

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, AUGUST 13, 2018 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104**

AGENDA

Prayer – Dr. Jeff Gardner, Threshold 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. RECOGNITION OF DEPUTY CHRIS BLACK AND DEPUTY JACKSON HUNT
7. CONSENT AGENDA
 - A. Adopt Proclamation #P-2018-02 Proclaiming September 17 -23, 2018 as Constitution Week
 - B. Adopt Disposal of Surplus Personal Property Policy
 - C. Appoint Janet Peirano as Assistant Zoning Administrator
8. APPROVAL TOWN COUNCIL MINUTES
 - A. July 9, 2018 Town Council Regular Meeting Minutes
9. OLD BUSINESS
 - A. Discussion and Consideration of Proposals for Site Work and Design of Matthews Property
 - B. Discussion and Consideration of Junk/Nuisance Ordinance
10. NEW BUSINESS
 - A. Discussion of Land Use Plan Annual Review
 - B. Discussion of Erosion Control Ordinance and Interlocal Agreement with Waxhaw
 - C. Discussion and Consideration of a Contract for the Wesley Chapel Volunteer Fire Department Roof Repairs
 - D. Discussion and Consideration of Entering into Contract for Repaving of Ambassador Court
 - E. Discussion and Consideration of Entering into an Agreement with Randall Arendt for an Hourly Fee
 - F. Discussion of Land Clearing Open Burning Regulation
11. UPDATE FROM TOWN PLANNER
12. CODE ENFORCEMENT REPORT
13. UPDATE FROM FINANCE OFFICER AND TAX COLLECTOR
14. TRANSPORTATION REPORT
15. COUNCIL COMMENTS
16. ADJOURNMENT

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, AUGUST 13, 2018 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
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Prayer – Dr. Jeff Gardner, Threshold Church

1. OPEN THE MEETING

Mayor Callis called the meeting to order at 7:02 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Callis led the Pledge of Allegiance.

3. DETERMINATION OF QUORUM

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

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

Visitors: Chris Kelly, Walt Hogan, Mimi Cragg, Grayson Lucas, Tim Lucas, Jeff Gross, Barbara Harrison, Pat Harrison, Bob Rapp, Alix Pavlic Phillips, Leander Chance, Darren Chance, Joyce Plyler, Bill Deter, Dave Monfort, Mary Monfort, Anne Marie Smith, Tracy Stone

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

Motion: Councilmember Smith made a motion to approve the agenda as presented.
Vote: The motion passed with a unanimous vote.

5. PUBLIC COMMENTS

Chris Kelly – 2346 Wedgewood Drive: Mr. Kelly spoke to agenda item 10.F. Discussion of Land Clearing Open Burning Regulation. He expressed his support of the open burning ban. He believes that developers' burning the land debris is a nuisance. He expressed that he would like to see a residential open burning ban as well. When developers burn the land clearing debris, Mr. Kelly and his family cannot go outside.

Bill Deter – 401 Havenchase Drive: Mr. Deter spoke of his concern regarding Council actions taken at the July Regular Town Council Meeting regarding the cul de sac extension modification approval. His comments are attached for the record. Mr. Deter also expressed his appreciation to commend the Council on bringing Randall Arendt for consulting on the subdivision ordinance.

Curt Wilson - 3601 Fox Run: Mr. Wilson stated that he shares concern about open burning. He believes Weddington should follow lead of communities nearby that have burn bans.

6. RECOGNITION OF DEPUTY CHRIS BLACK AND DEPUTY JACKSON HUNT

Mayor Callis recognized the service of Deputy Chris Black and Deputy Jackson Hunt. Deputy Black was unable to attend this evening. He has been with Weddington since September 2014 and has been promoted to Sergeant and will be working with Davis Squad patrolling the county.

Deputy Hunt has served in Weddington since September 2016 and has been selected for Detective working out of Wesley Chapel. Mayor Callis presented a plaque to Deputy Hunt.

Councilmember Smith spoke to Deputy Hunt's prior service in the Marine Corps (2 tours in Afghanistan), his service in the North Carolina National Guard since 2013. Councilmember Smith stated that he has worked closely with all deputies and he believes they have done an outstanding job. He thanked them for their service to the community and he stated that he appreciates the dangers faced every day. He stated that on behalf of the Council, Staff, and residents, thank you for your service.

7. CONSENT AGENDA

- A. Adopt Proclamation #P-2018-02 Proclaiming September 17 -23, 2018 as Constitution Week**
- B. Adopt Disposal of Surplus Personal Property Policy**
- C. Appoint Janet Peirano as Assistant Zoning Administrator**

Motion: Mayor Pro Tem Propst made a motion to approve the Consent Agenda as presented.

Vote: The motion passed with a unanimous vote.

8. APPROVAL TOWN COUNCIL MINUTES

- A. July 9, 2018 Town Council Regular Meeting Minutes**

Motion: Councilmember Perryman made a motion to approve the July 9, 2018 Town Council Regular Meeting Minutes as presented.

Vote: The motion passed with a unanimous vote

9. OLD BUSINESS

- A. Discussion and Consideration of Proposals for Site Work and Design of Matthews Property**

Ms. Thompson presented the staff report: Staff sent out an RFP for a master plan for 5.6 acres of land owned by the Town, which includes the town hall site and the Matthews property. It was sent out to be designed as it relates to park, recreation, event areas and open space. In the scope of work, staff is requesting a summary document which will include an evaluation of existing conditions, with opportunities and constraints listed. Staff is also requesting that bidders provide two detailed colored conceptual design plans and plan to meet with elected and appointed officials to review the two plans. One of the plans will include keeping the existing single family home on the site. The RFP was sent to 4 qualified firms. Staff received 3 proposals: from WK Dixon, ESP, and Cardno. Staff recommends entering into contract with the lowest bidder (Cardno).

Councilmember Perryman stated that he was hoping for more definitive ideas. He believes that the first question asked should be if the house can be saved and if that is practical. Secondly, he believes it should be done in phases so there isn't too much done too quickly. He'd like information on basic landscaping and getting basic utilities out there.

Councilmember Smith stated his agreement with Councilmember Perryman. He believes Ms. Thompson did exactly what the Council asked her to do, but there needs to be some structure to the process. He looked through the proposals and one gave suggestions and site plans. Councilmember Smith stated that the problem is that the Council has not held a meaningful discussion on what can or cannot be done.

Mayor Pro Tem Propst agreed and stated that the Town should go with Cardno to get ideas.

Councilmember Buzzard stated that he is leaning with Councilmember Perryman. He understands that the Council has been spinning their wheels and he would like more time to look over the proposals and make a determination if there needs to be more internal discussion before entering into a contract.

Councilmember Smith agreed. He stated that he is supportive of giving more time for discussion to help the Council feel comfortable with their decision.

Councilmember Perryman stated that before the Town spends money, the Council should do homework on exactly what they are looking for on what needs to be done.

Councilmember Buzzard stated that there are some old concept plans that haven't been taken into account and he believes that the Council should look over those and discuss them together.

Mayor Callis stated that it sounds like the Council would like to have a work session before the next regular Town Council meeting to focus on the site plan for the property.

The Council directed Ms. Thompson to set up a work session meeting.

The Council directed Ms. Thompson to get quotes for the house: 1) to demolish the existing house 2) restore the existing house as it is allowing for Business Occupancy Code 50 people or less or 3) remodel the existing house to change the interior condition to allow for occupancy over 50. This will give clear direction without any cost to the town.

B. Discussion and Consideration of Junk/Nuisance Ordinance

Ms. Thompson presented the staff report. The Town will only regulate this ordinance when someone reports a nuisance and this ordinance will declare any accumulation of litter, debris, garbage, junk, etc from any front or side yard, or underneath any building, as a public nuisance. It will also regulate construction debris on property visible from the street or an adjoining lot.

Councilmember Smith asked about how many complaints the Town receives. Ms. Thompson responded that it is generally seasonally driven, currently about 2 to 3 complaints per week. In the winter, there aren't as many complaints.

Ms. Thompson stated that code enforcement is going to these sites, noting the complaints and a courtesy letter is sent, but there is not an ordinance to regulate the nuisance. So the work is being done anyway, staff doesn't see additional services needed with code enforcement in order to enforce this text amendment.

Mayor Pro Tem Propst stated her appreciation for the work Councilmember Smith has done on this issue. She stated that she isn't a fan of over regulation, but this has been mentioned at many meetings. She acknowledged that Weddington is growing fast and things are changing; there needs to be more consideration of complaints and public safety issues. Mayor Pro Tem Propst believes this is necessary for public safety and property value.

Councilmember Buzzard stated his agreement with the Mayor Pro Tem. He believes that there may be push

back, but this is an opportunity for the Town to consider safety.

Motion: Councilmember Smith made a motion to adopt text amendment Chapter 92 – Property Maintenance and Nuisance Abatement

Vote: The motion passed with a unanimous vote.

10. NEW BUSINESS

A. Discussion of Land Use Plan Annual Review

Ms. Thompson stated: the Town conducts a review of the Land Use Plan every July to determine the progress in achieving the Land Use Plan goals, objectives, and strategies. Staff compiled the actions reviewed over the last fiscal year and Planning Board assessed the projects and how they continue to comply with the Land Use Plan and made recommendations on how to continue. (*Land Use Plan Annual Review is hereby submitted for the record*).

The Council thanked Ms. Thompson. There was no additional discussion.

B. Discussion of Erosion Control Ordinance and Interlocal Agreement with Waxhaw

Ms. Thompson presented the staff report: The Planning Board discussed having a Town erosion control program in November 2017. At that time, the construction inspector was just starting and the Board wanted to see if the site inspections would help speed up enforcement by NCDENR. The Planning Board reviewed the issue last month and recommended that the Town consider adopting their own ordinance. The Town of Waxhaw adopted its own ordinance in December 2016 and completely turned the erosion issues around. With the Town Council's approval to proceed, the following steps would need to occur:

1. Understanding the State Act and Model Ordinance.
2. Document the need in the community.
3. Obtain local support.
4. Develop a local ordinance – with technical assistance by land quality and legal review by the Attorney General's office.
5. Plan organization of local program including budget, fees, forms, equipment, personnel, engineer, and attorney.
6. Adopt local government ordinance
7. Petition SCC for local delegation and ordinance approval
8. Implement program subject to State review.

Councilmember Perryman stated his belief that the most important thing is that Waxhaw practically solved their problem. He is in support.

Councilmember Smith stated that he brought this to the Council a couple of years ago. He believes there needs to be some relief to protect property. Exploring some cost sharing with Waxhaw is an excellent idea. As more houses are being built in Weddington, this is going to get worse.

Mayor Pro Tem Propst stated her agreement.

Councilmember Buzzard asked if the interlocal agreement with Waxhaw would be to explore cost sharing measures. Ms. Thompson responded that she is working out the logistics of it.

Council directed Staff to proceed to complete the necessary tasks to adopt its own erosion control program.

C. Discussion and Consideration of a Contract for the Wesley Chapel Volunteer Fire Department Roof Repairs

Councilmember Smith presented quotes and recommendations. He stated that he spoke with Ms. Wolter about contractual issues. Ms. Wolter explained: one of the things she has been working on is getting process in place for when the Town is going under contract to make sure we are following all procurement processes given to us by the State. The fire station roof work does meet the requirement for the informal bidding process. Councilmember Smith has received some informal bids that he will recommend. Council will be asked to vote on authorizing Ms. Thompson to enter into contract and to authorize staff and attorney to finalize the contract. Ms. Wolter did review the lease and confirmed it is the responsibility of the Town for non scheduled repairs greater that \$5000 with no contribution requirement of the fire station.

Councilmember Smith stated that he received quotes from two highly qualified contractors. There are 2 options: rip up the old membrane on the roof and put down a new one for \$ 20,179. The second option is a sealant. Councilmember Smith will be recommending that. There is a 10 year warranty. After 10 years, the sealant can be reapplied. Councilmember Smith recommends entering into contract for \$15,481 with WaynCo Roofing LLC to do the sealant on the roof of the fire station. He believes this is the most cost effective option. WaynCo has a history of working with the fire department: they installed the roof on the new Wesley Chapel fire station.

Councilmember Perryman stated that it sounds like a good recommendation.

Mayor Pro Tem Propst asked if the sealant will last longer than the 10 year warranty. Councilmember Smith responded that when he asked what the life expectancy of the sealant was, the answer was 10 years and then just reapply the sealant. The other option of replacing the membrane was a 20 year guarantee with contingencies.

Ms. Gaylord stated that this repair cost is included in the 2019 budget.

Motion: Councilmember Smith made a motion to authorize Staff to enter into a contract with WaynCo Roofing LLC in the amount not to exceed \$15,481.00 and to authorize Staff and the Town Attorney to finalize the contract.

Vote: The motion passed with a unanimous vote.

D. Discussion and Consideration of Entering into Contract for Repaving of Ambassador Court

Ms. Thompson stated: Staff was asked to get bids for repaving of Ambassador Court to bring it to NCDOT standards to be accepted into the state maintenance system. Staff received bids from Tarpon Constructions and H&S Paving. H&S Paving was the lowest qualified bidder at \$19,150.

Councilmember Buzzard stated he would like to table this consideration until the next meeting. He believes that the contract and scope of work should be reviewed by NCDOT. There have also been discussions about contributions from residents, and that needs to be discussed with them.

Ms. Thompson asked for if direction would be to draft a contract, have NCDOT review it and bring to next meeting.

Mayor Pro Tem Propst asked about the contributions from residents and how the town can collect.

Ms. Wolter stated that it would require an assessment and is a lengthy process to go through. The Town can ask for voluntary contributions.

Mayor Pro Tem Propst stated that there was some discussion of the residents' willingness to contribute as the Town was helping to get it done.

Ms. Wolter suggested having an informal conversation between Staff and residents, so Town is not compelling residents to contribute.

Councilmember Perryman stated that he will be ready to consider this after NCDOT reviews the contract to be sure standards are met and there is an informal meeting with the residents to discuss their possible contributions to the cost of the repaving.

Council agreed to table discussion and consideration of entering into a contract for repaving of Ambassador Court and directed Staff to draft a contract for NCDOT to review.

Councilmember Buzzard agreed to set up meeting with residents.

E. Discussion and Consideration of Entering into an Agreement with Randall Arendt for an Hourly Fee

Ms. Thompson stated that the Town had meetings and site visits with Mr. Arendt in July to review conservation subdivisions and the ordinances. Staff would like to incorporate Mr. Arendt's suggested ideas into town ordinances and would like to enter into an agreement with Mr. Arendt for planning services. His fee is \$200 per hour. Ms. Thompson believes this will be quick work, using no more than 10-20 hours. There is \$9000 left in the planning budget.

Councilmember Perryman asked if the agreement can be limited to not exceed 20 hours. The Council agreed.

Councilmember Smith stated that the limit is a good idea, but if the Town needs more, the agreement can be revisited to determine how much more is needed. The Planning Board does a phenomenal job; this will just augment and assist them.

Mayor Pro Tem Propst stated that she found Mr. Arendt's visit very informative. A lot of people want this community to be a rural community, and the Town isn't really there anymore, it is becoming more urban, but if we can make it feel more rural, that would be great. She is all for helping the Town preserve open space.

Councilmember Buzzard stated let's say we've done things differently, not wrong. He believes there are very good ideas, however the reason why the Town didn't have Mr. Arendt write the ordinances is probably because what he likes doesn't necessarily fit in Weddington, but having him in right now is an asset.

Councilmember Smith agrees. Mr. Arendt's vision isn't necessarily Weddington, but having his help will be good.

Motion: Councilmember Smith made a motion to direct Staff to enter into an agreement

Vote: with Randall Arendt for planning services not to exceed \$4,000.00
The motion passed with a unanimous vote

F. Discussion of Land Clearing Open Burning Regulation

Ms. Thompson presented the staff report: As heard in tonight's public comment, The Town has received several complaints about developers clearing and burning land-clearing debris. Some piles and flames reach over 40 feet tall and smolder for weeks. The smoke and ash force some adjacent residents to stay inside. Ms. Thompson contacted state and local fire marshal. There is no permit required as long as they are 500 feet from a dwelling and it can't be fueled before 8 a.m. or after 6 p.m. There is a fugitive dust rule for the ash, but land disturbing activities are exempt.

Ms. Thompson wrote chapter 34 – Article IV Burning of Land Clearing Vegetation which defines land clearing and Section 34.93 prohibits burning of it. The penalty section puts 1st citation at \$50, the 2nd at \$100 and the 3rd and subsequent violations are \$500. The Town also has the ability to extinguish the fire and if a fee is associated with that, it can be billed back to developer.

Councilmember Buzzard asked if the fees are capped by the state. What is the Town allowed to assess outside of putting out the fire. It seems that a developer wouldn't mind paying the penalty fee. He asked if there are ways to ensure that they would actually comply with ordinance rather than just paying the penalty. Ms. Thompson stated that she would check.

Mayor Pro Tem Propst stated that she supports this ordinance and she stands with the people who spoke tonight. Smelling this smoke can be stagnating. She believes these developers should find other alternatives to clearing vegetation.

Councilmember Smith mentioned the 50 ft high burn piles at the Falls of Weddington that burned for days on end. He stated his support for the burn regulations.

Councilmember Perryman stated that he is in favor of this for all the reasons previously mentioned. He agrees with Councilmember Buzzard, the Town needs to put some teeth in the penalties. He asked Ms. Wolter if we can be more restrictive than the state. Ms. Wolter responded that we can.

Council directed Staff to look in to penalty section for consideration next month.

11. UPDATE FROM TOWN PLANNER

Ms. Thompson presented the update: There are Public Involvement Meetings being held Wednesday for the Weddington Athletic Center on site from 2-4 and at Town Hall from 5-7. This is for a change of use at the Crossroads Church building. No changes are planned for building or parking lot.

Another PIM for Christ Lutheran Church will be held on the 22nd from 2-4 on site at 315 Reid Dairy Road and from 5-7 at Town Hall. Site plans and elevations are on the Town website.

Ms. Thompson has drafted an RFP for IT services. The attorney has reviewed it and it should be sent out tomorrow.

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

Ms. Thompson presented the Code Enforcement Report: Number 8 notice of violation sent. First citation sent

today. Number 9: 150 Amanda drive is a new item. They were sent a notice of violation for a grading and landscape business.

13. UPDATE FROM FINANCE OFFICER AND TAX COLLECTOR *(attached for the record)*

Ms. Gaylord stated that the first month of the fiscal year is finished and in the packets. Rowell, Craven, and Short will be starting the Town audit around September 17th.

14. TRANSPORTATION REPORT

Councilmember Buzzard stated that there is nothing significant to report.

15. COUNCIL COMMENTS

Councilmember Buzzard: I would like to thank Staff. We had a lot on the agenda this evening and I believe that is a sign of how hard they have been working. I want to thank all of the public that comes out and has an interest in the town and what we do and how we can do it better.

Mayor Pro Tem Propst: Ditto. Thanks Lisa, Karen, Leslie, and everybody for all the work you do. It was a full agenda tonight. I think the meeting went real well. I appreciate all the people here that came out and spoke regarding the fire/burning ordinances. Please stay involved and I know we can't stop all burning in town, but stay involved with the community and thank you all for coming out tonight

Councilmember Smith: Same thing. Thank you everybody and Staff.

Councilmember Perryman: I do appreciate everybody coming out. It's nice to hear from folks, especially when we hear the concerns and issues. And thanks to town staff, they do a great job and I know I appreciate it.

Mayor Callis: I would like to thank Staff and I would also like to thank Councilmember Smith for his hard work on the nuisance ordinance –I know he spent many afternoons with the attorney, so thank you for your efforts on that. Hopefully we can get rid of some of our junk. Thank you all very much.

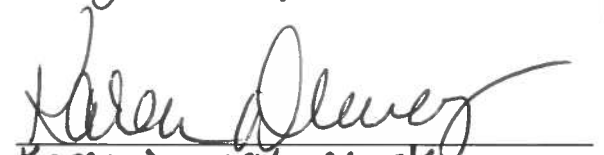
16. ADJOURNMENT

Motion: Councilmember Smith made a motion to adjourn the August 13, 2018 Regular Town Council Meeting at 8:08 p.m.

Vote: The motion passed with a unanimous vote.

Adopted: Sept 10, 2018


Elizabeth Callis, Mayor


Karen Dewey, Clerk

COUNCIL COMMENTS

August 13, 2018

I'm here tonight to express my deep concern and dismay at your actions taken at the July meeting to grant another modification to the town's subdivision cul-de-sac ordinance 46-76(g) for Weddington Acres. This is the 2nd time in four months for two separate subdivisions that you have ignored Planning Board recommendations and town ordinances to the detriment of residents.

Enforcement of town ordinances are what make Weddington the great town that it is. Each of you ran for office on a platform that you would support and enforce these ordinances. Your actions don't match your campaign promises.

At the July Council meeting it was questioned, "in 2016 the Planning Board approved the plan then Council rejected it and then the Planning Board rejected it?" If you do your homework and prepare for the Council meetings you would know that in 2016 the town did not have a planner and COG (Council of Governments) was providing an interim service. The Planning Board was erroneously told that this was the only way the property could be developed. It was not the only development option. A simple phone call to any Planning Board member would have gotten you this information.

Weddington Acres already had an approved plan. It was granted thru the request for modification process in 2016. However, after talking to some of you, they realized they could get a better result if they came back to this new Council. The process for a modification request calls for a finding of facts. The applicant stated that there were no new facts. With no new facts there is no basis for the council to approve the modification request. Actually, I was quite surprised that the town attorney, who sits at this table, did not speak up to help the council thru this process.

I'm very concerned the word has gotten out in the development community that this council is willing to ignore the town's ordinances. These ordinances are the rules for our town. They protect buffers, viewshed from the roads, housing density and public safety among other things.

Please stop taking actions based on your personal beliefs or preferences. Follow the rules. That's what they are there for and what you were elected to do.

On a more positive note I want to again recognize the Council for having Mr. Randall Arendt make a presentation on his review of RCD subdivisions. This open forum allowed residents of Weddington and other communities to attend and ask questions about his philosophy. Density, viewshed, buffers, these are all part of his vision for maintaining a rural community being faced with explosive growth. I also see on tonight's agenda you may retain him for an hourly fee. I hope this is to have him help in the design of the next RCD subdivision and not write the ordinances. While he has a creative vision for design and development we need a pragmatic realist to convert this vision into words (ordinances) that the town can and hopefully will enforce.





**TOWN OF WEDDINGTON
PROCLAMATION
P-2018-02**

WHEREAS, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2018, marks the two hundred thirty first anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Elizabeth Callis, by virtue of the authority vested in me as Mayor of the Town of Weddington do hereby proclaim the week of September 17 through 23, 2018 as

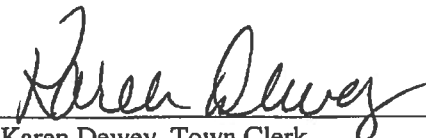
CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Weddington to be affixed this 13th day of August, 2018.


Elizabeth Callis, Mayor

Attest:


Karen Dewey, Town Clerk



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, and the reason it's being discarded to the Town Council 30 days 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, Town Council nor immediate family members of either, shall receive any preferential treatment in the disposal or sale of Town surplus property therefore, items for sale shall be listed publicly for at least 60 days prior the above mentioned parties being eligible to purchase any item.

Approved at
13 August 2019 Regular TC mtg



**AN ORDINANCE TO ADD CHAPTER 92
TO THE CODE OF ORDINANCES
OF THE TOWN OF WEDDINGTON**

O-2018-04

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT CHAPTER 92
OF THE CODE OF ORDINANCES BE ADDED AS FOLLOWS:**

**CHAPTER 92
PROPERTY MAINTENANCE AND NUISANCE ABATEMENT**

General Provisions

- 92-01 Purpose
- 92-02 Definitions
- 92-03 Investigation of Public Nuisances

Property Maintenance and Nuisance Abatement

- 92-10 Occupants or owners shall keep premises free of litter, debris, junk and the like
- 92-11 Debris From Construction Left On Property
- 92-12 Junk; Removal
- 92-13 Abatement of violations
- 92-14 Civil Penalties
- 92-15 Appeals
- 92-16 Penalty

Abandoned and Junked Motor Vehicles

- 92-50 Abandoned, nuisance and junked motor vehicle prohibited
- 92-51 Removal of abandoned, nuisance and junked vehicles authorized
- 92-52 Notice required before vehicle removed
- 92-53 Notice required when vehicle removed; hearing
- 92-54 Use of private towing operators
- 92-55 Disposal of abandoned vehicles
- 92-56 Disposal of junked vehicles
- 92-57 Certain vehicles exempt

General Provisions

92-01 PURPOSE

This article is enacted pursuant to the authority conferred upon the town by the general assembly of the state for purposes of creating conditions essential to the health, safety, convenience and general welfare.

92-02 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED MOTOR VEHICLE. A vehicle that meets any of the following conditions:

- (1) Is left on public grounds or town-owned property in violation of a law or ordinance prohibiting parking.
- (2) Is left for longer than two hours on private property without the consent of the owner, occupant or lessee of the property.
- (3) Is left for longer than seven days on public grounds.

ADMINISTRATOR. The person or persons designated by the town council to perform the duties and responsibilities assigned by this chapter to the Administrator.

BUILDING MATERIALS. Any material such as lumber, brick, plaster, gutters, fences or other substances accumulated as a result of repairs or additions to existing buildings, construction or new buildings or demolition of existing structures.

BUSINESS TRASH. Any waste accumulation of dust, paper and cardboard, excelsior, rags or other accumulations, other than garbage or household trash, which are usually attendant to the operation of stores, offices and similar businesses.

CHRONIC VIOLATOR. A person who owns property whereupon, in the previous calendar year, the town gave notice of violation of this article at least three times under any provision of this article.

CODE ENFORCEMENT OFFICER. The persons assigned by the Administrator to carry out the duties of enforcing the code of ordinances for the town.

COMMERCIAL ESTABLISHMENTS. Any retail, manufacturing, wholesale, institutional, religious, governmental or other nonresidential establishment at which garbage or trash may be generated.

DEBRIS. Remains of anything broken, broken down, taken apart, damaged or destroyed including but not limited to litter or trash.

ESTABLISHED DRIVEWAY. An area that is paved, graveled, bare of vegetation or otherwise clearly indicative of the area that is normally used for vehicles to enter onto or exit from real property from or to a public or private street.

GARBAGE. All solid wastes capable of being rapidly decomposed by microorganisms, including but not limited to animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food, as well as animal offal and carcasses, but

excluding sewage and human wastes.

HAZARDOUS REFUSE. Material such as cleaning fluids, crankcase oils, cutting oils, paints, explosives, acids, caustics, poisons, drugs, radioactive products, infected materials, offal, fecal matter and any other material hazardous to people or the environment if not disposed of properly.

HOUSEHOLD TRASH. Every waste accumulation of paper, sweepings, dust rags, bottles, cans, cardboard, plastic, small pieces of wood, rubber, leather or other matter of any kind, other than garbage and yard trash, which is usually attendant to housekeeping.

INDUSTRIAL WASTES. All wastes, including solids, semi-solids, sludges and liquids resulting directly from industrial, processing or manufacturing operations.

JUNK. Worn out or discarded metal, old iron, used plumbing parts or fixtures, other metals, automobile parts, chains, copper, machines or parts of machinery, bottles, rags, tallow, hide, worn-out tires, broken glass, aluminum, tin or other sharp, pointed, jagged or rusted metal or other articles commonly known as junk. In addition **JUNK** means household appliances and upholstered furniture and mattresses not designed or manufactured for outdoor use.

JUNKED MOTOR VEHICLES. A motor vehicle that does not display a current license plate and that:

- (1) Is partially dismantled or wrecked; or
- (2) Cannot be self-propelled or moved in a manner in which it was originally intended to move; or
- (3) Is more than five years old and appears to be worth less than \$500.

MOTOR VEHICLES. Any machine designed or intended to travel over land or water by self-propulsion or while attached to a self-propelled vehicle.

NUISANCE VEHICLE. A vehicle on public or private property that is determined and declared by the proper authorizing official to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be:

- (1) A breeding ground or harbor for mosquitoes, other insects, rats or other pests; or
- (2) A point of heavy growth of weeds or other noxious vegetation over twelve inches in height; or
- (3) A point of collection of pools or ponds of water; or
- (4) A point of concentration of quantities of gasoline, oil, or other flammable or explosive materials; or

(5) One which is a source of danger for children through entrapment in areas of confinement which cannot be operated from the inside, such as trunks, hoods, and the like; or

(6) So situated or located that there is a danger of the vehicle falling or turning over; or

(7) One which is a point of collection of solid waste, garbage, food waste, animal waste, or any other rotten or putrescible matter of any kind; or

(8) One which is a source of danger for children from exposed sharp parts thereof which are jagged or contain sharp edges of metal or glass; or

(9) Any other vehicle specifically declared a health and safety hazard and a public nuisance by the Town Council.

PERSON. Any natural person, corporation, partnership, authority created by statute, association or other entity of combination thereof.

REFUSE. Solid waste accumulations consisting of garbage, household trash, yard trash and business trash as defined in this section.

SMALL DEAD ANIMALS. Cats, dogs, small household pets and other animals of similar size.

TREE TRIMMINGS. Waste accumulation of tree branches, tree limbs, parts of trees, leaves or other matter usually created as refuse in the care of trees and bushes.

WASTES. All useless, unwanted or discarded materials resulting from domestic, industrial, commercial or community activities.

YARD. Any area on the same lot with a building or buildings lying between the building or buildings and the nearest lot line. **FRONT YARD** means an open, unoccupied space between the street right-of-way line, and the front of a building, projected to the side lines of the lot.

REAR YARD. Means a yard extending the full width of the lot on which a principal building is located and situated between the rear lot line parallel thereto and passing through the point of the principal building nearest the rear lot line. A **SIDE YARD** means a space extending from the front yard to the rear yard between the principal building and the side lot line as measured perpendicular from the side lot line to the closest point of the principal building. If there is not a building on the property, the entire property shall be deemed the **FRONT YARD**.

YARD TRASH. Waste accumulation of lawn, grass and shrubbery cuttings or clippings, free of dirt, rocks, large branches and bulky or noncombustible material.

92-03 INVESTIGATION OF PUBLIC NUISANCES.

The Administrator or his designee, upon notice from any person of the possible existence of any of the conditions described in §§§ 92-10, 11 and 12, shall conduct or cause to

be made by the appropriate official such investigation as may be necessary to determine whether conditions exist which may constitute a public nuisance as declared in §§§ 92-10, 11 and 12.

Property Maintenance and Nuisance Abatement

92-10 OCCUPANTS OR OWNERS SHALL KEEP PREMISES FREE OF LITTER, DEBRIS, JUNK AND THE LIKE.

Every person owning or occupying a premises within the town corporate limits shall keep the property clean. The existence of any of the following conditions on any property, vacant lot or other parcel of land within the corporate limits, is dangerous and prejudicial to the public health or safety and is hereby declared a public nuisance.

- (A) Any accumulation of litter, debris, refuse, garbage, junk, hazardous refuse, household trash, business trash, scrap materials, or animal excrement on any front or side yard, or underneath any building.
- (B) The uncontrolled growth of noxious weeds and grasses to a height in excess of 24 inches causing or threatening to cause a hazard detrimental to the public health or safety. Provided, however, that bona fide farming crops as well as food and flower gardens while maintained for such purposes, pastures, naturally wooded areas, regulated wetland or meadows and areas designed as undeveloped open space or meadow by the Town, are exempt from the provisions of this subchapter.
- (C) An open or unsecured storage or collection place for chemicals, oils, gasoline, flammable liquids, or other similar Hazardous Refuse.
- (D) Any condition detrimental to the public health and safety which violates the rules and regulations of the county Health Department.

92-11 DEBRIS FROM CONSTRUCTION LEFT ON PROPERTY.

All refuse, lumber, debris and other building materials on private property which are visible from the street or an adjoining lot for any reason including, but not limited to, construction in progress for the remodel or repair of any existing buildings, the erection and completion of any new buildings or the addition to existing buildings, all pursuant to a lawfully-issued and currently-active building permit, shall be removed by the property owner immediately or, in the event of work under a building permit, within 15 calendar days from the completion of the aforesaid work. An owner or occupant may need to verify that construction is currently in progress if there has been no construction activity for over 30 calendar days and show good cause why the town should not abate the refuse, lumber, debris and other building materials left or stored on the property.

92-12 JUNK; REMOVAL.

It shall be unlawful for any owner or occupant of any land, building, structure, dwelling or dwelling unit to place or leave (or allowed to be placed or remain) outside of any such building, structure, dwelling or dwelling unit or upon such land any dilapidated furniture, icebox, refrigerator, stove or other appliance, machinery, equipment, building material or other item or junk which is either in a wholly or partially rusted, wrecked, junked, dismantled or inoperative condition or which is not completely enclosed within a building.

92-13 ABATEMENT OF VIOLATIONS.

(A) *Contract for abatement services.* Whenever the Administrator, or his or her authorized designee, has determined that a violation of this article and/or a nuisance exists and has provided proper notice thereof, the property owner, occupant or person in possession of the premises on which the nuisance is located may contract with the town to remove such conditions at a fee paid in advance and upon such terms and conditions as the Administrator, or his or her authorized designee, may approve, except that as a condition of all such agreements the property owner, occupant or person in charge of the premises shall by signed writing in advance of any work release the town from any liability arising from or resulting from the removal of such conditions. In the event the owner of the property is not the occupant, then a signed release shall be required from both the property owner and the occupant before the town will proceed.

(B) *Abatement for chronic violations.* Whenever the Administrator, or his or her authorized designee, has determined that a violation of this article and/or a nuisance exists and has provided proper notice thereof pursuant to this subsection, the town may proceed to abate a nuisance on property owned by a chronic violator. In such a case, the town shall notify a chronic violator of this article and that, if the violator's property is found to be in continued violation of this article, the town shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. For a chronic violator, the town's initial annual notice (that the town will abate the nuisance) shall be served by registered or certified mail, with a copy sent by regular mail.

(C) *Summary abatement for health and safety violations.* Whenever the Administrator, or his or her authorized designee, has determined that a violation of this article and/or a nuisance exists and has provided proper notice thereof, upon the failure of the property owner, occupant or person in possession of the premises to take the corrective action ordered by the board or the Administrator, or his or her authorized designee, within the time specified, the town may remove, abate or remedy the condition that is dangerous or detrimental to the public health or public safety and the expense of such action shall be paid by the person in default pursuant to G.S. 160A-193. If not paid, such expenses shall become a lien upon the land or premises where the violation occurred and may be collected as unpaid ad valorem taxes.

(D) *Remedies available notwithstanding civil penalties.* Each of these remedies shall be and remain available to the town notwithstanding any civil penalties that have been issued under 92-14, civil penalties.

92-14 CIVIL PENALTIES.

(A). Any violation of this article or the failure to abide by any lawful order issued pursuant to this Article shall be punishable as provided herein:

(1) In accordance with the requirements of G.S. 160A-175(b), it is expressly declared that violation of any provision hereof or a failure to comply with any of this article's requirements or orders issued hereunder shall not be considered a misdemeanor or infraction under G.S. 14-4 or 14-3.1, but shall constitute a civil offense and shall subject the offender to a civil penalty as set forth herein. After notice of violation/warning citation has been issued and the violation is not corrected at the end of 15 calendar days, a civil citation shall be issued and civil penalties assessed as set forth in the table below.

NOTICE OF VIOLATION (NOV) OR INITIAL WARNING	
Opportunity to Appeal to the Town Council within 15 days of NOV or initial warning	
CITATION	CIVIL PENALTY AMOUNT
First Penalty Citation	\$100.00
The fine shall be paid within 15 days and the violation shall be corrected within 15 days from citation.	
Second Penalty Citation	\$250.00
Issued after 15 days for on-going failure to abate and the violation shall be corrected within 15 days from citation.	
Third Penalty Citation*	\$500.00
Issued after 15 days for on-going failure to abate.	*per day for each day the nuisance continues

Any person violating this article shall be issued a warning citation and in the event of failure to abate, a subsequent civil penalty citation per the procedures set forth in this subsection of the Code of Ordinances. Any citation of a violation may be issued by any Sherriff's Deputy, Administrator, building inspection officer, code enforcement officer or such other office as is charged from time to time by the town council with the enforcement of this article. However, the Administrator or his or her designee in his or her sole discretion may:

- (a) Reduce a civil penalty assessed based upon the totality of the circumstances; or

(b) Withhold issuance of a civil penalty citation in the event a property owner has commenced in good faith to abate the nuisance but the abatement has not been completed at the expiration of the initial 15-day warning period.

Each day's continuing violation after the deadline set forth in the third civil penalty citation notice shall be a separate and distinct offense for purposes of the penalties and remedies set forth herein.

92-15 APPEAL.

With respect to any nuisance for which a notice of violation or warning citation notice was given, the owner, occupant or person in possession of the premises has a right to appeal to the town council. Such appeal shall be made in writing, on a form provided by the Town of Weddington entitled "Application for an Appeal," specifying the grounds thereof and accompanied by a filing fee set by the town council. The appeal shall be filed with the administrator or code enforcement officer no later than 15 calendar days after the date of the notice of violation or warning citation. The appeal shall be heard at the next regularly scheduled meeting of the town council, and except in cases of imminent danger or circumstances that pose a substantial threat to the health and safety of citizens, further proceedings to abate the nuisance or issue a civil penalty shall be stayed until the appeal is heard and decided.

Abandoned and Junked Motor Vehicles

92-50 ABANDONED, NUISANCE AND JUNKED MOTOR VEHICLE PROHIBITED.

(A) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, to leave, cause or allow a motor vehicle to become an abandoned motor vehicle.

(B) It shall be unlawful for the registered owner or person entitled to possession of a vehicle, or for the owner, lessee or occupant of the real property upon which the vehicle is located, to leave, cause or allow such vehicle to remain on the property after it has been declared a nuisance vehicle.

(C) It shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle, or for the owner, lessee or occupant of the real property upon which a junked motor vehicle is located to leave or allow the junked motor vehicle to remain on the property after the vehicle has been ordered removed.

92-51 REMOVAL OF ABANDONED, NUISANCE AND JUNKED VEHICLES AUTHORIZED.

(A) Subject to division (B) of this section, whenever it is made to appear to appropriate town officials that abandoned, nuisance or junked motor vehicles exist within town limits, the town may have the vehicles removed to a storage yard or area and thereafter may dispose of them in accordance with the provisions of this chapter.

(B) No motor vehicle may be removed from private property without the written request of the owner, lessee or occupant of the premises, except in accordance with 92-52 through 92-58 of this chapter.

(C) The town may require any person requesting the removal of a junked or abandoned motor vehicle from private property to indemnify the town against any loss, expense or liability incurred because of the removal, storage or sale thereof.

92 -52 NOTICE REQUIRED BEFORE VEHICLE REMOVED.

(A) Before removing an Abandoned Vehicle the town shall give written notice of its intent to remove the vehicle to the owner of the vehicle at his/her last known address, according to the latest registration certificate or certificate of title on file with the state Division of Motor Vehicles or if the information is not available, according to the best information reasonably available concerning the owner's last known address.

(B) The notice required by division (A) of this section shall state why the vehicle is subject to removal and shall inform the owner that, unless he/she removes the vehicle within five days after the date the notice is postmarked the town shall have the vehicle removed and that, in the

event, all charges incidental to the removal and storage of the vehicle will have to be paid before it may be reclaimed. The notice shall also provide the owner with the name and phone number of a representative of the town who may be contacted to discuss any matter contained in the notice.

(C) Notice to the owners shall not be required before removing vehicles that are classified as abandoned for reasons other than those specified in division (A) of this section or for vehicles that are classified as junk vehicles.

92-53 NOTICE REQUIRED WHEN VEHICLE REMOVED; HEARING.

(A) When any junked, nuisance or abandoned motor vehicle is removed in accordance with this chapter, the town shall promptly give written notice of the removal to the owner of the vehicle at his/her last known address, according to the latest registration certificate or certificate of title on file with the state Division of Motor Vehicles, or if the information is not available, according to the best information reasonably available concerning the owner's last known address.

(B) The notice required by division (A) of this section shall be sent by certified mail, return receipt requested. It shall state as follows:

(1) Why and under what authority the vehicle was removed.

(2) Where the vehicle is located.

(3) How the vehicle may be reclaimed (including the payment of any required towing and storage charges).

(4) That the vehicle may be disposed of if not reclaimed within 30 days.

(5) The name and phone number of a representative of the town who may be contacted should the owner wish to be heard in the matter as provided in division (C) of this section.

(C) The town representative specified in division (B) of this section shall hold an informal hearing as soon as reasonably possible upon request of a person whose vehicle has been towed in accordance with this chapter. If the town representative determines that the vehicle was towed in error, the town shall do the following:

(1) If the hearing is held before the vehicle is reclaimed, notify the person in possession of the vehicle to release it and (if the vehicle is in the possession of a private towing operator) pay all charges.

(2) If the hearing is held after the vehicle is reclaimed, reimburse the owner for all charges incurred incident to the towing and storage of the vehicle.

92-54 USE OF PRIVATE TOWING OPERATORS.

The town may have vehicles removed under this chapter by private towing operators. The private towing operators shall have a lien on the vehicles towed and may dispose of the vehicles in accordance with the provisions of G.S. Ch. 44A, Art. 1.

92-55 DISPOSAL OF ABANDONED VEHICLES.

(A) Whenever an abandoned motor vehicle is removed by the town then after holding the vehicle for 30 days after removal, the town may sell or dispose of it as provided in this section.

(B) If the vehicle appears to be worth less than \$100, the town may dispose of it as a junked motor vehicle as provided in § 92-55. With the consent of the owner, the town may remove and dispose of any motor vehicle as a junked motor vehicle, without regard to the value, condition or age of the vehicle, and without holding it for any prescribed period of time.

(C) If the vehicle is worth \$100 or more, it shall be sold at public auction. Twenty days written notice of the sale shall be given to the registered owner at his/her last known address, the holders of all liens of record against the vehicle, and the state Division of Motor Vehicles.

(D) Any person having an interest in the vehicle may redeem it at any time before the sale by paying all costs accrued to date.

(E) The proceeds of the sale shall be paid to the town Finance Officer, who shall pay to the appropriate officers or persons the costs of removal, storage, investigation, sale and liens of record, in that order. The remainder of the proceeds of sale, if any, shall be paid over to the registered owner, or held by the town for 60 days if the registered owner cannot be located with reasonable diligence. If the owner does not claim the remainder of the proceeds within 60 days after the sale, the funds shall be deposited in the town general fund and the owner's right shall forever be extinguished.

(F) When it receives a town bill of sale from a purchaser or other person entitled to receive any vehicle disposed of as provided in this section, the state Division of Motor Vehicles will issue a certificate of title for the vehicle as required by law.

92-56 DISPOSAL OF JUNKED VEHICLES.

(A) Whenever a junked motor vehicle is removed by the town then, after holding the unclaimed junked vehicle for 15 days, the town may destroy it or sell it at private sale as junk.

(B) Within 15 days after final disposition as a junked motor vehicle, the town shall notify the state Division of Motor Vehicles that the vehicle has been determined to be a junked motor vehicle and disposed of as such. The notice shall contain as simple and accurate a description of the vehicle as can be reasonably determined.

(C) Any proceeds from the sale of a junked motor vehicle shall be paid to the town Finance Officer, who shall pay to the appropriate officers or persons the costs of removal, storage, investigations, sale and liens of record in that order. The remainder of the proceeds of sale, if any, shall be paid over to the registered owner, or held by the town for 30 days if the registered owner cannot be located with reasonable diligence. If the owner does not appear to claim the proceeds within 30 days after disposal of the vehicle, the money shall be deposited in the town general fund and the owner's rights forever extinguished.

92-57 CERTAIN VEHICLES EXEMPT.

The provisions of this chapter shall not apply to any vehicle in an enclosed building or any vehicle on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise, or to any vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the town.

Adopted this 13th day of August, 2018


Elizabeth Callis, Mayor

Attest:


Karen Dewey, Town Clerk



The Town is to conduct an annual review every July to determine its progress in achieving the land use plan goals, objectives and strategies. During this review, the Town should evaluate development decisions (e.g., zoning changes, subdivisions, building permits and public works projects) that have been made by the Town and other jurisdictions, growth trends, and the progress made in accomplishing the strategies listed in this Plan element. The result of the annual review may be to recommend revisions to policies, the future land use map, or the implementation program.

Below is a list of items reviewed by the Planning Board and Town Council over the past year and how they continue comply with the plan:

- Preliminary Plats/Construction plans: Canisteo Subdivision, Weddington Glen, Woodford Chase

Through this process natural resources are preserved and adjacent properties are protected. Restrictions were placed for grading and clearing, protecting floodplain and waterways, and erosion control. Drainage areas, soils and impervious surfaces were all factored in as part of the stormwater calculations to protect downstream properties from off-site run-off. The plan review considered the Town's roadway standards and included appropriate turn lane improvements and site distance regulations to help with congestion management. For Woodford Chase, the Town requested additional front setbacks and a tree save area for lots fronting Hwy 84.

Recommendations: design around useable open space, consider a mass grading ordinance, formally implement erosion control measures with penalties based on the pilot policy initiated early this year, analyze private access/easements (under review) and evaluate yield plans

- Final plats: Harlow's Crossing-Phase 1 Map 2, Atherton Subdivision-Phase 2 Map 4, Weddington Acres Subdivision
- Rezoning/CUP amendments: WCVFD – R60-R40, WCVFD – Conditional , Weddington United Methodist Church – Columbarium, All Saints – Amendment, Weddington Glen R40-RCD, Weddington Swim and Racquet Club Amendment

Visual effect from surrounding properties and roadways were protected with adding and maintaining buffers and site specific conditions were taken into account through the conditional zoning processes. The reviews ensured the plans were consistent with the Town's quality and aesthetic values.

- Entry monuments: Harlows Crossing

The Town took into consideration the electrical lines to plant the right trees in the right location and also examined the site triangles.

Recommendations: The Town discussed needing to see the detailed landscape plans added to construction plans for approval and provide for an inspection process to ensure follow the plantings were planted according to the plan.

- Text amendments:

The Board only adopted two text amendments with regards to landscaping near the power lines and to clear up the process for modifications.

- Other

Town Survey – The town survey had a very successful return rate. The results need to be analyzed for future changes to the land use plan.

Recommendations: (besides the needed changes to RCD) – Formally review survey and make conclusions. Ensure the findings are turned into action and consider a public process for Land Use Plan updates.

Visit with Randall Arendt – Several suggestions to process, buffers, site design, implementation, site walks were suggested by Mr. Arendt.

Recommendation: The Planning Board and Council shall use his report to make changes to the subdivision ordinance

Erosion Control Issues

Recommendation: Town erosion control ordinance. The Town hired a construction inspector who over that last 8 months reported erosion control issues. Failures and deficiencies were reported with little to no action from NCDENR. The town needs to implement its own policy and penalties to get developers to adhere to erosion control plans.

Planning Board training – great review of process, policy and duties

Recommendation: Annual training

The Town has a representative on the Charlotte Regional Transportation Planning Organization to stay informed and have input on road and thoroughfare plans.

Recommendation: List intersection and road improvement needed. Possibly consider having the Town traffic engineer to provide basic information to submit projects for funding.

The Town continues to maintain the medians on Providence Road to enhance rural look.

The Town currently contracts with an outside agency for a part-time code enforcement officer to investigate complaints about violations of the Town's ordinance.

Recommendation: Town to consider junk vehicle, abandoned vehicle and nuisance ordinance

The Town continues to work with engineering consultants to ensure that all storm water detention ponds meet the Town's requirements and are inspected annually.

Recommendation: Continue the construction inspector and consider town erosion control ordinance.

The Town utilizes the Traffic Impact Analysis Ordinance to minimize the impact of new construction on Town roads and infrastructure.

WEDDINGTON CODE ENFORCEMENT REPORT

July, 2018

1. 404 Cottonfield Cir., James & Shannon Cox

- 7/31/18---Legal action still pending.

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

- 7/31/18---Deterioration continues, building vacant and closed.

3. 4716 Weddinton Matthews Rd.

- Existing residence under remodel/expansion. New owner has permit, but needs to acquire permit for 2nd story expansion for Union County
- 6/30/17---Per owner, he will use this as his residence only. Will continue to monitor.
- 7/31/17---Dumpsters (5) on property. Owner instructed to remove them.
- 8/31/17---All dumpsters except 1 removed. Additional permit issued for 2nd living unit and meter attached at rear of house.
- 2/28/18---Monitoring; work progressing, slowly.
- Notice of Violation & Citation issued 4/18/18; 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.
- 7/31/18----Work continuing, monitoring.

4. 4915 Beulah Church Rd.

- 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.
- 7/31/18---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.
- 7/31/18---Monitoring.

6. 3708 Beulah Church Rd.

- 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.
- 7/31/18---Monitoring.

7. 501 Devonport Dr.

- Inspection—vehicles parked on driveway at garage. Did not see any violation issues.
- 6/30/18----Monitoring.
- 7/31/18---Monitoring.

8. 8319 Lake Providence Dr.

- Courtesy letter to owner on discontinue pool and spa business from this address.

9. 150 Amanda Dr.

- Notice of Violation issued ordering discontinuance of grading business from this location

TOWN OF WEDDINGTON
BALANCE SHEET

FY 2018-2019

PERIOD ENDING: 07/31/2018

10

ASSETS

ASSETS

10-1120-000	TRINITY CHECKING ACCOUNT	933,388.64
10-1120-001	TRINITY MONEY MARKET	1,119,827.49
10-1170-000	NC CASH MGMT TRUST	539,957.23
10-1212-001	A/R PROPERTY TAX - 1ST YEAR PRIOR	9,205.96
10-1212-002	A/R PROPERTY TAX - NEXT 8 PRIOR YRS	14,029.63
10-1232-000	SALES TAX RECEIVABLE	2,597.13
10-1610-001	FIXED ASSETS - LAND & BUILDINGS	2,346,268.11
10-1610-002	FIXED ASSETS - FURNITURE & FIXTURES	20,583.08
10-1610-003	FIXED ASSETS - EQUIPMENT	118,306.60
10-1610-004	FIXED ASSETS - INFRASTRUCTURE	26,851.01

TOTAL ASSETS	<u>5,131,014.88</u>
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LIABILITIES & EQUITY

LIABILITIES

10-2115-000	ACCOUNTS PAYABLE ACCRUAL	5,077.59
10-2120-000	BOND DEPOSIT PAYABLE	75,002.25
10-2155-000	HEALTH INSURANCE PAYABLE	-2,714.50
10-2156-000	LIFE INSURANCE PAYABLE	-32.20
10-2620-000	DEFERRED REVENUE - DELQ TAXES	9,205.96
10-2630-000	DEFERRED REVENUE-NEXT 8	14,029.63

TOTAL LIABILITIES	<u>100,568.73</u>
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EQUITY

10-2620-001	FUND BALANCE - UNASSIGNED	2,199,653.14
10-2620-003	FUND BALANCE-ASSIGNED	249,500.00
10-2620-004	FUND BALANCE-INVEST IN FIXED ASSETS	2,512,011.00
10-2620-005	CURRENT YEAR EQUITY YTD	266,105.24
	CURRENT FUND BALANCE - YTD NET REV	-196,823.23

TOTAL EQUITY	<u>5,030,446.15</u>
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TOTAL LIABILITIES & FUND EQUITY	<u>5,131,014.88</u>
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TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2018-2019

07/01/2018 TO 07/31/2018

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
REVENUE:				
10-3101-110 AD VALOREM TAX -	444.29	444.29	1,065,000.00	100
10-3102-110 AD VALOREM TAX - 1ST	487.08	487.08	3,000.00	84
10-3103-110 AD VALOREM TAX - NEXT 8	-29.67	-29.67	1,000.00	103
10-3110-121 AD VALOREM TAX -	0.00	0.00	92,500.00	100
10-3115-180 TAX INTEREST	29.67	29.67	2,250.00	99
10-3231-220 LOCAL OPTION SALES TAX	0.00	0.00	335,000.00	100
10-3322-220 BEER & WINE TAX	0.00	0.00	45,000.00	100
10-3324-220 UTILITY FRANCHISE TAX	0.00	0.00	460,000.00	100
10-3340-400 ZONING & PERMIT FEES	5,170.00	5,170.00	35,000.00	85
10-3350-400 SUBDIVISION FEES	0.00	0.00	20,000.00	100
10-3830-891 MISCELLANEOUS REVENUES	50.00	50.00	1,000.00	95
10-3831-491 INVESTMENT INCOME	0.00	0.00	7,500.00	100
TOTAL REVENUE	6,151.37	6,151.37	2,067,250.00	100
AFTER TRANSFERS				
	6,151.37	6,151.37	2,067,250.00	
4110 GENERAL GOVERNMENT				
EXPENDITURE:				
10-4110-126 FIRE DEPT SUBSIDIES	61,946.34	61,946.34	747,860.00	92
10-4110-127 FIRE DEPARTMENT	0.00	0.00	25,000.00	100
10-4110-128 POLICE PROTECTION	72,149.40	72,149.40	288,600.00	75
10-4110-192 ATTORNEY FEES - GENERAL	0.00	0.00	60,000.00	100
10-4110-193 ATTORNEY FEES -	0.00	0.00	25,000.00	100
10-4110-195 ELECTION EXPENSE	0.00	0.00	3,500.00	100
10-4110-340 PUBLICATIONS	0.00	0.00	12,000.00	100
10-4110-342 HOLIDAY/TREE LIGHTING	0.00	0.00	7,500.00	100
10-4110-343 SPRING EVENT	0.00	0.00	4,500.00	100
10-4110-344 OTHER COMMUNITY EVENTS	0.00	0.00	600.00	100
10-4110-495 COMMITTEE & OUTSIDE	0.00	0.00	10,500.00	100
TOTAL EXPENDITURE	134,095.74	134,095.74	1,185,060.00	89
BEFORE TRANSFERS				
	-134,095.74	-134,095.74	-1,185,060.00	
AFTER TRANSFERS				
	-134,095.74	-134,095.74	-1,185,060.00	
4120 ADMINISTRATIVE				
EXPENDITURE:				
10-4120-121 SALARIES - CLERK	1,368.10	1,368.10	23,000.00	94
10-4120-123 SALARIES - TAX COLLECTOR	3,530.24	3,530.24	50,000.00	93
10-4120-124 SALARIES - FINANCE OFFICER	404.80	404.80	13,310.00	97
10-4120-125 SALARIES - MAYOR &	2,100.00	2,100.00	25,200.00	92
10-4120-181 FICA EXPENSE	566.25	566.25	8,750.00	94
10-4120-182 EMPLOYEE RETIREMENT	709.45	709.45	8,500.00	92
10-4120-183 EMPLOYEE INSURANCE	1,069.50	1,069.50	12,750.00	92

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2018-2019

07/01/2018 TO 07/31/2018

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4120-184 EMPLOYEE LIFE INSURANCE	12.60	12.60	175.00	9
10-4120-185 EMPLOYEE S-T DISABILITY	12.00	12.00	175.00	95
10-4120-191 AUDIT FEES	0.00	0.00	8,750.00	100
10-4120-193 CONTRACT LABOR	0.00	0.00	7,000.00	100
10-4120-200 OFFICE SUPPLIES - ADMIN	155.00	155.00	10,000.00	98
10-4120-210 PLANNING CONFERENCE	0.00	0.00	500.00	100
10-4120-321 TELEPHONE - ADMIN	73.70	73.70	3,000.00	98
10-4120-325 POSTAGE - ADMIN	150.00	150.00	2,000.00	93
10-4120-331 UTILITIES - ADMIN	471.04	471.04	6,000.00	92
10-4120-351 REPAIRS & MAINTENANCE -	214.50	214.50	67,500.00	100
10-4120-352 REPAIRS & MAINTENANCE	6,243.06	6,243.06	75,000.00	92
10-4120-354 REPAIRS & MAINTENANCE	2,962.50	2,962.50	58,000.00	95
10-4120-355 REPAIRS & MAINTENANCE	0.00	0.00	1,500.00	100
10-4120-356 REPAIRS & MAINTENANCE	0.00	0.00	6,000.00	100
10-4120-370 ADVERTISING - ADMIN	0.00	0.00	1,000.00	100
10-4120-397 TAX LISTING & TAX	0.00	0.00	250.00	100
10-4120-400 ADMINISTRATIVE:TRAINING	1,300.00	1,300.00	4,000.00	68
10-4120-410 ADMINISTRATIVE:TRAVEL	139.68	139.68	5,000.00	97
10-4120-450 INSURANCE	13,136.82	13,136.82	15,000.00	12
10-4120-491 DUES & SUBSCRIPTIONS	14,710.16	14,710.16	19,500.00	25
10-4120-498 GIFTS & AWARDS	0.00	0.00	3,000.00	100
10-4120-499 MISCELLANEOUS	0.00	0.00	8,000.00	100
TOTAL EXPENDITURE	49,329.40	49,329.40	442,860.00	8
BEFORE TRANSFERS	-49,329.40	-49,329.40	-442,860.00	
AFTER TRANSFERS	-49,329.40	-49,329.40	-442,860.00	
4130 PLANNING & ZONING				
EXPENDITURE:				
10-4130-121 SALARIES - ZONING	6,008.34	6,008.34	72,150.00	92
10-4130-122 SALARIES - ASST ZONING	0.00	0.00	2,500.00	100
10-4130-123 SALARIES -	1,440.75	1,440.75	17,650.00	92
10-4130-124 SALARIES - PLANNING	375.00	375.00	5,200.00	93
10-4130-125 SALARIES - SIGN REMOVAL	270.47	270.47	4,000.00	93
10-4130-181 FICA EXPENSE - P&Z	597.27	597.27	7,725.00	92
10-4130-182 EMPLOYEE RETIREMENT -	1,110.87	1,110.87	14,855.00	93
10-4130-183 EMPLOYEE INSURANCE	1,327.50	1,327.50	15,750.00	92
10-4130-184 EMPLOYEE LIFE INSURANCE	19.60	19.60	250.00	92
10-4130-185 EMPLOYEE S-T DISABILITY	12.00	12.00	175.00	93
10-4130-193 CONSULTING	5,681.19	5,681.19	61,075.00	91
10-4130-194 CONSULTING - COG	2,011.75	2,011.75	11,500.00	83
10-4130-200 OFFICE SUPPLIES -	0.00	0.00	5,000.00	100
10-4130-201 ZONING SPECIFIC OFFICE	0.00	0.00	2,500.00	100
10-4130-215 HISTORIC PRESERVATION	0.00	0.00	1,000.00	100
10-4130-220 INFRASTRUCTURE	0.00	0.00	206,000.00	10

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TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2018-2019

07/01/2018 TO 07/31/2018

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4130-321 TELEPHONE - PLANNING &	73.70	73.70	3,000.00	98
10-4130-325 POSTAGE - PLANNING &	150.00	150.00	2,000.00	93
10-4130-331 UTILITIES - PLANNING &	471.02	471.02	6,000.00	92
10-4130-370 ADVERTISING - PLANNING	0.00	0.00	1,000.00	100
TOTAL EXPENDITURE	<u>19,549.46</u>	<u>19,549.46</u>	<u>439,330.00</u>	<u>96</u>
BEFORE TRANSFERS	<u>-19,549.46</u>	<u>-19,549.46</u>	<u>-439,330.00</u>	
AFTER TRANSFERS	<u>-19,549.46</u>	<u>-19,549.46</u>	<u>-439,330.00</u>	
GRAND TOTAL	<u>-196,823.23</u>	<u>-196,823.23</u>	<u>0.00</u>	



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

MEMORANDUM

TO: Mayor and Town Council

FROM: Kim Woods, Tax Collector

DATE: August 13, 2018

SUBJECT: Monthly Report –July 2018

Transactions:	
Penalty and Interest Payments	\$(29.67)
Interest Charges	\$152.54
Refunds	\$487.08
Taxes Collected:	
2017	\$(931.37)
As of July 31, 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	\$1128.15
2014	\$1680.53
2015	\$2073.33
2016	\$6329.98
2017	\$9205.96
Total Outstanding:	\$23235.59

