

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JULY 09, 2018 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD WEDDINGTON, NC 28104**

AGENDA

Prayer – Shane Freeman, Senior Pastor, Southbrook Church

1. OPEN THE MEETING
2. PLEDGE OF ALLEGIANCE
3. DETERMINATION OF QUORUM
4. ADDITIONS, DELETIONS AND/OR ADOPTION OF THE AGENDA
5. PUBLIC COMMENTS
6. CONSENT AGENDA
 - A. Approve the Union County Community Development Block Grant Cooperative Agreement
 - B. Authorize the Tax Collector to Collect the 2018 Real Property Taxes for the Town of Weddington
7. APPROVAL TOWN COUNCIL MINUTES
 - A. June 11, 2018 Town Council Regular Meeting Minutes
 - B. June 26, 2018 Town Council Special Meeting Minutes
8. OLD BUSINESS
 - A. Discussion and Consideration of Disposal of Surplus Personal Property Policy
 - B. Discussion of Meeting with Randall Arendt
9. NEW BUSINESS
 - A. Discussion of Extra Territorial Jurisdiction
 - B. Discussion of House Renovation and Property Development Ideas
 - C. Discussion and Consideration of a Modification of the Subdivision Ordinance Section 46-76(g) Cul de Sac for Weddington Acres (formerly Graham Allen) Subdivision
10. UPDATE FROM TOWN PLANNER
11. CODE ENFORCEMENT REPORT
12. UPDATE FROM FINANCE OFFICER AND TAX COLLECTOR
13. TRANSPORTATION REPORT
14. COUNCIL COMMENTS
15. ADJOURNMENT

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

MEMORANDUM

TO: Mayor and Town Council

FROM: Karen Dewey, Town Clerk

DATE: July 9, 2018

SUBJECT: Community Development Block Grant Participation Agreement

The three-year cooperative agreement for participation in Union County's CDBG program expires this month. The Town of Weddington has been asked to sign a new three-year agreement even though there will be likely be no direct benefit. The County needs 95% participation from the municipalities within it in order to receive the grant.

TO: Mayor and Town Council
FROM: Kim H. Woods, Tax Collector
DATE: July 09, 2018
SUBJECT: 2018 Real Property Taxes

In accordance with General Statutes 105.321, I am hereby requesting authorization to collect the 2018 Real Property Taxes for the Town of Weddington.

State of North Carolina
Town of Weddington

To the Tax Collector of the Town of Weddington

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the Town of Weddington Collections Department and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Weddington, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with the law.

Witness my hand and official seal this 9th day of July, 2018.

Elizabeth Callis, Mayor

Attest:

Karen Dewey, Town Clerk

Draft

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MINUTES
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Prayer – Ed Briggs, Weddington United Methodist Church

1. OPEN THE MEETING

Mayor Callis called the meeting to order at 7:01 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Callis led the Pledge of Allegiance.

3. DETERMINATION OF QUORUM

Quorum was determined with all Town Council present: Mayor Elizabeth Callis, Mayor Pro Tem Janice Propst, Councilmembers Scott Buzzard, Jeff Perryman, and Mike Smith.

Staff Present: Town Administrator/Planner Lisa Thompson, Finance Officer Leslie Gaylord, Town Attorney Karen Wolter

Visitors: Carol Hogan, Walt Hogan, Bill Price, Anne Marie Smith, John Ross, Paul Bielicki, Bill Deter, Bob Wetteroff, Amy Gorman

4. ADDITIONS, DELETIONS AND/OR ADOPTION OF THE AGENDA

Staff requested item 6B be added to the Consent Agenda: Approval of Fiscal Year 2018 Audit Contract with Rowell, Craven, and Short for an amount not to exceed \$8,300.

Motion: Councilmember Buzzard made a motion to approve agenda with addition of Item 6B to the Consent Agenda.

Vote: The motion passed with a unanimous vote.

5. PUBLIC COMMENTS

No public comment

6. CONSENT AGENDA

A. Adopt R-2018-03 Opposing Senate Bill 802-An Act Removing Certain Described Property from the Corporate Limits of the Village of Wesley Chapel

**** B. Approval of Fiscal Year 2018 Audit Contract with Rowell, Craven, and Short**

Motion: Councilmember Perryman made a motion to approve the consent agenda as amended.

Vote: The motion passed with a unanimous vote.

7. APPROVAL TOWN COUNCIL MINUTES

A. May 14, 2018 Town Council Regular Meeting Minutes

Motion: Councilmember Smith made a motion to approve the May 14, 2018 Town Council Regular Meeting Minutes as presented.

Vote: The motion passed with a unanimous vote.

8. PUBLIC HEARINGS AND CONSIDERATION OF PUBLIC HEARINGS

A. Discussion and Consideration of the Proposed Budget Ordinance for Fiscal Year 2018-2019 and set the tax rate

Mayor Callis opened the public hearing.
There was no public comment.

Ms. Gaylord presented the budget ordinance for FY 2018-2019. The tax rate remains unchanged at 5.2 cents and total appropriations are \$2,067,250. The budget is broken down by department as well as fund balance appropriations. The proposed budget is unchanged from that presented at last month's meeting.
(Budget hereby submitted for the record)

Mayor Callis closed the public hearing.

Motion: Mayor Pro Tem Propst made a motion to approve the proposed budget ordinance for Fiscal Year 2018-2019 and set the tax rate at 5.2 cents.

Vote: The motion passed with a unanimous vote.

B. Discussion and Consideration of Conditional Rezoning for a portion of parcel number 06177015 for Wesley Chapel Volunteer Fire Department to construct a single story fire station

Mayor Callis opened the public hearing.
There was no public comment.

Staff presented staff report: The Wesley Chapel Volunteer Fire Department requests a conditional rezoning application to construct a single-story fire station at the northeast corner of Rea and Reid Dairy Road. The parcel is 1.718 acres and is currently zoned R40. The Planning Board reviewed the rezoning plans on April 23, 2018. They unanimously recommended approval.

Staff recommends approval of the Wesley Chapel Volunteer Fire Department Conditional Rezoning with conditions outlined in the staff report along with the Land Use Plan Consistency Statement.

Mayor Callis closed the public hearing.

Councilmember Perryman met w/ Chief McLendon and feels the rezoning is justified.

Motion: Councilmember Perryman made a motion to approve the statement of land use consistency and the statement of reasonableness as follows:

Rezoning the portion of property to R40 – Conditional Zoning, for a fire department use, meets the goals of the

land use plan in that it maintains the residential character with high quality materials consistent with the surrounding area; and the scale and design is in keeping with the unique small-town character. It is reasonable as the zoning allows for public and emergency facilities that are necessary to serve the growing area.

Vote: The motion passed with a unanimous vote.

Motion: Councilmember Perryman made a motion to approve the conditional rezoning for a portion of parcel number 06177015 for Wesley Chapel Volunteer Fire Department to construct a single story fire station with the conditions as follows:

1. One-way traffic is noted on the site plan.
2. Site plan approval is conditioned on approval of the right-of-way abandonment.
3. County septic and water plans to be approved by Union County Public Works.
4. All signage must comply with *Chapter 58, Article 5* of the *Weddington Code of Ordinances* which includes Planning Board review and approval.
5. Any future proposed Lighting Plan must be approved by the Town Council and shall comply with Town Lighting Ordinance.
6. Prior to commencement of construction, Construction Documents shall be approved by the Weddington Town Council in accordance with *Section 58-271* of the *Weddington Code of Ordinances*. Any significant changes to the site plan shall cause the applicant to resubmit through the conditional rezoning process.
7. Prior to commencement of construction, the applicant must obtain approved driveway permits from DOT.
8. Applicant must align the landscape buffer requirements with the proposed stormwater management design at construction document submittal to ensure that grading within the buffers does not infringe on the buffer requirements.

Vote: The motion passed with a unanimous vote.

C. Discussion and Consideration of Text Amendment to Section 46-15 Titled Modifications

Mayor Callis opened the public hearing.
There was no public comment.

Staff presented the staff report: Section 46-15 allows the subdivision ordinance to be modified if the applicant can show special circumstances or conditions affecting the property that strict application of the ordinance would deprive the applicant reasonable use of the land. This is similar to a variance for a zoning ordinance requirement; however, it is reviewed by the Planning Board and approved by the Town Council versus a Board of Adjustment ruling. It is not quasi-judicial.

The Planning Board reviewed the text amendment at the April meeting and requested language be added that states that the need for the modification is not the direct result of actions taken by applicant. The Planning Board unanimously recommended approval with the added language.

Mayor Callis closed the public hearing.
There was no further discussion.

Motion: Councilmember Smith made a motion to approve the text amendment to Section 46-15 Titled Modifications

Vote: The motion passed with a unanimous vote.

9. OLD BUSINESS

A. Review and Consideration of an Application for Modification of the Subdivision Ordinance Section 46-76 (g) Cul-De-Sac for Woodford Chase Subdivision

Staff presented the application. E Reese Gibson is requesting a modification for cul de sac length of 864 feet rather than allowed 600 feet. Ms. Thompson reviewed the Planning Board member's comments and their split opinions. A motion to recommend the application for modification for approval was made and denied by a vote of 2-3.

John Ross, the engineer for the development stated his thanks to the Council. He stated the sketch plan was approved in January with two access locations; one at the far eastern extreme of the property, which aligns with the driveway of the park across the street, NCDOT wants that alignment and an additional access between lots 6 and 7 within the Duke Power right of way. Once the latest plans for Hwy 84 were made available we discovered the 2nd drive is fairly close to the u-turn bulb on Hwy 84 and that widening would create a vertical issue. NCDOT stated that they would like 2nd drive to go away. Once we take away that second entrance we are left with an 864 linear foot cul de sac. We attempted a cluster subdivision as requested by the Planning Board and lost lots so we are requesting an extension.

Councilmember Smith stated that he understands the details of what is happening. Mr. Ross stated that the applicant has been working to accommodate specific requests made, trying to be accommodating and respectful of this process. Councilmember Smith stated his appreciation of their accommodating the few things he asked them to look into.

There was no further discussion. Ms. Thompson read the Council findings:

1. The Town finds that there are special circumstances and/or Conditions affecting the property such that strict application of the provisions of this chapter would deprive the applicant of reasonable use of his Land in that ***the potential future NCDOT roadway improvements to NC Hwy 84 result in restricted access to the site as shown in the original sketch plan. The modification requested serves to alleviate the impact of DOT requirements allowing the applicant the reasonable use of his land under these special circumstances.***
2. The Town finds that the modification is necessary for the preservation and enjoyment of a substantial property right of the owner in that ***the modification allows the owner to develop the site in the same manner available to him absent the NCDOT roadway improvement plans.***
3. The Town finds that the circumstances giving rise to the need for the modifications are peculiar to this parcel and are not generally characteristic of other parcels in the jurisdiction in that ***the potential NCDOT Roadway improvements in addition to the site constraints (including topography challenges) specific to this property result in peculiar circumstances alleviated by the proposed modification.***
4. The Town finds that the granting the modification will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in that the modification still complies with maximum lengths allowed by NCDOT and other portions of the Town's subdivision Ordinances.

Moreover the requested modification for the proposed subdivision expands the distance between the DOT's proposed "bulb" and the entrance to the subdivision making for safer ingress and egress.

5. The Town finds that the granting of the modification will not vary the provisions or standards of Chapter 58 applicable to the subject property.

Motion: Councilmember Perryman made a motion to adopt the findings as read by Ms. Thompson and to approve the application for modification for the subdivision Ordinance section 47-76 (g) Cul De Sac for Woodford Chase Subdivision.

Vote: The motion passed with a 3-1 vote with Mayor Pro Tem Propst and Councilmembers Smith and Perryman voting in favor and Councilmember Buzzard voting against.

B. Review and Consideration of Preliminary Plat/Construction Plans for Woodford Chase Subdivision

Staff presented the staff report: E. Reese Gibson submitted a preliminary plat and construction plans for a 9 lot subdivision on 13.32 acres located near the southwest corner of Highway 84 and Lester Davis Road.

The Planning Board unanimously recommended denial based on non-compliance with the cul de sac length and need for private road. They also believe that a conservation design would be a better subdivision. Due to Planning Board efforts, the plan shows a cul de sac bulb, a 30 ft. tree save area, and larger front yard setbacks (120 feet from new proposed right of way). After discussion with the Town Council, the Applicant also added a right turn taper and agreed to additional screening between Highway 84 improvements and the private access drive.

Staff recommends approval with the following conditions and stated that the 2nd condition should say that the driveway pipe will be privately maintained.

1. The driveway pipe for lot 8 is a built to NCDOT specifications,
2. The maintenance for the pipe shall be included in the HOA documents,
3. Maintenance of the shared driveway is included in the HOA documents,
4. All maintenance documents and CCR's are reviewed by the town attorney, and
5. A fire hydrant shall be added near lot 8 if necessary.

Mayor Callis stated that there should be a buffer of some sort from the right of way. Ms. Thompson stated that the applicant has added a note that screenings may be included. Mayor Callis noted that the plat states the applicant 'may' add screening and not that they 'shall'. She believes as an additional condition, it would be prudent to have the applicant look at additional screening.

Councilmember Perryman asked if this screening is in addition to screening along front. Ms. Thompson answered that there is a 30 foot tree save area, but that is not what the Mayor is referring to.

Mayor Callis is referring to between Highway 84 and private access drive; she is specifically concerned about the areas where there is not much difference in elevation between Hwy 84 and the new private driveway.

Mr. Ross offered some suggestions as to what can be done and is happy to work with Town Administrator.

There are areas they are unable to plant screening, but they will do their best job. If the Council would like to replace the word “may” with “shall” and to the satisfaction of the Town Administrator, Mr. Ross is willing to do that.

Councilmember Smith stated that the developer needs to make sure new plantings don’t encroach on the view coming in and out.

Councilmember Buzzard stated that the condition should state that new plantings don’t encroach in the the line of sight or be planted in NCDOT right of way.

Mayor Callis stated that there needs to be something screening that area, whether existing or added.

The Council agreed there would be no additional conditions for approval.

Motion: Mayor Pro Tem Propst made a motion to approve the preliminary plat/construction plans for Woodford Chase subdivision with conditions listed by staff with the amended condition that the driveway pipe would be maintained privately, not by the HOA.

Councilmember Buzzard stated that the fact that the driveway pipe is privately maintained should be well documented, to keep the HOA or Town from being held responsible for it. Mr. Ross stated that the recording of the plat would adequately protect what is publically and privately maintained. Ms. Thompson suggested adding a note to the final plat.

Amended Motion: Mayor Pro Tem Propst made a motion to amend the previous motion to approve the preliminary plat/construction plans for Woodford Chase Subdivision with conditions listed by staff and the condition that private maintenance of the driveway pipe be noted and recorded on the final plat.

Vote: The motion passed with a unanimous vote.

C. Review and Consideration of a Landscape Contract for Medians and Town Hall Property

Ms. Thompson stated that the RFP was considered at the May Town Council meeting. There was a 30 day extension for the proposals to see if there were any competitive bids. There were no other responses. The bid is for \$2962.00 per month. The current contract is for \$3602.00 a month.

Motion: Councilmember Buzzard made a motion to authorize the administrator to enter into contract with Unity Lawn and Landscape in the amount not to exceed \$2962.00 per month.

Vote: The motion passed with a unanimous vote.

10. NEW BUSINESS

A. Presentation of Survey Results

Ms. Robin Byers with Benchmark presented the results. *The summary analysis is hereby attached for the record.*

There were 994 survey responses. Of those, there were 965 unique responses. There were 26 responses from

duplicate IPs. Most of those were couples responding to the survey. There were 3 residents that acknowledged that they took it twice so they could add something to their response. Over all there was a 31% of household response rate. There were 62 subdivisions represented. 39 % of respondents have lived here 10 or more years. The responses were well represented by age and length of residency.

Pace of growth: 47% say it is too fast; 30% say fast. Over half of the respondents in total believe the pace of growth is fast.

The majority of residents say if there has to be new development, make it park or open space. 17% of respondents want no new development.

Preferred residential types: the majority of the written notes say to bring back the larger lots. Ms. Byers believes there may have been some confusion about the conservation subdivision and lot size question.

54% of the respondents support conservation districts and 46% do not.

In terms of nonresidential development: small or locally owned business is preferred; and traditional recreation and tourism.

66% of respondents would not like to see more business.

Preferred style of eatery: Towns can regulate types of uses more than actual brand. 30% said no eateries. 52% said sit-down or some sort of fine dining. Only 1% said fast food.

Current shopping locations: a lot of the respondents go into Charlotte, Wesley Chapel & Matthews.

Transportation concerns: the top concern is traffic. There are specific comments and discussion of specific roads available within the detail of the survey summary. Road conditions had a lot of comments.

Responses concerning walkability: 46% respondents said it is important; 38% said that it isn't important, and 16% don't care.

Existing parks and open space: 54% satisfied with existing parks and open space; 46% are not.

Preference of pathways: if the Town would put in paths, what kind would residents like: 44% greenway; multi use paths 29%; 22% none; 6% other. In the transportation section of the survey, there were requests for bike lanes.

When asked if a new park is a good town investment, 65% said yes.

Services: 49% say the current noise, lighting and sign ordinances are adequate, 14% responded that they are not adequate and 38% are not aware of what the ordinances are.

Police & Fire: adequate; large majority of respondents don't want to increase.

Other Services: respondents want more services, but 34% don't want to pay more for them.

There was a stated concern to recreate a sense of identity especially in light of fast growth from

respondents.

The #1 reason to move here is schools. It's rural, larger lots, quality of life, proximity to Charlotte, and low taxes were also mentioned.

Analysis:

- Responses to various questions were similar across voting districts
- Younger respondents supported new parks and other modes of transportation
- Tenure (1-10 year) were more open to commercial spaces; access to public transportation and a new park
- RCD residents supported the conservations subdivisions more than people that lived in conventional subdivisions (70%).

Implications:

- Slow or stop growth in terms of residential or commercial.
- Reevaluate RCD density – ½ acre versus 12,000 sq ft seems to be a little more palatable
- County-Town cohesion-roads are not town responsibility.
- Public Education – frustrated with redistricting; need to understand that Town has no say but maybe consider a way that Town and County can work together
- Code Enforcement – Nuisances – there is a lot of confusion about code enforcement and what codes there are to actually be enforced. (i.e. sheds falling down, etc.); if there isn't code for certain nuisances, there isn't anything to be enforced.
- No Commercial growth.
- Invest in Parks & Green Spaces.

Respondents don't want any kind of growth until the roads are brought up to standard as well as the schools.

Concern is "Weddington is going to lose Weddington".

Councilmember Perryman asked if there was a group that was supportive of the age restricted housing. Ms. Byers responded that residents still want large lots. She said that those respondents that brought it up are supportive, but not a lot of respondents brought it up. People that are okay with age restricted want to focus it towards the commercial or park areas. Councilmember Perryman stated that residents shared with him that they would be interested in having the option of the 55+ housing.

B. Discussion of Junk/Abandoned Vehicle Text Amendment

Staff presented proposed amendments for discussion only. She drafted an ordinance to cover junk/abandoned vehicle and also nuisance (i.e. tall grass). Within the last week or so there have been complaints that the Town cannot do anything about, because there is no ordinance covering it.

Councilmember Smith stated that he would like to draft a nuisance ordinance including junk cars to present at the July Council meeting, if Council agrees.

Mayor Pro Tem Propst asked how it is addressed if the nuisance isn't in a neighborhood but is a farm. Councilmember Smith stated that he believes he can address those concerns and work with Ms. Thompson on a rough draft. He doesn't believe that there needs to be separate nuisance and junk ordinances.

Ms. Wolter stated that she has several examples of ordinances that have exclusions for agriculture.

Mayor Callis stated concern about identifying recreational vehicles. Ms. Wolter says there are other stipulations to identify and exclude vehicles. Councilmember Smith asked to have it sent so he can take a look at it and start drafting a text amendment.

C. Discussion and Consideration of Budget Amendment for Fiscal Year 2017-2018

Ms. Gaylord presented the 2017-2018 Budget Amendment (*hereby submitted for the record*). The amendment is needed to keep the Town in compliance with statutes requiring the revenues exceed budget and expenditures be below budget. The overall budget has not changed.

Motion: Councilmember Perryman made a motion to approve the Budget Amendment for Fiscal Year 2017-2018.

Vote: The motion passed with a unanimous vote.

D. Discussion and Consideration of Disposal of Surplus Personal Property Policy

Ms. Thompson stated that by adopting this policy, it exempts staff from having to do a resolution and public notice to dispose of property worth less than a set amount. It gives authority to the Town Administrator to dispose of the property and sets standards as to how disposal must take place. State statute for small surplus items is \$30,000 so that is what staff suggests, but the policy can be set at any amount less than \$30,000.

Councilmember Buzzard asked if Council would be notified prior to the sale. He stated concern about what is eligible to be sold and who is eligible to sell it. Ms. Thompson stated that notification of the Council can be added to the policy as well as what is allowed to be sold.

Mayor Callis stated that she understands that Ms. Thompson will create a list and bring it to the Council for approval to be sold. Nothing will be sold without Council approval.

Ms. Wolter stated that the way this policy is written, Ms. Thompson has authority without Council approval. Council agreed they would like to table a decision on this policy and have it modified to require Council notification for disposal of personal property.

11. UPDATE FROM TOWN PLANNER

Ms. Thompson stated her thanks to the Council for budgeting for a construction inspector. He has done a wonderful job. He has been putting in extra hours with the recent rain events and documenting erosion issues that has allowed us to make progress with the NCDENR.

Councilmember Buzzard asked if the inspector has enough power to make the inspections worthwhile. Ms. Thompson stated that he doesn't really because 90% of issues are erosion and we do not have an erosion control ordinance. Planning Board discussed an erosion control ordinance last fall; they decided to wait to see how the construction inspection goes for 6 months. Now would be the time to bring it back to Planning Board.

12. CODE ENFORCEMENT REPORT (*hereby attached for the record*)

Councilmember Buzzard asked about the abandoned home on Ambassador Court. He has been in touch with one of the adjacent homeowners and would like to get this to a resolution.

Ms. Thompson stated that from what can be determined, it hasn't met the 50% deterioration threshold. Councilmember Buzzard stated that he is not so sure because of mold issues and he believes it should be revisited because this particular house may be at the 50% threshold. Ms. Wolter reviewed process of what would have to take place if determine that it is dilapidated enough to tear down. Ms. Wolter will look at the title and see who owns it and if it is in probate. Councilmember Smith believes there are more houses like this than the Town is aware of.

Mayor Pro Tem Propst stated to task Ms. Wolter to do a title search and send the Code Enforcement Officer back out. The Council agreed.

13. UPDATE FROM FINANCE OFFICER AND TAX COLLECTOR

Ms. Gaylord stated that the information is in the packets (*hereby attached for the record*). June is last month of fiscal year; the Town is in good shape.

14. TRANSPORTATION REPORT

Mayor Callis and Ms. Thompson attended the quarterly CRTPO meeting. The bulk of the discussion was on 485 and toll lanes. There was discussion of the Union County list of priority intersections. These are high need intersections and Weddington hasn't been on the list, however with funding from the Town it will help move Weddington up on the list as it will raise the benefit to cost ratio. The Town has submitted a list of intersections to Union County in the past, but those intersections were not determined a priority.

15. COUNCIL COMMENTS

Councilmember Perryman: Once again, thanks to the folks who came out and sat through our long meeting and listen to me attempt to make motions. I think I've learned the proper way now. And also for the record, I just want to thank the 31% of the town who took the time to fill out the survey. We have got some good information to press forward from here on out. And I think that's great.

Councilmember Smith: I want to thank you for making those motions, because nobody likes to do them. I want to thank everybody for coming out and I would like to echo Jeff in thanking those that filled out the survey so we can know what people want. I think it turned out well.

Mayor Pro Tem Propst: It's all been said. Thank you everybody for coming out in the rain tonight. And thank you for doing the survey. It sounds like we've got a lot of good information. We probably knew a lot of the information already, but we appreciate it. Thank you.

Councilmember Buzzard: Thank you everyone for coming out and being a part of what we do to try to make Weddington how you want it to be.

Mayor Callis: I echo the comments from the entire Council. Thank you for your time this evening and showing an interest in our community.

16. ADJOURNMENT

Motion: Councilmember Perryman made a motion to adjourn the June 11, 2018 Regular Town Council meeting at 8:35 p.m.
Vote: The motion passed with a unanimous vote.

Elizabeth Callis, Mayor

Adopted: _____

Karen Dewey, Clerk

**TOWN OF WEDDINGTON
SPECIAL TOWN COUNCIL MEETING
WEDDINGTON TOWN HALL
JUNE 26, 2018 – 5:00 P.M.
Minutes
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Mayor Callis opened the Special Meeting at 5:02 p.m.

Quorum was determined with Mayor Elizabeth Callis, Mayor Pro Tem Janice Propst, and Councilmembers Jeff Perryman, Mike Smith, and Scott Buzzard in attendance.

Staff present: Town Administrator/Planner Lisa Thompson, Town Clerk Karen Dewey, Attorney Andy Santaniello

1. ADOPTION OF THE AGENDA

Councilmember Buzzard requested to add Discussion and Consideration of Funding for Ambassador Court repair to agenda as item #4. The Council unanimously agreed.

Motion: Councilmember Buzzard made a motion to adopt the agenda as amended.

Vote: The motion passed with a unanimous vote.

2. MOVE INTO CLOSED SESSION PURSUANT TO NCGS 143-318-11 (A)(3) TO CONSULT WITH ATTORNEY

Motion: Councilmember Perryman made a motion to move into closed session pursuant to NCGS 143-318.111(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.

3. MOVE INTO OPEN SESSION

Motion: Councilmember Perryman made a motion to move into open session at 5:34 p.m.

Vote: The motion passed with a unanimous vote.

**** 4. DISCUSSION AND CONSIDERATION OF FUNDING FOR AMBASSADOR COURT REPAIR**

Councilmember Buzzard stated that he had a meeting with residents of Ambassador Court and NCDOT concerning their road issue. NCDOT agreed that if the road was brought up to standard, it could be added to the state maintenance. Councilmember Buzzard believes that the funds in the budget marked for infrastructure would cover this. He stated that NCDOT estimated that the road

needs to be milled down and repaved correctly and that cost would be around \$20,000. The residents are willing to pay some of that amount and Councilmember Buzzard asked what the Town is willing to consider.

Councilmember Perryman stated that he believes this is what the infrastructure funding is for. He would like to see this road accepted into the NCDOT system. This will serve the community and as long as the residents are willing to pay something he'd be okay with using the infrastructure funds.

Councilmember Smith agreed. He stated that this was what he had in mind for the infrastructure fund.

Mayor Callis asked if there were finite numbers. Councilmember Buzzard responded that \$20,000 is a good number for bringing this road up to standard. He stated that ideally the cost would be split into thirds: the residents, the Town, and NCDOT. NCDOT is not willing to share in the cost of bringing the road up to standard. The residents may be willing to pay one-third of the cost. The Council agreed to pay the remaining amount.

The Council directed Ms. Thompson to get bids for the repair of Ambassador Court to bring it up to NCDOT standard.

5. ADJOURNMENT

Motion: Councilmember Perryman made a motion to adjourn the June 26, 2018 Town Council Special Meeting at 5:47 p.m.

Vote: The motion passed with a unanimous vote.

Adopted: _____

Elizabeth Callis, Mayor

Karen Dewey, Clerk

TOWN OF WEDDINGTON

MEMORANDUM

TO: Mayor and Town Council

FROM: Lisa Thompson, Town Administrator/Planner

DATE: July 9, 2018

SUBJECT: ETJ Petition

Extraterritorial planning jurisdiction (ETJ) allows municipalities to apply their land development regulations to a perimeter area around the town. In a School of Government survey 85% of towns with a population over 10,000 people have adopted ETJ. This authority is described and regulated by GS 160A-193. With the Town's population being over 10,000 the town has the right to consider an ETJ boundary up to 2 miles outside the Town limits.

Staff received a petition from citizens in Union County requesting ETJ (attached). A map of the area being petitioned for ETJ is outlined in red is below. This is the northeast corner of New Town and Providence Roads.

The Town last considered an ETJ in 2002. At that time, the County did not approve an agreement to release zoning authority to the Town. Staff reached out to the Union County Manager to see what the process is for the County to consider agreeing to ETJ and she stated that they will need a resolution from the Town requesting ETJ. Staff provided a summary of procedural requirements for ETJ as governed by 160A-193.



SUMMARY OF PROCEDURAL REQUIREMENTS FOR ETJ

1. **Prepare adequate boundary description.** There is no requirement to have a surveyed line, but the boundary must be precise enough that a landowner can tell if they are included without hiring a surveyor. Tax maps may be used as a base for drawing the lines.
2. **Publish notice of a public hearing in the newspaper.** The notice must appear once a week for two successive weeks, with first notice at least ten but not more than twenty-five days before hearing.
3. **Mail notice to individual property owners in affected area.** Mailed notice is required for the hearing on adoption of the extraterritorial boundary map.. This notice must be sent four weeks prior to the hearing. A second hearing on application of zoning is also required, and this must be mailed in the 10 to 25 day period prior to the hearing.
4. **Secure county agreement if the county is exercising zoning power, regulating subdivisions, and enforcing building code in the area affected or if the area extends more than one mile from the city.** A written, formal county resolution is required in either instance.
5. **Adopt ordinance by city governing board** setting extraterritorial planning jurisdiction and its boundary.
6. **File copy of boundary map with city clerk and register of deeds.**
7. **Amend city-zoning ordinance** to add area to zoning maps. Also, other city land use regulations – subdivision, building codes, housing codes, etc. – being applied in the extraterritorial areas should be amended to reflect this as well.
8. **Appoint extraterritorial members to planning board and board of adjustment.** Appointments are made by the county board of commissioners, after a hearing on the appointments. The number of “outside” members relative to the number of “inside” members must be proportional to the population of the ETJ area relative to the city population. City appointments are allowed if the county fails to act.

PETITION TO THE TOWN OF WEDDINGTON

We, the undersigned citizens of Union County, hereby petition the Town of Weddington, NC to take zoning control (ETJ) of the area from the Weddington town limits down the Left side of Providence Road to its junction with New Town Road and then left up New Town Road to the creek coming from Victoria Lake and from that point return to the Town Limits of Weddington. We feel that the Town of Weddington would understand our needs and is more in line with our desire to maintain an upscale residential community.

4/28/18

Name	Address	Phone Number	Signature
Jean Shivers	1619 Hawkstone Dr	864-634-3221	Jean Shivers
Candace Baroni	1623 Hawkstone Dr	704-942-6081	Candace Baroni
MATTHEW BARONI	1623 HAWKSTONE DR	704-942-5675	Matthew Baroni
Frank W. Thompson	1618 Hawkstone	704-619-2826	Frank W. Thompson
Paul Shivers	1619 Hawkstone Dr.	864-634-3221	Paul Shivers
Patricia Black	1526 Hawkstone Dr	704-256-3647	Patricia A. Black
Angie Galt	1512 Hawkstone Dr	980-215-5470	Angie Galt
Robert J. Conzoli	1525 HAWKSTONE	704-968-2300	Robert J. Conzoli
Judy Conzoli	" "	704-968-2400	Judy Conzoli
Richard McGinnis	1601 Hawkstone DR	704-256-3730	Richard McGinnis
Carolyn McGinnis	" "	" "	Carolyn McGinnis
Curtis Blackwood	1401 Hawkstone	704-242-1061	Curtis Blackwood
Audrey Blackwood	1401 HAWKSTONE DR	704-242-1061	Audrey Blackwood
Michael Castellano	1513 Hawkstone Dr	704-575-2871	Michael Castellano
Doris Castellano	1513 Hawkstone Dr.	704-575-6408	Doris Castellano
Bill Miller	1517 Hawkstone	704-243-3105	Bill Miller
M. Va. Vixen	1517 Hawkstone Dr	704-243-3105	M. Va. Vixen
Lacacia Powell	1410 Hawkstone Dr	704-999-9315	Lacacia Powell
Calvin Hunter	1410 Hawkstone Dr	301-922-8786	Calvin Hunter
YOGESH AERY	1406 Hawkstone Dr.	704-564-9045	Yogesh Aery
PRITI AERY	1406 Hawkstone Dr	704-661-6123	Priti Aery
KRISHNA KAVIN	1500 Hawkstone Dr	704-497-2845	Krishna Kavini
SUNIL KOTHAPALLI	1500 HAWKSTONE DR	704-293-7351	Sunil Kothapalli

PETITION TO THE TOWN OF WEDDINGTON

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Name	Address	Phone Number	Signature
ALLEN PARRIS	1505 Hawkstone Dr	704-243-4614	Allen Parris
LINDA PARRIS	1505 Hawkstone Dr	704-773-4358	Linda Parris
Leticia Garrick	1501 Hawkstone Dr	704-843-4533	Leticia Garrick
KEVIN GARRICK	1501 Hawkstone Dr	704-843-4533	Kevin Garrick
Jae Hong	1407 Hawkstone Dr	704-256-3347	Jae Hong
Tjeun Lee	1407 Hawkstone Dr	704-256-3347	Tjeun Lee
DALE BURK	1526 Hawkstone Dr	704-256-3647	Dale Burk
Megan Zepp	1605 Hawkstone	704-930-8371	Megan Zepp
JEFF ZEPP	1605 Hawkstone	704-280-6789	Jeff Zepp
NIKI KAMPIZIONE	1611 Hawkstone	704-299-6837	Niki Kampizione
Terry Kampizione	1611 Hawkstone	843-230-0981	Terry Kampizione
Donna Rossi	1615 Hawkstone	919-349-4577	Donna Rossi
Bob Rossi	1615 "	704-256-3229	Bob Rossi
Sudhi Banawat	8311 Hampton Farm Ln	910-633-9274	Sudhi Banawat
Vidhya Bangalore	8311 Hampton Farm Ln	704-288-7148	Vidhya Bangalore
Thomas Parks	8401 Hampton Farm Ln	919-632-8637	Thomas Parks
LaQuisha Parks	8401 Hampton Farm Ln	919-219-9026	LaQuisha Parks
DAVID JACOBUS	1600 Hawkstone Drive	704-243-3013	David Jacobus
Jennifer Jacobus	1600 Hawkstone Drive	704-776-3094	Jennifer Jacobus
Bongchul Pak	1418 Hawkstone Dr	704-840-4106	Bongchul Pak
Jungmee Pak	1418 Hawkstone Dr	704-840-4103	Jungmee Pak
Sandra Bristow	1402 Hawkstone Dr	704-650-5960	Sandra Bristow

TOWN OF WEDDINGTON

MEMORANDUM

TO: Mayor and Town Council

FROM: Karen Dewey, Town Clerk

DATE: July 9, 2018

SUBJECT: Disposal of Personal Property Policy

NCGS 160A-266 allows a city governing board to adopt a policy for the procedure for disposing of personal property valued at less than \$30,000 for any one item or group of items. The board may authorize an individual to conduct sales at any time without published notice or governing board approval. The policy attached exempts the town from having to adopt a resolution, publishing the resolution and a 10 day waiting period for the sale to take place. The town administrator however must secure fair market value for the property, and must keep a record of the property sold, to whom it was sold, and the sale price.

The policy was discussed during the June 11, 2018 meeting. Town staff added a statement requiring Town Council notification for the list of items being sold prior to the sale.

POLICY FOR DISPOSAL OF SURPLUS OR OBSOLETE PROPERTY
Worth Less than \$30,000

This policy establishes procedures for the disposition of property worth less than \$30,000 which is surplus to the needs of the Town.

Surplus is defined as any tangible personal property owned by the Town, which is not needed at present, or for the foreseeable future, or that is no longer of value or use to the Town. Items included are those found, purchased or received as gifts.

The Town Administrator is given authority to dispose of property determined as surplus by the Town Council by means of direct sale, sealed bid, electronic auction or disposal without public advertising or Council approval. However, the Town Administrator shall send a list of items to be disposed of, with the fair market value, to the Town Council prior to disposal. The Town Administrator must keep a record of all property sold, the sale price, and the buyer.

This authority only applies to surplus property worth less than \$30,000, or to a group of similar items; and does not include real estate or vehicles. Employees shall not receive any preferential treatment in the disposal or sale of Town surplus property.

TOWN OF WEDDINGTON

MEMORANDUM

TO: Mayor and Town Council

FROM: Lisa Thompson Town Administrator/Planner

DATE: July 9, 2018

SUBJECT: Subdivision Modification – Weddington Acres

Graham Allen is requesting a modification of the subdivision ordinance from Section 46-76(g), related to cul-de-sac length. Cul-de-sacs are limited to 600 feet in length.

Originally Planning Board reviewed a 1026' cul-de-sac for this subdivision on November 14, 2016 and recommended approval. The Town Council requested the applicant bring back an alternative that eliminated a flag lot however it created two double frontage lots. The plan that was approved was a 762' cul-de-sac. The minutes and approved plan from those various meetings is attached.

The applicant is re-applying for a modification to go back to the original plan. Since that approval the applicant has agreed to construct a right turn lane taper off of Weddington Matthews Road and rearranged the lots to remove the flag lots. In doing so, the cul-de-sac length was increased from 1,026 to 1,060. In addition, the PRD was approved by Town Council.

The Planning Board reviewed the latest modification request on June 25, 2018. The Planning Board did not see any material facts that have changed since the last approval giving them no reason to change the plan or their answers to the findings. They felt that it was odd they were being asked for a new recommendation on a plan that has already been turned down once. The Planning Board agrees that there are not special circumstances that will deprive the applicant of the reasonable use of his land and that it is not necessary since the applicant is in possession of an approved plan. The Planning Board agrees that the approved plan already takes this into consideration the constraints of the land. The Planning Board agrees that the longer the cul de sac, the more isolated the houses become and thus a higher safety risk. The Planning Boards responses to all findings of fact were in the negative. The Planning Board unanimously agreed to move forward the Subdivision Modification Application to Town Council with an unfavorable recommendation as they are already in possession of a modification approval and there has been no significant material change in the findings of fact that led to the original determination.

Sec. 46-15. - Modifications.

Authorization. The town council may authorize a modification of these regulations when, in its opinion, undue hardship may result from strict compliance with these regulations. Such a modification shall be granted only to the extent that is absolutely necessary and not to an extent which would violate the intent of this chapter.

No modification shall be granted unless the town council finds that:

(1) There are special circumstances or conditions affecting said property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

(2) The modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

(3) The circumstances giving rise to the need for the modification are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this chapter.

(4) The granting of the modification will not be detrimental to the public health, safety and welfare or be injurious to other property in the territory in which said property is situated.

(5) The modification will not vary the provisions of [chapter 58](#) applicable to the property.

In approving modifications, the town council may require such conditions as will, in its judgment, secure substantially the objectives and standards or requirements of this chapter.

If the Town Council finds the modification to be necessary, the following conditions shall apply:

- The amendments to the construction plans shall be reviewed and approved by staff.
- The revised final plat shall be reviewed by Planning Board and approved by Town Council.

Attachment 1 – Minutes
Attachment 2 - Application
Attachment 3 – 162’ extension approved
Attachment 4 – 460’ extension request

11/28/16 PB

Vice-Chairman Dow moved to send the Falls at Weddington Conservation Subdivision Conditional Zoning Final Plat Phase I Map 3 and Phase I Map 4 to Council with a favorable recommendation with the recommended 6 conditions. Ms. Harrison seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Prillaman, Harrison, Vivian, Klink

NAYS: None

C. Review and Consideration of a Modification of the Subdivision Ordinance Section 46-76(g) Cul-de-sac for Graham Allen subdivision. The Planning Board received the following memo from Interim Planner Bennett along with the Modification Request and Overall Site Plan for Graham Allen.

Graham Allen subdivision is requesting a modification of the subdivision ordinance from Section 46-76(g), related to cul-de-sac length. Cul-de-sacs are limited to 600 feet in length. Graham Allen is requesting a 1,026' cul-de-sac due to the shape of the lot. Generally, a subdivision would add a stub street to a neighboring property to shorten the cul-de-sac (which is measured from a through street). However, this property is bordered on all sides by conservation land for Brookhaven and Vintage Creek subdivisions. This gives them no ability to stub.

Sec. 46-15. - Modifications.

(a) *Authorization.* The town council may authorize a modification of these regulations when, in its opinion, undue hardship may result from strict compliance with these regulations. Such a modification shall be granted only to the extent that is absolutely necessary and not to an extent which would violate the intent of this chapter.

(b) *Procedure.* A petition for any such modification shall be submitted in writing by the subdivider to the subdivision administrator. The petition shall include:

- (1) The precise nature of the proposed modification of this chapter.
- (2) The reasons that the need for the modification has occurred.
- (3) A plat of the subject property drawn to a scale, suitable for recordation in the office of the appropriate county register of deeds, in which the property is located, indicating: North arrow, Dimensions of the subject property, The precise dimensions of the modification requested.
- (4) The grounds for the modification and all facts relied upon by the subdivider.

(c) *Review and recommendation.* The subdivision administrator shall review the petition and submit his written comments and recommendations with the petition to the planning board. The planning board shall consider the modification request and make a recommendation regarding the modification to the town council. The modification request and any recommendation from the planning board may be handled simultaneously by the planning board with the plat approval process for such subdivision and shall be subject to all submittal and recommendation deadlines and guidelines associated with such plat approval process.

(d) *Consideration by town council.* The town council shall consider the modification request once a recommendation has been received from the planning board, or the time for planning board review has elapsed with no recommendation having been forwarded, whichever comes first. In granting any modification, the town council shall make the findings required in this subsection, taking into account the nature of the proposed subdivision, the existing use of land

in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No modification shall be granted unless the town council finds that:

- (1) There are special circumstances or conditions affecting said property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.
- (2) The modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- (3) The circumstances giving rise to the need for the modification are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this chapter.
- (4) The granting of the modification will not be detrimental to the public health, safety and welfare or be injurious to other property in the territory in which said property is situated.
- (5) The modification will not vary the provisions of chapter 58 applicable to the property.

In approving modifications, the town council may require such conditions as will, in its judgment, secure substantially the objectives and standards or requirements of this chapter.

Culs-de-sac.

- (1) Permanent dead-end streets shall not exceed 600 feet in length in conventional subdivisions unless necessitated by topography or property accessibility and if the town council grants a modification per section 46-15. In conservation subdivisions, culs-de-sac may be greater than 600 feet in length in order to prevent the degradation and development of primary and secondary lands within the subdivision, thereby conserving the integrity of the conservation subdivision by preserving open space in an unaltered state. Culs-de-sac in conservation subdivisions shall not inhibit emergency vehicular access. The planning board shall review the sketch plan and existing resource and site analysis plan for a conservation subdivision that proposes culs-de-sac greater than 600 feet in length. Measurement shall be from the point where the centerline of the dead-end street intersects with the center of a through street to the center of the turnaround of the cul-de-sac. The distance from the edge of pavement on the vehicular turnaround to the right-of-way line shall not be less than the distance from the edge of pavement to right-of-way line on the street approaching the turnaround. Cul-de-sac pavement and right-of-way diameters shall be in accordance with NCDOT design standards. Designs other than the "bulb" end design with a circular right-of-way will be subject to the approval of the Division Engineer of the Division of Highways, North Carolina Department of Transportation and the town council after review on an individual basis. Culs-de-sac in conventional subdivisions shall not be allowed where connection with an existing street is possible.

The Planning Board discussed the fact that in addition to abutting conservation land the parcel also borders a power line easement making connectivity on that border impossible.

Vice-Chairman Dow moved to send the cul-de-sac modification request for Graham Allen Subdivision to the Town Council with a favorable recommendation. Dr. Klink seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Prillaman, Harrison, Vivian, Klink
NAYS: None

D. Review and Consideration of Text Amendment to add Section 46-79 Blasting to the Town Ordinances. The Planning Board received the following memo.

As a follow-up to our October discussion, this is the suggested language for blasting:

Sec. 46-79 Blasting

- (a) Blasting permits are issued by the Union County Fire Marshal.
- (b) Any applicant for a blasting permit shall submit a copy of said application to the Town along with a certificate of insurance evidencing all insurances carried by the applicant.
- (c) After receipt of blasting permit from the Union County Fire Marshal the applicant shall send a copy of the blasting permit to the Town. The applicant shall notify in writing the Town and all occupants and owners of residences and businesses adjoining the property where the blasting will occur of the intention to use explosives at least 48 hours before each blast.
- (d) Hours of Detonation. Hours of detonation shall be limited to daylight hours, no earlier than 8:00 a.m. or later than 5:00 p.m., Monday through Friday, except by special exception specifically authorized by the Town Administrator. Blasting shall also be prohibited on the following legal holidays: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day.

Vice-Chairman Dow moved to send Section 46-79 Blasting Language to Town Council with a favorable recommendation. Ms. Harrison seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Prillaman, Harrison, Vivian, Klink
NAYS: None

E. Review and Consideration of Text Amendment to Section 58-270 (h) to remove protest petitions from the Town Ordinances. The Planning Board received the following memo.

Protest petitions were eliminated in 2015. S.L. 2015-160 allows written protests to be filed with the city clerk and requires those objections be presented to the council, but provides that a simple majority is required to adopt the amendment.

This probably slipped past Weddington because it has never been an issue here. However, this is necessary to be in compliance with State statute.

~~(h) A written application of protest may be filed with reference to any proposed change or amendment to the zoning map. In case of a protest against such change, an amendment shall not become effective except by favorable vote of three-fourths of the town council. For purposes of this subsection, vacant positions on the council and members who are excused from voting shall not be considered members of the council for calculation of the requisite three-fourths vote. To qualify as a protest, the application must be signed by the owners of either 20 percent or more of the area included in the proposed change or five percent of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area~~

12/12/16 TC

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

B. Review and Consideration of the Final Plat for Falls at Weddington Phase I Map 4

Mayor Pro Tem Titherington made a motion to approve the Final Plat for Falls at Weddington Phase I Map 4 with the 6 conditions listed by staff as well as with additional conditions for receipt of the NCDOT letter approving street construction and for the letter of acceptance from UCPW for water and sewer. All were in favor, with votes recorded as follows:

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

C. Review and Consideration of a Modification of the Subdivision Ordinance Section 46-76(g) Cul-de-sac for Graham Allen subdivision

Attorney Fox – I believe this to be a process that requires the council to make certain findings and, even though it is not quasi-judicial, if it gets reviewed, the courts are going to want to make sure we have competent evidence and so for that purpose I would want the board to treat the testimony that it hears as sworn testimony for purposes of a judicial process should someone challenge the board's process and findings. What I would suggest the board do in this situation is I would prefer that council would hear from the applicant and hear from your administrator and that the testimony that they give will be sworn testimony in order for the board to then review the request for modification and then as to the ordinance provision I would want this council to make a finding as to whether each of the requirements has or has not been met based upon what is presented before you tonight. Those five findings would require the council to hear the evidence and see whether or not the evidence carries the burden requisite to making those particular findings.

Interim Planner Bennett and Mr. Wes Boles with WK Dickson Engineering were sworn in.

Mr. Wes Boles – We are requesting approximately 1000 foot cul de sac due to site constraints of not having any adjacent stub streets or all the surrounding properties have been developed so there is no ability to tie a future stub street into the property.

Interim Planner Bennett – It is 1026 feet.

The applicant inquired if he should now go over the five findings.

Attorney Fox – The first one is that there are special circumstances or conditions affecting said property such that the strict application of the provisions of this chapter would deprive the applicant of a reasonable use of his land. What I hear you say to that is that there is adjacent property that is conservation subdivision that limits...

Mr. Boles – Yes, sir. It limits the ability to provide stub streets.

Councilwoman Propst – There are two properties, aren't there?

Interim Planner Bennett – Yes, there are two different conservation lands and then there is also Duke Power easement.

Attorney Fox – The second one is that the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner. Anything you want to add on that other than just affirming?

Mr. Boles – Yes, in terms of the original statement.

Attorney Fox – The circumstances giving rise to the need for the modification are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this chapter.

Mr. Boles – The same statement is just saying that the land around it has already been developed.

Attorney Fox – The granting of the modification will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated.

Mr. Boles – We are going to be held to DOT standards for roadway design and turnarounds in relationship to public safety.

Attorney Fox – The modification will not vary provisions of Chapter 58 applicable to the property – which is the subdivision ordinance.

Mr. Boles – I think we are going through the steps that are outlined for a modification.

Interim Planner Bennett – Yes. If I could add because it wasn't in the memo, the Planning Board did recommend this unanimously at their meeting in November and I can answer any questions.

Attorney Fox – Nadine, do you want to add anything to these findings other than what was testified to?

Interim Planner Bennett – I would agree with him, again as you said, it's definitely the nature of the property itself. It's not common to the properties around it and it's because of the conservation land on two sides and then the easement by Duke Power on the other. There's just no place to stub.

Councilwoman Propst – And it's an elongated property.

Interim Planner Bennett – And it's elongated property, yes.

Councilmember Smith – And this was approved by the Planning Board?

Interim Planner Bennett – It was recommended approval by the Planning Board.

Councilwoman Propst – And the 600 foot cul de sac that we chose to have as the modification limit before you have to have a modification, did we choose that for any type of specific reason? 600 feet?

Interim Planner Bennett – I would imagine it's a pretty common cul de sac length in the area and probably throughout the state because that's how the planners work. We could look at others but it's so they have more connectivity in a subdivision and we just don't have the one long street of houses all emptying out in the same place. That's the intent of it – fewer houses...

Mayor Deter – I think there was also a public safety issue in terms of fire access getting down there and running hoses. I think that was an element of it.

Attorney Fox – Nadine, could you testify to whether or not there are safety issues associated with over a 1000 foot cul de sac?

Interim Planner Bennett – As far as I know there are not safety issues with that. And they also have two entrances to the subdivision. I'm certainly not an expert on it so you're not getting expert testimony on that but as far as I'm aware and he says they're going to be meeting DOT requirements for turnaround.

Councilwoman Propst – And there are two entrances to the neighborhood and they are two separate roads.

Mayor Deter – I think the 1000 foot comes from where the two entrances come together.

Interim Planner Bennett – Yes, it's measured from a through street.

Mayor Deter asked for any discussion from Council.

Attorney Fox – The council will have the ability to ask either Nadine or the applicant any questions they want.

Mayor Deter – I have a question. On one of the items here, it says "due to the elongated nature of the property and the Town's requirements for 40,000 square foot lots, retention ponds, etc.", we do have ordinances that allow for less than 40,000 square foot lots under RCD ordinances, so I don't know if that creates any opportunities but that is a...

Interim Planner Bennett – If I could add to that though if you weren't allowed to have this cul de sac length modification, he wouldn't have the same number of lots that they're getting right now. It's not going to change the number of lots. They would still have fewer lots if they were doing a conservation subdivision because they would have to do a yield plan that showed what they could do under the ordinances and if they couldn't have this layout under the ordinances then they're not getting that number of lots.

Councilmember Buzzard – That may or may not be true. They have this cul de sac length because of this specific road configuration but that doesn't mean that there's not a road configuration that could provide the same yield which would then be able to be used for the RCD calculation.

Interim Planner Bennett – That's true.

Councilmember Buzzard – I wish we would have had more time to review this and I realize that's not the fault of the applicant, but I would like to make a motion that we table our vote on this until the January meeting.

Councilmember Smith – I got this at the last second too. I wouldn't mind looking a little bit more in-depth myself just to see if there was something else that was missed. I'm not comfortable because I'm just not familiar with it.

Votes on Councilmember Buzzard's motion to table this until the January meeting were recorded as follows:

AYES: Councilmembers Smith, Buzzard and Mayor Pro Tem Titherington

NAYS: Councilmember Propst

D. Review and Consideration of Sign for All Saints Anglican Church

Interim Planner Bennett – This was another one recommended unanimously by the Planning Board. That was their second trip to the Planning Board – the first time they came, the sign was too large. They reduced it to the size that's required by the ordinance - which the condition on approval was that it made the requirements of the ordinance and it does now.

Mayor Pro Tem Titherington – It looks fine. My concern is for the neighbors across the street. This reminds me of when we worked with Pulte to kind of adjust the entrance off of Lochaven to make sure that when people come out they're not shining into the neighbors' bedrooms at night. So not that we can dictate it. but maybe we can ask them just to make sure that when they look at placement of the signs that for the first three or four houses across the street at Hemby they can kind of shoot it up in between the houses.

Mayor Deter – If I understand this right, the lighting is really just the three crosses, right?

Interim Planner Bennett – What they said was that it was a halo effect.

Mayor Deter – Kind of like over here in the Town Center. You've got your sign. There's no light coming forward because this is not transparent so you will see a halo effect.

Mayor Pro Tem Titherington – More backlit?

Interim Planner Bennett – Yes, correct.

Mayor Pro Tem Titherington – Walk me through that, Nadine. Clarify that for me.

Interim Planner Bennett – From what I understand, there's not light going off into the neighborhood. There wouldn't be anything projected.

Councilwoman Propst - It would just have a halo effect around the sign.

11/19/17 T.C.

Planner/Administrator Thompson summarized the text amendment. She stated that in 2015 the state eliminated the protest petition statute that required a supermajority vote in the affirmative for a rezoning approval. This text amendment updates the Town's ordinances with that statute.

Mayor Pro Tem Titherington made a motion to approve the text amendment to Section 58-270(h) titled Protest Petitions as outlined in the January 9th memo from staff. All were in favor, with votes recorded as follows:

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

Item No. 9. Old Business

A. Discussion of Employee Handbook

Mayor Deter stated that he had talked to all council members and that the consensus of the council is to look at applying benefits to employees working 30 hours a week or more. Planner Administrator Thompson has been asked to make those changes and to do a general read-through and provide her insight. Mayor Deter feels like this is something that can be done "off-line" and taken off the retreat agenda and addressed at the council meeting on February 13th instead. Council was in agreement.

B. Review and Consideration of a Modification of the Subdivision Ordinance Section 46-76(g) Cul-de-sac for Graham Allen subdivision

Mayor Deter reminded Council that this had been discussed at last month's meeting and Council opted for a number of reasons to defer it to the January council meeting.

Attorney Anthony Fox – You may recall that this was a quasi-judicial kind of proceeding although not mandated by your statutes but just for the purpose of the findings that the council is required to make in this setting. This is a modification of the subdivision requirements and in order for the council to agree to the modification it has to make the findings that are set out and shown in your agenda packet. At last month's meeting the applicant appeared and responded to each of the findings as best they could and this council now it is upon you to consider it in light of the findings. The motion should either find that each of the findings were either met or were appropriate or not.

Mayor Deter listed the five findings that the Council must decide upon.

Councilmember Scott Buzzard indicated that the owner of the property and Planner/Administrator Thompson need to be sworn in since they were not at the last meeting.

Planner/Administrator Thompson and Randy Allen were sworn in.

Mayor Deter – The one question I had was Item #1 - application of the provision of the chapter would deprive the applicant of reasonable use of land. I know the applicant was kind enough to meet with all of the council people at various times last week. Scott and I met together with him. We were trying to

brainstorm ideas. One of the questions that came up was, and Scott mentioned this last month, is there is a way to achieve the ordinance with a change or with a couple of options on the road modifications? Can you address that? My real question is has it been looked at with a road modification that would allow you to meet the ordinance?

Randy Allen – Yes. I went back with our engineer and discussed with him the idea of laying out a sketch to see if extending the road or what amount of road distance that would be. My concern was it would be 400-500 feet of additional roadway which would pretty much create a hardship for this project because of all the other issues with the wetlands and the DOT taking a slice off. This property goes to the center of Matthews-Weddington Road and Antioch Church Road so that takes some of that back and then of course Weddington has the new buffer rule which took more and so by the time we ended up with what we thought to be 31 or 32 lots it dropped down to 25 and that's where it is now. Adding extra road footage would be another close to a half-million dollars because one lot would be lost because of 450 feet added, and I was afraid it was going to be that, but we didn't have it scaled with this here because it appeared to be what we're dealing with so obviously a variance in this particular case would certainly make this a viable project. We also discussed the potential for at 600 foot distance from the cul-de-sac to stay within the code if we created a large roundabout which would allow emergency vehicles to turn around without any problems and anybody else who was going down the road and decided that this wasn't the road they wanted to be on. I'm assuming that would be the major reason for that. There are no other roads to turn on to create an acceptance of that 600 foot that we're dealing with so if a roundabout would work, and it has worked other places, and if it was acceptable here, you're not dealing with 25 homes, you're really dealing with 10-12 homes that would be beyond that 600 foot.

Mayor Deter – It looks like PIM's were held in December 2015. Then the next action was the request for modification and I would have anticipated that there would have been a plan put together that would try to meet the ordinance and then would have gone to the Planning Board and that then might have driven a request for modification. I understand that you're trying to make this thing work and asking for a request for modification to the cul-de-sac ordinance because you think it may cost you a lot – you don't know; it may cost you a lot, it may cost two – you don't know because you haven't done the analysis. To me that's kind of akin to saying "I'd like to get a request for modification from the stormwater runoff ordinance because that's costing me lots." I'm just throwing this out for discussion and where I'm coming from on this.

Mr. Allen – We went through all this to determine before we ever started what was most likely going to be the scenario. We knew it was going to be tight but we knew the land is not worthless and that it had a use and a value. We felt like the large-lot subdivision, which is what predominantly Weddington has dealt with over the years and was a popular idea over the years, would be better than going in for the smaller lot subdivision. Builders can sell on lots. People look at the houses more than they look at the lots and when all they've got to do is look at the lots the bigger the better and so that's what we planned and we felt like that would work but we were kind of right there on the edge. We couldn't go too far further with either losing lots or anything else or that wasn't going to work either.

Mayor Deter – But right now you don't know how many lots you would lose or if you would lose lots if you did a road configuration.

Mr. Allen – You were correct in what you said because we were talking one lot. It's actually more; it's two lots because it would take just a little more than one lot and that means two lots.

Mayor Deter – So you've done that sketch and has that been presented to the Planning Board?

Mr. Allen – No, this is what we did after we talked when we went back the other day. We discussed it to see what we really could do and couldn't and tried to tighten that down. We determined that the added road amount would be somewhere between 400 and 500 feet depending on where you brought the road out to the main road. Then we also looked at the lots themselves and saw – we knew we would lose a lot but it's actually a little more than a lot which means it would be two lots lost.

Mayor Deter – So losing a lot or two lots makes it financially not viable?

Mr. Allen – No, we would not develop it that way. You're walking into a potential nightmare.

Councilmember Buzzard – You said you'd lose a lot if you tried to reconfigure the road. Do you recall what lot number that is by any chance?

Mr. Allen – No, I don't. I didn't bring the map that I was working on and I don't know if you had one but we had already talked that it was going to be more than one. By running the road, one thing that I can tell you is more than a lot, if you take the length and width of the road and what you're adding and the fact that some of that is locked in because of the DOT on the lower side of the road. It's an odd-shaped piece of land; if you take both road sectors, what do I have in the middle? The outside lots weren't a problem - you can move those around – but the inside is locked in an envelope and when you start breaking it out and say how many 40,000 square foot lots are inside this envelope you end up losing two lots –with running that new road or an extended road 400+ feet.

Councilmember Buzzard – I think you would have done better bringing something because again as far as I can see, you've got a 5800 square foot lot, you've got a 7100 square foot lot that would be impacted. I'm curious because I would imagine that you could get a road on both of those lots or all three of those lots without losing any of them. So again, without seeing how you configured it I'm a little perplexed to say that you would lose multiple lots.

Mr. Allen – When I left here that day I was saying one lot because I didn't have it designed down to the tee. If we are talking about exact numbers, a 40,000 square foot lot and 39 are two different lots.

Councilmember Buzzard – I understand. You've got 48,000 square foot, a 53,000 square foot and a 71,000 square foot lot. From the three lots that I would see that would be impacted by a redesigned road, I can't imagine that you would lose 8,000 square foot from a small slice of what I can see of how you can configure a road through that area.

Mayor Pro Tem Titherington – You're talking Lots 6, 7 and 9?

Councilmember Buzzard – Yes. It would be close.

Councilmember Propst – Are you all saying an additional road or are you saying to change that road?

Councilmember Buzzard – Change that road.

Councilmember Propst – You're saying do not put Boswell Road and an additional road; change Boswell Road to run around that length?

Councilmember Buzzard – Correct, you take Boswell up to basically the middle of lot #1, you make a left-hand turn, you've got, 6 and 7 that are panhandle lots. Run the road right down the panhandle and then come up 9 which is a 71,000 square foot lot.

Mayor Pro Tem Titherington – So what they're saying is that would bring them in just shy of that roundabout. Your extension then would be about 680 feet.

Councilmember Buzzard – Right. It would take some work. You may have to configure lot 10 a little bit.

Councilmember Propst – But are you saying you would be more open to a modification if the extension was 680 feet versus 1000 feet?

Councilmember Buzzard – Yes, I think so. One of the issues is you're almost doubling what our current ordinance reads with the modification.

Councilmember Mike Smith – If you did that, would you still have this roundabout here? You wouldn't need it so it wouldn't be an issue. You had mentioned something else about it being a nightmare in a comment earlier, what other additional problems are you anticipating?

Mr. Allen – First off, the property has got to be saleable. So you could develop this wrong because of the power lines; if you don't take that into consideration then you've got to try to make those lots deeper and longer if you could. We've been able to do a fairly good job but that still means there's a couple there that are high risk. From a financial point of view a few changes here can make a lot of difference as to whether the property is viable or not. We can't prove that until we develop it. That's the problem.

Mr. Wes Boles – I think what he is really worried about is those lots and pushing all the homes up against the Duke Power lines. And I think he's worried about the depreciation of the lot if you push the home right up against the easement.

Mayor Pro Tem Titherington – Just from a process standpoint and I appreciate you guys working with Lisa, from my perspective coming in and having the meeting, I'll let you know where I stand is no different than where I was Wednesday at 11:30 when we left you, is that not having the benefit of the other meetings with all the other council people I think Scott and Bill raise a good question and something to look at because then you are talking about a 680 foot cul-de-sac, and I will tell you that we had another property about two years ago where we did approve that because that made sense, and then to Scott's point, we are not doubling it. We are laypeople. You could probably plug this into your computer and have it spit out relatively easily. To me it would make sense to take a look. And again I share with you guys that I had three major issues. One is the wetlands information and making sure USI looked at that and we got the Army Corps information today at 4:30 and we've got a Town Council

meeting at 7:00. That doesn't do me any good to tell you the truth. Second thing that I shared with you here is that I want to make sure if we have to go down the roundabout road, from my perspective at least, is that it needs to be wide enough for the ladder truck and we need to make sure the Wesley Chapel chief signed off on it. My understanding is that as of 2:00 today he hadn't been contacted so I don't have anything from my perspective to vote on tonight based off of what I showed you were my feelings on Wednesday. I think Scott and Bill raised a good question here around that and avoiding the whole cul-de-sac issue. I would tell you that we have had other approvals in that 650-680 range before. That's just kind of where I'm at.

Councilmember Smith – I agree. You and I have talked about this and I share the same concerns that you do as far as the Corps and Bonnie signing off on it and the cul-de-sac issue. Those were my concerns. I think the wetlands look like they've been addressed.

Mayor Pro Tem Titherington – I think that ladder truck in there is the biggest one because that could be a responding vehicle.

Councilmember Buzzard – And honestly, to your point, lot #11 is one that is going to be impacted by the cul-de-sac; if that cul-de-sac – I'm sorry - if that roundabout gets any bigger then you're going to be under 40,000 square feet on that lot there and lot 23, while that has a little bit more leeway, the way that this is put forth to us, that could fall under the 40,000 square feet too.

Mayor Pro Tem Titherington – Mr. Allen, you were very kind when we spoke about this originally on Wednesday saying we've got to make that a little bit bigger and that was some of the mapping work we were expecting to see tonight. Thank you guys for the time. I would like to have the information all in black and white to make a motion. So from my perspective, Council, I have no issues to table this again until next month if that makes sense. If we're asked for a vote tonight I think you probably know where I'm going to be on it. I think there are two questions to really look. Can we get that road extension up here that Bill and Scott talked about to get close enough, and I think there's probably consensus around Council that if it's within or close to that 600 number that's good or, if that's not do-able for you guys, we have to have all the ticks and ties on the other issue we discussed. At least from my perspective, and I think Mike and I agreed to that today.

Mayor Deter – I have kind of a process question. I think what you're saying is to have them come back with an attempt to meet the ordinance with a road configuration. In my mind I think that's the right thing to do but I would think that needs to go back to the Planning Board. Me personally, I would like to get their view of that and so the question I have is, is this a delay or is it going to be an up or down vote that would send it back to the Planning Board but not have you guys have to pay another fee for the process?

Mayor Pro Tem Titherington – I'm sensitive to getting this going for you guys too. To me I think there are two issues. Can we come close enough with the road? And that makes it real simple. I think we've already looked at it. And, if we can, then I think that if we can get within 650 feet that's a fairly benign conversation. If the answer is no and we've got to go with these roundabouts, then I think there's a little bit more safety issues that we talked about – responding equipment, etc. We can still get to the Planning Board before the next council meeting so it would not necessarily delay you guys for next month.

Mayor Deter – If they went with an approach on the road configuration such as Scott's talked about – I don't know how long that would take - but that could go to the Planning Board in two weeks. It would still then be back to the Council in February.

Councilmember Smith – And there's no additional cost.

Mayor Deter – That was my question. Let's say we do an up or down and it's like no, this modification is not accepted and then they go back to the Planning Board with a road configuration, does that impact them on a fee?

Attorney Fox – It's within Council's discretion. I think what you have is a petition for a modification that's brought before you. You are now in your deliberation stage and as part of your deliberation you are desirous of looking at other options. Those other options may result in some viewing the petition to be materially different than what originally came before you from the Planning Board and so you may want to have the Planning Board weigh in on that not just for purposes of modification but on how the lot configuration and everything plays and that's certainly within the Board's discretion to send it back. But I don't think that would be construed as a new petition or a new application.

Councilmember Propst – But does it have to go back to the Planning Board since they unanimously approved the modification to begin with?

Attorney Fox – It does not have to. You have a petition that's before you seeking a modification of the subdivision ordinance. What I'm hearing though is that Council would like the benefit of having the Planning Board weigh in on, for instance, if the layout changes due to the reconfiguration of the streets and the movement of lots that may be something that this Council would enjoy the benefit of the Planning Board's thinking and input on it.

Mayor Deter – Could the Council reject the modification but stipulate as they make this presentation to the Planning Board that they are exempted from an additional fee?

Attorney Fox – That's a different question because I think if you reject it you have rejected the petition that is before you.

Attorney Fox – What I think I hear you saying is that you are considering a motion to table this matter to your February meeting conditioned upon the developer revisiting the layout of the road configuration in a manner that will either make it compliant with the 600 foot cul-de-sac requirement or at least be substantially close to that requirement and the other condition being that it is sent back to the Planning Board for review and the Planning Board's recommendation is also presented to you in time for the February meeting.

Councilmember Smith – I have no problem with this coming back to us next month and seeing if some of these conditions can be made that Don and I said and I don't have any issue with going before the Planning Board again because it's not going to alter the time line and it's not going to have any additional effect; it's just another safeguard that we could have. I have no problem with that. I would have an issue if it stalled the process longer but it's not so I've got no issue with it.

Councilmember Buzzard – I'm fine with that. That gives them the option if they come back and say that this is the only thing that works then obviously this is what we are going to see a month from now but it gives them the time and flexibility to see if they can come up with something.

Councilmember Propst – I'm okay.

Mayor Pro Tem Titherington – My only comment is Scott's because I agree with it is that if this is the only plan that works then we need to see the roundabout to scale and laid out and fixed up because this is not the final state.

Councilmember Smith – It also gives Bonnie the chance to weigh in.

Councilmember Propst – Did you have anything else that you wanted to say, Mr. Allen?

Mr. Allen – No, I think that we have our work cut out for us and we'll go do it.

Mayor Pro Tem Titherington made a motion to table the decision around the extension on Graham Allen until next month with the intent that the plan adjustments as they submit them will go back to the Planning Board at their January meeting and come back before council on February 13, 2017. All were in favor, with votes recorded as follows:

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

NAYS: None

Item No. 10. New Business

A. Discussion of Easter Egg Hunt and Litter Sweep

Mayor Deter is concerned that waiting to discuss this until the Town retreat in February is fairly late if the Council is going to support a Spring festival. He assumes the Easter festival would probably be April 15th. He does not have an issue handling the Litter Sweep once we find out the date from NCDOT. The question is the Easter festival since it is significantly more involved.

Mayor Deter was looking for someone on Council to take the lead on this like they did with the Christmas festival. He reminded Council that two months ago he presented a solution that Council was not in favor of and inquired if they would like to rethink it or if it would still work. The option that had been presented was for Mrs. Barbara Harrison to work 2-6 hours a week to take care of all the festivals and litter sweeps and be paid from festival proceeds as our festivals generate a profit.

Mayor Pro Tem Titherington agreed that the litter sweep is benign enough that we can handle it on our own. He thinks like Christmas, the Spring festival is a lot more work.

Mayor Pro Tem Titherington - When we had the discussion in November I was in favor of trying to resource Barbara to do that. She has a passion for it. If she's willing to do it that's great. I'm comfortable with that again but I also know there was a feeling at that time that we wanted to get through the Christmas holiday season and make a decision at that point. I guess my perspective hasn't

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**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
WEDDINGTON TOWN HALL
JANUARY 23, 2017 – 7:00 p.m.
MINUTES**

The Planning Board of the Town of Weddington, North Carolina, met in a Regular Session in the Town Hall Council Chambers, 1924 Weddington Road, Weddington, NC 28104 on January 23, 2017, with Chairman Rob Dow presiding.

Present: Chairman Rob Dow, Vice-Chairman Brad Prillaman, Bruce Klink, Gerry Hartman, Barbara Harrison, Jim Vivian, Walt Hogan, Town Planner/Administrator Lisa Thompson and Interim Clerk Leslie Gaylord

Absent: None

Visitors: Susan Tolan, Weston Boles, Bill Deter, Liz Callis, Mike Smith

Item No. 1. Open the Meeting. Chairman Rob Dow opened the meeting at 7:00 p.m.

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

Item No. 3. Approval of Minutes.

A. December 19, 2016 Regular Planning Board Meeting Minutes. Chairman Dow asked to add a comma to 6B's statement by Interim Planner Bennett. Mrs. Barbara Harrison moved to approve the minutes from December 19, 2016 with the amendment of the comma to 6B. Mr. Gerry Hartman seconded the motion, with votes recorded as follows:

AYES: Vice-Chairman Prillaman, Klink, Hartman, Harrison, Vivian and Hogan
NAYS: None

Item No. 4. Old Business.

A. Review and Consideration of a Modification of the Subdivision Ordinance Section 46-76(g) Cul-de-sac for Graham Allen subdivision. The Planning Board received the following memo from Town Planner/Administrator Lisa Thompson along with the subdivision plans.

Graham Allen is requesting a modification of the subdivision ordinance from Section 46-76(g), related to cul-de-sac length. Cul-de-sacs are limited to 600 feet in length. Graham Allen is requesting a 1,026' cul-de-sac due to the shape of the lot.

Culs-de-sac.

(1)

Permanent dead-end streets shall not exceed 600 feet in length in conventional subdivisions unless necessitated by topography or property accessibility and if the town council grants a modification per section 46-15. In conservation subdivisions, culs-de-sac may be greater than 600 feet in length in order to prevent the degradation and development of primary and secondary lands within the subdivision, thereby conserving the integrity of the conservation subdivision by preserving open space in an unaltered state. Culs-de-sac in conservation subdivisions shall not inhibit emergency vehicular access. The planning board shall review the sketch plan and existing resource and site analysis plan for a conservation subdivision that proposes culs-de-sac greater than 600 feet in length. Measurement shall be from the point where the centerline of the dead-end street intersects with the center of a through street

to the center of the turnaround of the cul-de-sac. The distance from the edge of pavement on the vehicular turnaround to the right-of-way line shall not be less than the distance from the edge of pavement to right-of-way line on the street approaching the turnaround. Cul-de-sac pavement and right-of-way diameters shall be in accordance with NCDOT design standards. Designs other than the "bulb" end design with a circular right-of-way will be subject to the approval of the Division Engineer of the Division of Highways, North Carolina Department of Transportation and the town council after review on an individual basis. Culs-de-sac in conventional subdivisions shall not be allowed where connection with an existing street is possible.

In making a decision on this modification, the Planning Board and Council shall take in account the following Section of the Code of Ordinances:

Sec. 46-15. - Modifications.

Authorization. The town council may authorize a modification of these regulations when, in its opinion, undue hardship may result from strict compliance with these regulations. Such a modification shall be granted only to the extent that is absolutely necessary and not to an extent which would violate the intent of this chapter.

No modification shall be granted unless the town council finds that:

- (1) There are special circumstances or conditions affecting said property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.
- (2) The modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- (3) The circumstances giving rise to the need for the modification are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this chapter.
- (4) The granting of the modification will not be detrimental to the public health, safety and welfare or be injurious to other property in the territory in which said property is situated.
- (5) The modification will not vary the provisions of chapter 58 applicable to the property.

In approving modifications, the town council may require such conditions as will, in its judgment, secure substantially the objectives and standards or requirements of this chapter.

The Planning Board reviewed the modification in November, 2016 and recommended approval.

The Town Council reviewed the application on both December 12, 2016 and January 9, 2017. By a vote 3-1, the Council requested that the applicant provide an alternative plan that meets the ordinance and to send both the original and the modified plan back to the Planning Board for review.

The applicant amended the original plan to add a roundabout to address public safety concerns a few members of the council had and also submitted a new plan showing a through road that meets the cul-de-sac length standards as stated in Section 46-76(g). Both plans are attached.

Town Planner/Administrator Thompson informed the Planning Board that at the December and January Town Council meetings several Town Council members had concerns over safety issues if the modification were to be allowed and that the majority of the council wanted to see if there was an alternative plan that the applicant could provide making it more consistent with the ordinance.

Mrs. Harrison wanted to clarify that the Council did not approve the extended cul-de-sac that had been previously approved by the Planning Board. Chairman Dow and Planner/Administrator Thompson confirmed her understanding to be correct.

Planner/Administrator Thompson stated that the applicant has taken the original plan and added a roundabout to address the public safety concerns and also provided an alternative plan that meets the ordinance's requirement that the cul-de-sac not exceed 600 feet in length.

Chairman Dow indicated that one plan has two roundabouts but still has a 1,000 foot cul-de-sac and that, if there was no alternative to the long cul-de-sac, the Town Council wanted the roundabouts to be big enough for a ladder truck. Chairman Dow said that the second plan submitted by the applicant would meet the ordinance as written.

Mr. Weston Boles, an engineer for WK Dickson on the project, stated that the plan that meets the ordinance provides about 500 feet of additional roadway and the same number of lots, but because the lots on the eastern side are right up against the Duke Power easement the applicant feels this would be a financial hardship. He estimated the cost of the additional roadway to be approximately \$500,000 (\$1000/foot of roadway).

There was discussion as to whether the Council wanted the Planning Board to choose one of the two plans or to give the Council their comments on both plans. It was decided to discuss both plans and to give Council a favorable or unfavorable recommendation for each of the plans.

There was further discussion about cul-de-sac length and that one of the main issues is the number of houses that would be isolated and unreachable if the road were to become impassable.

The Planning Board discussed their concern that the alternative was not presented earlier and that they had been under the impression that the ordinance could not be met.

Chairman Dow stated that in this case the applicant has shown that they can meet the ordinance so it boils down to if our ordinance is an undue hardship. There was discussion about what constitutes hardship and whether or not profit is a hardship and also discussion about safety issues with the roundabout and which plan is safer.

Vice-Chairman Prillaman – Let's have a quick discussion on the original plan with the cul-de-sac. If I can encapsulate what we talked about, we basically understand that we are still dealing with a 1000 foot cul-de-sac road that does not meet the ordinances of the Town. From that aspect my vote would be unfavorable.

Chairman Dow – In the Board's view, is this a safer plan than meeting the ordinance with a short cul-de-sac?

The consensus of the Board was that it is not.

Chairman Dow – Then this is a fact we need to share with the Council. While there are special considerations to this property with the fact that there are conservation lands on one side and right-of-way on the other side, it still is not enough in that it is because it can be shown that the ordinance can be met without the modification, so the use of the property is still there.

Vice-Chairman Prillaman moved to send the original plan with two roundabouts to the Town Council with an unfavorable recommendation due to the cul-de-sac length and safety. Mrs. Harrison seconded the motion, with votes recorded as follows:

AYES: Vice-Chairman Prillaman, Klink, Hartman, Harrison, Vivian and Hogan
NAYS: None

Mrs. Harrison believes the second plan is a better plan from a safety issue. Safety vehicles can get through and there is a shorter amount of distance so not as many people would be cut off in the event of a natural disaster. In addition, the cul-de-sac length is less than 1000 feet so it meets our ordinance.

Mr. Gerry Hartman moved to send Plan 2 to Town Council with a favorable recommendation because it meets the Town's ordinance and has better safety aspects without any difference in yield. Dr. Bruce Klink seconded the motion, with votes recorded as follows:

AYES: Vice-Chairman Prillaman, Klink, Hartman, Harrison, Vivian and Hogan
NAYS: None

Item No. 5. New Business.

A. Review and Consideration of a Rezoning from R-40 to R-CD for properties located at 5800 Deal Road (NE corner of Deal Rd and Hwy 84, parcel numbers 06072003A & 06072003E). The Planning Board received the following memo from Town Planner/Administrator Thompson along with the following attachments:

- Application
- Site Map
- Land Use Plan Goals and Policies
- Land Use Plan Map

The Planning Board is requested to consider a rezoning application from Cameron Helms for property located at 5800 Deal Road, (parcels 06-072-003A and 06-072-003E) from R-40 to R-CD. Combined the tracts are a total 10.169 acres.

The applicant is seeking rezoning in order to combine the two parcels with parcel 06-066-011A to the North (which is currently zoned RCD) and develop the land for residential purposes.

Adjacent Property Uses are as follows:

North- Wedgewood Subdivision/ R-40

South- Shannon Woods Subdivision/ R-40

East: Residential/R-CD

West: Residential/R-CD

Land Use Plan Consistency Statement

State Statute requires that all zoning regulations shall be made in accordance with a comprehensive plan. When adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan or any other officially

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for repair and maintenance and caps the bond amount at 125%. The Town's ordinance set the bonds at 150%. The text amendment modifies the ordinance to comply with the new state statute and has been unanimously recommended for approval by the Planning Board.

Councilmember Smith made a motion to adopt the text amendment to Section 46-45(b)(1), Section 46-49, Section 58-54(3) i 3 iv, Section 58-58(3) i 3 iv and Section 58-58(4) i 3 iv. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

B. Text Amendment to Section 58-4 Definitions to add Building Footprint to the Town Ordinances

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

Planner/Administrator Thompson summarized the text amendment. Building footprint is the total amount of area on the ground covered by the building structure, in lieu of exact measurements for the principal structure the total square footage divided by the number of floors may be used for the building footprint.

Councilmember Smith made a motion to approve the text amendment to Section 58-4 Definitions to add Building Footprint to the Town Ordinances. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

C. Text Amendment to Section 58-16 Accessory Uses and Structures

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

Planner/Administrator Thompson summarized the text amendment. Section 58-16 states that accessory uses shall not exceed two-thirds of the footprint of the principal building. The text amendment clarifies that the limit applies to the cumulative of all accessory structures rather than each individual accessory structure.

Councilmember Scott Buzzard made a motion to approve the text amendment to Section 58-16 Accessory Uses and Structures. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Item No. 9. Old Business

A. Review and Consideration of a Modification of the Subdivision Ordinance Section 46-76(g) Cul-de-sac for Graham Allen subdivision

Mayor Deter reminded Council that this had been discussed at December and January's council meetings and Council had asked the developer to take the plans back to the Planning Board for their review at their January meeting.

The developer has provided three separate plans. The first two plans were presented to the Planning Board. The first plan shows a neighborhood sized roundabout that would slow traffic and provide a turnaround for emergency vehicles. The second option adds a through street and meets the requirement of the ordinance by having a cul de sac that does not exceed 600 feet. The Planning Board unanimously recommended approval of the plan that meets the ordinance. Subsequently, the developer worked with staff to develop a third plan which is a modification of the second plan. The third option requires a modification to the subdivision ordinance but is the developer's preference. It slightly exceeds the ordinance but is the one the developer prefers in terms of lot layout. Planner/Administrator Thompson indicated that it would require a 162 foot modification as the proposed cul-de-sac length is 762 feet.

Councilmember Scott Buzzard – I appreciate them working with the town to address this.

Town Attorney Anthony Fox indicated that Council can rely on previous testimony given while noting that granting a variance in a lesser amount than what was previously testified to (the original modification requested was for 426 feet rather than 162 feet) is more in keeping with the Town's ordinance provisions than the previous request and therefore more favorable to the Town than what was originally presented. The modification addresses the concerns and the change in length is not that substantial to alter the testimony that was put forth.

Council reviewed the 5 findings with respect to the 162 foot modification.

- 1) *There are special circumstances or conditions affecting said property such that the strict application of the provision of this chapter would deprive the applicant of the reasonable use of his land.* Testimony was previously presented with regards to the characteristics of the adjoining property and the limitations of ingress and egress of the adjoining properties to the current site.
- 2) *The modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner.* The modification provides for a more fluid development and addresses some of the concerns. The 162 foot requested variance is not that substantial relative to what was being originally proposed.
- 3) *The circumstances giving rise to the need for the modification are peculiar to the parcel and not generally characteristic of other parcels in the jurisdiction of this chapter.* The back side of the property is surrounded by two RCD conservation districts. There is an issue with power lines with respect to the easement of the power lines. The two front areas are abutted by two different roads – Antioch Church and Matthews-Weddington Roads.
- 4) *The granting of the modification will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which the property is situated.* There is now a through road rather than a turnaround as originally presented. By allowing the 162 foot modification, instead of having two homes with roads on both the front and the back, there will only be one home in a circular so there will be less flag and double frontage lots.

- 5) *The modification will not vary the provisions of Chapter 58 applicable to the property.* The subdivision regulations provide for modifications by Council and in the judgment of the Council the modification meets the standards and objectives of the Chapter.

Councilmember Propst made a motion to approve a modification of the subdivision ordinance Section 46-76(g) Cul-de-sac for Graham Allen subdivision for a 162 foot modification based upon the findings that were stated by the members of the Council and the attorney in the rehashing of the evidence that had been presented at the public hearing. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Item No. 10. New Business

A. WCVFD Update – Budget Presentation and Discussion

Wesley Chapel Volunteer Fire Department Chief Steven McLendon distributed the Fire Department's preliminary budget to Council.

Chief McLendon stated that the Fiscal Year 2018 preliminary budget is broken down by line item for the Town of Weddington and includes an appendix that shows the line items and how the expenses are allocated. A portion of the budget is pro-rated for shared expenses and a portion is for expenses specific to the Town of Weddington. For the pro-rated expenses, the cost-sharing allocation is basically one-third.

Chief McLendon – The budget request is 3% over the current year. Information that I received from Town staff shows the growth rate is somewhere in the 3% conservative range so 3% is being presented. Salaries and wages stayed the same. We are not asking for any increases in salaries and wages. The majority of the increase is going towards our capital program which as we discussed in the past year is for a capital account to pay for future capital expenses such as fire trucks, SCBA units, things that cost several hundred thousand dollars. We include that in the budget to prepare for that and not come back at a later date and ask for additional funding. It's a budget-neutral CIP plan for the Town of Weddington. If you have any questions, please give me a call or shoot me an email and I can come back to the Council at a later date and we can discuss this further. I will be glad to do so as time goes forward.

Mayor Deter inquired about audit expense. Chief McLendon believes the audit cost was approximately \$12,000 so the Town's allocated portion would be \$4,000. Chief McLendon will send a copy of the audit invoice to Finance Officer Leslie Gaylord for reimbursement.

Chief McLendon distributed a copy of the Fiscal Year 2016 Annual Report which details all of the accomplishments and initiatives of the organization over the operating cycle. Highlights of the report include:

- Incident specific data. Responded to 1864 calls for service and breaks out calls by category. Medical calls are still a large portion of the calls for service. Only 30 of the calls were for structure fires.

**APPLICATION FOR MODIFICATION FROM THE SUBDIVISION ORDINANCE
OF THE TOWN OF WEDDINGTON, NORTH CAROLINA**

The Town Council may authorize a modification from the Subdivision Ordinance when, in its opinion, undue hardship may result from strict compliance with these regulations. Such a modification shall be granted only to the extent that is absolutely necessary and not to an extent, which would violate the intent of this ordinance.

The Undersigned does (do) hereby respectfully request that a modification from the Subdivision Ordinance of Weddington, North Carolina, be granted, and in support of this application, the following facts are shown:

1. The property affected by this application is owned by Weddington Investors II, LLC as evidence by deed from Weddington Investors II, LLC recorded in Deed Book 3781 at page 856 in Union County Registry and in Tax Map # n/a, Map # _____ and Parcel # 07150009F in the Tax Supervisor's Office of Union County.
2. This property is locally known as (street address or other identifier) 3728 Weddington-Matthews Road
3. A sketch plan, drawn to scale, is attached showing property dimensions, boundaries, and existing and proposed building/additions and development; and illustrating the modification requested.
4. That the addresses and phone numbers of the owner and applicant (if different from the owner) are as follows:

APPLICANT (Name) Sunbelt Holdings SE I, LLC
 (Address) 3129 Springbank Lane, Charlotte, NC 28226
 (Phone) (704) 295-4634
5. The installation of said improvements has resulted (will result) in a violation of the Subdivision Ordinance of the Town of Weddington, North Carolina, in this respect (describe the exact nature of the modification requested making references to the applicable sections of Chapter 46, Subdivisions, of the Weddington Code of Ordinances:
The applicant is requesting a modification to Section 46-76(g)(1) which states "Permanent dead-end streets shall not exceed 600 feet in length in conventional subdivisions unless necessitated by topography or property accessibility". In the proposed condition the permanent dead end street will have a length of 1,026 feet due to the inability to access the southern portion of the property and existing topographic conditions of the property.
6. The necessity for the modification is supported by the following findings of fact and

no modification shall be granted unless the Town Council finds:

- a) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his land. **Please describe how this modification request meets this standard:**

The elongated nature of the existing property, the environmental conditions, and the Town of Weddington Subdivision requirements (40,000 SF lots, detention ponds, etc) make accessing the southern portion of the property challenging without the proposed +1,000 LF roadway.

- b) That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner. **Please describe how this modification request meets this standard:**

The requested modification will allow the applicant to develop the southern portion of the property while maintaining a majority of the natural wetlands areas that are included within the property.

- c) That the circumstances giving rise to the need for the modification are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this ordinance. **Please describe how this modification request meets this standard:**

The subject property has a unique shape in that it is elongated, which limits the ability to provide multiple roadway infrastructure in a cost effective manner. The topography and environmental conditions of the site also eliminate the options to provide roadway connectivity to adjacent properties.

- d) That the granting of the modification will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated. **Please describe how this modification request meets this standard:**

The proposed modification will be constructed to provide proper emergency access to all subdivision lots. The development of will meet all other Town of Weddington Subdivision requirements. The modification requested for this property should not affect other property in the territory.

- e) That the modification will not vary the provisions of the Town of Weddington Subdivision Ordinance applicable to the property. **Please describe how this modification request meets this standard:**

The proposed subdivision will meet all other Town of Weddington guidelines other than any items previously approved by the Town of Weddington Planning Board, Staff or Town Council.

In granting any modification, the Town Council shall make findings required above, taking into account the nature of the proposed subdivision, the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity.

In approving modifications, the Town Council may require such conditions as will in its judgment secure substantially the objectives and standards or requirements of this Ordinance.

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief.

 6-12-18
SIGNATURE OF APPLICANT DATE

Sunbelt Holdings SE 1, LLC
3129 Springbank LN
Charlotte, NC 28226

 6-12-18
SIGNATURE OF OWNER DATE

Weddington Investors II, LLC
3129 Springbank LN
Charlotte, NC 28226

Application Processing Fee: Attach check made payable to the Town of Weddington in the amount of \$770.00 (\$715 + \$55 (notifications up to 50)).

PROPERTY OWNER NAME	TAX COUNTY BOOK/MAP/PARCEL #	ADDRESS (As shown on the latest tax listing)
Stallings Investors I, LLC	5762-388/ 06087003	3612 Weddington Road
Stallings Investors I, LLC	5762-388/ 07150009G	Matthews-Weddington Road
Hill, Shirley N.	06090002	3750 Matthews Weddington Road
Vintage Creek Owners Association, Inc.	6459-414/ 06090092	Matthews-Weddington Road
Vintage Creek Owners Association, Inc.	6485-297/ 06090093	Matthews-Weddington Road
MREC Falls at Weddington, LLC.	06090142	Enclave Boulevard
Brookhaven Citizens Assembly, Inc.	6431-287/ 07150660	Worthington Drive
Union County Board of Education	3013-781/ F7150116	3101 Antioch Church Road
Stegall Petroleum, Inc.	5720-070/ 07150009H	3014 Antioch Church Road
Service Oil of Monroe, Inc.	07141004	3609 Weddington-Matthews Road

ADJACENT PROPERTY MAILING LABELS

HILL SHIRLEY N
3750 MATTHEWS-WEDDINGTON RD
MATTHEWS, NC 28105

VINTAGE CREEK OWNERS
ASSOCIATION INC
6701 CARMEL RD., STE 425
CHARLOTTE, NC 28226

MREC FALLS AT WEDDINGTON LLC
13860 BALLANTYNE CORPORATE PL.
CHARLOTTE, NC 28277

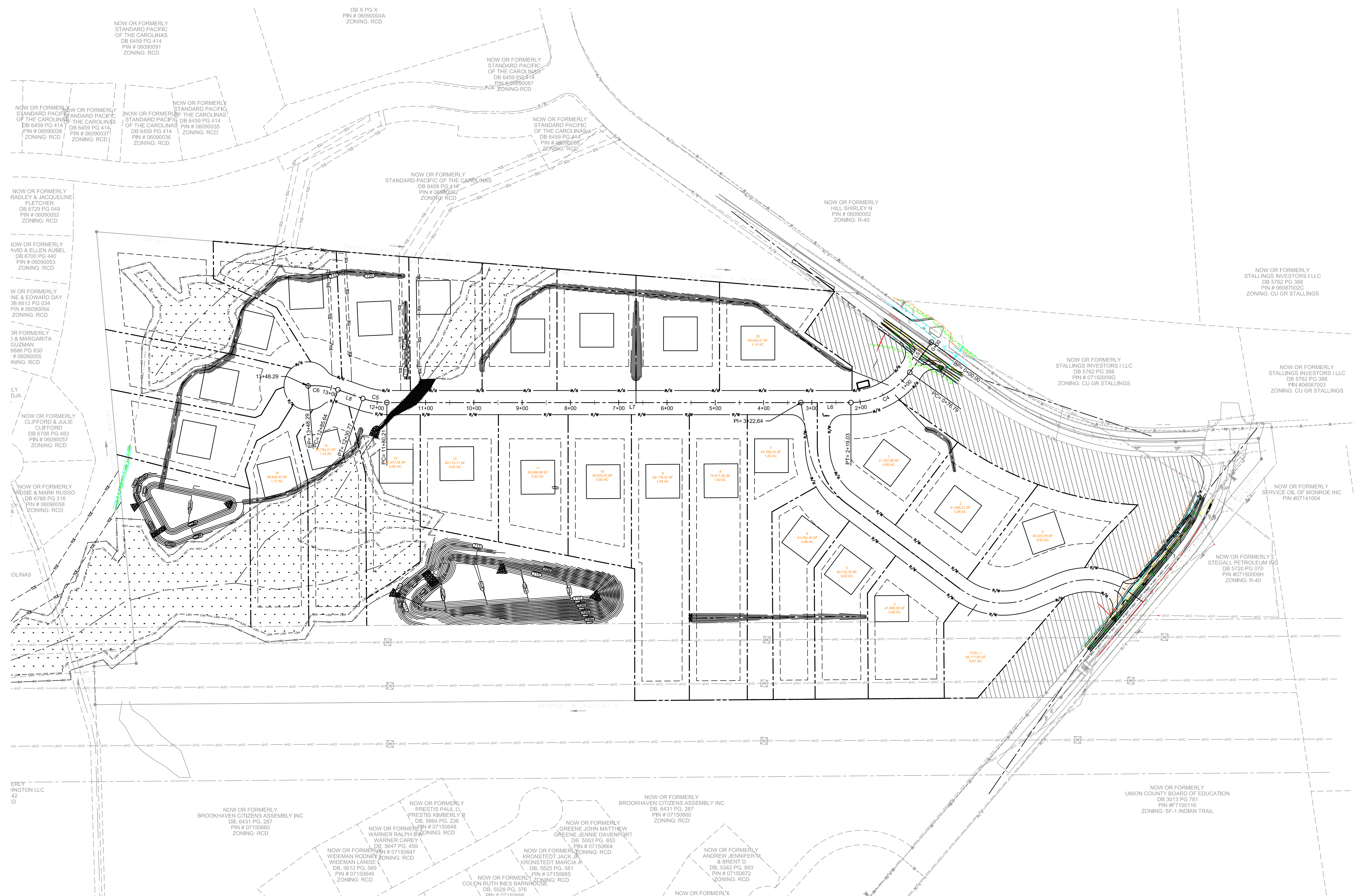
STALLINGS INVESTORS I LLC
701 CRESTDALE RD ATTN: RE DEPT
MATTHEWS, NC 28105

SERVICE OIL OF MONROE INC
P O BOX 766
MONROE, NC 28111-0766

STEGALL PETROLEUM INC
PO BOX 548
MONROE, NC 28111

BROOKHAVEN CITIZENS ASSEMBLY INC
11111 CARMEL COMMONS BLVD., STE 410
CHARLOTTE, NC 28226

UNION COUNTY BOARD OF EDUCATION
400 N. CHURCH STREET
MONROE, NC 28112



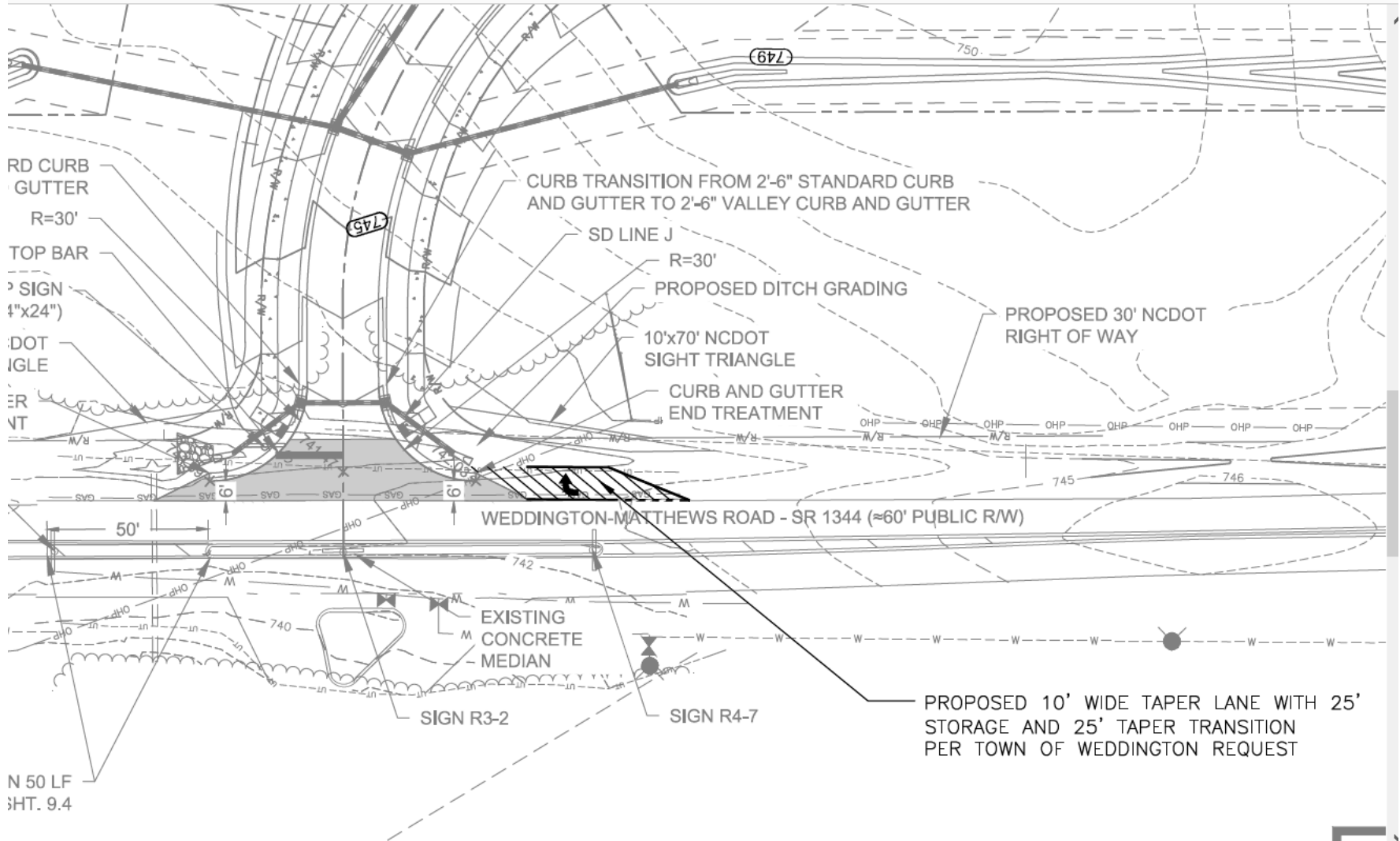


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WEDDINGTON CODE ENFORCEMENT REPORT

June, 2018

1. **404 Cottonfield Cir., James & Shannon Cox – *Home Occupation***
 - 6/30/18---Legal action still underway.
2. **4005 Ambassador Ct., Inez B. McRae Trust- *Abandoned Home***
 - 6/30/18---Deterioration continues, building vacant and closed.
3. **4716 Weddinton Matthews Rd. – *Home Occupation***
 - 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.
 - 4/18/18 - Notice of Violation & Citation, fines began 4/23/18. Violation continues.
 - 5/31/18—Owner was cited with Notice of Violation and Citation for dumpsters stored at this address. Dumpsters have been removed.
 - 6/30/18---Work continuing toward completion.
4. **4915 Beulah Church Rd. – *General junk***
 - Junk vehicles, old camper, old lawn mower and piles of limbs in yard; sent owner letter on 1/30/18. (town does not have over grown lot or cleanliness of land ordinance but am trying to use broad standards of zoning ordinance to get some clean up)
 - No response from owner.
 - No response from owner, except to mow yard.
 - Monitoring.
5. **3824 Beulah Church Rd.**
 - Trash and debris in back yard around trash containers and utility building. Courtesy letter has been sent to owner.
6. **3708 Beulah Church Rd. – *Home Occupation***
 - Rental house-tenant repairing wrecked vehicles in driveway; owner sent notice to discontinue this illegal use 4/3/18.
 - Notice of Violation & Citation sent to owner 4/18/18; fines began 4/23/18. Still monitoring this one.
 - 5/31/18—Yard/driveway cleaned, with vehicle tarped. Still monitoring this one.
 - 6/30/18—Monitoring.
7. **501 Devonport Dr. – *General Junk and Abandoned Vehicles***
 - Inspection—vehicles parked on driveway at garage. Did not see any violation issues.

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2017-2018

06/01/2018 TO 06/30/2018

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
REVENUE:				
10-3101-110 AD VALOREM TAX -	2,435.42	1,053,317.18	1,035,000.00	-2
10-3102-110 AD VALOREM TAX - 1ST	904.06	4,435.93	3,000.00	-48
10-3103-110 AD VALOREM TAX - NEXT 8	1,354.04	2,405.25	1,000.00	-141
10-3110-121 AD VALOREM TAX -	9,161.53	89,499.34	89,000.00	-1
10-3115-180 TAX INTEREST	287.92	2,826.61	2,250.00	-26
10-3231-220 LOCAL OPTION SALES TAX	30,946.90	288,696.59	325,000.00	11
10-3322-220 BEER & WINE TAX	0.00	45,517.32	45,000.00	-1
10-3324-220 UTILITY FRANCHISE TAX	133,249.97	465,788.53	450,000.00	-4
10-3340-400 ZONING & PERMIT FEES	3,127.50	47,440.00	45,000.00	-5
10-3350-400 SUBDIVISION FEES	935.00	27,330.00	25,000.00	-9
10-3830-891 MISCELLANEOUS REVENUES	100.00	1,719.81	1,000.00	-72
10-3831-491 INVESTMENT INCOME	5,087.21	9,838.54	5,000.00	-97
TOTAL REVENUE	187,589.55	2,038,815.10	2,026,250.00	-1
AFTER TRANSFERS	187,589.55	2,038,815.10	2,026,250.00	
4110 GENERAL GOVERNMENT				
EXPENDITURE:				
10-4110-126 FIRE DEPT SUBSIDIES	61,088.00	733,056.00	737,560.00	1
10-4110-127 FIRE DEPARTMENT	0.00	130.00	5,000.00	97
10-4110-128 POLICE PROTECTION	0.00	264,174.00	264,175.00	0
10-4110-192 ATTORNEY FEES - GENERAL	5,566.50	85,730.51	90,000.00	5
10-4110-193 ATTORNEY FEES -	0.00	141,481.16	145,000.00	2
10-4110-195 ELECTION EXPENSE	0.00	9,899.29	10,000.00	1
10-4110-340 PUBLICATIONS	0.00	6,445.47	9,000.00	28
10-4110-341 WEDDINGTON FESTIVAL	0.00	190.38	0.00	0
10-4110-342 HOLIDAY/TREE LIGHTING	0.00	7,874.99	6,500.00	-21
10-4110-343 SPRING EVENT	309.03	3,129.69	3,750.00	17
10-4110-344 OTHER COMMUNITY EVENTS	0.00	1,329.22	1,000.00	-33
10-4110-495 COMMITTEE & OUTSIDE	0.00	0.00	1,500.00	100
TOTAL EXPENDITURE	66,963.53	1,253,440.71	1,273,485.00	2
BEFORE TRANSFERS	-66,963.53	-1,253,440.71	-1,273,485.00	
AFTER TRANSFERS	-66,963.53	-1,253,440.71	-1,273,485.00	
4120 ADMINISTRATIVE				
EXPENDITURE:				
10-4120-121 SALARIES - CLERK	1,690.50	21,837.38	22,000.00	1
10-4120-123 SALARIES - TAX COLLECTOR	3,132.42	42,611.37	47,250.00	10
10-4120-124 SALARIES - FINANCE OFFICER	393.00	10,229.16	14,500.00	29
10-4120-125 SALARIES - MAYOR &	2,100.00	25,200.00	25,200.00	0
10-4120-181 FICA EXPENSE	559.58	7,639.93	8,500.00	10
10-4120-182 EMPLOYEE RETIREMENT	669.28	8,545.72	10,930.00	22

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2017-2018

06/01/2018 TO 06/30/2018

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4120-183 EMPLOYEE INSURANCE	1,014.50	12,175.50	12,780.00	5
10-4120-184 EMPLOYEE LIFE INSURANCE	12.60	151.20	175.00	14
10-4120-185 EMPLOYEE S-T DISABILITY	12.00	144.00	175.00	18
10-4120-191 AUDIT FEES	0.00	8,300.00	8,750.00	5
10-4120-193 CONTRACT LABOR	0.00	4,650.00	10,000.00	54
10-4120-200 OFFICE SUPPLIES - ADMIN	498.19	6,087.89	10,000.00	39
10-4120-210 PLANNING CONFERENCE	0.00	245.04	1,500.00	84
10-4120-321 TELEPHONE - ADMIN	298.72	1,877.89	3,500.00	46
10-4120-325 POSTAGE - ADMIN	0.00	1,599.03	2,000.00	20
10-4120-331 UTILITIES - ADMIN	523.53	5,109.32	4,725.00	-8
10-4120-351 REPAIRS & MAINTENANCE -	575.00	7,289.58	17,500.00	58
10-4120-352 REPAIRS & MAINTENANCE	3,243.13	60,558.41	63,000.00	4
10-4120-354 REPAIRS & MAINTENANCE	6,462.50	84,405.50	93,250.00	9
10-4120-355 REPAIRS & MAINTENANCE	500.00	1,166.80	1,000.00	-17
10-4120-356 REPAIRS & MAINTENANCE	540.00	5,280.00	6,000.00	12
10-4120-370 ADVERTISING - ADMIN	174.87	508.80	1,000.00	49
10-4120-397 TAX LISTING & TAX	-40.74	-399.85	250.00	260
10-4120-400 ADMINISTRATIVE:TRAINING	0.00	3,737.50	4,000.00	7
10-4120-410 ADMINISTRATIVE:TRAVEL	2,229.10	7,068.65	6,000.00	-18
10-4120-450 INSURANCE	0.00	14,161.75	15,750.00	10
10-4120-491 DUES & SUBSCRIPTIONS	87.11	14,724.08	16,000.00	8
10-4120-498 GIFTS & AWARDS	61.62	755.41	3,000.00	75
10-4120-499 MISCELLANEOUS	156.68	6,930.70	5,000.00	-39
TOTAL EXPENDITURE	24,893.59	362,590.76	413,735.00	12
BEFORE TRANSFERS	-24,893.59	-362,590.76	-413,735.00	
AFTER TRANSFERS	-24,893.59	-362,590.76	-413,735.00	

4130 PLANNING & ZONING

EXPENDITURE:

10-4130-121 SALARIES - ZONING	5,833.34	71,018.45	71,500.00	1
10-4130-122 SALARIES - ASST ZONING	0.00	530.40	2,950.00	82
10-4130-123 SALARIES -	1,295.25	15,084.21	17,000.00	11
10-4130-124 SALARIES - PLANNING	425.00	4,850.00	5,200.00	7
10-4130-125 SALARIES - SIGN REMOVAL	278.43	3,042.81	3,500.00	13
10-4130-181 FICA EXPENSE - P&Z	596.93	7,204.55	7,750.00	7
10-4130-182 EMPLOYEE RETIREMENT -	911.76	10,932.66	11,200.00	2
10-4130-183 EMPLOYEE INSURANCE	1,014.50	12,172.50	12,780.00	5
10-4130-184 EMPLOYEE LIFE INSURANCE	19.60	235.20	250.00	6
10-4130-185 EMPLOYEE S-T DISABILITY	12.00	144.00	175.00	18
10-4130-193 CONSULTING	1,009.79	16,356.88	32,000.00	49
10-4130-194 CONSULTING - COG	0.00	7,915.00	10,000.00	21
10-4130-200 OFFICE SUPPLIES -	141.10	4,823.35	5,000.00	4
10-4130-201 ZONING SPECIFIC OFFICE	0.00	175.00	2,500.00	93
10-4130-215 HISTORIC PRESERVATION	336.66	409.74	1,000.00	59

KIM

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TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2017-2018

06/01/2018 TO 06/30/2018

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4130-220 INFRASTRUCTURE	0.00	0.00	145,000.00	100
10-4130-321 TELEPHONE - PLANNING &	298.74	2,068.08	3,500.00	41
10-4130-325 POSTAGE - PLANNING &	0.00	1,576.94	2,000.00	21
10-4130-331 UTILITIES - PLANNING &	523.55	5,218.26	4,725.00	-10
10-4130-370 ADVERTISING - PLANNING	174.87	441.01	1,000.00	56
TOTAL EXPENDITURE	<u>12,871.52</u>	<u>164,199.04</u>	<u>339,030.00</u>	<u>52</u>
BEFORE TRANSFERS	<u>-12,871.52</u>	<u>-164,199.04</u>	<u>-339,030.00</u>	
AFTER TRANSFERS	<u>-12,871.52</u>	<u>-164,199.04</u>	<u>-339,030.00</u>	
GRAND TOTAL	<u>82,860.91</u>	<u>258,584.59</u>	<u>0.00</u>	

TOWN OF WEDDINGTON
BALANCE SHEET

FY 2017-2018

PERIOD ENDING: 06/30/2018

10

ASSETS

ASSETS

TRINITY CHECKING ACCOUNT	1,118,801.30
TRINITY MONEY MARKET	1,119,284.71
NC CASH MGMT TRUST	539,196.85
A/R PROPERTY TAX	9,610.84
A/R PROPERTY TAX - 1ST YEAR PRIOR	6,282.87
A/R PROPERTY TAX - NEXT 8 PRIOR YRS	7,663.30
PREPAID ASSETS	2,935.63
SALES TAX RECEIVABLE	2,588.20
FIXED ASSETS - LAND & BUILDINGS	2,346,268.11
FIXED ASSETS - FURNITURE & FIXTURES	20,583.08
FIXED ASSETS - EQUIPMENT	118,306.60
FIXED ASSETS - INFRASTRUCTURE	26,851.01
TOTAL ASSETS	<u>5,318,372.50</u>

LIABILITIES & EQUITY

LIABILITIES

BOND DEPOSIT PAYABLE	75,002.25
FEDERAL TAXES PAYABLE	64.51
DEFERRED REVENUE - DELQ TAXES	6,282.87
DEFERRED REVENUE - CURR YR TAX	9,610.84
DEFERRED REVENUE-NEXT 8	7,663.30
TOTAL LIABILITIES	<u>98,623.77</u>

EQUITY

FUND BALANCE - UNASSIGNED	2,199,653.14
FUND BALANCE-ASSIGNED	249,500.00
FUND BALANCE-INVEST IN FIXED ASSETS	2,512,011.00
CURRENT FUND BALANCE - YTD NET REV	258,584.59
TOTAL EQUITY	<u>5,219,748.73</u>

TOTAL LIABILITIES & FUND EQUITY	<u>5,318,372.50</u>
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TOWN OF W E D D I N G T O N

MEMORANDUM

TO: Mayor and Town Council

FROM: Kim Woods, Tax Collector

DATE: July 9, 2018

SUBJECT: Monthly Report –June 2018

Transactions:	
Penalty and Interest Payments	\$(378.66)
Interest Charges	\$171.00
Discoveries	\$2275.91
Adjustments Under 5.00	\$(5.30)
Releases	\$(31.63)
Taxes Collected:	
2009	\$(29.02)
2010	\$(29.02)
2011	\$(29.02)
2012	\$(50.30)
2013	\$(126.47)
2014	\$(131.53)
2015	\$(968.22)
2016	\$(904.06)
2017	\$(2435.42)
As of June 30, 2018; the following taxes remain Outstanding:	
2007	\$83.43
2008	\$808.16
2009	\$554.28
2010	\$530.18
2011	\$52.18
2012	\$789.41
2013	\$1119.76
2014	\$1668.01
2015	\$2057.89
2016	\$6282.87
2017	\$9610.84
Total Outstanding:	\$23557.01

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

MEMORANDUM

TO: Mayor and Town Council

FROM: Kim Woods, Tax Collector

DATE: July 9, 2018

SUBJECT: Annual Settlement Statement – Fiscal Year 2017-2018

2017 Tax Charge	\$1,141,348.04
Discoveries	\$716.15
Convenience Charge CC	\$782.10
Interest Charges	\$2353.52
Refunds	\$6580.61
Late List Penalties	\$142.18
Adjustments Under \$5.00	\$(293.83)
Convenience Fee Payments	\$(779.06)
2017 Tax Exemptions	\$(57405.59)
2017 Tax Deferments	\$(20542.22)
2017 Tax Write-offs (<5.00)	\$(1069.48)
Balance Adjustments	\$(347.07)
Overpayments	\$(410.18)
Interest Payments	\$(1790.39)
Penalty Payments	\$(80.58)
Releases	\$(534.31)
2017 Taxes Collected:	\$(1,059,059.05)
2017 Unpaid Balance	\$9610.84