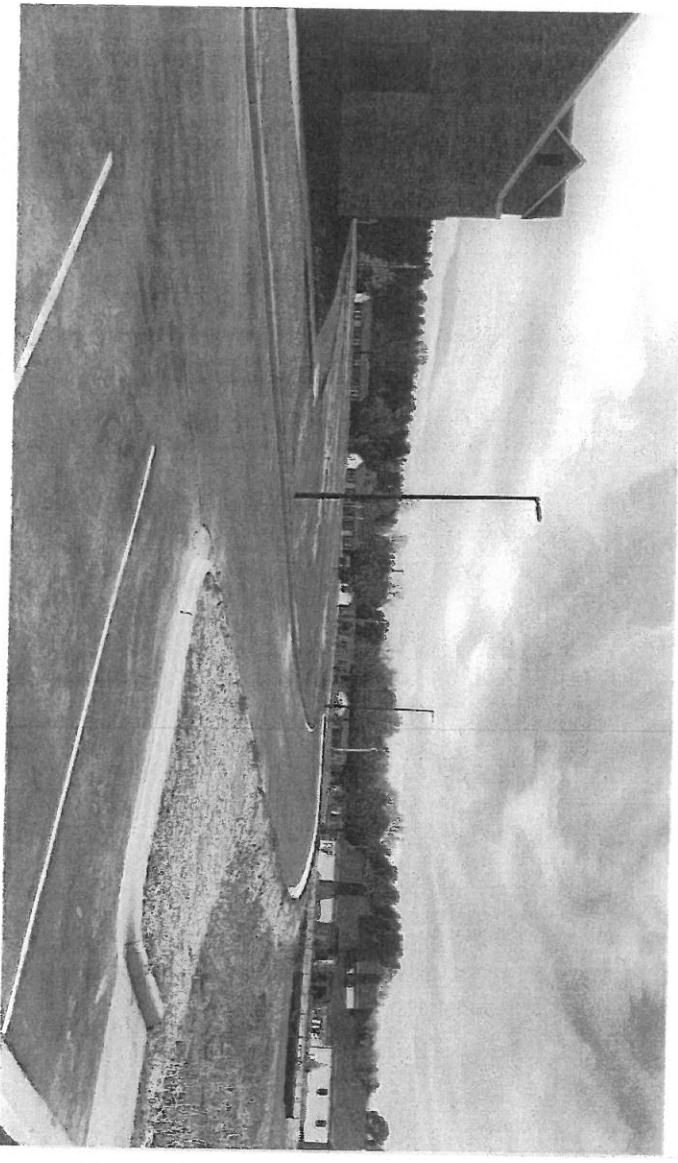
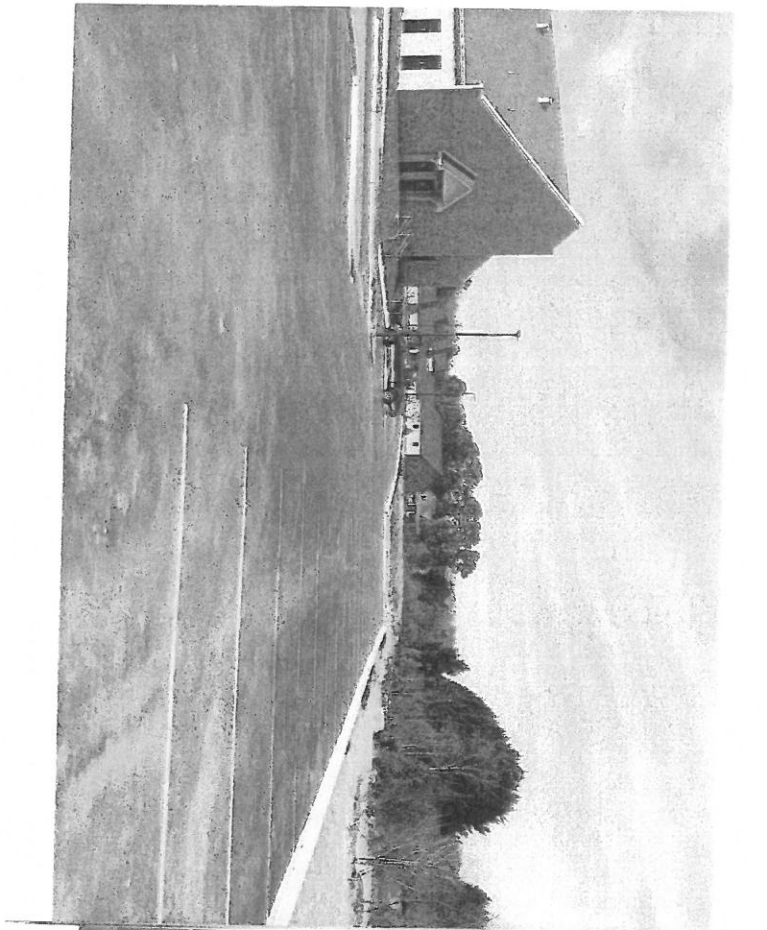
Bulletin #2
 Parking Revision

All Saints
 Anglican Church

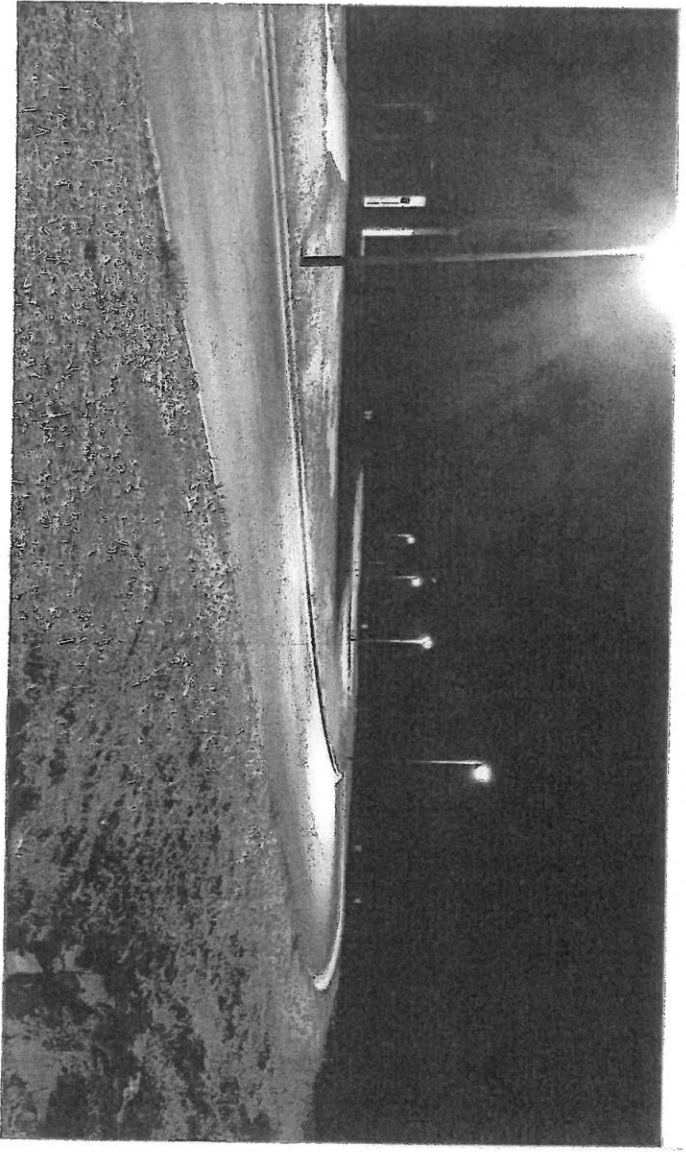
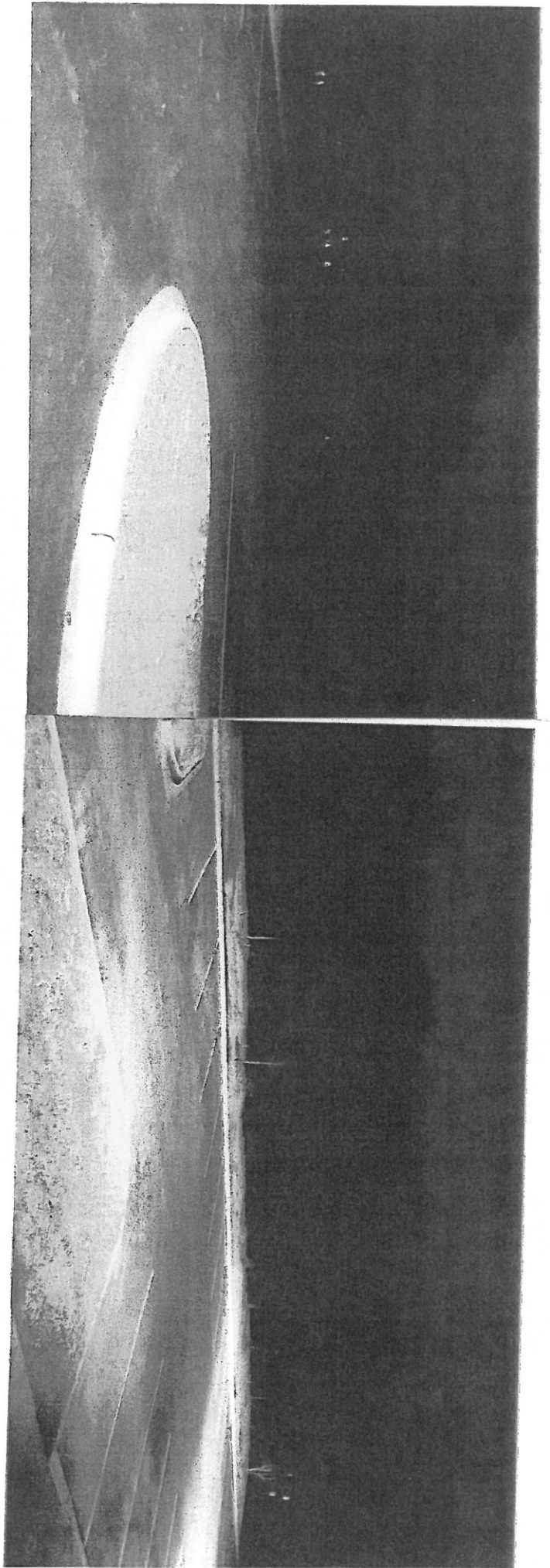
1312 Matthews-Mint Hill Rd
 Matthews, NC 28105



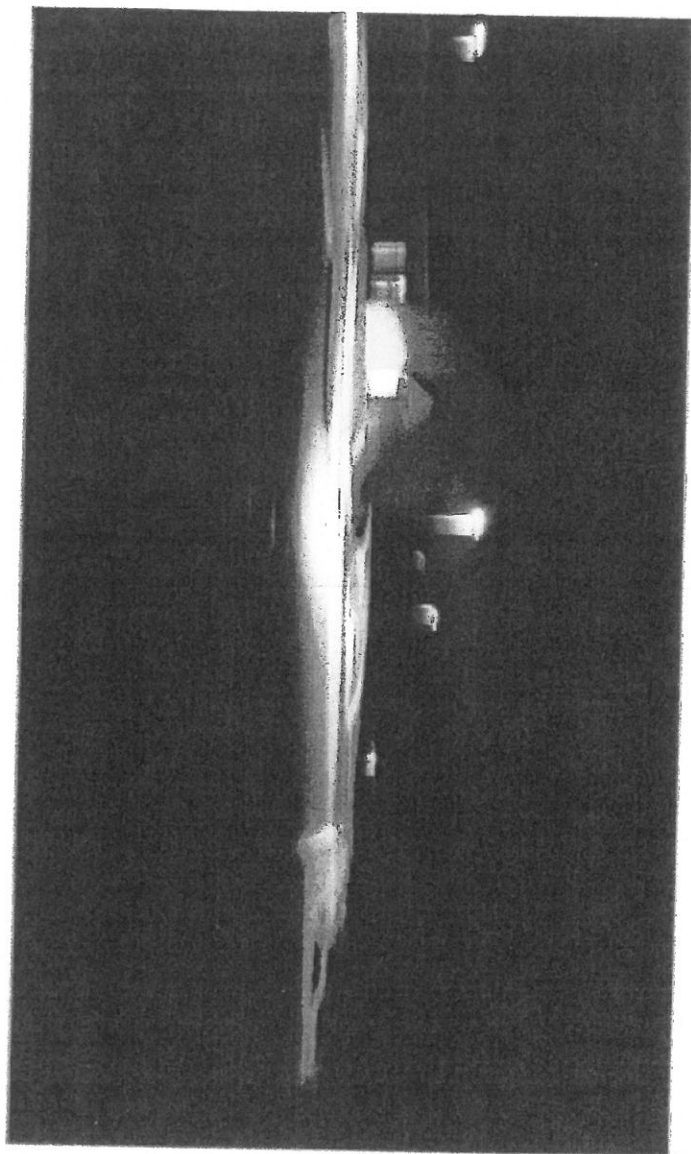
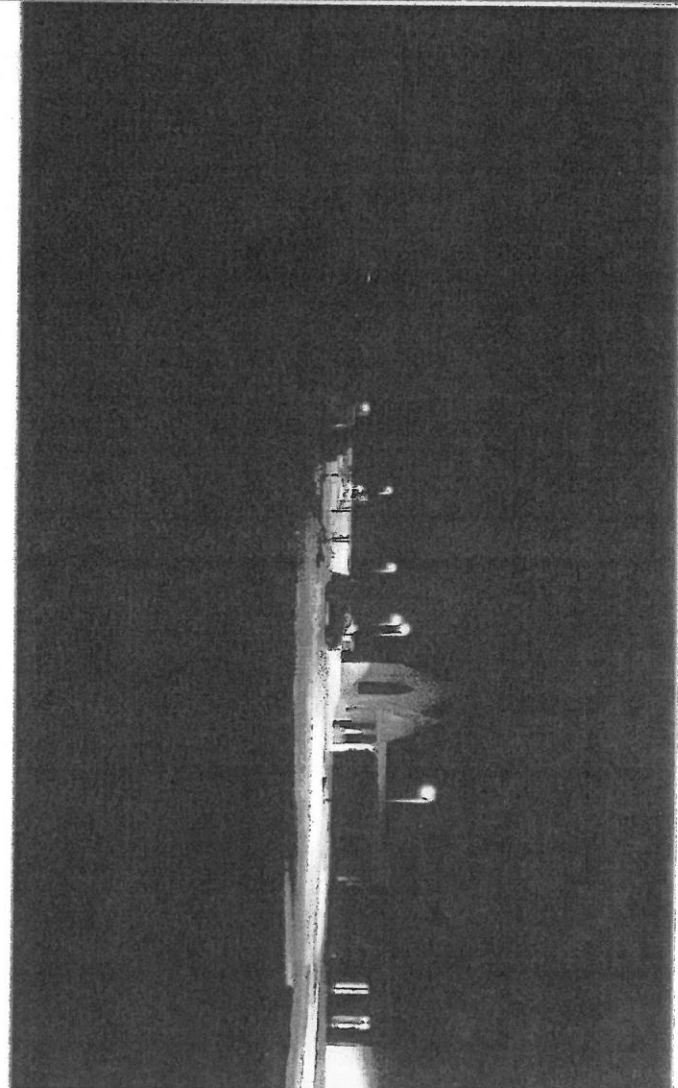
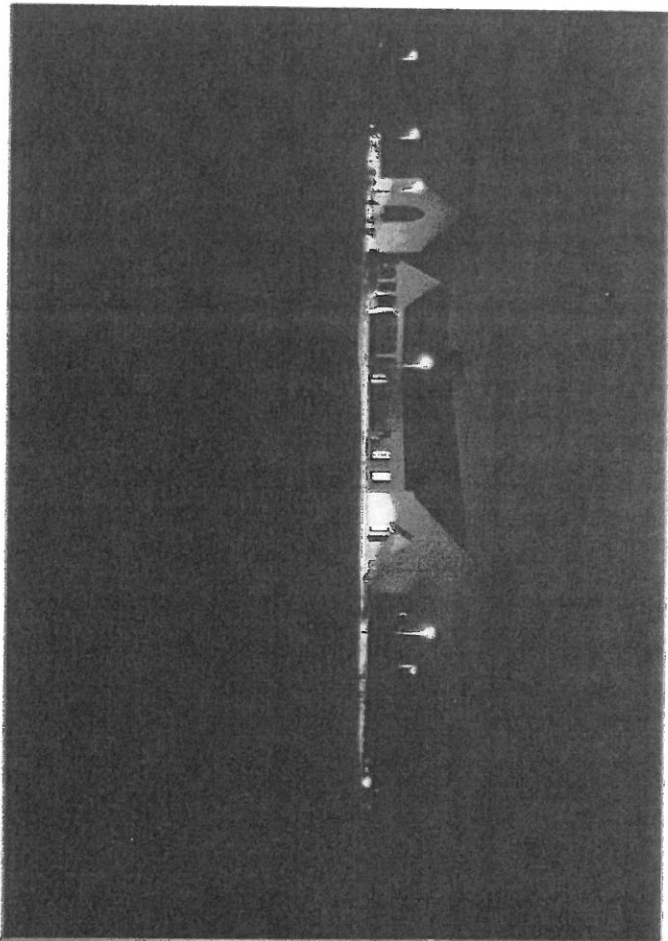
URBAN
 DESIGN
 PARTNERS
 1318-e6 central ave. p. 704-334-3303
 charlotte, nc 28205 r. 704-334-3305



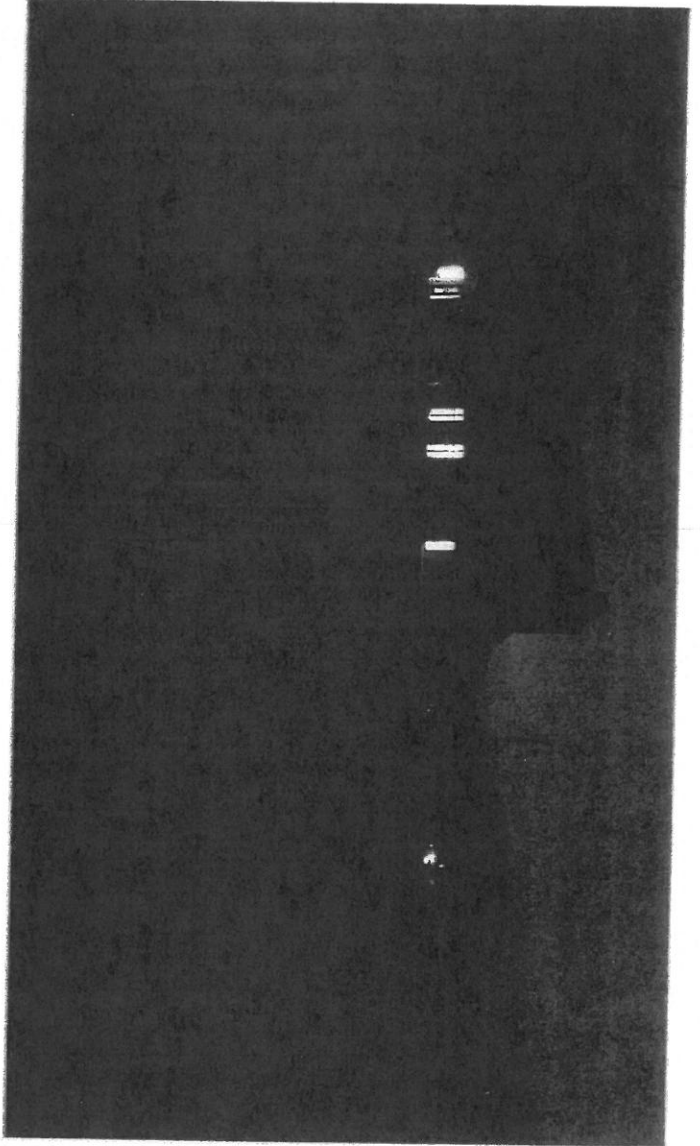
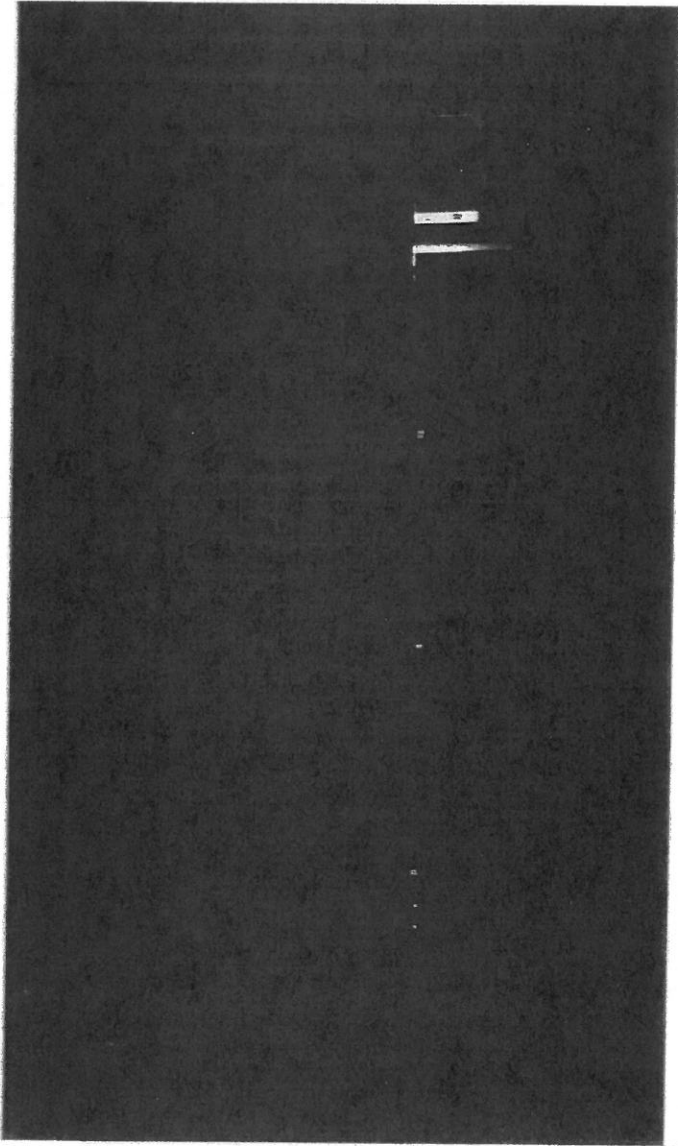
①



2



(3)



4

TOWN OF WEDDINGTON

MEMORANDUM

TO: Chairman and Planning Board

FROM: Lisa Thompson, Town Administrator/Planner

DATE: August 28, 2017

SUBJECT: Text amendment to Sections 46-76(d)(16), 58-8 (a)(14), and Appendix D

Union Power presented information on planting the appropriate trees within or near power line easements. After seeing the presentation the Board agreed that the town should revise our ordinances.

Section 46-76 currently does not allow landscaping within the right of way. However, the issue seems to be the canopy of the trees near the utility lines. Staff drafted text in **bold** to further regulate landscaping near overhead lines.

In addition, Union Power reviewed the plant list. An asterisk was added to species that cannot be located within the utility right of way.

The Planning Board reviewed the text on September 28, 2017, and unanimously recommended approval with the condition that hedge bamboo be removed from Appendix D.

Sec. 46-76. - Road standards and buffering along thoroughfares.

(d) *Buffering along thoroughfares.*

(16) If aboveground utilities are to remain in the buffer yard, then all landscaping, including the location of a berm, must be located **as follows** ~~outside the right-of-way for the utilities.~~

a. Overhead. Trees next to power lines shall be planted using the table below. The measurement shall be made from the nearest edge of the tree trunk.

Distance from Power Line	Tree Specification

40 feet or greater	Any tree listed in Appendix D
18—30 feet	Small Maturing Trees Listed in Appendix D except trees as marked (*) shall not be located within the utility right-of-way.
0—18 feet	Shrubs with a mature height of 10 feet less than wire height.

b. Underground. Roots planted near underground utility or power lines may be damaged in the event that repairs are required. Utmost care shall be taken when planting new trees and when carrying out any excavation work near trees.

Sec. 58-8. - Screening and landscaping.

(a) Screening required by any of the following or by any other section of this chapter shall be provided in accordance with the following standards:

(14) If aboveground utilities are to remain in the buffer yard, then all landscaping, including the location of a berm, must be located **as follows** ~~outside the right-of-way for the utilities.~~

a. Overhead. Trees next to power lines shall be planted using the table below. The measurement shall be made from the nearest edge of the tree trunk.

Distance from Power Line	Tree Specification
40 feet or greater	Any tree listed in Appendix D
18—30 feet	Small Maturing Trees Listed in Appendix D except trees as marked (*) shall not be located within the utility right-of-way.
0—18 feet	Shrubs with a mature height of 10 feet less than wire height.

b. Underground. Roots planted near underground utility or power lines may be damaged in the event that repairs are required. Utmost care shall be taken when planting new trees and when carrying out any excavation work near trees.

Appendix D

LARGE MATURING TREES	
Abies firma	Japanese fir
Acer platanoides	Norway Maple
Acer rubrum	Red Maple
Acer saccharinum	Silver Maple
Saccharum	Sugar Maple
Altis laevigata	Sugar hackberry
Amelanchier Canadensis	Serviceberry
Betula negra	River Birch
Carya illinoensis	Pecan
Carya glabra	Shagbark hickory
Carya cordiformis	Pignut hickory
Cedrus deodara	Deodar cedar
Celtis occidentalis	Hackberry
Cryptoeria japonica	Japanese cryptomeria
Cupressocyparis leylandii	Leyland cypress
Diospyros virginiana	Persimmon
Fagus grandiflora	American beech
Fraxinus americana	White ash

Fraxinus pennsylvanica	Green ash
Ginkgo biloba	Ginkgo
Gleditsia triacanthos inermis	Thornless honeylocust
Gymnocladus dioicus	Kentucky coffee <i>tree</i>
Juniperus virginiana	Eastern red cedar
Liquidambar styraciflua	Sweetgum
Liriodendron tulipifera	Tulip poplar
Magnolia acuminata	Cucumber <i>tree</i>
Magnolia grandiflora	Southern Magnolia
Nyssa sylvatica	Black gum
Picea abies	Norway spruce
Picea orientalis	Oriental spruce
Picea pungens	Colorado spruce
Pinus bungeana	Lacebark pine
Pinus echinata	Short leaf pine
Pinus nigra	Austrian pine
Pinus sylvestris	Scotch pine
Pinus thunbergi	Japanese black pine
Pinus taeda	Loblolly pine
Pinus virginiana	Virginia pine
Platanus acerifolia	London planetree
Platanus occidentalis	Sycamore

Pseudotsuga menziesii	Douglas Fir
Quercus acutissima	Sawtooth oak
Quercus alba	White oak
Quercus bicolor	Swamp white oak
Quercus borealis	Northern red oak
Quercus coccinea	Scarlet oak
Quercus falcata	Southern red oak
Quercus laurifolia	Laurel oak
Quercus macrocarpa	Bur oak
Quercus nigra	Water oak
Quercus phellos	Willow oak
Quercus rubra maxima	Eastern red oak
Quercus shumardi	Shumard oak
Quercus velutina	Black oak
Quercus virginiana	Live oak
Salix babylonica	Weeping willow
Sophora japonica regent	Japanese pagoda <i>tree</i>
Taxodium distichum	Bald cypress
Tilia cordata	Litteleaf linden
Tsuga caroliniana	Carolina hemlock
Tsuga canadensis	Eastern hemlock
Ulmus alata	Winged elm

Ulmus americana	American elm
Ulmus parvifolia	Lacebark elm
Zelkova serrata	Japanese zelkova
SMALL MATURING TREES *non utility r/w	
Acer buergeranum	Trident maple
Acer campestre	*Hedge maple
Acer ginnala	Amur maple
Acer griseum	Paperbark maple
Amelanchier arborea	Service berry
Betula platyphylla japonica	*Japanese white birch
Carpinus betulus	*European hornbeam
Carpinus carolinana	*American hornbeam
Catalpa bignonioides	*Southern catalpa
Cornus florida	Flowering dogwood
Cornus kousa	Kousa dogwood
Cornus mas	Cornelian-cherry dogwood
Cercis canadensis	Eastern redbud
Crataegus phaenopyrum	Washington hawthorne
Cupressus arizonica	*Arizona cypress
Elaeagnus angustifolia	Russian olive
Eriobotrya japonica	Loquat

Halesia carolina	*Carolina siverbell
Hamamelis mollis	Chinese witch-hazel Ilex
Fagus sylvatica	*European beech
Fosteri	Foster holly
Ilex opaca	*American holly
Ilex opaca hume	*Hume holly
Ilex x attenuata 'Fosteri'	Foster hybrid holly
Ilex x attenuata savannah	*Savannah holly
Kowlrwuteria bipinnata	*Chinese flame <i>tree</i>
Koelreutraria paniculata	Golden raintree
Lagerstroemia indica	Crepe myrtle
Magnolia soulangeana	Saucer magnolia
Magnolia stellata	Star magnolia
Malus floribunda	Flowering crabapple
Malus hybrida	Flowering crabapple
Morus alba	*White mulberry
Morus alba 'Pendula'	Weeping white mulberry
Osmanthus americanus	Devilwood
Ostrya virginiana	*Ironwood
Oxydendrum arboreum	*Sourwood
Paulownia tomentosa	*Empress <i>tree</i>
Prunus carolinana	Carolina cherry laurel

Prunus cerasifera 'Atropurpurea'	Pissard plum
Prunus cerasifera pissardii	Purpleleaf plum
Prunus cerasus	Sour cherry
Prunus serrulata kwanzan	*Kwanzan cherry
Prunus subhirtella pendula	Weeping cherry
Prunus yedoensis	*Yoshino cherry
Pyrus calleryana	*Callery pear
Pyrus calleryana Bradfordi	*Bradford pear
Pyrus calleryana 'Redspire'	*Redspire pear
Pyrus calleryana 'Capital'	*Capital pear
Quercus acuta	Japanese evergreen oak
Quercus glauca	Ring cupped oak
Ulmus parvifolia	*Chinese elm
Viburnum rufidulum	Southern blackhaw
SHRUBS	
Abelia grandiflora	Glossy abelia
Abelia x grandiflora	Kaleidoscope abelia
Aucuba japonica	Japanese aucuba
Azalea hybrida	Glendale azalea
Azalea indica	Indian azalea
Azalea obtusum Kaempferi	Kaempferi azalea

Bambusa multiplex	*Hedge bamboo
Berberis julianae	Wintergreen barberry
Berberis thunbergii	Japanese barberry
Camellia japonica	Camellia
Camellia sasanqua	Sasanqua camellia
Chaenomeles speciosa	Flowering quince
Cleyera japonica	Cleyera
Euonymus alatus	Winged euonymus
Euonymus japonicus	Evergreen euonymus
Eleagnus pungens	Eleagnus
Forsythia intermedia	Forsythia
Hammamelis virginiana	Witch-hazel
Hydrangea quercifolia	Oakleaf hydrangea
Ilex aquifolium	*English holly
Ilex cornuta	Chinese holly
Ilex cornuta burfordi	Burford holly
Ilex cornuta burfordi nana	Dwarf burford holly
Ilex crenata 'convexa'	Convex japanese holly
Ilex crenata 'hetzi'	Hetzi japanese holly
Ilex crenata 'roundifolia'	Roundleaf japanese holly
Ilex 'Emily Brunner'	Emily brunner holly
Ilex glabra	Inkberry holly

Ilex latifolia	Lusterleaf holly
Ilex pernyi	Perny holly
Ilex vomitoria	Yaupon holly
Jumperus chinesis pfitzeriana	Pfitzer jumper juniper
Jumperus chinesis hetzi	Hetzi jumper juniper
Laurus nobilis	Laurel
Ligustrum japonicum	Japanese privet
Ligustrum lucidum	Glossy privet
Ligustrum vicaryi	Vicary goldern privet
Loropetalum chinense	Loropetalum
Mahonia lealei	Leatherleaf mahonia
Myrica cerifera	Wax myrtle
Nandina domestica	Nandina
Osmanthus fortunei	Fortune tea olive
Osmanthus fragrans	Fragrant tea olive
Osmanthus heterophyllus	Holly osmanthus
Osmanthus heterophyllus roundifolius	Curly leaf tea olive
Photinia fraseri	Fraser photinia
Photinia serrulata	Chinese photinia
Pieris floribunda	Mountain andromeda
Pierus japonica	Japanese andromeda
Pittosporum tobira	Pittosporum

Prunus laurocerasus	English laurel
Prunus laurocerasus angustifolia	Narrow leaf english laurel
Podocarpus macrophyllus maki	Podocarpus
Pyracantha coccinea	Scarlet firethorn
Raphiolepis umbellata	Yeddo-hawthorn
Spirea cantoniensis	Reves spirea
Spirea thunbergi	Thunberg spirea
Spirea prunifolia plena	Bridalwreath spirea
Spirea vanhouttei	Vanhoutte spirea
Taxus cuspidata	Japanese yew
Viburnum prunifolium	Blackhaw viburnum
Viburnum rhytidophyllum	Leatherleaf viburnum
Viburnum tinus	Laurestinus viburnum

Staff recommends calling for a public hearing to be held October 9, 2017 at 7:00 PM at the Weddington Town Hall to consider a text amendment to Sections 46-76(d)(16), 58-8 (a)(14), and Appendix D

TOWN OF WEDDINGTON

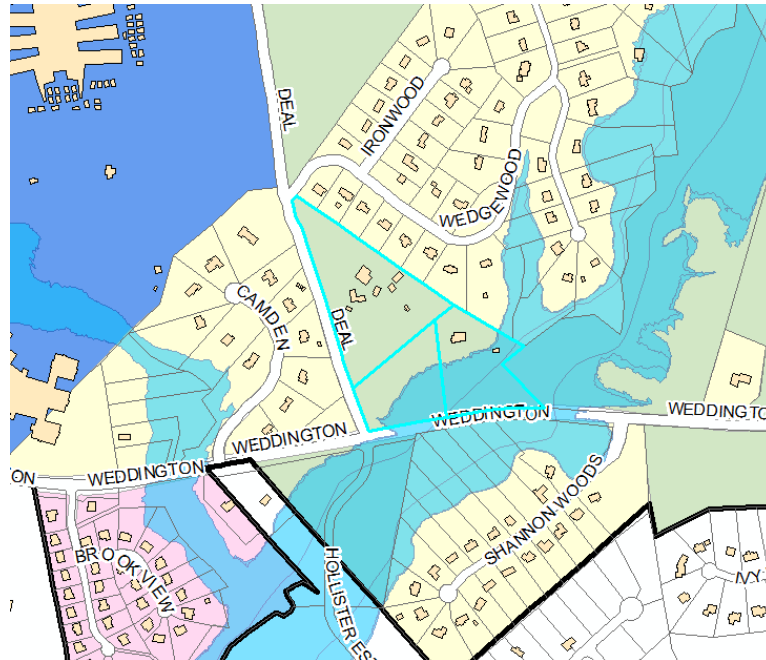
MEMORANDUM

TO: Mayor and Town Council

FROM: Lisa Thompson, Town Administrator/Planner

DATE: September 11, 2017

SUBJECT: Canisteo (formerly Deal Road) R-CD Conservation Subdivision - Preliminary Plat



Cameron Helms with Deal Road Ventures, LLC submitted a preliminary plat and construction plans for a 15 lot subdivision on 19.96 acres located at northeast corner of Highway 84 and Deal Road.

Application Information:

Date of Application: June 23, 2017
Applicant/Developer Name: Cameron Helms- Deal Road Ventures, LLC
Parcel ID#: 06099011A, 06072003A, 06072003E
Property Location: Northeast corner of Deal Rd and Highway 84
Zoning: R-CD
Existing Land Use: Residential
Proposed Land Use: Residential Conservation

Project Information:

The proposed subdivision contains 15 lots on 19.96 acres with a total density of .75 units per acre.

This is a conservation subdivision where 50% of the gross acreage must be retained as conservation land. 8.97 acres is required and 9.06 acres has been provided.

The 100' viewshed buffer includes a 10' landscape buffer along the thoroughfares to screen residential lots from the thoroughfare. A 50' buffer surrounds the property which also includes a 10' landscape buffer.

The subdivision will be served by Union County Public Water and Sewer.

The subdivision is accessed by an entrance off of Deal Road. The entrance is 600'+ from Highway 84 which is NCDOT's minimum standard.

The Town Engineer approved the construction plans and they have been submitted to other outside review agencies including NCDOT, Public Works, NCDEQ and the Army Corps of Engineers.

A draft maintenance plan and CCRs have been submitted for review.

Project History:

Two public involvement meetings were held on Monday, April 3, 2017.

The sketch plan was approved by the Planning Board on April 24, 2017 with a condition that the Town Council allows an exception for a private driveway access in lieu of the marginal access street on the submitted yield plan.

The yield plan was amended after the Planning Board meeting to provide a public road right of way on lots abutting Highway 84 and a private driveway along Deal Road. In doing so, the applicant lost one lot bringing the yield plan from 16 lots to 15 lots. An exception was granted for the 15 lot yield plan on May 8, 2017 for the shared driveway along Deal Road as long as the overall layout does not change.

The Planning Board reviewed the preliminary plat/construction plans on August 28, 2017. Questions were raised around grading and stormwater and the effect that Rea Road Extension will have on this property. The Board unanimously recommended approval.

Town Council Action

Call for a public hearing to be held October 9, 2017 at 7:00 pm at Weddington Town Hall to consider the preliminary plat/construction plans for the Deal Road RCD subdivision.

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM
TOWN OF WEDDINGTON, NORTH CAROLINA
R-2017-07**

**North Carolina
County of Union**

Road Description: Ambassador Court 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 11th day of September, 2017.

Bill Deter, Mayor

Attest:

Karen E. Dewey, Town Clerk

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, AUGUST 14, 2017 7:00 P.M.
WEDDINGTON TOWN HALL**

MINUTES

PAGE 1 OF 10

DRAFT

Mayor Bill Deter offered an invocation prior to the opening of the meeting.

1. OPEN THE MEETING Mayor Deter opened the August 14, 2017 Regular Town Council Meeting at 7:01.

2. PLEDGE OF ALLEGIANCE Mayor Deter led the Pledge of Allegiance.

3. DETERMINATION OF QUORUM Quorum was determined with all Councilmembers present.

Staff Present: Town Attorney Anthony Fox, Town Planner/Administrator Lisa Thompson, Town Clerk Karen Dewey, Finance Officer Leslie Gaylord

Visitors: Bill Price, Anne Marie Smith, Nancy Anderson, Barbara Harrison, Pat Harrison, Andy Stallings, Eric Anderson, Liz Callas, Jason Leake, Lisa Leake, Rob Dow, Judy Johnston

4. PUBLIC COMMENTS

Judy Johnston – 7208 Potter Road Wellington Woods - Ms. Johnston read a prepared statement from Christopher Duggan, Legal Representative for Providence Volunteer Fire Department. *The statement is hereby submitted for the record.*

Nancy Anderson – 13624 Providence Road – Ms. Anderson expressed her anger over the Council action with regard to the sale of the Wesley Chapel Volunteer Fire Department and the Providence Volunteer Fire Department litigation. She asked: Why would the Council consider sale of the land. She believes the Council should wait for the lawsuit to play out. Ms. Anderson also provided comment on the Public Hearing for the Noise Ordinance. She believes the County Nuisance Ordinance should be enough to cover Town of Weddington noise complaints. She asks the Council to be careful and use common sense regarding this issue.

Eric Anderson – 13616 Providence Road – Mr. Anderson expressed his distress over the sale of the Fire Department. He asked where WCVFD would get the money to pay for it. He asked why the Town isn't just giving them the land.

Lisa Leake -1238 Bromley Drive - Ms. Leake explained that she was present and spoke at the last Council meeting regarding a possible sidewalk along Weddington Matthews Road. She presented a petition with 68 signatures and comments for .8 mile length of sidewalk. *(The petition is hereby submitted for the record.)*

5. ADDITIONS, DELETIONS AND/OR ADOPTION OF THE AGENDA Staff requested item 8c to be tabled to the September 11, 2017 Regular Town Council Meeting.

Mr. Fox requested addition of item 16 Closed Session pursuant to NCGS 143-318.11(A)(3) to consult with attorney on matters protected by the attorney-client privilege relating to Providence Volunteer Fire Department versus Town of Weddington.

Motion: Mayor Pro Tem Titherington made a motion to approve the agenda as amended.

Vote: The motion passed with a unanimous vote.

6. CONSENT AGENDA

- A. Adopt Proclamation #P-2017-03 Proclaiming September 17 through 23, 2017 as Constitution Week**
- B. Adopt Proclamation #P-2017-04 Proclaiming September 16, 2017 as Alzheimer's "Paint the Town Purple" Day**
- C. Approve the Release of Bond #0115036 in the Amount of \$1,262,724.00 and Bond # 0196955 in the Amount of \$623,766.00 and Combine the Performance Guarantee with a New Bond in the Amount of \$150,564.00 for the Highclere Subdivision**

Motion: Council Member Propst made a motion to approve the consent agenda as presented.

Vote: The motion passed with a unanimous vote.

7. APPROVAL OF MINUTES

A. JUNE 12, 2017 TOWN COUNCIL SPECIAL MEETING MINUTES

Motion: Mayor Pro Tem Titherington made a motion to approve the June 12, 2017 Town Council Special Meeting Minutes as presented.

Vote: The motion passed with a unanimous vote.

B. JULY 10, 2017 TOWN COUNCIL REGULAR MEETING MINUTES

Mayor Deter presented changes on page 5 of 10 of the minutes for clarity of Council Member Propst's position on the R-CD text amendment. He would like it to read that Council Member Propst spoke in opposition to the text amendment. Council Member Propst agreed with the change.

Motion: Mayor Pro Tem Titherington made a motion to approve the July 10, 2017 Town Council Regular Meeting Minutes as amended.

Vote: The motion passed with a unanimous vote.

8. OLD BUSINESS

A. Discussion of Town Survey

Ms. Thompson presented the research on UNC-Charlotte's Urban Institute. For the scope of work, the Urban Institute gave an estimate of a \$15,000 lump sum fee. Ms. Thompson requested direction from the Council.

Mayor Deter asked for clarification regarding methodology. Will the survey go out as mailing in lieu of or part of newsletter? Ms. Thompson confirmed that there will be a code on the survey unique to each address, to be entered at the beginning of the survey and the survey would be a part of the newsletter. Mayor Deter also asked if the Urban Institute will work with the Town to reach out to different resident sub groups- through other modes if necessary. Ms Thompson confirmed that the surveyor will look at the responses and determine if the Town has a representative sample, if not, the surveyor will pursue other methods, going door to door or making phone calls.

Mayor Deter also asked if there are a limited number of factors in the satisfaction quadrant analysis. Ms. Thompson responded that it depends on how the survey is set up. The responses can be analyzed how the Town wants. There is no limit.

Council Member Propst asked for references from other towns.

Mayor Pro Tem Titherington asked if questions posed would be consistent with past surveys. He also asked if they could give us a number of responses they expect given the population.

Councilmember Smith stated that Ms. Thompson asked for confirmation with scope of work. Council agreed on the scope of work for the survey and to look at references from other municipalities that have used the Urban Institute for surveys.

Mayor Pro Tem Titherington suggested asking for a sliding cost scale of the fee, so if the Urban Institute gets a good sample of responses, there will be no need to pursue different resident subgroups through door to door questioning or phone calls.

B. Discussion and Consideration of a Minor Amendment to the Lease Agreement Between Town of Weddington and Wesley Chapel Volunteer Fire Department Initially Dated 07/27/2015

Mayor Deter asked Mr. Fox to clarify the agenda item. Mr. Fox explained that the original lease agreement had a Section 2 that defined the commencement date as the initial date of lease and the expiration date as the date of release. The intent here is to create an evergreen? document by having automatic renewals of the lease. The commencement and expiration dates will be the beginning and ending of the renewal period.

Mayor Pro Tem Titherington asked for confirmation that the first amendment effective date on the amendment to the lease agreement would be August 14, 2017 and the reference to the lease in paragraph 2 is dated July 27, 2015. Mr. Fox confirmed the dates. There was no further discussion.

Motion: Mayor Pro Tem Titherington made a motion to approve a minor amendment to the Lease Agreement between the Town of Weddington and Wesley Chapel Volunteer Fire Department initially dated July 27, 2015 as outlined and presented by Staff and the Town Attorney, noting the

effective date, August 14, 2017, and the lease date, July 27, 2017, as discussed.

Vote: The motion passed with a unanimous vote.

~~C. Discussion and Consideration of Calling for a Public Hearing to be held September 11, 2017 at 7:00 p.m. at the Weddington Town Hall to Consider a Text Amendment to Section 22-1 Titled Excessive Noise Prohibited; Exemptions; And, Section 58-19 Titled Noise~~

9. NEW BUSINESS

A. Discussion, Consideration and Acceptance of the Option to Purchase Real and Personal Property Located at 5025 Hemby Road for \$750,000.00 by Wesley Chapel Volunteer Fire Department; Discussion, Consideration and Approval of Financing Options; and Discussion and Consideration of Appointing Mayor Pro Tem Titherington to Negotiate the Terms and Conditions of the Sale for the Town.

Mayor Pro Tem Titherington presented background on the property sale. In August 2015, Wesley Chapel Volunteer Fire Department opted to exercise the right to purchase the real and personal property at 5025 Hemby Road as outlined in the original lease dated July 27, 2015. The \$750,000 price was negotiated in that lease. This situation has been in the public venue for over two years. In August 2015, Providence Volunteer Fire Department filed for a temporary injunction to stop the sale of the property, however the State Superior Court ruled it was improper. Wesley Chapel has sent notice to the Town of their intent to purchase the property. By financing the loan to the Wesley Chapel Volunteer Fire Department, the Town will get a better return than if investing in treasury bonds. The Town will be able to finance other projects. In addition, the sale will eliminate about \$10,000 from the budget for the maintenance of the property and the building. There was no further discussion.

Motion: Council Member Smith made a motion to acknowledge receipt and acceptance of the option to purchase by Wesley Chapel Volunteer Fire Department pursuant to Section 41 of the Lease initially dated July 27, 2015 and the request for financing.

Vote: The motion passed with a unanimous vote.

Motion: Council Member Smith made a motion to commit to financing the sale of Real and Personal Property located at 5025 Hemby Road, Weddington, NC (Hemby Road Fire Station) where the Town of Weddington will provide the financing for \$750,000 over a 20 year term at 3% interest per annum fixed paid in 240 installments with a \$275,000 balloon payment due on the 240th installment with no pre-payment penalty.

Vote: The motion passed with a unanimous vote.

Motion: Council Member Smith made a motion to authorize Staff to issue a loan commitment letter to Wesley Chapel Volunteer Fire Department for

\$750,000 over a 20 year term at 3% interest per annum fixed paid in 240 installments with a \$275,000 balloon payment due on the 240th installment with no prepayment penalty.

Vote: The motion passed with a unanimous vote.

Motion: Council Member Smith made a motion to appoint Mayor Pro Tem Don Titherington to negotiate the terms and conditions of the Sale of Real and Personal Property located at 5025 Hemby Road, Weddington, NC (Hemby Road Fire Station) to Wesley Chapel Volunteer Fire Department within the 10 days required by the Lease and authorize the Town Attorney to prepare the loan documents, including a Purchase and Sale Agreement/Purchase Money Deed of Trust, Promissory Note and Commitment Letter and send to Wesley Chapel Volunteer Fire Department, all to be presented to the Council at the September 11, 2017 Regular Town Council Meeting.

Vote: The motion passed with a unanimous vote.

B. Discussion and Consideration to Instruct the Town Administrator to Issue a Public Notice Pursuant to and Consistent with NCGS 160A-277 titled Sale of Land to Volunteer Fire Department and Rescue Squads; Procedure and any other Applicable Statutes Governing the Sale of Property.

Mayor Pro Tem Titherington confirmed that this was the North Carolina General Statute that instructs the Town to state the intent to sell property.

Motion: Mayor Pro Tem Titherington made a motion to authorize Staff to issue a public notice describing the sale of the real property located at 5025 Hemby Road, Weddington, NC (Hemby Road Fire Station) to Wesley Chapel Volunteer Fire Department pursuant to, and consistent with NCGS 160A-277.

Vote: The motion passed with a unanimous vote.

C. Training with CCOG for Planning Board Members

Mayor Deter stated that he attends some Planning Board meetings, and he heard positive feedback concerning recent Planning Board Members' experience with some Board of Adjustment training. The Planning Board requested formal training through the Centralina Council of Governments to get a better understanding of Planning Board roles and responsibilities and how they operate. Mayor Deter is looking for feedback from the Council.

Council Member Smith believes that any training would benefit the Town. He would want to know the cost to the Town, the scope of the training, and believes the Planning Board Members should give individual feedback to the Council on their experience with the training.

Council Member Propst asked about the scope of the training, what goals would be accomplished, and the cost.

Council Member Buzzard stated that he attended a number of training sessions while he was on the Planning Board, and while none was 100% beneficial, he did learn something from every session he attended and that should be considered when looking at the scope and cost of the training. He also believes it would be appropriate for the Council to get a debriefing from the Planning Board Members after their training.

Mayor Deter stated that the Planning Board is planning to train as a group and the Town would set the agenda of the training session.

Mayor Pro Tem Titherington stated that the Town has changed and the Planning Board leads the charge on a lot of the growth the Town has seen. They are the visionaries. It makes sense to make the investment in training.

Ms. Thompson agreed that training helps. A way to keep cost down would be to invite other municipalities and set the agenda to talk about what Weddington needs. She will come up with a plan for what kind of training is needed and will check with other municipalities to see if there is any interest in sharing training opportunities.

Mayor Deter tasked Ms. Thompson with getting answers to questions asked by Council from the Planning Board. He can bring up the topic of Planning Board training opportunities with the other western Union County mayors when they have their regular meeting.

Mayor Pro Tem Titherington agrees that working with the other municipalities is an outstanding idea.

D. Quarterly Retreat Update

Mayor Deter presented the action list from the Council Retreat and the items that have been completed. *(The checklist is hereby submitted for the record).* Council members have different assignments from the list. Some items have been completed and some items are ongoing projects.

Mayor Pro Tem Titherington mentioned two items from the list: the Antioch Church Road/Longleaf Road intersection – it is getting looked at, and the downtown connector loop- he commends the folks from Bromley subdivision for speaking up to create the loop downtown. More feedback from the residents is helpful.

E. Discussion of Future Road Connection (LARTP project ID - H73)

LARTP identifies this connector road as project H73 and it is a recommended thoroughfare project to connect NC16, (north of Highway 84) to Weddington Matthews Road. The Town of Weddington ordinances further emphasize this goal by requiring applicants proposing new commercial development within the overlay district to coordinate and contribute to the cost of the road. Staff is seeking direction on the road project and feedback for a possible text amendment for the construction of the road versus a monetary contribution. Typically with a conditional district rezoning to commercial, the Town would require the developer build an internal access drive to the edge of the property. Ms. Thompson likes how the current ordinance is written; she would like the Council to consider an option to change the ordinance to read “construction of” rather than “contribute to” construction of the connector road.

Mayor Deter clarified that Ms. Thompson is looking for direction regarding property for sale in the downtown overlay and the developer is asking what the ordinance means as far as contributing to the cost of construction of the connector road.

Mayor Pro Tem Titherington clarified the area in question (*the LARTP map identifying the parcel and connector road are hereby submitted to the record*). It's a conditional district. The intent of the Planning Board and the intent of downtown overlay district hasn't changed: any developer coming in would be responsible for contributing to the construction of the connector road. Should text be changed to "construction of the road"?

Mayor Deter suggested that the Town provide a copy of the downtown overlay plan to the broker and if there are questions. ??

Mayor Pro Tem Titherington is in favor of how the current ordinance is written.

Councilmember Buzzard stated he is comfortable with how the ordinance is written. He is not 100% certain what this discussion centers around. Conditional zoning gives the Town flexibility to say where it has to go and what it has to look like.

Councilmembers Smith and Propst are also in favor of how the ordinance is written.

Mayor Pro Tem Titherington stated that the developer can bring a plan to the Planning Board to get further insight on what's required with the road.

10. UPDATE FROM PLANNER

Ms. Thompson presented the update:

- Two Public Information Meetings were held. Weddington United Methodist Church is applying for conditional zoning to build a columbarium at the cemetery. All Saints Anglican Church is applying for a conditional zoning amendment for parking additions and a change in their lighting conditions. The Planning Board will have these on the agenda for the August meeting.
- Canisteo and Weddington Matthews Road subdivisions are planning to submit preliminary plats and construction plans to the Planning Board for consideration at the August meeting.
- There is a Board of Adjustment meeting Wednesday, August 16, 2017 at 7:00 p.m. to consider a variance.

Mayor Pro Tem Titherington wants to pursue the water tower evacuation plan from the developer of Weddington Matthews Road subdivision. He doesn't want it to get lost.

11. CODE ENFORCEMENT REPORT

Mayor Pro Tem Titherington asked about how to take care of the paving of Ambassador Court for the residents. Ms. Thompson responded that Scott Cole and the Division Engineer, Lee Ainsworth were going to discuss accepting the road for maintenance even though it doesn't meet their minimum

requirement, if they decide that is the route DOT wants to take, the Town will write a resolution. There should be a response in the next couple of weeks.

Councilmember Smith asked about the stump issue at Highway 84 and Twelve Mile Creek. It has been going on for a while, is there anything we can do? Ms. Thompson responded that the Town Attorney wrote a letter summarizing fines owed. The property owner stopped in at Town Hall and showed receipts of debris being removed. It's taken longer than he anticipated to evacuate his tenant. The property owner and code enforcement officer will have a conversation on time frame to get the rest of lot cleaned up. Council wants a date of when this will be done. There is a line of communication now.

Mayor Deter asked for clarification on item number 5. There are 5 dumpsters on the property being renovated, isn't that allowed? Ms. Thompson responded that the complaint was that the property owner is running a commercial operation. These are commercial dumpsters for his business.

12. UPDATE FROM FINANCE OFFICER AND TAX COLLECTOR

Ms. Gaylord presented the update. Property tax bills have been mailed out. They are due September 1, 2017 and will be subject to late payment penalty after January 5, 2018. Rowell, Craven, and Short will be starting the Town audit on August 28. They may be contacting council to see if there are concerns. This is the second year with this auditor.

Mayor Pro Tem Titherington praised Tax Collector Kim Woods for her diligence and hard work in the collection of taxes.

Mayor Deter questioned the \$10,000 in tax refunds on the report. Ms. Gaylord explained that the tax bills have been mailed, but aren't due until September 1, 2017. This number reflects the taxes that were paid before September 1. The charges aren't in our books yet so the balance shows up as refunds owed.

13. PUBLIC SAFETY REPORT

Mayor Deter commented that the Public Safety Committee hasn't met in over a year. In the previous year they met 5 times. The terms may all be expired. He is proposing to Council to consider the value of the Public Safety Committee. We've had successful Food Truck events and we have the tree lighting coming up, should we shift focus from public safety and look at forming an events committee-to take pressure off Councilmembers Propst and Smith?

Councilmember Smith stated that he has been trying to connect with members of the committee for about a year and has received only one response. He believes that Council has taken on some roles that the Public Safety Committee could do. He would like to find the structure and come up with an idea of what the roles and responsibility of this committee are. They have taken on projects that have been shot down by council and felt frustrated by this. Councilmember Smith would like to see Council give suggestions of what the role of this committee is and how it could benefit the Town.

Mayor Deter wanted to point out that the deputy calls for July show 83 calls for false alarms. This averages two calls per day.

Councilmember Propst pointed out that it is vacation season and residents are out of town.

Councilmember Smith would like to see how many fire calls are also false and how can the Town handle that? That's should be considered.

14. TRANSPORTATION REPORT

Councilmember Buzzard presented the transportation update. The two roundabouts under construction are making life difficult right now. He encouraged residents to attend the CRTPO meetings. He stated that with strong representation, Weddington is in a position to help ourselves in spite of the City of Charlotte's presence at CRTPO.

15. COUNCIL COMMENTS

Mayor Pro Tem Titherington: Would like to thank everybody for coming out. There's a lot of good stuff going on in Town. Excited to see what happens over the next 5-10 years.

Councilmember Buzzard: Thanked everybody for coming and having an interest in the Town and participating in what we do.

Councilmember Smith: Also thanked everybody for coming out and he appreciates the public comments. Thank you for voicing your opinion. And thank you to everybody who attended the Food Truck Friday events. We are working on events for September.

Councilmember Propst: Same. Thank you everybody for coming out. There were some heated conversations about some of the issues on the agenda tonight, and I'd be glad to discuss it with people because I've had a lot of in depth conversations before I made those decisions want to make sure people understand that there are people protected through the actions that happened tonight and if anybody would like to talk about any of these, please feel free to talk to me.

Mayor Deter: Thanked everyone for showing up.

16. CLOSED SESSION

Motion: Council Member Smith made a motion for the Litigation Committee (Bill Deter and Mike Smith) to go into Closed Session pursuant to NCGS 143-318.11(A)(3) to consult with attorney on matters protected by the attorney-client privilege relating to Providence Volunteer Fire Department versus Town of Weddington.

Vote: The motion passed with a unanimous vote.

The Council entered into closed session at 8:08 p.m.

The Mayor called the Council back to order at 8:56 p.m.

17. ADJOURNMENT

Motion: Council Member Smith made a motion to adjourn the August 14, 2017 Regular Town Council Meeting at 8:57 p.m.
Vote: The motion passed with a unanimous vote.

Bill Deter, Mayor

Adopted: _____

Karen Dewey, Clerk

Action:
References for survey
Public notice for land sale
Watertower evac plan
PB training

TOWN OF WEDDINGTON

MEMORANDUM

TO: Mayor and Town Council

FROM: Lisa Thompson, Town Administrator/Planner

DATE: September 11, 2017

SUBJECT: Text amendment to Section 22-1 and 58-19 Regarding Noise

The Planning Board reviewed a text amendment which addresses various noise complaints received by the Town at their May meeting. Questions and concerns were raised around enforcement issues, the nature of complaints received by staff, and how the new text language relates to the County noise ordinance.

The Planning Board discussed the ordinance again on June 26th. They mentioned the temporary nature of these complaints and the responsibilities of HOA's.

The Planning Board suggested adopting the County nuisance ordinance which covers noise. The County ordinance would not bring additional exposure to the Town and the deputies are familiar with the regulations. They mentioned that most of the differences between the draft provided by staff and the county ordinance are regulated by either State laws or covered by the Town's animal control ordinances.

The Board discussed adding our own civil penalties section. Board members in favor of the civil penalty stated that it gives staff and the deputy's options for enforcement and it could expedite compliance. Others were concerned about the legal fees, responsibility, liability and exposure the Town will undertake.

By a vote 5:1 the Board recommended to replace Section 22-1 with verbiage that adopts the County Ordinance and adds it as Appendix D. In addition they'd like the attorney to review the new language and note any exposure and shift of responsibility to the Town by adding civil penalties. Section 58-19 within the zoning ordinance shall be replaced with a reference to new Section 22-1 (attachment 1).

The original draft with amendments made after hearing Planning Board and Town Council concerns is also included as attachment 2.

Staff recommends calling for a public hearing to be held on October 9, 2017 at the Weddington Town Hall at 7:00 PM for amendments to Section 22-1 and 59-19 regarding noise.

Attachment 1 – Planning Board Recommendation

Sec. 22-1. - Excessive noise prohibited; exemptions.

(a)

~~It is unlawful for any person to make, continue, or cause to be made any unreasonable and excessive noise which injures, endangers, or disturbs the comfort, repose, health, peace or safety of others within the town limits.~~

(b)

~~The following uses and activities shall be exempt from this section:~~

(1)

~~Noises of safety signals, warning devices, and emergency pressure relief valves.~~

(2)

~~Noises resulting from any authorized emergency, fire or law enforcement vehicle.~~

(3)

~~Noise resulting from the activities of a temporary duration permitted by law for which a license or permit therefor has been granted by the town.~~

(4)

~~Any aircraft or railroad equipment operated in conformity with or pursuant to state or federal law. Any aircraft operating under technical difficulties, in any kind of distress, under emergency orders of air traffic control or being operated pursuant to the declaration of an emergency under federal air regulations shall also be exempt.~~

(e)

~~This provision shall not be applied to a shooting range in existence prior to adoption of this code section, provided there has been no substantial change in use of the range.~~

~~State Law reference~~ — ~~Town may regulate noise, G.S. 160A-184.~~

Pursuant to G.S. 160A-184, the town has adopted, in its entirety, the county ordinance entitled “Union County Nuisance Ordinance,” as amended from time to time by the Union County Board of Commissioners, which has been and will be deemed adopted as a resolution of the town; and such ordinance shall be in full force and effect to the same extent as if set out at length in this section; and the ordinance shall be in effect within the town’s corporate limits.

A copy of the Union County Nuisance Ordinance is set out in appendix D to this Code.

Sec. 58-19. - Noise.

~~Every use of land must be operated in such a way that regularly recurring noises are not disturbing or unreasonably loud and do not cause injury, detriment or nuisance to any person of ordinary sensitivities.~~

See Section 22-1.

NUISANCE ORDINANCE

WHEREAS, pursuant to G.S. § 153A-133, Union County may by ordinance regulate, restrict, or prohibit the production or emission of noises or amplified speech, music, or other sounds that tend to annoy, disturb, or frighten its citizens; and

WHEREAS, pursuant to G.S. 153A-123, Union County may by ordinance define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the county; and may define and abate nuisances.

NOW, THEREFORE, BE IT ORDAINED by the Union County Board of Commissioners as follows:

Section 1. It shall be unlawful and shall constitute a nuisance for any person or group of persons, regardless of number, to willfully make, continue, or cause to be made or continued any loud, raucous and disturbing noise, which term shall mean any sound which, because of its volume level, duration and character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities within Union County. The term "loud, raucous and disturbing noise" shall be limited to loud, raucous and disturbing noises heard upon the public streets, in any public park, in any school or public building or upon the grounds thereof while in use, in any church or hospital or upon the grounds thereof while in use, upon any parking lot open to members of the public as invitees or licensees, or in any occupied residential unit which is not the source of the noise or upon the grounds thereof.

In determining whether a noise is unreasonably loud, raucous and disturbing, the following factors incident to such noise shall be considered: (i) time of day; (ii) proximity to residential structures; (iii) whether the noise is recurrent, intermittent or constant; (iv) the volume and intensity; (v) whether the noise has been enhanced in volume or range by any type of electronic or mechanical means; (vi) the character and zoning of the area; and (vii) whether the noise is subject to being controlled without unreasonable effort or expense to the creator thereof.

Section 2. The following acts are declared to be nuisances in violation of this Ordinance, but such enumeration shall not be deemed to be exclusive:

- (1) Horns and Signal Devices. The sounding of any horn, whistle or signal device on any automobile, motorcycle, bus or other vehicle, except as a danger signal or as required by law, so as to create any unreasonable, loud or harsh sound, or the sounding of such device for an unnecessary and unreasonable period of time.
- (2) Radios, Stereos, and Sound Reproduction. The playing, use, or operation, either from a motor vehicle or by a pedestrian, of any radio, tape or CD player, or other sound amplification device emitting sound that is audible from a distance of fifty (50) or more feet from the source of the sound.
- (3) Pets. The keeping of any animal or bird, which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person of ordinary sensibilities in the vicinity; provided, however, that this Ordinance shall not apply to a dog or dogs being used in a lawful hunt;

Section 3. The following shall be exempt from the application of this Ordinance:

- (1) Noise resulting from the normal and lawful operations of any (i) industrial enterprise, (ii) commercial enterprise, or (iii) governmental facility or function.
- (2) Noise resulting from agricultural and horticultural operations conducted in a reasonable manner on property classified as a bona fide farm for ad valorem tax purposes.
- (3) Noise resulting from any authorized emergency or public safety vehicle, when responding to an emergency call or acting in the time of an emergency.
- (4) Noise of safety signals, warning devices and emergency pressure relief valves.
- (5) Noise resulting from emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster, or to restore public utilities, or to protect persons or property from imminent danger.
- (6) Noise resulting from motor vehicles in proper operating condition and properly equipped with the manufacturers' standard mufflers and noise-reducing equipment.
- (7) Noise resulting from any military or law enforcement activities of the federal, state, or any local government, to include military observances.

- (8) Noise resulting from construction operations from 7:00 a.m. to 9:00 p.m. on weekdays and from 8:00 a.m. to 9:00 p.m. on weekends for which building permits have been issued or for which building permits are not required; provided that all equipment is in proper operating condition and properly equipped with the manufacturers' mufflers and noise-reducing equipment.
- (9) Noise from lawn mowers and other landscape maintenance equipment used between the hours of 7:00 a.m. and 9:00 p.m., provided that all equipment is in proper operating condition and properly equipped with the manufacturers' mufflers and noise-reducing equipment.
- (10) Noise resulting from any event held in recognition of a community celebration, or national, state, or county events or public festivals or parades.
- (11) Noise from lawful fireworks and noise makers on holidays and at religious ceremonies.
- (12) Noise created by any aircraft flight operations which are specifically preempted by the Federal Aviation Administration.
- (13) Noise of any bell or chime from any building clock, school, or church.
- (14) Noise created by any public recreational activity.
- (15) Noise from dogs and firearms while being used in a lawful hunt.

Section 4.

Violation of any provision of this Ordinance shall subject the offender to one or more of the following enforcement actions. Each day that any violation continues after notification by the County that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.

- (1) Violations shall constitute a Class 3 misdemeanor pursuant to G.S. 14-4, punishable by a fine of up to \$200 and imprisonment in the discretion of the court.
- (2) The County may apply for an appropriate equitable remedy from the General Court of Justice, including but not limited to mandatory and prohibitory injunctions and orders of abatement as allowed pursuant to

G.S. 153A-123. Such civil actions may name as defendants any person or persons creating, allowing the creation of, or assisting in the creation of any unlawful noise, including the owner of the premises from which the noise emanates and the person having actual control of the premises from which it emanates.

Section 5. If any provision of this Ordinance is adjudged invalid or if the application thereof to any person or in any circumstance is adjudged invalid, such invalidity shall not affect the validity of this Ordinance as a whole or of any part, subpart, sentence or clause thereof not adjudged invalid.

Section 6. This Ordinance is adopted the 8th day of September, 1998, and shall become effective the 9th day of September, 1998.

Attachment 2 – Original drafted text with Town Council changes

Sec. 22-1. - ~~Excessive noise prohibited; exemptions.~~ Unreasonably loud noise.

(a) It is unlawful for any person to make, continue, or cause to be made any unreasonable and excessive noise which injures, endangers, or disturbs the comfort, repose, health, peace, or safety of others within the town limits.

(b) **In determining whether a *noise* is unreasonably loud, the following factors incident to such *noise* shall be considered:**

- (1)Time of day;**
- (2)Proximity to residential structures;**
- (3)Whether the *noise* is recurrent, intermittent or constant;**
- (4)The volume and intensity;**
- (5)Whether the *noise* has been enhanced in volume or range by any type of electronic or mechanical means;**
- (6)The character and zoning of the area; and**
- (7)Whether the *noise* is subject to being controlled without unreasonable effort or expense to the creator thereof.**

Sec. 22-2. Particular sounds prohibited.

The following acts and activities, among others, are hereby declared to be unreasonably loud and disturbing sound levels in violation of section 22-1. This enumeration shall not be construed to be an exclusive list of activities or acts which violate section 22-1:

(a) **Operating a truck for refuse collection except on Monday through Saturday between the hours of 6:00 a.m. and 10:00 p.m. The violator is the operator of the truck, the employer of the operator, and/or the person whom owns the truck used by the operator.**

(b) **Construction operations, including any building and land disturbing activities except Monday through Friday between the hours of 6:00 a.m. and 9:00 p.m., Saturday between the hours of 8:00 a.m. and 9:00 p.m. and Sunday between the hours of 10:00 a.m. and 9:00 p.m.**

(c) **Operating electric and gas lawnmowers and other motor-driven domestic tools out-doors except Monday through Saturday between the hours of 6:00 a.m. and 9:00 p.m. and Sunday between the hours of 9:00 a.m. and 9:00 p.m.**

(d) **It shall be unlawful to operate or allow the operation of any motor vehicle in the town:**
(1) By spinning tires, racing engines or other operations which create unreasonably loud and disturbing noises.
(2) To amplify sound produced by a radio, tape player, compact disc player or other sound-making device or instrument from within the motor vehicle so that the sound is audible from a distance of 50 or more feet from the source of the sound.

Note: Animal Nuisances – see Appendix A.

Sec. 22-3 Exemptions.

- (a) The following uses and activities shall be exempt from this section:
- (1)Noises of safety signals, warning devices, and emergency pressure relief valves.
 - (2)Noises resulting from any authorized emergency, fire or law enforcement vehicle.
 - (3)Noise resulting from the activities of a temporary duration permitted by law for which a license or permit therefore has been granted by the town.
 - (4)Any aircraft or railroad equipment operated in conformity with or pursuant to state or federal law. Any aircraft operating under technical difficulties, in any kind of distress, under emergency

orders of air traffic control or being operated pursuant to the declaration of an emergency under federal air regulations shall also be exempt.

(5) Noise resulting from agricultural and horticultural operations conducted in a reasonable manner on property classified as a bona fide farm for ad valorem tax purposes.

(6) Noise resulting from emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster, or to restore public utilities, or to protect persons or property from imminent danger.

(7) Noise resulting from any military or law enforcement activities of the federal, state, or any local government, to include military observances.

(8) Noise resulting from any event held in recognition of a community celebration, or national, state, or county events or public festivals or parades.

(9) Noise from lawful fireworks and noise makers on holidays and at religious ceremonies.

(10) Noise created by any public recreational activity.

(11) Game-hunting activities on property where such activities are authorized and regulated by Chapter 34 Article II of the Weddington Code of Ordinances.

(b) This provision shall not be applied to a shooting range in existence prior to adoption of this code section, provided there has been no substantial change in use of the range.

Sec. 22-4. -Enforcement and penalties.

(a) Civil penalty. Violation of this section shall subject the offender(s) to a civil penalty in the amount of \$100.00. In the event there is more than one violation within any 30-day period, then the civil penalty shall be increased for each additional violation ~~over one~~ during such period, as follows. The date of the first violation shall establish the beginning date for the initial 30-day period.

The penalty shall be: Second offense within same 30-day period: \$250.00

Third offense within same 30-day period: \$500.00

Fourth offense within same 30-day period: \$750.00

Fifth and any subsequent offense within same 30-day period: \$1,000.00

(1) Once the 30-day period has expired from the "first violation," the next violation shall be considered to be a first violation for the purposes of establishing a new 30-day period.. In the event there are more than six violations within any 12-month period, then each violation after six shall subject the violator(s) to a civil penalty of \$1,000.00 per event.

(2) Under circumstances where a citation is issued, the fine must be paid within 5 business days of the issue date and time. The town attorney, or designee, is authorized to file suit on behalf of the town to collect any unpaid citations, and the town administrator, or designee, is authorized to verify and sign complaints on behalf of the town in such suits. A sheriff's deputy, animal control officer enforcing subject matter jurisdiction, or other person duly authorized to enforce the noise control ordinances may issue a citation for violations of this article.

(b) Remedies. This article may also be enforced through equitable remedies issued by a court of competent jurisdiction pursuant to G.S. 154A-123.

(c) Criminal penalty. In addition to, or in lieu of, such civil penalties or other remedies, violation of this article shall constitute a misdemeanor pursuant to G.S. 14-4.

Sec. 58-19. - Noise.

~~Every use of land must be operated in such a way that regularly recurring noises are not disturbing or unreasonably loud and do not cause injury, detriment or nuisance to any person of ordinary sensitivities.~~

See Section 22-1

Agenda 8C

CHARLES B. BROOKS II

ATTORNEY AT LAW

105 E. Jefferson Street, Suite A
Monroe, North Carolina 28112
(704) 283-9363
Fax: (704) 289-8327

FAX COVER SHEET**FAX NUMBER TRANSMITTED TO:** (704) 334-4706

TO: ANTHONY FOX
OF: Parker Poe
FROM: Charles B. Brooks II
CLIENT/MATTER: WESLEY CHAPEL VFD/THE TOWN OF WEDDINGTON
DATE: September 5, 2017

DOCUMENTS	NUMBER OF PAGES*
Letter dated September 5, 2017	1

COMMENTS:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Original will NOT follow. | <input type="checkbox"/> URGENT |
| <input type="checkbox"/> Original will follow via First Class U.S. Mail | <input checked="" type="checkbox"/> Please Reply |
| <input type="checkbox"/> Original will follow via overnight delivery | <input type="checkbox"/> For your information |
| <input type="checkbox"/> Original will follow via Hand Delivery | <input type="checkbox"/> Per your request |

The information contained in this facsimile message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by facsimile. If the person actually receiving this facsimile or any other reader of the facsimile is not the named recipient or the employee or agent responsible to deliver it to the name recipient, any use, dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via U.S. Postal Service.

*NOT COUNTING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES. PLEASE TELEPHONE US IMMEDIATELY AT (704) 283-9363

CHARLES B. BROOKS II

ATTORNEY AT LAW

105 E. JEFFERSON STREET, SUITE A
MONROE, NORTH CAROLINA 28112
(704) 283-9363

CHARLES B. BROOKS III
ASSOCIATE

September 5, 2017

Via Fax: (704) 334-4706

Anthony Fox
Parker Poe Adams & Bernstein
Three Wells Fargo Center
401 South Tryon Street
Suite 3000
Charlotte, NC 28202

Re: Wesley Chapel Fire Station/The Town of Weddington

Dear Mr. Fox:

Pursuant to our telephone conversation, and other communication this week, I hereby notify you that the Wesley Chapel Volunteer Fire Department would like to withdraw, without prejudice, the option and/or notice to exercise option previously submitted to the town with regard to the purchase of the Hemby Road Station. Upon discovery of several factors, including but not necessarily limited to the apparent requirement of the reversionary clause in any deed, it is the feeling of my client at this time that it would be impossible to work through the details of how to enter into a transfer of the station from the town to the fire department within the time frame we have of approximately the next thirty (30) days. Therefore, the fire department is notifying you as attorney for the Town of Weddington that it is withdrawing without prejudice, at this time, its intent to exercise the option that was previously submitted to the town. The fire department is reserving its right to exercise the option at a later date. I do believe that after everyone can have a moment to think about how to work through this issue, that perhaps we can have some discussion about what can be done and not be operating under that sort of deadline.

Very truly yours,

Charles B. Brooks II

CBBII/rlr

Town of Weddington Resident Survey

Scope of Work

August 2017

Overview

The UNC Charlotte Urban Institute (the Institute) presents this scope of work to the Town of Weddington (Town) as an outline of the activities and timeline for a survey of residents.

Activities

Design the Survey and Prepare the Sampling Plan

The Institute will work with Town staff to develop the content of the survey and advise on appropriate length (comprehensive, while approachable to respondents). The Institute will program the survey into an online software as well as optimize it for paper-based response and data entry.

Administer the Survey

The Town will mail the survey to all households in the Town in the quarterly newsletter. Residents will have the option of returning the printed survey by mail or by completing it online by entering a code found on the mailed survey.

The Institute will monitor results precision, level of confidence, and the distribution of respondents to ensure that the sample reasonably reflects the demographic composition of the Town with regard to age, geographic dispersion, gender, ethnicity and other factors. The Institute will work with the Town to reach out to different resident sub-groups through other modes, as necessary.

Analysis and Final Report.

Upon survey completion, the Institute will provide frequencies and cross tabulations of the survey responses.

Additional analyses and final reporting will include:

- Executive Summary
- Methodology
- Description of major findings, and charts that show the overall results
- Complementary secondary and publicly-available data that provides context and further detail to results
- Importance-Satisfaction/Quadrant Analysis that will identify the areas where the greatest opportunities exist to enhance overall satisfaction with Town services
- Maps that show geocoded survey results for up to 6 selected questions on the survey

Timeline

A preliminary timeline is below. Timing may change depending on when the quarterly newsletter is sent and based on the quantity and speed of responses.

	M1	M2	M3	M4	M5	M6	M7
Design Survey Instrument							
Survey in Quarterly Newsletter							
Survey Response Monitoring							
Reminders and Data Entry of Paper Versions							
Survey Frequencies and Crosstabs							
Additional Analyses and Mapping							
Draft Report							
Final Report							

Cost

The cost for activities described, including F&A, is a fixed fee sum of \$15,000.

Contact

Diane Gavarkavich
Director of Research Services
d.gavarkavich@uncc.edu

Laura Simmons
Director of Community Indicators
laura.simmons@uncc.edu

BENCHMARK

The Art + Science of Planning

SCOPE OF WORK & COST PROPOSAL

To: Lisa Thompson, Town Administrator/Planner

From: Dr. Robyn M. Byers Stuber

Date: August 15, 2017

RE: Weddington, NC Community Survey

Scope of Work Summary

In support of continued development and enhancement in the Town of Weddington, Benchmark will work with staff to create a comprehensive Community Survey, covering topics that are key to Council, Board members, and residents alike. The purpose of the survey will be to highlight areas where residents feel satisfied with services and areas where residents feel improvements are needed, including but not limited to land use, park and recreation places, transportation initiatives, police and fire service. The survey will be developed with staff and Council input, offering both paper and online options for residents to complete. Each survey would have a unique identifier, kept separately from survey results to ensure confidentiality. The results will be monitored and tabulated to create an overall review of resident experience and guide for future development and/or improvement.

Task A. Design the Survey

- Develop the content of the survey
 - Determine key areas of focus where input is most desired,
 - Create roughly five to ten questions per focus area using a mix of closed- and open-ended questions,
 - Allow for additional comments to be written-in by residents,
 - Create a unique identifier for each neighborhood or each resident, as determined by the Town.
 - Draft survey will be submitted to Town Staff/Council for review before dissemination.
- Design an online survey
 - Create a unique online platform for Weddington's survey,
 - Create the survey in the online forum,
 - Set up security controls to ensure that no duplicate data is collected.

Task B. Administer the Survey

- Monitor the response rate from residents,
- Offer "push" language for emails, tweets, and/or Facebook posts, as well as offer ideas to increase response rates.

Task C. Analyze and present survey results

- Analyze question and key topic area responses, highlighting findings of statistical significance,
- Analyze demographic information of survey participants, cross tabulating this information with responses,
- Create a survey report, complete with:
 - Overall report for each question and key topic area, with a summary of findings and recommendations
 - Executive summary, written and graphic,
 - Importance-Satisfaction/Quadrant Analysis to identify opportunities for enhancement, including both short-term and long-term options,
 - Maps highlighting geographic components to survey responses.
- Present the findings to Town Council at a regularly scheduled meeting (optional).

Budget

We have developed two options for completing the project, as outline below.

Option 1:

Should the Town wish to pursue an online-only option, Benchmark can provide the described services for a fixed fee of \$8,500.00. The budget that the Town has for mailings could be used to print postcards with all survey information on it, including the unique identifier.

Option 2:

Should the Town wish to utilize online and paper surveys, Benchmark can provide the described services, in addition to a PDF of a paper survey, with survey input for up to 500 surveys for a fixed fee of \$10,000.00. Any additional survey will be billed at a rate of \$10/survey to cover costs of survey input.

If the Town wishes to perform survey input themselves, the fixed fee for Option 1 will be used.

Schedule

Upon contract execution, the work could begin immediately and follow a three-month timeline. Benchmark will work with Town Staff to determine the mail-out date of postcards/surveys and a closing date for survey responses, typically a 4-6 week window. Depending upon response rates and the potential for late responses, the timeline may be extended to accommodate residents.

	Month 1	Month 2	Month 3
Task A			
Task B			
Task C			

**AN ORDINANCE TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES
BEFORE NOON ON SUNDAYS AT LICENSED PREMISES
O-2017-11**

WHEREAS, on June 29, 2017, the North Carolina General Assembly enacted Senate Bill 155, entitled “An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws”; and

WHEREAS, Section 4 of Ratified Senate Bill 155 authorizes city and county governments to adopt an ordinance to allow alcohol sales beginning at 10 a.m. on Sundays; and

WHEREAS, Ratified Senate Bill 155 was signed into law by Governor Roy Cooper on the 30th day of June, 2017 and became effective on that date (Session Law 2017, Chapter 87); and

WHEREAS, by enacting Senate Bill 155, North Carolina joins 47 other States in allowing alcohol service before noon on Sunday; and

WHEREAS, Sunday morning alcohol service will allow the hospitality community and retail merchants in our community to meet the needs of their customers, and will benefit our small business community; and

WHEREAS, our community has a diverse and growing population with different religious beliefs, each of which has various times and multiple days of worship;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Weddington, North Carolina that:

Section 1. Pursuant to the authority granted by S.L. 2017-87 any establishment located in the municipal limits of Weddington and holding an ABC permit issued pursuant to G.S. 18B-1001 is permitted to sell beverages allowed by its permit beginning at 10 a.m. on Sundays.

Section 2. All laws and clauses of law in conflict herewith are repealed to the extent of any such conflict.

Section 3. This resolution is adopted and effective on the 11th day of September, 2017.

Bill Deter, Mayor

Attest:

Karen Dewey, Town Clerk

WEDDINGTON CODE ENFORCEMENT REPORT

August, 2017

1. 404 Cottonfield Cir., James & Shannon Cox

- 5/31/17—Legal action pending.
- 7/31/17—Legal action pending.
- 8/31/17—Legal action still pending.
-

2. 4005 Ambassador Ct., Inez B. McRae Trust

- “In Rem” repairs to secure and close this building were performed in 2015. Lien for cost of these repairs recorded with Union County Register of Deeds in amount of \$7000.00.
- 5/31/17—Deterioration continues
- 7/31/17—Deterioration continues.
- 8/31/17—Deterioration continues.

3. Highway 84 & Twelve Mile Creek Rd.

- 4/30/17—No Change. Stumps and some debris still on property.
- 5/31/17—No Change.
- 7/31/17—Letter sent to owner by Town Attorney.
- 7/31/17—No signs removed.
- 8/31/17--Owner is looking in to have stumps shredded on site.

4. 2924 Michelle Dr.

- Wood cutting/firewood operation – in operation prior to Weddington’s Zoning Reg’s.
- 5/31/17—Owner is downsizing this “pre-existing” wood business and cleaning up.
- 7/31/17—Monitoring.
- 8/31/17—Still monitoring.
-

5. 4716 Weddinton Matthews Rd.

- Existing residence under remodel/expansion. New owner has permit, but needs to acquire permit for 2nd story expansion for Union County
- 6/30/17---Per owner, he will use this as his residence only. Will continue to monitor.
- 7/31/17—Dumpsters (5) on property. Owner instructed to remove them.
- 8/31/17—All dumpsters except 1 removed. Additional permit issued for 2nd living unit and meter attached at rear of house.

6. 9/6/17---102 Antioch Plantation Dr.

- **Utility building moved on to lot without permit. No principal use established on lot.
Building too close to front and side property line.**

TOWN OF WEDDINGTON
BALANCE SHEET

Agenda 12A

FY 2017-2018

PERIOD ENDING: 08/31/2017

10

ASSETS

ASSETS

10-1120-000	TRINITY CHECKING ACCOUNT	731,554.49
10-1120-001	TRINITY MONEY MARKET	1,115,096.66
10-1170-000	NC CASH MGMT TRUST	533,623.46
10-1205-000	A/R OTHER	4.95
10-1211-001	A/R PROPERTY TAX	934,002.56
10-1212-001	A/R PROPERTY TAX - 1ST YEAR PRIOR	9,148.95
10-1212-002	A/R PROPERTY TAX - NEXT 8 PRIOR YRS	10,140.05
10-1232-000	SALES TAX RECEIVABLE	2,334.33
10-1610-001	FIXED ASSETS - LAND & BUILDINGS	2,346,268.11
10-1610-002	FIXED ASSETS - FURNITURE & FIXTURES	20,583.08
10-1610-003	FIXED ASSETS - EQUIPMENT	118,306.60
10-1610-004	FIXED ASSETS - INFRASTRUCTURE	26,851.01
TOTAL ASSETS		5,847,914.25

LIABILITIES & EQUITY

LIABILITIES

10-2120-000	BOND DEPOSIT PAYABLE	75,002.25
10-2605-000	DEFERRED REVENUES-CONV CHARGE	4.95
10-2620-000	DEFERRED REVENUE - DELQ TAXES	9,148.95
10-2625-000	DEFERRED REVENUE - CURR YR TAX	934,002.56
10-2630-000	DEFERRED REVENUE-NEXT 8	10,140.05
TOTAL LIABILITIES		1,028,298.76

EQUITY

10-2620-001	FUND BALANCE - UNASSIGNED	2,551,598.54
10-2620-003	FUND BALANCE-ASSIGNED	54,000.00
10-2620-004	FUND BALANCE-INVEST IN FIXED ASSETS	2,512,011.00
10-2620-005	CURRENT YEAR EQUITY YTD	-222,488.90
CURRENT FUND BALANCE - YTD NET REV		-75,505.15
TOTAL EQUITY		4,819,615.49

TOTAL LIABILITIES & FUND EQUITY	5,847,914.25
---------------------------------	--------------

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2017-2018

08/01/2017 TO 08/31/2017

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
REVENUE:				
10-3101-110 AD VALOREM TAX - CURRENT	115,757.66	115,757.66	1,025,000.00	89
10-3102-110 AD VALOREM TAX - 1ST PRIOR	470.44	645.31	3,000.00	78
10-3103-110 AD VALOREM TAX - NEXT 8	-20.12	-20.12	1,000.00	102
10-3110-121 AD VALOREM TAX - MOTOR	8,295.72	8,295.72	89,000.00	91
10-3115-180 TAX INTEREST	35.69	47.55	2,250.00	98
10-3231-220 LOCAL OPTION SALES TAX REV	0.00	0.00	320,000.00	100
10-3322-220 BEER & WINE TAX	0.00	0.00	45,000.00	100
10-3324-220 UTILITY FRANCHISE TAX	0.00	0.00	460,000.00	100
10-3340-400 ZONING & PERMIT FEES	8,967.50	11,757.50	35,000.00	66
10-3350-400 SUBDIVISION FEES	9,625.00	9,625.00	40,000.00	76
10-3830-891 MISCELLANEOUS REVENUES	217.66	224.66	1,000.00	78
10-3831-491 INVESTMENT INCOME	0.00	0.00	5,000.00	100
TOTAL REVENUE	143,349.55	146,333.28	2,026,250.00	93
AFTER TRANSFERS	143,349.55	146,333.28	2,026,250.00	
4110 GENERAL GOVERNMENT				
EXPENDITURE:				
10-4110-126 FIRE DEPT SUBSIDIES	61,088.00	122,176.00	737,560.00	83
10-4110-127 FIRE DEPARTMENT	65.00	65.00	10,000.00	99
10-4110-128 POLICE PROTECTION	0.00	0.00	264,175.00	100
10-4110-192 ATTORNEY FEES - GENERAL	0.00	0.00	90,000.00	100
10-4110-193 ATTORNEY FEES - LITIGATION	0.00	0.00	100,000.00	100
10-4110-195 ELECTION EXPENSE	0.00	0.00	10,000.00	100
10-4110-340 PUBLICATIONS	0.00	0.00	12,000.00	100
10-4110-341 WEDDINGTON FESTIVAL	0.00	0.00	7,000.00	100
10-4110-342 HOLIDAY/TREE LIGHTING	0.00	0.00	6,500.00	100
10-4110-343 SPRING EVENT	0.00	0.00	3,750.00	100
10-4110-344 OTHER COMMUNITY EVENTS	0.00	0.00	1,000.00	100
10-4110-495 COMMITTEE & OUTSIDE	0.00	0.00	1,500.00	100
TOTAL EXPENDITURE	61,153.00	122,241.00	1,243,485.00	90
BEFORE TRANSFERS	-61,153.00	-122,241.00	-1,243,485.00	
AFTER TRANSFERS	-61,153.00	-122,241.00	-1,243,485.00	
4120 ADMINISTRATIVE				
EXPENDITURE:				
10-4120-121 SALARIES - CLERK	1,890.00	2,992.50	22,000.00	86
10-4120-123 SALARIES - TAX COLLECTOR	3,679.65	7,088.83	47,250.00	85
10-4120-124 SALARIES - FINANCE OFFICER	1,365.68	1,699.73	14,500.00	88
10-4120-125 SALARIES - MAYOR & TOWN	2,100.00	4,200.00	25,200.00	83
10-4120-181 FICA EXPENSE	691.13	1,222.45	8,500.00	86
10-4120-182 EMPLOYEE RETIREMENT	588.24	1,116.41	10,930.00	90

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2017-2018

08/01/2017 TO 08/31/2017

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4120-183 EMPLOYEE INSURANCE	1,017.50	2,030.50	12,780.00	84
10-4120-184 EMPLOYEE LIFE INSURANCE	12.60	25.20	175.00	86
10-4120-185 EMPLOYEE S-T DISABILITY	12.00	24.00	175.00	86
10-4120-191 AUDIT FEES	0.00	0.00	8,750.00	100
10-4120-193 CONTRACT LABOR	0.00	400.00	0.00	0
10-4120-200 OFFICE SUPPLIES - ADMIN	851.07	851.07	10,000.00	91
10-4120-210 PLANNING CONFERENCE	0.00	0.00	1,500.00	100
10-4120-321 TELEPHONE - ADMIN	71.05	142.86	3,500.00	96
10-4120-325 POSTAGE - ADMIN	900.00	900.00	2,000.00	55
10-4120-331 UTILITIES - ADMIN	479.49	915.51	4,725.00	81
10-4120-351 REPAIRS & MAINTENANCE -	0.00	0.00	37,500.00	100
10-4120-352 REPAIRS & MAINTENANCE -	17,004.90	21,478.73	60,000.00	64
10-4120-354 REPAIRS & MAINTENANCE -	3,062.50	3,062.50	58,250.00	95
10-4120-355 REPAIRS & MAINTENANCE -	0.00	110.00	1,000.00	89
10-4120-356 REPAIRS & MAINTENANCE -	440.00	440.00	6,000.00	93
10-4120-370 ADVERTISING - ADMIN	43.35	43.35	1,000.00	96
10-4120-397 TAX LISTING & TAX	-83.65	-83.65	250.00	133
10-4120-400 ADMINISTRATIVE:TRAINING	0.00	0.00	4,000.00	100
10-4120-410 ADMINISTRATIVE:TRAVEL	141.19	280.02	5,000.00	94
10-4120-450 INSURANCE	0.00	13,615.20	15,750.00	14
10-4120-491 DUES & SUBSCRIPTIONS	0.00	13,956.97	16,000.00	13
10-4120-498 GIFTS & AWARDS	0.00	0.00	3,000.00	100
10-4120-499 MISCELLANEOUS	221.96	221.96	5,000.00	96
10-4120-500 CAPITAL EXPENDITURES	0.00	0.00	35,000.00	100
TOTAL EXPENDITURE	34,488.66	76,734.14	419,735.00	82
BEFORE TRANSFERS	-34,488.66	-76,734.14	-419,735.00	
AFTER TRANSFERS	-34,488.66	-76,734.14	-419,735.00	

4130 PLANNING & ZONING

EXPENDITURE:

10-4130-121 SALARIES - ZONING	5,833.34	11,666.68	71,500.00	84
10-4130-122 SALARIES - ASST ZONING	132.60	132.60	2,950.00	96
10-4130-123 SALARIES - ADMINISTRATIVE	998.26	2,215.14	17,000.00	87
10-4130-124 SALARIES - PLANNING BOARD	425.00	750.00	5,200.00	86
10-4130-125 SALARIES - SIGN REMOVAL	278.43	556.86	3,500.00	84
10-4130-181 FICA EXPENSE - P&Z	584.24	1,167.62	7,750.00	85
10-4130-182 EMPLOYEE RETIREMENT - P&Z	911.76	1,815.06	11,200.00	84
10-4130-183 EMPLOYEE INSURANCE	1,014.50	2,027.50	12,780.00	84
10-4130-184 EMPLOYEE LIFE INSURANCE	19.60	39.20	250.00	84
10-4130-185 EMPLOYEE S-T DISABILITY	12.00	24.00	175.00	86
10-4130-193 CONSULTING	-2,068.42	-2,068.42	41,000.00	105
10-4130-194 CONSULTING - COG	1,953.75	1,953.75	10,000.00	80
10-4130-200 OFFICE SUPPLIES - PLANNING	365.49	391.49	5,000.00	92
10-4130-201 ZONING SPECIFIC OFFICE	0.00	0.00	2,500.00	100

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2017-2018

08/01/2017 TO 08/31/2017

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4130-215 HISTORIC PRESERVATION	0.00	0.00	1,000.00	100
10-4130-220 INFRASTRUCTURE	0.00	0.00	160,000.00	100
10-4130-321 TELEPHONE - PLANNING &	261.11	332.93	3,500.00	90
10-4130-325 POSTAGE - PLANNING & ZONING	900.00	900.00	2,000.00	55
10-4130-331 UTILITIES - PLANNING & ZONING	479.50	915.53	4,725.00	81
10-4130-370 ADVERTISING - PLANNING &	43.35	43.35	1,000.00	96
TOTAL EXPENDITURE	<u>12,144.51</u>	<u>22,863.29</u>	<u>363,030.00</u>	<u>94</u>
BEFORE TRANSFERS	<u>-12,144.51</u>	<u>-22,863.29</u>	<u>-363,030.00</u>	
AFTER TRANSFERS	<u>-12,144.51</u>	<u>-22,863.29</u>	<u>-363,030.00</u>	
GRAND TOTAL	<u><u>35,563.38</u></u>	<u><u>-75,505.15</u></u>	<u><u>0.00</u></u>	

TOWN OF WEDDINGTON

MEMORANDUM

TO: Mayor and Town Council

FROM: Kim Woods, Tax Collector

DATE: September 11, 2017

SUBJECT: Monthly Report –August 2017

Transactions:	
Adjustments <5.00	\$(5.09)
Refunds	\$163.79
Penalty and Interest Payments	\$(41.75)
Interest Charges	\$124.44
Convenience Fee Payment	\$4.95
Releases	\$(234.25)
2017 Tax Charge	\$1,128,833.63
2017 Exemption	\$(57,405.59)
2017 Deferments	\$(20,542.22)
2017 Tax Write-offs <5.00	\$(1069.48)
2017 Late List Penalties	\$142.18
Over Ten Year Write-offs	\$(54.35)
Taxes Collected:	
2016	\$(470.44)
2017	\$(115,915.39)
As of August 31, 2017; the following taxes remain Outstanding:	
2007	\$83.43
2008	\$808.16
2009	\$598.83
2010	\$575.29
2011	\$100.56
2012	\$936.60
2013	\$1731.56
2014	\$2352.87
2015	\$2952.75
2016	\$9148.95
2017	\$934,002.56
Total Outstanding:	\$953,291.56