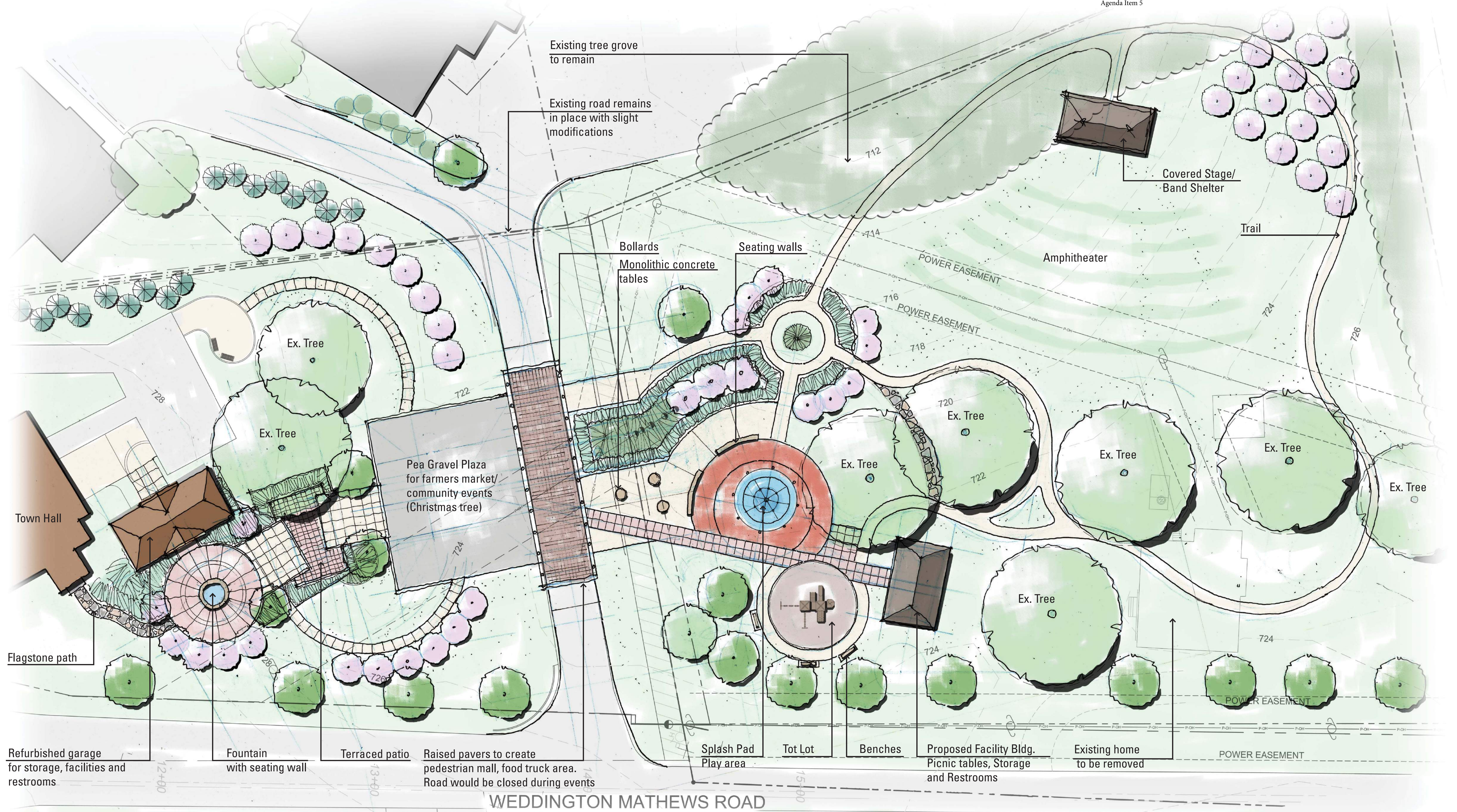


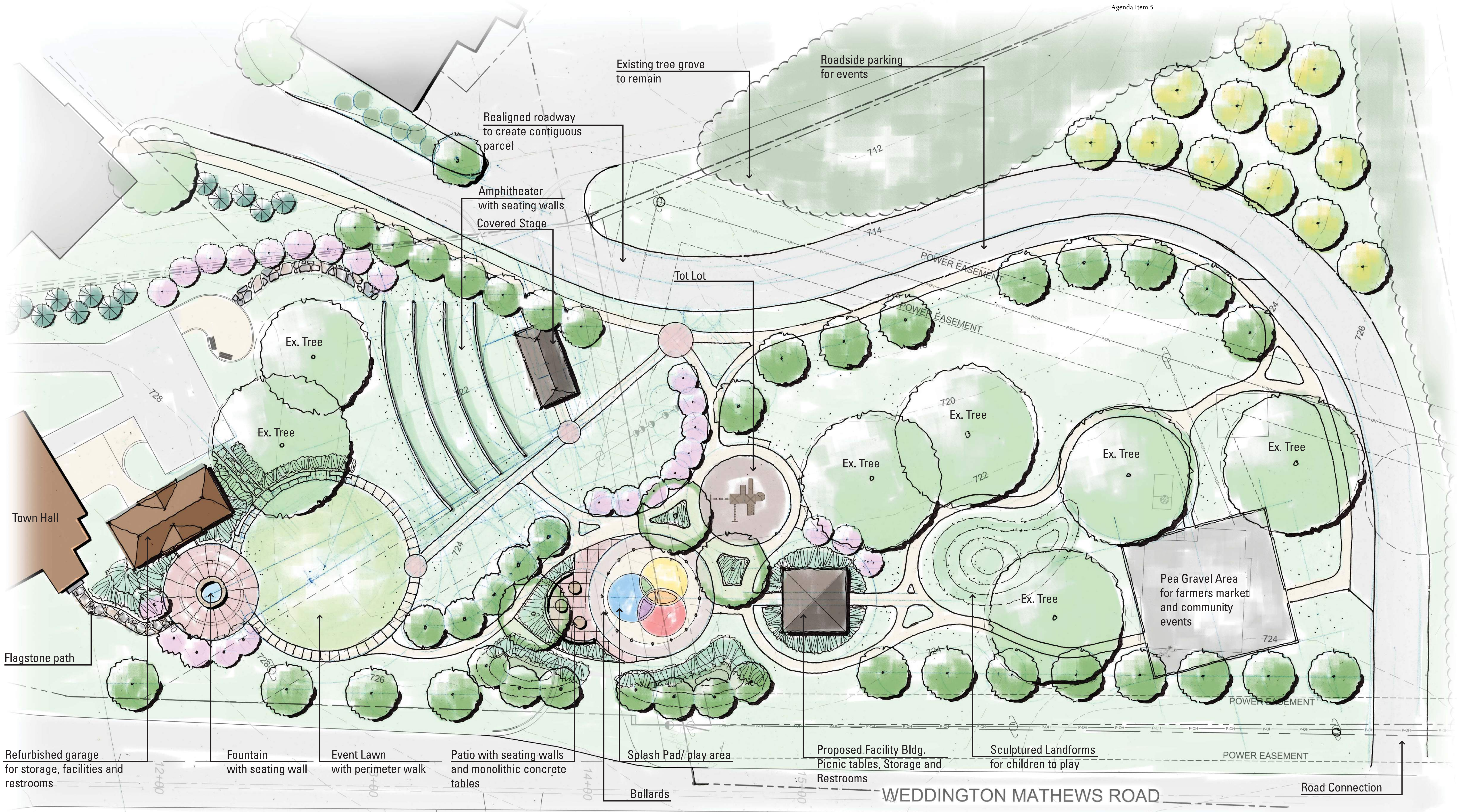
**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
TUESDAY, NOVEMBER 13, 2018 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD WEDDINGTON, NC 28104
AGENDA**

Prayer – Father Todd R. Dill, Rector, Saint Margaret’s Episcopal Church

1. OPEN THE MEETING
2. PLEDGE OF ALLEGIANCE
3. DETERMINATION OF QUORUM
4. ADDITIONS, DELETIONS AND/OR ADOPTION OF THE AGENDA
5. PRESENTATION ON MATTHEWS PROPERTY SITE PLANNING
6. PUBLIC COMMENTS
7. CONSENT AGENDA
 - A. Resolution in Support of the NCDOT Bicycle and Pedestrian Planning Grant
 - B. Resolution for roads in Hadley Park Subdivision to be added for state maintenance
 - C. Authorize Administrator to enter into contract with Cambridge Contracting to paint the interior of town hall for an amount not to exceed \$5,760.00
8. APPROVAL TOWN COUNCIL MINUTES
 - A. October 8, 2018 Town Council Regular Meeting Minutes
9. OLD BUSINESS
 - A. Discussion and Consideration of Purchasing a Radar Trailer
 - B. Conservation Subdivision Update
 - C. Land Use Plan Revision Update
10. NEW BUSINESS
 - A. Discussion and Consideration of the Canisteo Subdivision Final Plat
 - B. Discussion and Consideration of Adopting a Procurement Policy
 - C. Discussion and Consideration of NCDOT Sale of Residual Property
 - D. Discussion of Critical Intersection Feasibility Study
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



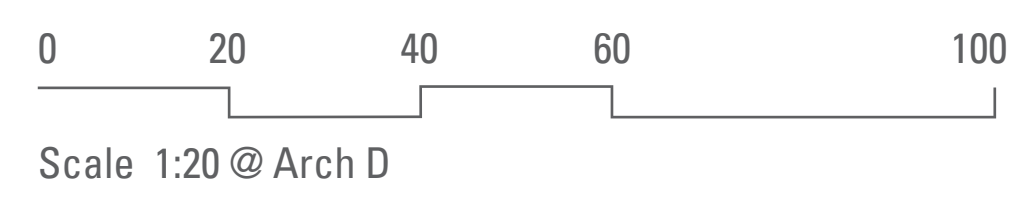
PLAN CONCEPT A



PLAN CONCEPT B

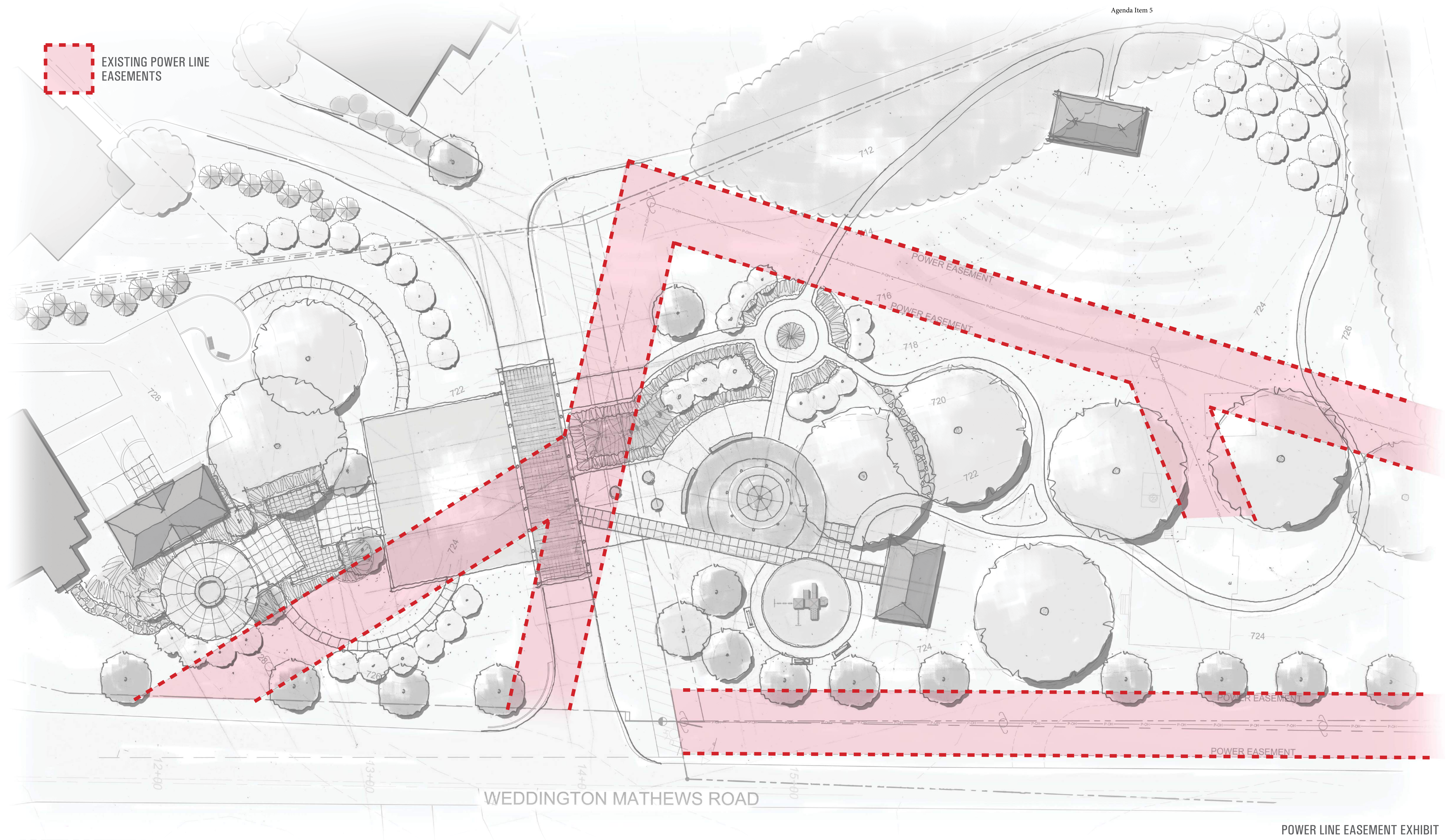


planning
civil engineering
landscape architecture
environmental management



TOWN OF WEDDINGTON TOWN HALL PARK
This plan is conceptual in nature. Site revisions may occur based on grading and jurisdictional requirements.
DATE
2018-11-08

EXISTING POWER LINE
EASEMENTS



POWER LINE EASEMENT EXHIBIT





R-2018-05

A RESOLUTION IN SUPPORT OF APPLICATION FOR NCDOT PEDESTRIAN GRANT

WHEREAS, the North Carolina Department of Transportation has established an annual matching grant program that encourages municipalities to develop comprehensive bicycle plans and pedestrian plans; and

WHEREAS, the Town of Weddington does not currently have a pedestrian master plan, but does have a desire to provide its residents with safe, convenient, and more complete pedestrian facilities within the community; and

WHEREAS, the Town recently conducted a survey with a 30% response rate that showed the majority of respondents prefer modes of transportation other than automobiles and specifically requested greenways and multiuse paths; and

WHEREAS, the Town would like to implement a pedestrian plan to achieve the following objectives

- promote walking and active living
- connect our schools, parks, downtown area, neighborhoods and existing/proposed sidewalk improvements along NC16 and Rea Road Extension
- enhance our local business district, neighborhoods, and parks
- emphasize safe pedestrian crossings

NOW, THEREFORE, BE IT RESOLVED that the Weddington Town Council hereby endorses the application for a Pedestrian Planning Grant and if the project is selected, the Town will provide matching funding up to 20%.

Adopted this 13th day of November 2018.

Elizabeth Callis, Mayor

ATTEST:

Karen Dewey, Town Clerk

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM
TOWN OF WEDDINGTON, NORTH CAROLINA
R-2018-04**

**North Carolina
County of Union**

**Road Descriptions: Pinehill Lane and Garden View Lane in the Hadley Park Subdivision
in the Town of Weddington in Union County, North Carolina**

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

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

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

Adopted this 13th day of November 2018.

Elizabeth Callis, Mayor

Attest:

Karen Dewey, Town Clerk



Estimate

Date

11/5/2018

Name / Address

Town of Weddington
 Lisa Thompson
 1924 Weddington Rd.
 Weddington, NC 28104

Description	Total
Chambers: Walls - Kiltz and paint 2 coats. Trim - Kiltz and paint 2 coats. Blinds - Kiltz and paint 2 coats. Shelves - Kiltz and paint 2 coats.	2,950.00
Brick - Apply masonry conditioner and paint 2 coats.	430.00
Prep and paint 2 coats in the following areas: 1. Lisa's Office - Ceiling and walls. 2. Hall Bath - Walls 3. Copy Room - Walls 4. Mail Room - Walls 5. Deputy Office - Walls 6. Back Entry - Walls 7. Entry/Stairs/Upper Landing - Ceiling and Walls 8. Reception - Walls	2,380.00
Estimate includes all materials.	
Please contact David with any questions concerning this estimate. Payment terms: 1/2 down and final.	Total \$5,760.00

Phone #

704-904-9340

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, OCTOBER 8, 2018 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
PAGE 1 OF 19**

Prayer – Reverend Haven O. Anderson, Marvin AME Zion 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 Councilmembers present: Mayor Elizabeth Callis, Mayor Pro Tem Janice Propst, Councilmembers Jeff Perryman, Mike Smith, and Scott Buzzard

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

Visitors: Jason Sutorus, Alisa Worf, Presley Worf, Liam Worf, Zane Worf, Jordan Falcone, Daniel Reese, John Muller, Christopher Steward, Laura Theunisse, Sean Newlin, Drew Podrebarac, Cory Worf, Gavin Shuck, Walt Hogan, Ben Kuhn, Steve Godfrey, Bob Done, Meredith Bush, Dominic Done, Melanie Whitley, Pamela Stokes, Kara Done, Amelia Knudson, Chuck Knudson, Elizabeth Slaughter, Michelle Moe, Mikel Ann Mason, Chris Mason, Craig Edney, Meagan Kantor, Jimmy Kantor, Megan Milne, Scott Milne, Jody Napolitan Ray Napolitan, Perry Robinson, Kenneth Davis, Brian Rolla, Erik Wilhelm, Bill Kisiah, Jill Kisiah, Rachel Hoover, Neil Hoover, Mala Freeman Kwaku, Norman Hampton, Reid Matthews, David Bosefski, Paul Edwards, Claudia Gonzalez, Diego Gonzalez, Orlando Hernandez, Maria Camila Valdes, Lisbeth Valdes, Jill Lang, Krystle Jones, Dan Wright, Lauren Wright, Amy Beddingfield, Julie McMahon, Bill Deter, Tara Valeri, Shane Valeri, Denielle Headley, Olga Rollins, David Rollins, Doss Mackey, Kayla Mackey, Lindsey Landrack, Keith Landrack, Nicole Young, Robert Young, Lucas Fulle, Therese Fulle, Jodi Roy, Jim Houghton, Aaditya Jampani, Sasi Jampani, Paige Layman, Joanne Verkuilen, Wendy Weeks, Anthony Weeks, Sue Kind, James Jones, Krystle Jones, Brad McMahon, Kerry Funderburk, Robert Roberts, Rochelle Roberts, Todd Nolan, Erica Nolan, Jeffrey Felipe, Art Thomas, Todd Mull, Travis Singleton, Jake Mackey, Carlos Lopez

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

<i>Motion:</i>	Councilmember Smith made a motion to adopt the agenda as presented.
<i>Vote:</i>	The motion passed with a unanimous vote.

5. PUBLIC COMMENTS

There were no public comments.

6. CONSENT AGENDA

A. Authorize Administrator to enter into a three-year contract with Vector Security for an amount not to exceed \$1,618.20.

Motion: Mayor Pro Tem Propst made a motion to approve the consent agenda as presented
Vote: The motion passed with a unanimous vote.

7. APPROVAL TOWN COUNCIL MINUTES

A. September 10, 2018 Town Council Regular Meeting Minutes

Motion: Councilmember Perryman made a motion to approve the September 10, 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 Conditional Zoning for 5207 Weddington Road for the Purpose of Establishing a Community Recreational Center

Mayor Callis opened the public hearing.

Ms. Thompson presented the staff report: Cory Worf requests a conditional zoning to allow for a private community recreational use within an existing building located at 5207 Monroe Weddington Road. All conditional uses are required to go through the conditional rezoning process in *Section 58-271* of the *Weddington Zoning Ordinance*.

Development Standards for a Private Community Recreational Facility

Minimum Lot Area - 40,000 sq. ft.
Front Setback-75 feet
Rear Setback-40 feet
Side Setbacks-15 feet
Maximum Building Height - 35 feet

The site plan shows a single access point off Weddington Road. This will become a right in/right out once the Weddington Road improvements are complete. The applicant will be required to obtain driveway permits from NCDOT as a condition of a conditional rezoning approval. The applicant will use the existing parking lot and restripe it to meet town requirements. Community recreational centers require 1 space for the largest number of employees per shift, plus 2 spaces for each 3 memberships, plus 1 space for each vehicle used in the operation. 14 parking spaces and 1 ADA space is required. 23 spaces and 2 ADA spaces are provided.

Justin Carroll, the Town's traffic engineer is not requiring a TIA. The AM peak is 7 vehicles and the PM peak hour is 17 vehicles.

The applicant provided a 24-foot buffer around the side and rear of the property which shall be left undisturbed per *Section 58-8* of the *Weddington Zoning Ordinances*. Staff believes the uses surrounding the existing building aren't uses that need to be screened therefore staff is suggesting that they be exempt from the planting requirement of 5 trees and 20 shrubs per 100 linear feet. However, the existing parking area shall be screened along the south side to buffer it from Weddington Road.

The applicant is not proposing any additions to the building at this time. They will paint the exterior of the structure and install landscaping around the foot print as needed.

There are existing pole mounted lights in the parking lot. Any proposed lights shall meet the requirements within the lighting ordinance.

The required Public Involvement Meetings for this project were held on August 15, 2018 from 2:00-4:00 on site and 5:00-7:00 PM at Town Hall. Mailings were sent out to parcels within 1300' of the site. Approximately 11 people attended the meetings, all showing support for the proposed conditional zoning. Two concerns were raised; the use would transform into something larger or more commercial in the future, and noise.

Provisions were added to the plan explaining the use, which allows for a recreational building for educational and recreational classes and activities for the people in the community, i.e. a yoga studio, fitness classes, agility training, martial arts studio, etc. All classes shall be group run versus any open type of gym/fitness center. It does not allow a fitness center/club use over 5,000 sq ft., which the average business/retail type of fitness centers are 40,000 sq ft, and it specifically excludes non-traditional recreational tenants such as trampoline parks, rock climbing gyms, and gaming centers. It also excludes any retail components you see in larger fitness centers, like juice bars and cafes, and it shall not have any retail sales like gym equipment, yoga mats, etc.

The applicant also included his hours of operation that shall be incorporated as a condition in this conditional zoning. His normal hours are Monday –Friday 5:30 am-12pm and 3:30 pm- 7:30 pm, Saturday 8am-12 pm and Sunday 2pm- 5 pm. The condition will allow for a little more flexibility for other classes and shall be M-F 5:30 AM – 8 PM and weekends 8am-5pm.

The noise ordinance will regulate any unreasonably loud noise.

The Planning Board discussed parking, businesses being required to be located in the downtown overlay, whether this use is commercial, whether it fits a community recreational center use in R40, the land use plan, whether the use fits on this specific parcel because of the contiguous uses, profit versus non-profit and other uses in the R40 conditional list and their status.

The Planning Board vote was 3-3 with the Chairman breaking the tie to give an unfavorable recommendation.

The Planning Board suggested a change to the Land Use Plan Consistency Statement provided by staff as follows: It is inconsistent with the Land Use Plan as it is commercial in nature whereas the Land Use Plan only allows commercial business in the Town Center. It is unreasonable in that based on the Town Survey; residents do not want more commercial business.

Staff struck-through suggested language and changed the land use plan inconsistency statement to reflect Planning Board's suggestions below.

Recommendation

The conditional zoning district process allows for the establishment of certain uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. In

order to accommodate these uses, specific development standards for these uses that allows for flexibility in development while protecting existing nearby areas can be established.

Given the recreational use is surrounded by 50 acres of ball fields, the use within the existing structure with a 5,000 sq. ft maximum could be considered to fit the area. However, parameters need to be considered by Planning Board and Town Council to determine if it's a good fit (i.e. size of building, hours, etc.). In addition, Planning Board and Town Council need to consider whether this proposal fits a community recreational center use category.

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 adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest.

Proposed Land Use Consistency Statement

The subject parcel is designated for Traditional Residential on the Weddington Land Use Plan.

Consistent: The conditional zoning meets the goals of the land use plan in that the use retains a mix of land uses that reinforce a unique small-town character. The design is consistent with the unique small-town character of Weddington and is limited in size to retain the small-scale service to the community. The use is compatible with the area and encourages recreation needs of the community. It is reasonable given the use and character of the area, and the use is surrounded by 50 acres of ball-fields.

Inconsistent: The use does not meet the goals of the land use plan in that it is commercial in nature where the land use plan only allows neighborhood businesses to lie within the Town Center. ~~It is unreasonable in that community recreational centers are typically considered for planned neighborhoods and the recreational facility may not serve the needs of all residents and be accessible to all citizens.~~ It is unreasonable in that based on the Town Survey; residents do not want more commercial business.

Applicant Cory Worf presented his statement to the Council. He reviewed what he will be offering as the Weddington Recreational Center. He explained what he can offer to Weddington in the form of fundraising, health and fitness education, stewardship for the community, and a community gathering space.

Mayor Callis called for the public comments:

Daniel Reese- 4039 Lake Prairie Drive: Mr. Reese spoke of his move to Weddington and how Mr. Worf's gym opened doors and helped his family's transition. The members have become like family, sharing life milestones. He expressed his belief that the entire Weddington community will benefit from this.

Anthony Weeks: Mr. Weeks spoke of how Mr. Worf's gym helped him find a community when he moved here. He spoke of the respite he gets when he goes to the gym because of the people. It gives him a break from the suffering he sees as an emergency room doctor. He believes it is a welcoming place and it gives him the confidence to be a better father, husband, and doctor.

Drew Podrebarac: Mr. Podrebarac stated that he was in the first class to attend the Weddington schools from

kindergarten to graduation from high school. He was the quarterback for the high school foot ball team. He grew up in Weddington and has returned here. He declared that he does not support the spread of commercialization in Weddington, but he feels it is common sense to put this business at the WCWAA fields. It's a community.

Bill Deter: Mr. Deter stated that this business does not belong outside of the Town Center. He spoke about the town policies that support his statement, the rule of government, and the things that made the Town the way it is today. He believes this is a commercial for-profit business and not a community recreational center. Mr. Deter read from town survey results that backed his statements and reiterated that he does not think this belongs outside of the commercial district.

Ray Napolitan: Mr. Napolitan stated that he has been a resident of Weddington for almost 8 years. He is an avid CrossFit participant. He spoke positively about his experiences with Mr. Worf's gym and how he became a part of the Weddington CrossFit family. He stated that he believes that this is not just a gym, the Worf family gives back to the community and is an important part of the fabric of this community. He strongly recommends that they be allowed to proceed so they can continue to be part of the Weddington community.

Chuck Knudsen: Mr. Knudsen stated that he is a private business owner. He believes that this is already a community center and he asked the Town to give Mr. Worf a chance to do this.

Unnamed resident: stated that he's known Mr. Worf for 7 years and he always puts everybody before himself. Every business within the Weddington limits should show the kind of community that Mr. Worf's business does. He asks the Town to allow him to move forward so others may reap the benefits of this organization.

Sean Newlin: Mr. Newlin stated that he has lived here for 9 years. He believes this is a family, not a business. When his daughter was battling cancer, the Worf family opened their home and organized fundraisers. Mr. Newlin stated that he understands the issue with having business outside of the town center, but this is a family community, not just a business. It is a family, more of a community than most communities in the country.

Bill Kisia: Mr. Kisia stated that he grew up in Weddington, he moved away and came back to this specific area to be close to the gym. He stated that he hasn't read the ordinances, but he heard the word usually, which means the business could be something else. This is family.

Wendy Weeks: Ms. Weeks spoke of taking her 88-year-old mother in law to the gym and how there is a place there for her. The physical activity, the routine and the interaction with the people is critical in helping with her autonomy. It is a family. There is a place there for everybody.

Danielle Headley: Ms. Headley stated that there are people all around the porch here in support. She takes her 10-month-old to the gym. It is a family and all welcome. The Worf's are known for giving back to all who come and to the whole community.

Amy Beddingfield: Ms. Beddingfield stated that the people at this gym helped her go through darkest time in her life. They lead the way with their servant hearts in this community.

David Bosefski: Mr. Bosefski stated that he answered that didn't want more business in the town survey, but the town needs more community. That is what happens at this gym, it is a community center. What is being heard here today is community. This will help Weddington be a better stronger community. There are ordinances and laws, he understands, but there is also a responsibility to make Weddington the best it can be.

Dominic Done: His family has worked out at CrossFit for years. The CrossFit family motivates one another, and they do everything for each other. This is a for profit business, but Cory must support family somehow.

Paul Edwards: Mr. Edwards stated that he met Mr. Worf 2 ½ years ago. This is a place for kids to go, providing options when parents aren't home. Giving them a safe place to go so they are not out making stupid decisions. The ordinance said "usually"; laws are grey. Do what's right and beneficial for all. Do it for the kids.

Art Thomas: Mr. Thomas stated that he has been going to CrossFit for 2 years. He was a professional athlete and has tried other gym, the YMCA and they weren't a fit. This place is unique. This is a place a person wants to be. This is a special community.

Mayor Callis closed the public hearing.

Mayor Callis expressed that one of the first issues needing to be addressed is if the proposed use qualifies as a community recreation center, and if it does, what conditions the Council would require for it to be approved as a community recreation center.

Mayor Pro Tem Propst stated that someone mentioned earlier tonight that the Town has a Land Use Plan. It's a guide for where the Town wants certain things to go. This is a conditional zoning, not rezoning a property to commercial use. The Council is considering a conditional use for a specific site. This specific site sits in the middle of 50 acres of ballparks. She reiterated that this is not a commercial rezoning. This is conditional zoning specific for the land use for this parcel. Mayor Pro Tem Propst read from the Town of Weddington Land Use Plan:

- Policy 8: Prohibit medium and high-density residential development and large-scale commercial development that could create potential traffic and safety problems for the Town. She stated that this isn't large scale commercial.
- Policy 9: Ensure that the scale and design of commercial development is consistent with the unique small-town character of Weddington. Limit such development to small scale retail and service businesses, serving Town residents and surrounding communities, particularly specialty shops and restaurants and prohibit regional scale retail and service commercial establishments. Provide for open space preservation in new and/or expanded commercial developments. She stated that this is a small scale, small town business.
- Page 14 of the Land Use Plan: Goal 5: To retain a mix of land uses that reinforces Weddington's unique small-town character. She stated that those gathered at the meeting speak to the small-town character of Weddington.
- Goal 6: To ensure that the type, location and scale of existing commercial and future commercial development in the Town provides good and services for the residents of Weddington and neighboring communities. She stated that Goal 6 speaks for itself.
- Page 19 of Land Use Plan: Public Facilities and Services Goals: Goal 3: To encourage that any future park and recreation needs of Weddington residents are met with adequate recreational facilities in the area. She stated that this is obviously an adequate recreational facility for the community.

- Page 24: Implementation Program: Strategies should be reviewed and updated annually to reflect community accomplishments, new approaches to community issues, changing conditions, shifting priorities and new demands. She stated that obviously the community is growing and changing, everybody present tonight is saying they want something like this in their community.
- Page 25: Strategy 3: Maintain the conditional zoning review standards that require that the following be addressed on site development plans (a) relationship of proposed development to adjacent communities. She explained that this property is surrounded by 50 acres of ball fields for the WCWAA and Optimist Park. It is zoned R40 residential, but that property will not be used to build new homes. She asked what the Council, as leaders of this community, should choose as the best fit for the use of this property. If the Council can work around the parameters of what a community center is, Mayor Pro Tem Propst believes this is the best fit.
- Strategy 9: Require conditional zoning for all commercial development to ensure that it is compatible with the community character.

Councilmember Buzzard stated that business is the crux of the issue and whether or not the Council can define this as a community center. He believes that because it is for-profit, it is a business and not a community center. He stated that the Council can change the Land Use Plan, to make it fit; the Council could look at rezoning the property, if there is a need to have business outside of the downtown district. He believes approving this would be a slippery slope. He stated that this current approach is not the best way to do it.

Mayor Pro Tem Propst stated that WCWAA is a non-profit, but it is still a business in the sense that it takes in money.

Councilmember Smith stated that WCWAA is a 501(c)3 and operates as a non-profit.

Mayor Pro Tem Propst stated that the fire station is also a 501(c)3, but it is a conditional use business.

Ms. Wolter clarified that the Weddington ordinance doesn't specify between profit/nonprofit as far as what kind of business the community recreation center must be. Generally, a not-for-profit entity is a corporation under the law and the status is nonprofit corporation. Weddington doesn't make that distinction. This is something to be considered when determining if this is a community center.

Mayor Pro Tem Propst read the list of allowable uses in conditional zoning. She stated that a cemetery, country club or private airstrip wouldn't be as good a fit on this property. There was a previous discussion of a private school, but because it was only 3 acres, the Council wouldn't allow it. She believes conditional zoning is for allowing Council to make some tough decisions for some areas like this one.

Councilmember Perryman asked Ms. Wolter if the functions on the list of uses for conditional zoning are all qualified as businesses. Ms. Wolter responded that they are.

Ms. Wolter asked the Council what they would look for to have this entity qualify as a community recreation center. Weddington has a definition of community center in the ordinance and it includes the line "usually owned or operated by a public or nonprofit agency". That isn't limiting. There is also no definition of a private recreation facility. She stated that the Council will determine whether the entity as described by the applicant is a private community recreation center and what conditions they will require of the applicant.

Mayor Pro Tem Propst asked the applicant if there would be classes offered to the public/nonmembers.

Mr. Worf replied that there will be classes offered to the public for free. They would also be offering scholarships to kids. He stated that he started this business in 2011 and could afford to run it back then. Since then the rent has gone up. He explained that he may be running a business, but he gives back to the community. He is trying to make this happen so all people showed up here tonight have a place to go.

Councilmember Perryman stated that he has struggled with this immensely. He explained that he has spoken at length with other Council Members and it comes down to the word commercial. He said that citizens don't want commercial business outside the town center, but that said, the way our ordinances are written leaves it open to interpretation. He stated that he doesn't have trouble interpreting what he heard here tonight. The conversation was pleasant. Two gentlemen spoke about not wanting commercial outside of the Town Center area, but this is bigger, and he doesn't want to see something like this leave our community. He stated that what it comes down to is he doesn't want to see something this positive, such an important part of so many lives, leave the Weddington community. He said that after conversations with the town attorney, he hopes there's a way to make this happen that satisfies the fears of the rampant commercial growth.

Mayor Pro Tem Propst reiterated that this is conditional zoning, not changing to commercial. It is site specific. The Council can outline specific conditions for approval. Mr. Worf cannot sell the property and make it a McDonalds or Walmart. Ms. Wolter added that one of the conditions already in place is that it cannot be larger than 5000 square feet, so Mr. Worf would not be able to sell it to Planet Fitness.

Councilmember Perryman stated that the Council will have to make sure this will be site specific. Councilmember Buzzard asked if Mr. Worf would be able to sell to another CrossFit or gym. Ms. Wolter stated that she would like to meet with the applicant and get conditions in place that emphasize community character and along lines of public access to make sure the Town is following its own rules and definitions in ordinances. If there is an opportunity for another owner to buy this property, that owner would be tied to exact same conditions.

Councilmember Perryman stated that if this isn't the type of business wanted in this town, he doesn't know what is wanted. This is good for the community. The Council can figure out how to craft this to make sure it stays with what the Worf's are doing.

Ms. Wolter stated that the Council does have to make sure that what is voted on complies with the ordinances as a conditional use-community recreation center. The Council will need to make sure when the uses are defined, conditions are outlined as well.

Mayor Pro Tem Propst stated that she wants it on the record that she read the Planning Board minutes from the August meeting. Three Planning Board members voted in favor of this because it is land specific and it is a conditional use zoning, not a commercial rezoning.

Councilmember Buzzard stated that if Mr. Worf outgrows that property, and he hopes that happens for his business, the Town is back in the same situation. He believes it is short sighted to condition it so that nothing else can go on that property.

Mayor Pro Tem Propst stated that she is not trying to be short sighted, she believes this is a recreational area and something recreational is the best bet.

Councilmember Perryman asked Ms. Wolter if the only thing that can go on that property if Mr. Worf leaves

is something exactly like what is being applied for, unless another conditional use application is filed. Ms. Wolter confirmed.

Ms. Wolter stated that there had been discussion with Ms. Thompson about tabling the vote and meeting with the applicant to work out conditions acceptable to the Town and the applicant.

The Council discussed options of tabling the vote and instructing staff to work with the applicant on specific conditions for approval and bring them to the next Council meeting.

Ms. Thompson reviewed the conditions already listed on the site plan; the applicant states that it is a use that allows for a building for educational and recreational classes and activities and that all classes will be group run versus an open gym fitness center. The structure will not be more than 5000 sq. ft. and does exclude any non-traditional recreation like trampoline parks, rock climbing, and gaming center or any retail component as a café or juice bar. She stated that if that is enough to define parameters, the Council can vote tonight, if the Council wants more, she suggested to table it.

Ms. Wolter stated that she would prefer to add a condition that specifically speaks to the community recreation center concept. The Council can vote for already listed conditions with instruction that includes a community recreation center condition and the staff can work with applicant to get that completed.

Councilmember Buzzard stated that the Council hasn't discussed the definition of community recreation center or what programs should be offered to the community or what hours should be offered for the community programs.

Ms. Wolter stated that those issues can be addressed tonight or can be tabled until the next meeting.

Councilmember Smith asked if there was a mechanism that can be put in place to ensure the programs that are conditions continue to be held.

Motion: Councilmember Buzzard made a motion to table consideration of conditional zoning for establishing a community recreation center until the November Town Council Regular Meeting

Vote: The motion failed with a 2-3 vote. Councilmembers Smith and Buzzard voted for the motion. Mayor Pro Tem Propst and Councilmember Perryman voted against the motion. Mayor Callis voted against the motion.

Ms. Wolters stated that there is a general list of conditions in the staff report. She recommended including a stipulation related to the community use of the property.

Councilmember Perryman expressed concern about the gym being open to the public in addition to the members doing the instruction programs. He stated that a community center should be available to the community.

Ms. Wolter asked the applicant if he was willing to schedule programming open to nonmembers.

Mr. Worf responded that the gym has a schedule on line now and certain activities are open to nonmembers. Most non-barbell classes are open to nonmembers. Some of the activities require some skill. There is a

learning curve.

Mayor Pro Tem Propst asked if there were classes for nonmembers daily and if the Council is able to put a stipulation that requires the applicant to outline the classes offered to the community.

Councilmember Perryman stated that he would like to see a requirement of a minimum number of public service events to be held quarterly.

Ms. Wolter reviewed the conditions discussed:

- Some type of program open to nonmembers on daily basis.
- Facility will work with Town on quarterly public service/community outreach event
- Free programs for Weddington residents

Councilmember Buzzard asked if Mr. Worf would be willing to table the vote on this application. He stated his concern with the details getting finalized.

Mr. Worf stated that he would be willing if the application would be approved. He stated his willingness to sit down and discuss how to make this happen to the best interest of all. Mr. Worf's real estate agent spoke for Mr. Worf and stated that there is a timing issue with the purchase contract.

Councilmember Buzzard stated that once conditions are voted upon, there is no back and forth. When the Council approves this conditional zoning, that's it. Once it is approved, That's it.

Mayor Callis asked what the deadline is for the due diligence is over at the end of this month and if there would be enough time to table the vote, discuss the conditions and call a special meeting.

Councilmember Perryman asked Councilmember Buzzard what details concern him. He asked what would be learned from talking to other towns.

Councilmember Buzzard stated that he wants to see how Indian Trail set it up and how to protect the residents. If it isn't defined as community center for all of Weddington, then it has to be looked at as a business, and if it's a business, the Land Use Plan or zoning will have to be changed.

Mayor Pro Tem Propst stated that this is creating a private recreation center for the public to use.

Councilmember Buzzard expressed concern about the availability to the resident/nonmembers concerning the hours available and the fees involved.

Mr. Worf listed different community events and other programs to be offered to the resident/nonmembers.

Councilmember Perryman asked if included in the conditions could be a use of the facility for a community event that is not exercise related.

Ms. Wolter reiterated the conditions:

1. The facility will offer daily classes to non-members.
2. The facility will coordinate with the Town to sponsor quarterly community outreach programs.

3. The facility will offer free programs to Weddington residents.

The applicant, Mr. Worf, agreed to the conditions.

Motion: Mayor Pro Tem Propst made a motion to adopt the Land Use Plan consistency statement: The conditional zoning meets the goals of the land use plan in that the use retains a mix of land uses that reinforce a unique small-town character. The design is consistent with the unique small-town character of Weddington and is limited in size to retain the small-scale service to the community. The use is compatible with the area and encourages recreation needs of the community. It is reasonable given the use and character of the area, and the use is surrounded by 50 acres of ball-fields.

Vote: The motion passed with a 3-2 vote. Councilmember Perryman and Mayor Pro Tem Propst voted in favor of the motion. Councilmembers Buzzard and Smith voted against the motion. Mayor Callis voted in favor of the motion.

Motion: Mayor Pro Tem Propst made a motion to approve the conditional zoning with conditions as follows:

1. The facility will offer daily classes to non-members.
2. The facility will coordinate with the Town to sponsor quarterly community outreach programs.
3. The facility will offer free programs to Weddington residents.
4. The hours of operation will be M-F 5:30 AM – 8 PM and weekends 8am-5pm.

And the additional development standards listed:

1. A recreational building for educational and recreational classes and activities for the people in the community, i.e. a yoga studio, fitness classes, agility training, martial arts studio, etc.
2. All classes shall be group run versus any open type of gym/fitness center. It does not allow a fitness center/club use over 5,000 sq ft., which the average business/retail type of fitness centers are 40,000 sq ft, and
3. Specifically excludes non-traditional recreational tenants such as trampoline parks, rock climbing gyms, and gaming centers.
4. Also excludes any retail components you see in larger fitness centers, like juice bars and cafes, and it shall not have any retail sales like gym equipment, yoga mats, etc.

Vote: The motion passed with a 3-2 vote: Councilmember Perryman and Mayor Pro Tem Propst voted in favor of the motion. Councilmembers Buzzard and Smith voted against the motion. Mayor Callis voted in favor of the motion.

8:51 p.m. Mayor Callis called for a brief recess.

8:56 p.m. Mayor Callis called the meeting back to order.

B. Discussion and Consideration of Conditional Zoning for 315 Reid Dairy Road for the Purpose of Establishing a Church Use and any accessory uses related therewith

Mayor Callis opened the public hearing.

Ms. Thompson presented staff report: Christ Lutheran Church requests a conditional zoning for a church use on 11.697 acres at the northwest corner of Rea and Reid Dairy Road in accordance with *Section 58-53 (2)a* of the *Weddington Zoning Ordinance*.

The required Public Involvement Meetings for this project were held on August 22, 2018 from 2:00-4:00 on site and 5:00-7:00 PM at Town Hall. Mailings were sent out to parcels within 1300' of the site. Two residents attended the meetings. Concerns were raised about noise (specifically if a church bell would be ringing every hour), lighting from any ball fields proposed, and traffic from a day care use that may be associated with the church.

The *Weddington Zoning Ordinance* requires that all conditional zoning applications go through the Construction Document process per *Section 58-271*. The applicant is aware that the Town has a Stormwater ordinance, and the construction documents will include all necessary engineering plans for stormwater management. Any significant changes to the site plan due to the design or review of the construction documents may require the applicant to submit a revised CZ application.

Development Standards (for a Church in the R60 zoning district):

- Minimum Lot Area-3 acres
- Front Setback-75 feet
- Rear Setback-60 feet
- Side Setbacks-50 feet
- Maximum Building Height - 35 feet except as permitted in *Section 58-15*

The site plan shows two points of access, one off Rea Road and the second off Reid Dairy Road. The Church has yet to obtain driveway permits for the access plan and will be required to do so as a condition of a conditional rezoning approval. The applicant is not required to submit a traffic impact analysis. The AM peak hour equals 48 trips while the Sunday peak hour equals 318 trips.

The applicant is required to provide a 50-foot landscaped buffer around the property, as required in *Section 58-8*. Much of the rear portion is wooded and shall be left undisturbed.

The planning board reviewed the rezoning on August 27, 2018. They questioned a school or day care use as part of this proposal. The applicant responded not at this time. They were concerned about traffic for a day care type use and given the proposed fire station use. The TIA doesn't include that use which doesn't warrant improvements, but if it's added in the future there's no guarantee a new TIA would be given. They asked about water/sewer or septic. They were concerned about incidental accessory uses and how that is defined. They asked about hours of operation and lighting and suggested mimicking what we approved for other church uses. They discussed weddings and outdoor events.

The Planning Board recommended approval with adding three conditions:

1. Get an assessment from the traffic engineer of the potential impact on the proposed fire station,
2. Requirements for lights out and special event hours must be consistent with other churches in town, and
3. Add the fire pit to the site plan.

After the Planning Board staff reviewed other churches hours of operation which ended between 9:30 PM and 10:00 PM, the last church approval required the Applicant to receive Town Council approval for any or

all lights that will remain on for security purposes past 9:30PM except for Easter Sunday, Christmas Eve and Christmas Day. The applicant must receive Town Council approval before extending church uses to any additional activities such as daycare or “mother’s morning out.”

Several other changes have been addressed on the plans to relieve concerns from neighbors, planning board and staff.

In the development standards section 2.B was added to limit the hours from 7:00am-10:00pm with exceptions. Section 2.C adds restrictions for wedding receptions with regards to hours, lights, and parking. Section 2.D prohibits lighted athletic fields, and 2.E covers added uses such as day care or preschool sites. Section 10 requires the applicant to follow the town noise ordinance. And, the fire pit and wedding reception area was added to the site plan.

The applicant is requesting vested rights for 5 years. Section 38-65 allows a site-specific plan to be vested for two years up to 5 upon request. Due to the nature of the development the applicant is requesting 5 years. Condition number 8 was added per 38-64 (d).

Recommended Conditions of Approval:

1. Any engineering must be approved by Town Engineer.
2. Water plans to be approved by Union County Public Works and Environmental Health.
3. 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*.
4. Driveway permits are required and shall be approved by NCDOT.
5. A lighting plan shall be submitted at the time of construction plan approval.
6. The applicant provided Proof of Septic approval to Town Staff. Water will be provided with final approvals from Union County.
7. Any new use or amendment (i.e. preschool) shall require an updated TIA assessment*** (*added after Planning Board review*)
8. The site plan shall contain the following notation: "Approval of this plan establishes a zoning vested right under G.S. 160A-385.1. Unless terminated at an earlier date, the zoning vested right shall be valid until 10/8/2023."

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 adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest.

Proposed Land Use Consistency Statement

The subject parcel is designated for Traditional Residential on the Weddington Land Use Plan.

The conditional zoning meets the goals of the land use plan in that the use retains a mix of land uses that reinforce a unique small-town character; the design is consistent with the unique small-town character of Weddington. The existing trees and undisturbed area create a buffer between the existing residential homes. It is reasonable given the use and character of the area with the school and fire department nearby.

Ty Shaffer representing Christ Lutheran Church introduced himself, the pastor Matt Simpkins, and John Watson with EDW architects. Mr. Shaffer reviewed the site plan and the conditional zoning request. Mr.

Simpkins explained the vision for Christ Lutheran South.

Councilmember Smith asked if the applicant would be adding ball fields to the property. The applicant responded that there were no plans for ballfields.

Councilmember Buzzard asked if the applicant can continue with just the 2-year vested right and when that expires, come and apply for additional 2 years. Ms. Wolter explained the amendment process doesn't allow for that to be done easily and a fee for an amendment would be applied.

Mayor Pro Tem Propst asked if there was a reason to not give the applicant the 5 years. Councilmember Buzzard stated that with the changes in the erosion control ordinance, he is concerned how that might impact the property.

Ms. Wolter explained that in general the applicant is vested into the plan presented, but building permits, watershed, stormwater, and things that may change are not vested until the permits are pulled. She stated that Council may ask the applicant to leave open any environmental changes.

Mayor Callis closed the public hearing.

Ms. Wolter explained to the applicant, the Town is in the process of reviewing and adopting its own erosion control ordinance and the applicant would have to be willing to agree to be subject to any new ordinances the town passes during the 5-year vested right time frame. Ms. Thompson added that the new proposed erosion control ordinance mimics the state ordinance and it wouldn't be a difference in the requirements.

The applicant agreed.

Councilmember Buzzard asked if the Town should be consistent with extended hours for lighting. The last approval done was specific to Easter, Christmas eve and Christmas day. He stated his preference for consistency.

Mr. Simpkins stated that the Church is asking for Holy Week mainly to ensure flexibility during that time. Easter services are done in the morning, this request is more for Maundy Thursday and Good Friday.

Councilmember Smith stated that the lighting restriction was done out of respect for neighbors who have voiced concerns. He agreed with Councilmember Buzzard that consistency would be preferable.

The applicant stated that the layout of the parking area, the structure, and the elevations show some separation from the surrounding residential areas. He believes the site is significantly buffered from the neighbors.

Councilmember Buzzard stated that if the Council decides to allow all of Holy Week, it should be recorded that this is site specific and looked at as such so not automatically be used as a guideline.

Motion: Mayor Pro Tem Propst made a motion to adopt the land use plan consistency statement: The conditional zoning meets the goals of the land use plan in that the use retains a mix of land uses that reinforce a unique small-town character; the design is consistent with the unique small-town character of Weddington. The

existing trees and undisturbed area create a buffer between the existing residential homes. It is reasonable given the use and character of the area with the school and fire department nearby.

Vote: The motion passed with a unanimous vote.

Motion: Councilmember Buzzard made a motion to approve the conditional zoning for 315 Reid Dairy Road for establishing a church use and any accessory uses related therewith with the recommended conditions listed by staff and additional conditions:

- There will be no sport fields or organized sports teams,
- The 5-year vested development will fall under the forthcoming town erosion control ordinance, and
- It will be indicated on the plan that the extended hours of operation during Holy Week are approved due to the site-specific layout and elevation of the church

Vote: The motion passed with a unanimous vote.

9. OLD BUSINESS

A. Discussion of Update on Erosion Control Ordinance

Ms. Thompson gave an update on the Erosion Control Ordinance. Staff drafted an ordinance, developed a fee schedule, and prepared the following forms: financial responsibility/ownership, plan check list, plan review chart and a self-inspection and self-monitoring form.

Staff's draft ordinance mimics Waxhaw's ordinance and compares it to the State ordinances. The ordinance regulates when a permit is needed and requires a plan submitted that identifies critical areas, limits time of exposure, limits exposed areas, controls surface water, controls sedimentation, and helps manage run-off. The ordinance includes design and performance standards, maintenance, inspections, appeals and penalties.

The only difference between the Waxhaw Ordinance and the State is the former regulates land disturbing activities over 12,000 sq. ft. needing an erosion control permit. The town staff believes we should follow the state requirement of any land-disturbing activity over 1 acre shall require a plan and installation of erosion control devices in accordance with the State Planning and Design Manual. Staff believes there isn't the man-power to regulate individual lots currently. It can be considered in the future.

Items 1-3 below are complete. Staff will bring the draft ordinance to Planning Board this month for review and plan to call for a public hearing in November for December adoption. After adoption it will be submitted to the SCC for delegation. Staff intends to communicate with the state and send a draft in hopes of receiving review comments prior to Town Council adoption.

1. Establish grassroots effort to ascertain local interest in a local erosion and sediment control program.
2. Obtain model ordinance from Land Quality Section website
3. Create local ordinance and supporting documentation necessary to establish and enforce an erosion and sedimentation control program. Local ordinance standards must equal or exceed those in the Sedimentation Pollution Control Act of 1973, GS 113A.

4. Two or more units of local government can establish a joint program and enter agreements that are necessary for the proper administration and enforcement of a local program.
5. Submit ordinance to local government bodies for passage. Adopt ordinance locally before asking Sedimentation Control Commission (SCC) for delegation in writing.
6. Submit three copies of ordinance for review by the State Sediment Specialist, Assistant Sediment Specialist, and DEQ Attorney preferably three months before implementation. Address material to Assistant Sediment Specialist, 1612 MSC, Raleigh, NC 27699-1612.
7. Submit delegation request to the Assistant Sediment Specialist, 1612 MSC, Raleigh, NC 27699-1612. Joint programs must include a certified copy of the resolution stating the terms of agreement.
8. The SCC will review delegation request within 90 days and shall notify the petitioner that it has been approved, approved with modifications, or disapproved.

Ms. Thompson asked if Council was in agreement with sticking to the 1-acre state requirement, the Council agreed.

Councilmember Perryman wanted to ensure that the definition for land disturbing is included in the ordinance.

10. NEW BUSINESS

A. Review and Consideration of Final Plat for the Falls at Weddington, Phase 3 Map 1

Ms. Thompson presented the staff report: The Falls at Weddington Subdivision preliminary plat consists of 185 lots and was approved on December 8, 2014. The subdivision is located on both sides of Antioch Church Rd and is being developed by The Falls at Weddington, LLC, as an RCD conservation subdivision. Phase 3 is the last phase to be developed and consists of 69 lots. It is the most western portion of the overall tract and is adjacent to Vintage Creek and Willow Oaks Subdivisions. The Planning Board reviewed the final plat on September 24, 2018 and unanimously recommended approval with the following conditions. The majority of these have already been met:

1. Bond instruments to be reviewed and approved by the Town Attorney and the final bond instruments must be submitted to the Town prior to recording of the final plat.
2. Declaration of Conservation Easement and Restrictions shall be reviewed by the Town Attorney and executed prior to recording of the final plat
3. Maintenance Plan and Maintenance Agreement shall be reviewed by the Town Attorney and executed prior to recording of the final plat
4. Covenants, Conditions and Restrictions (CCRs) shall be reviewed by the Town Attorney and executed prior to recording of the final plat
5. Coordinate with USPS and DOT to approve the cluster mailboxes location within subdivision.

Motion: Councilmember Perryman made a motion to approve the Final Plat for the Falls at Weddington, Phase 3 Map 1 with the conditions listed in the staff report.

Vote: The motion passed with a unanimous vote.

B. Discussion and Consideration of Addition of Ordinance to Article II: Stopping, Standing, and Parking Section 50-20 Certain Vehicles Parked Only for Loading and Unloading

Ms. Thompson presented the text amendment. She explained that the way it is written it this moves away from commercial designations definitions to regulating vehicle size.

Ms. Wolter clarified that this ordinance covers parking on the right of way. It will be enforced by parking tickets and fines. For parking on private property, that will be covered under the land development code, regulating storage or unpermitted use.

Councilmember Buzzard asked if there has been communication with the Sheriff's Office about ticketing violators. Ms. Thompson explained that while no specific conversation on this ordinance, there have been previous conversations about similar nuisance ordinances. Staff will create ticket books with the ordinance citation for the Deputies to use.

Sec. 50-20. CERTAIN VEHICLES PARKED ONLY FOR LOADING AND UNLOADING.

- a) It shall be unlawful for any person to park any of the following vehicles on streets or roads within the corporate limits of the town at any time, except when engaged in loading and unloading or otherwise lawfully and actively engaged in conducting the business for which they are intended and only for the duration of such activities:
 - 1) Private vehicles whose overall dimensions, including any trailer attached thereto, are more than 6 ½ feet in width or 20 feet in length or 8 feet in height.

Motion: Mayor Pro Tem Propst made a motion to adopt Chapter 50 Article II Stopping, Standing, and Parking Section 50-20 Certain Vehicles parked only for loading and unloading.

Vote: The motion passed with a unanimous vote.

11. UPDATE FROM TOWN PLANNER

Ms. Thompson presented the update: Staff has received the first set of comments from Randall Arndt on the subdivision ordinance revisions. They will be reviewed and presented next month. The Planning Board will start the official review in November, if Council agrees.

12. CODE ENFORCEMENT REPORT

No questions

13. UPDATE FROM FINANCE OFFICER AND TAX COLLECTOR

Ms. Gaylord stated that the monthly financial statements are in the packet. The Auditors are completing their audit and there should be a statement from them within the month.

14. TRANSPORTATION REPORT

Mayor Callis stated that she met with NCDOT to review the list funds to better understand where the money comes from. They suggested that the Town prioritize intersections for work to be done and submit them to apply for funding. NCDOT will help review to check if intersections are eligible for funding. She stated that in future meetings, she would like to review the priority intersections and possibly hire a traffic consultant to perform some reviews and studies.

Councilmember Buzzard stated that Weddington should partner with the County to work through the process.

15. COUNCIL COMMENTS

Councilmember Buzzard: I would like to thank everyone who is no longer here. We had quite a turn out. I've been to many meetings and that might be the largest that we've had here. I want to thank those of you who stuck around. I appreciate everybody's involvement in the Town.

Mayor Pro Tem Propst: Ditto. I thank everybody that came out that came out tonight. It was a big crowd. We've seen some crowds here that weren't so happy and tonight it seemed we had a of people that were all about building community and I think that is a wonderful thing for this town. We are a great little small town and I appreciate everybody's efforts for coming out and speaking.

Councilmember Smith: I enjoyed hearing the comments. It was very heartfelt. I appreciated them all coming out and speaking and it truly was a pleasure hearing them. You weren't here for the firehouse, there were a lot more people than this. And they had pitchforks.

Councilmember Perryman: I want to echo the comments about the folks that showed up tonight. I also want to say that to me this is what our jobs is all about. I respect everybody sitting in this room and the fact that we can discuss and listen and debate and make decisions. It makes me proud to be a part of this group. On a sad note, I want to note for the record I learned the sad news that Mr. Bobby Pope on Weddington Matthews Road passed away unexpectedly on Saturday. He has been a tremendous member of the community for many years and done a lot of things for a lot of folks. The town has lost a good citizen.

Mayor Callis: I agree with everything that was said. I appreciate everyone being out here. As leaders in the community sometimes you do have to make decisions that are tough decisions. I whole heartedly am thrilled that we can continue to build community. I think we need community and I think the state we are in this country today we need to embrace as much community as we can. I feel like that is what was done.

16. ENTER INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a)(6) To Address Personnel Matters; NCGS 143-318.11(a)(3) To Consult with Town Attorney; and NCGS 143-318.11(a)(1) to approve closed session minutes

Motion: Councilmember Perryman made a motion to enter into closed session at 9:56 p.m. to address personnel matters, to consult with the town attorney and to approve closed session minutes.

Vote: The motion passed with a unanimous vote.

17. ADJOURNMENT

Motion: Councilmember Smith made a motion to adjourn the October 8, 2018 Regular Town Council Meeting at 10:40 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: November 13, 2018

SUBJECT: Radar Trailer

The Town Council requested staff to obtain quotes for a new radar trailer. Staff contacted two companies.

The Town purchased the current trailer from Kustom Signals. Kustom Signal's quote and specification sheet attached is for an 18" display sign with a red/blue slow down signal and data system for \$9,795.00. It was recommended to upgrade the solar panel, purchase a wheel lock, and upgrade the battery for an additional \$1,247.00 plus \$751 for shipping and handling. The total for Kustom Signals trailer is \$11,793.00. This trailer is very similar to what the town currently has.

Staff also received a quote from Traffic Logix. The Traffic Logix system is \$5,600.00 plus trailer galvanizing and shipping for an additional \$1,614.00 for a total of \$7,214.00. This is a 15" sign display versus 18", which was recommended. The 18" display is typically for larger multi-lane highways. The additional upgrades recommended from the Kustom Signals sales representative are included in the Traffic Logix quote. An add-on option for this trailer is a cloud data system. The Town can connect to the sign from anywhere, get real-time data, and control the customized message on the sign. It comes with alerts for the battery, high and low speeders, and the town can download data without traveling to the sign. The add-on data is \$400.00 per year or \$1800.00 for a lifetime cloud fee.

Recommendation

Staff recommends purchasing the Traffic Logix system including the lifetime cloud system for an amount not to exceed \$9,014.00



Quotation

Agenda Item 9.A.

Page 1 of 2

Date 10/23/2018

To... LISA THOMPSON
TOWN OF WEDDINGTON

1924 WEDDINGTON RD
WEDDINGTON NC 28104

Quote # 435973917925ET
 Terms Net 30
 This Quote Expires on 01/21/2019
 Phone 704-846-2709
 Fax 704-846-6372

Qty	Product Description	UnitPrice	SubTotal
1	SMART 850+ Value Package: Includes 18" Display, Red/Blue & Slow Down Violator Alerts, & Traffic Data Computer)	\$9,795.00	\$9,795.00
1	GPS tracking theft deterrent system	\$660.00	\$660.00
1	Solar Panel (50 Watt)	\$795.00	\$795.00
1	Locking Lug Nuts (Set of two)	\$25.00	\$25.00
1	Cable Wheel Lock	\$87.00	\$87.00
1	Trailer Cover (Generic)	\$45.00	\$45.00
1	Alarm System	\$160.00	\$160.00
1	SMART removable tongue	\$150.00	\$150.00
1	Extra Group 27 AGM Battery (Limit 4), charger upgrade	\$365.00	\$365.00
1	Shipping/Handling/Freight	\$751.00	\$751.00
Total			\$12,833.00

Signature

* Applicable Sales Tax Not Included. Seller may charge Buyer a 25% restocking fee.

Sydney Burke
Account Manager

Toll Free 800-4KUSTOM (800-458-7866)

KUSTOM SIGNALS, INC.
TERMS AND CONDITIONS

1. **APPLICABILITY.** Unless otherwise specified in a written bid, quote or contract, the following terms and conditions shall apply.

2. **PRICES AND TAXES.** Prices will be Kustom Signals, Inc.'s ("Seller") prices in effect on the date a purchase order is accepted by Seller, and Seller may change its prices at any time, in its sole discretion. All prices will be F.O.B. Chanute, Kansas, and net of any duties, sales, use or similar taxes, fees or assessments, and do not include shipping, packaging or any insurance costs, all of which are Buyer's responsibility.

3. **PAYMENT.** Unless otherwise provided on the face of the invoice, payment is to be paid in US dollars and in accordance with the Seller approved terms for Buyer. Partial payments are not permitted unless authorized in writing. Partial payments will be treated as non-payment. Each invoice is independent from shipping sequence and disputes relating to other invoices. Failure to pay an invoice within 30 days will be considered a default.

4. **DELIVERY AND PERFORMANCE.** Delivery dates are approximate. Seller disclaims all liability for late or partial delivery. Seller may deliver in such lots and at such times as is convenient for Seller.

5. **LOSS IN TRANSIT.** Risk of loss will pass to Buyer upon delivery of the goods to the carrier. In case of breakage or loss in transit, Buyer will have notation of same made on expense bill before paying freight. Seller may reject claims for shortages not made within 15 days of Buyer's receipt of the goods.

6. **TERMINATION, RESTOCKING CHARGES.** Buyer may terminate this purchase order for its convenience, in whole or in part, by written, faxed or telegraphic notice at any time. If Buyer terminates this purchase order for convenience, Buyer will be liable to Seller for Seller's reasonable costs incurred in the performance of this purchase order that Seller cannot mitigate. Unless otherwise agreed upon in advance in writing by Seller, Seller may charge Buyer a 25% restocking fee, if: (a) upon approval by Seller, the Buyer returns any non-defective goods covered by this invoice; or (b) prior to shipment, but after the goods are produced by Seller, Buyer cancels the order for the subject goods.

7. **WARRANTY.** Seller's warranty is provided separately.

8. **LIMITATION OF LIABILITY.** SELLER IS NOT LIABLE FOR ANY CONSEQUENTIAL, INDIRECT, OR INCIDENTAL DAMAGES, OR ANY LOST PROFITS OR LOST SAVINGS, EVEN IF A SELLER REPRESENTATIVE HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH LOSS, DAMAGES, CLAIMS OR COSTS, NOR IS SELLER LIABLE FOR ANY CLAIM BY ANY THIRD PARTY. SELLER'S AGGREGATE LIABILITY UNDER OR IN CONNECTION WITH THIS PURCHASE ORDER IS LIMITED TO THE AMOUNT PAID FOR THE GOODS.

9. **INDEMNIFICATION.** Buyer will indemnify, defend and hold Seller harmless from all losses, damages, liabilities and costs, including attorneys' fees, incurred or sustained by Seller as a result of any third party claim made against Seller, including a claim by a customer of Buyer, arising from its negligent, reckless, willful, or intentional actions in marketing and reselling the goods.

10. **EXPORT RULES.** Exports and re-exports of the goods may be subject to United States export controls and sanctions administered by the U.S. Department of Commerce Bureau of Industry and Security under its Export Administration Regulations ("EAR"). Buyer shall comply with all laws, rules and regulations applicable to the export or re-export of goods including but not limited to EAR which includes, among other things, screening potential transactions against the U.S. Government's (i) list of prohibited end users, and (ii) list of prohibited countries. Buyer represents and warrants that (i) it has not been charged with, convicted of, or penalized for, any violation of EAR or any statute referenced in EAR § 766.25, and (ii) it has not been notified by any government official of competent authority that it is under investigation for any violation of EAR or any statute referenced in EAR § 766.25.

11. **MISCELLANEOUS.** These terms and conditions, together with any other written agreement between Buyer and Seller, if any: (i) are the exclusive statements of the parties with respect to the subject matter and supersedes any prior or contemporaneous communications; (ii) may not be amended except in writing executed by the parties and will prevail in any case where the terms of Buyer's purchase order or other communication are inconsistent; (iii) will be interpreted and enforced in accordance with the laws of the State of Kansas, without giving effect to principles of conflicts of law. These terms and conditions are: (1) solely for the benefit of the parties, and no provision of these terms and conditions will be deemed to confer upon any other person any remedy, claim, liability, reimbursement, cause of action or other right. Each party consents to the exclusive personal jurisdiction of the state and federal courts located in the State of Kansas for purposes of any suit, action or other proceeding arising out of this Agreement, waives any argument that venue in any such forum is not convenient and agrees that the venue of any litigation initiated by either of them in connection with this Agreement will be in either the District Court of Johnson County, Kansas, or the United States District Court, District of Kansas. If any provision of these terms and conditions is unenforceable, the remaining provisions will remain in effect. No waiver (whether by course of dealing or otherwise) is effective unless it is made in writing and signed by the party to be charged with such waiver. Unless otherwise specified in writing, notices must be given in writing by registered or certified mail, return receipt requested, addressed to:

Kustom Signals, Inc.
Attn: Sales Dept.
9652 Loiret
Lenexa, KS 66219



Address:
3 Harriett Lane
Spring Valley, NY 10977 USA
Tel: (866) 915-6449
Fax: (844) 405-6449
Email: info@trafficlogix.com

Description SPECIAL OFFER
SP650 Solar Yellow
Lt Trailer Galvanized
MISC = Lock Axle Bar
Data
Cloud 1yr

Notes 2 yr warranty
1yr warranty on battery
backup Bluetooth

Created Date 11/3/2018

Expiration Date 12/31/2018

Quote Number 00008036

Prepared By Mark Gregory
Title Senior Account Manager
Phone +1 5187448568
Email mgregory@trafficlogix.com
Address 3 Harriett Lane
Spring Valley, New York 10977
United States

Contact Name Lisa Thompson
Phone (704) 846-2709 ext 5
Email lthompson@townofweddington.com

Bill To Name Weddington NC
Bill To Town of Weddington
1924 Weddington Road
Weddington, North Carolina 28104
United States

Ship To Name Weddington NC

Standard Features (Included) - All Prices in \$ USD

- Sign powers down when no traffic present
- Programmable Speed Violator Flashing Strobe Light
- Ambient Light Sensor and Automatic Brightness adjustment
- Banding Mount Bracket
- Safe Pace Management Software
- Bluetooth

Quote Line Items - All Prices shown are in \$USD

Product	Product Code	Quantity	Sales Price	Total Price
SP650 - Solar with Cruiser LT Bundle	SP650CLT	1.00	\$5,600.00	\$5,600.00
Data Collection	SPDATA	1.00	\$0.00	\$0.00
Network Fee 12 Month (Renewable)	SP Cloud Network Fee 12 Months	1.00	\$400.00	\$400.00
Trailer Galvanizing	TRL Galv	1.00	\$200.00	\$200.00
Yellow Faceplate	YellowSign	1.00	\$0.00	\$0.00
MISC		1.00	\$200.00	\$200.00

Totals

Subtotal \$6,400.00
Total Price \$6,400.00
Shipping and \$1,214.00

Handling	
Grand Total	\$7,614.00

Terms: 1% - 10 Days - Net 30 We also accept: MC - VISA - AMEX

IF TAX EXEMPT: Please Provide Tax Exempt Certificate with Order

Please note: If you are not able to unload from a 53' truck, special delivery services will need to be added.

Quote Acceptance Information

Signature _____
Name _____
Title _____
Date _____

**TOWN OF
WEDDINGTON**

MEMORANDUM

TO: Mayor and Town Council

FROM: Lisa Thompson, Town Administrator/Planner

DATE: November 13, 2018

SUBJECT: Conservation Subdivision Ordinance Update

Staff will review changes to the Subdivision Ordinances from Randall Arendt's recommendations after the site visit in July 2018. Staff will be available for a work-session or 1on1 meetings to go through this in detail with Planning Board and Council

- Yield plans to show 10,000 SF of contiguous buildable area
- Changes to the Public Involvement Meetings/On-site visit at the beginning of the sketch plan design process
- Four-step design process
- Revised buffer standards for RCD, including requirement for house lot orientation and "foreground meadows", and berms
- Usability of the required open space
- Terminal vistas and open space along streets
- Cul de sac design standards for planting islands and "closes"
- Signage marking conservation land and trailheads
- Street tree planting along roadways

TOWN OF WEDDINGTON

MEMORANDUM

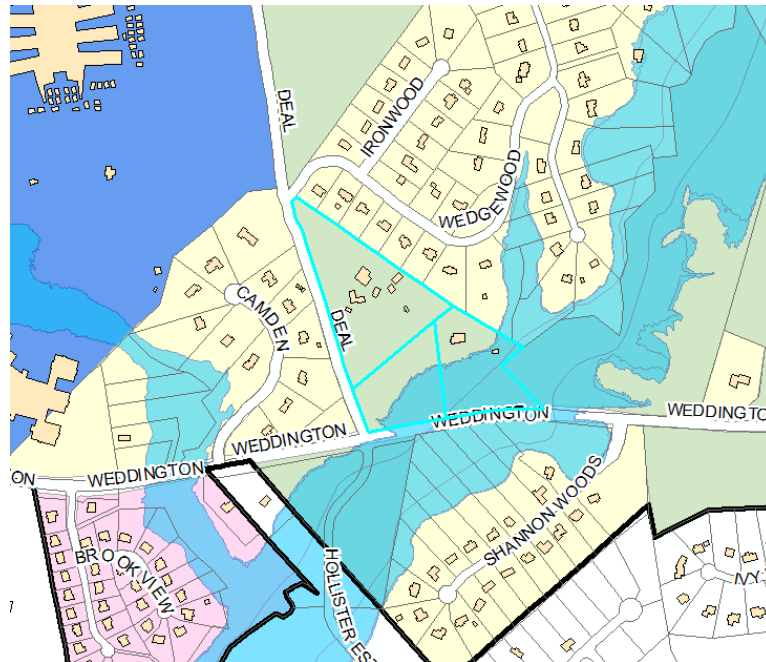
TO: Mayor and Town Council

FROM: Lisa Thompson, Administrator/Planner

DATE: November 13, 2018

SUBJECT: Canisteo Final Plat

The Town Council is requested to review and approve the final plat for the Canisteo subdivision.



Application Information:

Date of Application: October 15, 2018

Applicant/Developer Name: Deal Road Ventures, LLC

Parcel ID#: 06099011A, 06072003A, and 06072003E

Property Location: Northeast corner of Weddington and Deal Roads

Project Information

The Canisteo subdivision consists of 15 lots on 19.96 acres. The preliminary plat/construction plans were approved in October 2017. The subdivision is located on the northeast corner of Deal and Weddington Roads and is being developed by Deal Road Ventures, LLC, as an RCD conservation subdivision.

Development Standards are as follows:

- Front Yard Setback: 30'
- Side Yard Setback: 5' (30' separation between principal buildings)
- Side Corner Setback: 15' (with street frontage)
- Rear Setback: 20'

Planning Board Action

The Planning Board reviewed the plat on October 22, 2018. They recommended approval with the conditions below and that the common open space be labeled as conservation land per the preliminary plat. (*Note: this has been updated since Planning Board review*)

Recommendation

The final plat is in conformity with the approved preliminary plat and construction plans therefore staff recommends approval of the final plat with the following conditions:

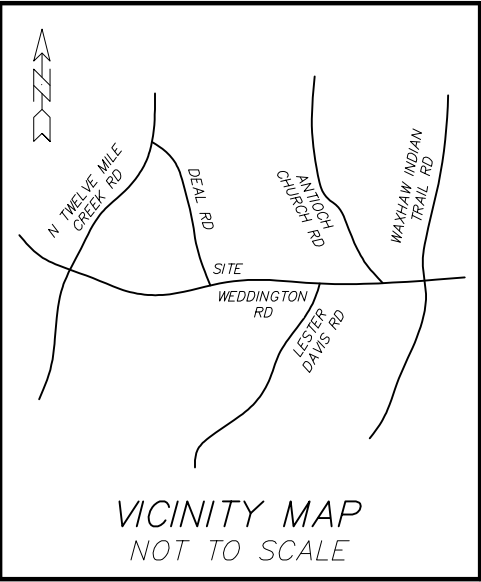
1. Bond estimates to be approved by the Town's engineering consultant.
2. Bond instruments to be reviewed and approved by the Town Attorney and the final bond instruments must be submitted to the Town prior to recording of the final plat.
3. Declaration of Conservation Easement and Restrictions shall be reviewed by the Town Attorney and executed prior to recording of the final plat.
4. Maintenance Plan and Maintenance Agreement shall be reviewed by the Town Attorney and executed prior to recording of the final plat.
5. Covenants, Conditions and Restrictions (CCRs) shall be reviewed by the Town Attorney and executed prior to recording of the final plat.
6. Coordinate with USPS and DOT to approve the cluster mailbox locations within subdivision.

I, THOMAS E. WHITE CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: _____; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL. THIS DAY OF _____ 20____.

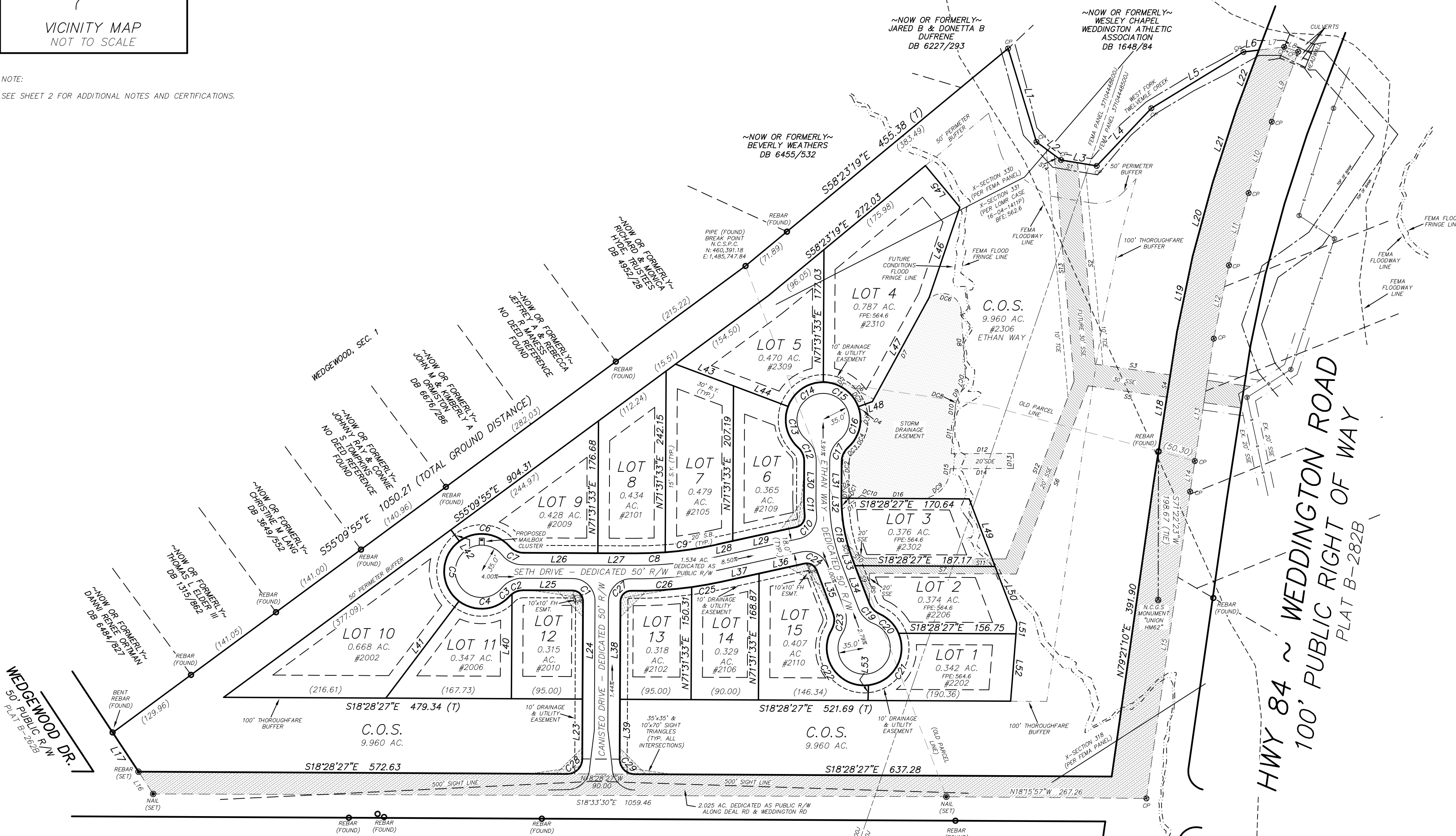
THIS IS TO CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITH IN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

NCPLS #L-4689

DATE	REVISIONS:	SCALE: 1" = 100'
10/17/18	COMMENTS:	2016 BAT/DEAL RD
		2016 U/DEAL RD
		PROJECT: 16-5088
		DRAWN BY: NB
		FIELD WORK: RN/JH
		SEPTEMBER 25, 2018



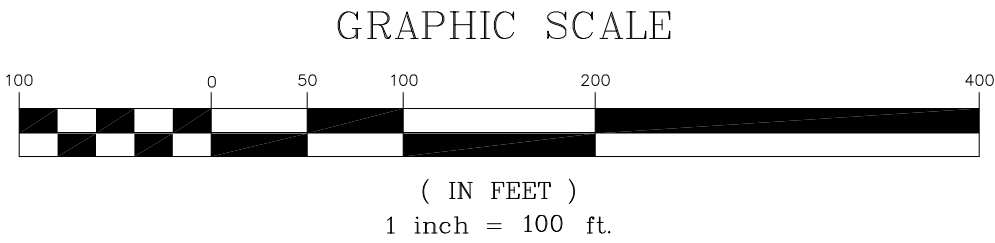
NOTE:
SEE SHEET 2 FOR ADDITIONAL NOTES AND CERTIFICATIONS.



WEDGEWOOD DR.
50' PUBLIC R/W
PLAT B-262B

HWY 84 ~ WEDDINGTON ROAD
100' PUBLIC RIGHT OF WAY
PLAT B-282B

DEAL ROAD ~ SR#1340
60' PUBLIC R/W (MONUMENTED)
PLAT B-262B



CAROLINA SURVEYORS, INC.
P.O. BOX 267 PINEVILLE, N.C. 28134-0267
THOMAS E. WHITE, NCPLS & SCPLS 704-889-7601
CERTIFICATE OF AUTHORIZATION NCIC-1242 SC-886

A FINAL RECORD PLAT OF
CANISTEO
OWNER: DEAL ROAD VENTURES LLC
AREA: 19.957 ACRES
TOWN OF WEDDINGTON, SANDY RIDGE TOWNSHIP, UNION COUNTY, NORTH CAROLINA
(SHEET 1 of 2)

PROCUREMENT POLICY

I. COMPLIANCE WITH APPLICABLE PROCUREMENT LAWS

Procurement of all supplies, materials and equipment ("Goods"), procurement of services for the erection, construction, alteration or repair of any buildings ("Construction and Repair"), and the procurement of other services ("Other Services") shall be in accordance with all applicable laws ("Legal Requirements").

As of the date of this policy, Legal Requirements include:

1. Goods

- a. Formal Bidding Procedures: Formal bidding procedures prescribed in N.C. Gen. Stat. §143-129 must be followed for the purchase of Goods that require an estimated expenditure of \$90,000 or more (unless one of the exceptions stated in N.C. Gen. Stat. §143-129 is applicable).
- b. Informal Bidding Procedures: Informal bidding procedures are prescribed in N.C. Gen. Stat. §143-131 for the purchase of goods that involve an estimated expenditure of \$30,000 or more but less than \$90,000. At a minimum, there should be good faith efforts to obtain at least three written quotes.

2. Construction and Repair

- a. Formal Bidding Procedures: Formal bidding procedures prescribed in N.C. Gen. Stat. §143-129 must be followed for construction or repair work that requires an estimated expenditure of \$500,000 or more (unless one of the exceptions stated in N.C. Gen. Stat. §143-129 is applicable).
- b. Informal bidding procedures: Informal bidding procedures are prescribed in N.C. Gen. Stat. §143-131 for construction and repair contracts involving an estimated expenditure of \$30,000 or more but less than \$500,000. At a minimum, there should be good faith efforts to obtain at least three written quotes.

3. Other Services

Procurement of Other Services should generally be obtained through some form of competitive process satisfactory to the Town Administrator or Designee, such as obtaining written quotes or negotiation. Notwithstanding the above, procurement of certain professional architectural, engineering and surveying services must be in accordance with N.C. Gen. Stat. §§143-64.31-64.34. Generally, these provisions require that firms shall be selected based on demonstrated competence and qualification without regard to a fee other than unit-price information and thereafter that a contract be negotiated. Likewise, when procuring accounting, appraisal, financial, legal, technology support or other professional services for the Town, firms should be selected on the basis of demonstrated competence and qualification and then a contract negotiated with the selected firm or firms.

4. Other Requirements:

- a. The Town shall comply with all Minority Business and Historically Underutilized Business participation procedures and reporting requirements in compliance with applicable law, including but not limited to Article 3 and Article 8 of Chapter 143 of the North Carolina General Statutes.
- b. All contracts shall be pre-audited as required by state law.
- c. Contracts shall not be divided in order to keep them less than the various dollar thresholds referenced below, thereby avoiding the applicable procurement or approval procedure.
- d. For clarity, a purchase order is considered a contract.

In the event of changes in applicable Legal Requirements (e.g. future statutory changes in bidding thresholds), then such current Legal Requirements shall be satisfied. Town staff shall consult with the Town Attorney and the North Carolina School of Government as reasonably needed to remain current on applicable Legal Requirements.

II. APPROVAL AND SIGNATURE AUTHORITY

1. The Town Administrator is hereby authorized to purchase any equipment, materials or work if the items have been specifically approved during the annual budget process. As such, once the Village Council adopts the annual budget, everything contained therein has been approved by Council.

For example, if the Council has approved a budgetary line item for code enforcement services, then the Village Administrator may enter into an annual contract for provision of such services provided the contract contains a not-to-exceed ("NTE") amount equal to the amount authorized by the Council in the approved annual budget.

2. **Exceptions: Contracts Requiring Council Review and Approval Prior to Execution**

Notwithstanding the foregoing, the Village Administrator shall not have authority to approve and sign the following contracts until such contracts have been reviewed and approved by the Town Council:

1. Contracts for acquisition of real estate and leases of real estate;
2. Disposition of real property, including easements;
3. All contracts or amendments to those contracts in amounts greater than \$10,000;
4. Any contracts/purchase orders that require the approval of the Town Council pursuant to applicable Legal Requirements;
5. Interlocal Agreements;
6. Contracts for any Capital Projects; and

7. Contracts awarded after a publicly posted procurement process (e.g., RFP, RFQ, invitations for formal bid)

In addition, the Town Administrator has the discretion within his/her judgment to bring other contracts with unique business or political considerations to the Town for Council review and approval.

III. PREFERRED CONTRACT FORM

Wherever feasible, the Town Administrator shall use the Town of Weddington Standard Contract for Services which is the preferred contract form over any vendor's standard contract form. It is acknowledged that some services due to their nature will require use of a vendor's form (for example, the copier service contract).

IV. CONTRACT REVIEW PROCESS

The Town Administrator shall include in an email, a list of contracts under review and indicate a one line description of the subject matter of the contract (if not obvious) and the anticipated timeframe for review and deadline for execution. In addition, the Town Administrator shall send all contracts, including standard form contracts (of either the Town or a vendor), to legal counsel for review, comment and/or approval.

V. EMERGENCY PURCHASES MORE THAN \$5,000

An exception to the above requirement is an emergency, defined as "when due to an unanticipated equipment breakdown or failure or other emergency condition whereby the timely provision of Town services would be grossly interrupted and/or employees, or the public would be placed in serious peril or danger either in the delivery of certain services or the lack of receipt of same." In such an emergency, the Town Administrator is authorized and empowered to proceed with the purchase keeping in mind that confirmation of the details involving the situation up to and including the emergency purchase will be required to be completed after the emergency condition has been remedied.

TOWN OF WEDDINGTON

MEMORANDUM

TO: Mayor and Town Council
FROM: Lisa Thompson
DATE: November 13, 2018
SUBJECT: NCDOT Residual Property

An action item from the 2017 Town Council retreat was to obtain the purchase cost of residual property from the NC16 road widening from NCDOT. The plan was to use the property as a planted area with a “Welcome to Downtown Weddington” sign or monument to beautify the area.

NCDOT will donate the land to the town, but the town would have to pay for a survey to close on the property. NCDOT requests completion of the attached form if the town would like to move forward with the land donation.





NEGOTIATED SALE OF RESIDUE

COUNTY OF	<u>Union</u>	WBS	<u>36109.80.20</u>	DATE:	<u>10/30/18</u>
CLAIM OF	<u>NC DOT</u>	TIP/PARCEL	<u>U-2510A/024</u>		

I, the undersigned, request the Department of Transportation to donate this residue this _____
the portion of the lands formerly owned by J. Bruce King II & wife Ernestine M. King

(The requestor's attention is directed to the fact that the State of North Carolina does not warrant title to lands. It will be the requestor to satisfy himself as to the title to the property involved. The requestor should also examine the property carefully inasmuch as it is his responsibility, through survey or otherwise, to satisfy himself on the area of land being offered for sale. The requestor also agrees to accept title to the property subject to any outstanding liens, taxes or other assessments.)

This residue is to be donated to The Town of Weddington for public use. _____

It is my understanding, in requesting that property is donated, that the donation of the subject land must be approved by the Council of State of the State of North Carolina, and that there could be a delay of several months in confirming the donation and delivering the deed. It is my further understanding that upon notification that the deed has been executed and delivered to the Division Right of Way office, I will have a maximum of thirty (30) days to make arrangements to transfer the deed. If the transaction is not completed within the thirty (30) days, it is no longer valid, and the property will revert back to the Department of Transportation as a part of this agreement will be forfeited.

Convey property to: Town of Weddington

RECOMMEND ACCEPTANCE

SIGNATURE OF Requestor

MANAGER OF RIGHT OF WAY

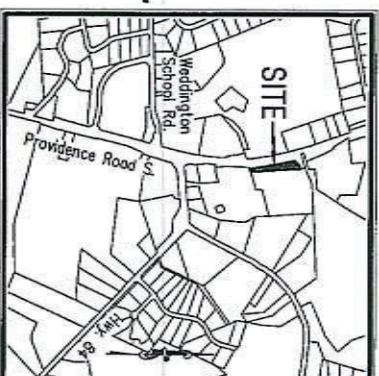
Typed Name:

Address: _____

Telephone #:

I, **E. Donald Lawrence**, certify that this plat was drawn under my supervision and that the plat was prepared for the purpose of acquisition of easements only, and is not intended to be a boundary survey of the property shown.

By of **E. Donald Lawrence**, A.D., 2015
F. Donald Lawrence, NCPLS L-1290



Vicinity Map

(N/TS)

Note: This survey was performed without benefit of a title commitment report. Lawrence Associates does not claim that all matters of record which may or may not affect the subject property are shown hereon.

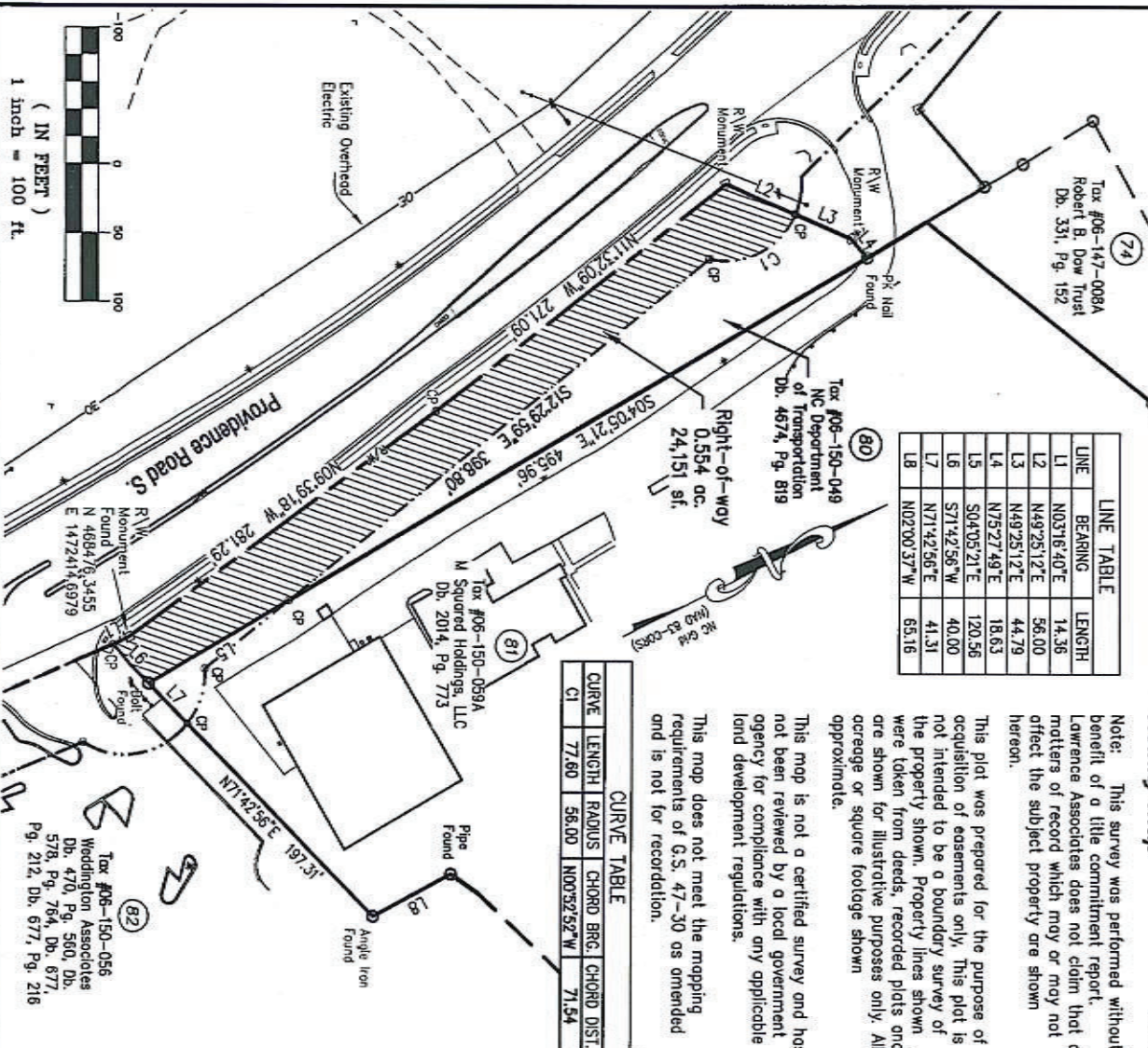
This plat was prepared for the purpose of acquisition of easements only. This plat is not intended to be a boundary survey of the property shown. Property lines shown were taken from deeds, recorded plats and are shown for illustrative purposes only. All acreage or square footage shown approximate.

This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.

This map does not meet the mapping requirements of G.S. 47-30 as amended and is not for recordation.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N03°16'40"E	14.36
L2	N49°25'12"E	56.00
L3	N49°25'12"E	44.79
L4	N75°27'49"E	18.63
L5	S04°05'21"E	120.56
L6	S71°42'56"W	40.00
L7	N71°42'56"E	41.31
L8	N02°00'37"W	65.16

CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD BRG. CHORD DIST.
C1	77.60	56.00	N00°32'52"W 71.54



LAWRENCE ASSOCIATES

106 W. Jefferson St.
Morris, North Carolina 28112
P 704-289-1013 866-657-8001
F 704-283-9035
www.lawrenceassociates.com
Firm License Number: C-2856

**Right-of-way Survey For the Benefit of
Union Power Cooperative**

Property of

**NC Department of Transportation
Sandy Ridge Township, Union County, NC**

Orig. scale: 1" = 100' Date: December 2, 2015 Drawn By: JH

REVISIONS

Job No. 3756 Drawing file: 80-Easement Map.dwg

Drawing no. 15/161

TOWN OF WEDDINGTON
BALANCE SHEET

Agenda Item 13

FY 2018-2019

PERIOD ENDING: 10/31/2018

10 GENERAL FUND

ASSETS

ASSETS

10-1120-000 TRINITY CHECKING ACCOUNT	923,584.12
10-1120-001 TRINITY MONEY MARKET	1,119,827.49
10-1170-000 NC CASH MGMT TRUST	539,957.23
10-1211-001 A/R PROPERTY TAX	930,329.75
10-1212-001 A/R PROPERTY TAX - 1ST YEAR PRIOR	8,406.67
10-1212-002 A/R PROPERTY TAX - NEXT 8 PRIOR YRS	13,295.39
10-1232-000 SALES TAX RECEIVABLE	2,671.51
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	114,681.60
10-1610-004 FIXED ASSETS - INFRASTRUCTURE	26,851.01
TOTAL ASSETS	<u><u>6,046,455.96</u></u>

LIABILITIES & EQUITY

LIABILITIES

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	8,406.67
10-2625-000 DEFERRED REVENUE - CURR YR TAX	930,329.75
10-2630-000 DEFERRED REVENUE-NEXT 8	13,295.39
TOTAL LIABILITIES	<u><u>1,024,287.36</u></u>

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	2,508,386.00
10-2620-005 CURRENT YEAR EQUITY YTD	295,833.69
CURRENT FUND BALANCE - YTD NET REV	-231,204.23
TOTAL EQUITY	<u><u>5,022,168.60</u></u>
TOTAL LIABILITIES & FUND EQUITY	<u><u><u>6,046,455.96</u></u></u>

REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2018-2019

10/01/2018 TO 10/31/2018

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
REVENUE:				
10-3101-110 AD VALOREM TAX - CURRENT	76,654.95	176,573.78	1,065,000.00	83
10-3102-110 AD VALOREM TAX - 1ST PRIOR	119.39	919.17	3,000.00	69
10-3103-110 AD VALOREM TAX - NEXT 8 Y	566.77	622.65	1,000.00	38
10-3110-121 AD VALOREM TAX - MOTOR V	0.00	19,798.94	92,500.00	79
10-3115-180 TAX INTEREST	226.75	331.99	2,250.00	85
10-3231-220 LOCAL OPTION SALES TAX RI	28,453.13	60,941.80	335,000.00	82
10-3322-220 BEER & WINE TAX	0.00	0.00	45,000.00	100
10-3324-220 UTILITY FRANCHISE TAX	0.00	103,580.37	460,000.00	77
10-3340-400 ZONING & PERMIT FEES	4,090.00	17,737.50	35,000.00	49
10-3350-400 SUBDIVISION FEES	1,700.00	4,450.00	20,000.00	78
10-3830-891 MISCELLANEOUS REVENUES	50.00	500.00	1,000.00	50
10-3831-491 INVESTMENT INCOME	0.00	0.00	7,500.00	100
TOTAL REVENUE	111,860.99	385,456.20	2,067,250.00	81
AFTER TRANSFERS	111,860.99	385,456.20	2,067,250.00	
4110 GENERAL GOVERNMENT				
EXPENDITURE:				
10-4110-126 FIRE DEPT SUBSIDIES	61,946.34	247,785.36	747,860.00	67
10-4110-127 FIRE DEPARTMENT BLDG/MA	15,481.00	15,481.00	25,000.00	38
10-4110-128 POLICE PROTECTION	72,149.40	144,298.80	288,600.00	50
10-4110-192 ATTORNEY FEES - GENERAL	5,000.00	15,000.00	60,000.00	75
10-4110-193 ATTORNEY FEES - LITIGATION	1,656.50	-2,999.30	25,000.00	112
10-4110-195 ELECTION EXPENSE	0.00	0.00	3,500.00	100
10-4110-340 PUBLICATIONS	150.00	150.00	12,000.00	99
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	487.75	827.75	600.00	-38
10-4110-495 COMMITTEE & OUTSIDE AGE	0.00	0.00	10,500.00	100
TOTAL EXPENDITURE	156,870.99	420,543.61	1,185,060.00	65
BEFORE TRANSFERS	-156,870.99	-420,543.61	-1,185,060.00	
AFTER TRANSFERS	-156,870.99	-420,543.61	-1,185,060.00	
4120 ADMINISTRATIVE				
EXPENDITURE:				
10-4120-121 SALARIES - CLERK	2,249.52	7,673.25	23,000.00	67
10-4120-123 SALARIES - TAX COLLECTOR	3,881.38	14,504.48	50,000.00	71
10-4120-124 SALARIES - FINANCE OFFICER	222.64	2,398.44	13,310.00	82
10-4120-125 SALARIES - MAYOR & TOWN C	2,100.00	8,400.00	25,200.00	67
10-4120-181 FICA EXPENSE	646.61	2,522.31	8,750.00	71
10-4120-182 EMPLOYEE RETIREMENT	861.11	3,138.18	8,500.00	63
10-4120-183 EMPLOYEE INSURANCE	1,069.50	4,278.00	12,750.00	66

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2018-2019

10/01/2018 TO 10/31/2018

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4120-184 EMPLOYEE LIFE INSURANCE	12.60	50.40	175.00	71
10-4120-185 EMPLOYEE S-T DISABILITY	12.00	48.00	175.00	73
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	355.00	1,100.18	10,000.00	89
10-4120-210 PLANNING CONFERENCE	0.00	0.00	500.00	100
10-4120-321 TELEPHONE - ADMIN	242.63	579.99	3,000.00	81
10-4120-325 POSTAGE - ADMIN	323.80	875.30	2,000.00	56
10-4120-331 UTILITIES - ADMIN	863.19	1,736.75	6,000.00	71
10-4120-351 REPAIRS & MAINTENANCE - B	0.00	1,049.50	67,500.00	98
10-4120-352 REPAIRS & MAINTENANCE - E	3,326.42	29,580.08	75,000.00	61
10-4120-354 REPAIRS & MAINTENANCE - C	5,924.00	12,823.50	58,000.00	78
10-4120-355 REPAIRS & MAINTENANCE - P	0.00	0.00	1,500.00	100
10-4120-356 REPAIRS & MAINTENANCE - C	40.00	1,020.00	6,000.00	83
10-4120-370 ADVERTISING - ADMIN	47.60	109.02	1,000.00	89
10-4120-397 TAX LISTING & TAX COLLECT	34.11	51.81	250.00	79
10-4120-400 ADMINISTRATIVE:TRAINING	0.00	1,475.00	4,000.00	63
10-4120-410 ADMINISTRATIVE:TRAVEL	453.17	1,359.07	5,000.00	73
10-4120-450 INSURANCE	18.10	13,154.92	15,000.00	12
10-4120-491 DUES & SUBSCRIPTIONS	0.00	14,710.16	19,500.00	25
10-4120-498 GIFTS & AWARDS	100.00	165.83	3,000.00	94
10-4120-499 MISCELLANEOUS	108.54	491.34	8,000.00	94
TOTAL EXPENDITURE	<u>22,891.92</u>	<u>123,295.51</u>	<u>442,860.00</u>	<u>72</u>
BEFORE TRANSFERS	<u>-22,891.92</u>	<u>-123,295.51</u>	<u>-442,860.00</u>	
AFTER TRANSFERS	<u>-22,891.92</u>	<u>-123,295.51</u>	<u>-442,860.00</u>	

4130 PLANNING & ZONING

EXPENDITURE:

10-4130-121 SALARIES - ZONING ADMINIS'	6,008.34	24,033.36	72,150.00	67
10-4130-122 SALARIES - ASST ZONING ADI	0.00	0.00	2,500.00	100
10-4130-123 SALARIES - ADMINISTRATIVE	1,627.75	5,996.75	17,650.00	66
10-4130-124 SALARIES - PLANNING BOARI	375.00	1,600.00	5,200.00	69
10-4130-125 SALARIES - SIGN REMOVAL	318.20	1,296.67	4,000.00	68
10-4130-181 FICA EXPENSE - P&Z	615.24	2,431.09	7,725.00	69
10-4130-182 EMPLOYEE RETIREMENT - P&	1,131.22	4,468.93	14,855.00	70
10-4130-183 EMPLOYEE INSURANCE	1,327.50	5,310.00	15,750.00	66
10-4130-184 EMPLOYEE LIFE INSURANCE	19.60	78.40	250.00	69
10-4130-185 EMPLOYEE S-T DISABILITY	12.00	48.00	175.00	73
10-4130-193 CONSULTING	3,100.30	11,299.10	61,075.00	81
10-4130-194 CONSULTING - COG	2,011.25	4,023.00	11,500.00	65
10-4130-200 OFFICE SUPPLIES - PLANNING	90.94	633.02	5,000.00	87
10-4130-201 ZONING SPECIFIC OFFICE SUP	0.00	204.98	2,500.00	92
10-4130-215 HISTORIC PRESERVATION	0.00	0.00	1,000.00	100
10-4130-220 INFRASTRUCTURE	0.00	8,000.00	206,000.00	96
10-4130-321 TELEPHONE - PLANNING & ZC	242.65	580.04	3,000.00	81

LESLIE

11/05/2018 1:19:43PM

Page 2

fl141r07

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2018-2019

10/01/2018 TO 10/31/2018

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4130-325 POSTAGE - PLANNING & ZONI	323.81	875.31	2,000.00	56
10-4130-331 UTILITIES - PLANNING & ZON	863.22	1,833.63	6,000.00	69
10-4130-370 ADVERTISING - PLANNING & Z	47.60	109.03	1,000.00	89
TOTAL EXPENDITURE	<u>18,114.62</u>	<u>72,821.31</u>	<u>439,330.00</u>	<u>83</u>
BEFORE TRANSFERS	<u>-18,114.62</u>	<u>-72,821.31</u>	<u>-439,330.00</u>	
AFTER TRANSFERS	<u>-18,114.62</u>	<u>-72,821.31</u>	<u>-439,330.00</u>	
GRAND TOTAL	<u>-86,016.54</u>	<u>-231,204.23</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: November 12, 2018

SUBJECT: Monthly Report –October 2018

Transactions:	
Adjustments <5.00	\$(1.05)
Utility Tax Charges 2018	\$13633.06
Discovery	\$46.97
Releases	\$(211.92)
Refunds	\$1084.67
Interest Charges	\$145.05
Penalty and Interest Payments	\$(245.96)
Taxes Collected:	
2013	\$(196.44)
2014	\$(196.44)
2015	\$(173.89)
2017	\$(119.39)
2018	\$(77,728.51)
As of October 31, 2018; the following taxes remain Outstanding:	
2008	\$808.16
2009	\$554.28
2010	\$530.18
2011	\$52.18
2012	\$789.41
2013	\$861.22
2014	\$1310.75
2015	\$1915.71
2016	\$6473.50
2017	\$8406.67
2018	\$930,329.75
Total Outstanding:	\$952,031.81