

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, May 11, 2015 - 7:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Regular Session at the Weddington United Methodist Church, Helms Hall, 13901 Providence Road, Weddington, NC 28104 on May 11, 2015, with Mayor Bill Deter presiding.

Present: Mayor Bill Deter, Mayor Pro Tem Don Titherington, Councilmembers Michael Smith, Pamela Hadley and Barbara Harrison, Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Julian Burton, and Town Administrator Peggy Piontek

Visitors: Travis Manning; Kenny SchottII, Bryson Estridge, Bill Price, Dorothy McKnight, Marianne McKnight, George Garner, Don Sinclair, Kevin Sidney, Ronald & Brenda Williams, Danise Simmons, Kenny Schott, Mary Knoble, Cheri Schell, Jody Schell, Jim & Sherry Roese, George & Charlen Comuch. Laura Manny, Betty Vogler Hoash, Marylu Gibbs, John Houston IV, Loche Stuart, Jean Stuart, Reece Schuler, David A. Weirich, Mary Ann DeSimone, Joe DeSimone, John Houston, Daniel Bary, Janice Propst, Lib Propst, Jack Parks, Ben Jones, Kimberly Crooks, Scott Robinson, Terri Ellis, James Burke, James Mundorf, Nancy B. Mundorf, M. Cartafalsc, A. Cartafalsc, Mike McLeod, Ernest Black, Nancy Anderson, Eric Anderson, Kathie Burns, Robert Burns, Andrew Moore, Julie Moore, Linda Guthrie, Michael Guthrie, Walton L. Hogan, Steven Garofolo, Ed Seeley, Lee Rollins, Jerry Fitzgerald, Kara Knotts, Jim Fahy, Sue Fahy, Bob Wetteroff, Jim Bell, Marie Bower, James Searle, A.J. Cooper, Judy Johnston, Mark Knowles, John Rice, Julie Moore, Stan Delaney, Kenneth Moore, Silvano Ferrazzo, Mr. Simmons, Cisco Verse

Mayor Bill Deter offered the Invocation prior to the opening of the meeting.

Item No. 1. Open the Meeting. Mayor Deter opened the May 11, 2015 Regular Town Council Meeting at 7:00 p.m.

Item No. 2. Pledge of Allegiance. Mayor Deter led in the Pledge of Allegiance.

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

Item No. 4. Public Comments:

Judy Johnston, Wellington Woods, NC requested that we not sell the building that the PVFD is currently located in.

Janice Propst, 531 Weddington Road, Weddington, NC commented that her family has run a beautiful farm for five generations. In 1954, lead by Chief Tom Grear Providence was established. People like lifetime resident John Houston and Mayor Anderson's Uncle Jim Hunter were some of the early Board

Members. For 60 years in the Providence and Weddington Community they put their hearts, time, souls, money and their hard work into the PVFD to keep our residents and property safe and secure. There are a lot of people that consider Providence our Town Fire Department, giving them a sense of community. Citizens were proud when the town purchased the property and got the current station up to code for our dedicated firefighters. It was the right thing to do to preserve and protect the fire company that has preserved and protected our community for 60 years. She thanked Councilmember Hadley for her loyalty to the town, citizens and to our fire department. Stating that she has been steadfast in her efforts to continue all the hard work of the hard working families that started that fire department 60 years ago with one engine, one small tanker and a military surplus truck that was used as a brush truck. Ms. Propst insinuated that the rest of the Council is not part of the heritage of the town resulting in a lack of loyalty to what she feels is a historic treasure. She reminded them they were elected to serve the people of Weddington and they were not being respectful of the residents or the fire department.

Michael Guthrey, 3024 Kings Maynor Drive, Weddington, NC stated that he made a donation to the fire department to honor a friend who was a first responder explaining that the members of the fire department are not just for fire, they are emergency medical technicians, hazmat, if someone is sick they are coming to your house. We need to recognize that there's a lot more at stake than dollars and cents. He's thrilled to be here and takes pride in the town and the fire department.

Mark Knowles, 5117 Laurel Grove Lane, Weddington, NC is a resident for over 20 years and all the emails, posts and conversations he has had with other residents conclude this is a bad decision. He forfeited the rest of his time asking for the Council to explain why this is a good decision.

Scott Robinson, Elderberry Court, Weddington, NC is a 12 year resident and is proud to be a member of the PVFD Board for the last 5 years for the men and women who protect our community. There are many issues on the table and he hopes everyone will listen to one another and come up with the right solution for the community. He referred to the election 3 years ago where the candidates ran on openness, transparency in government and the best interest of the residents and he challenged them to live up to that promise.

Travis Manning, Providence Place, Weddington, NC has been a resident for over 28 years. He presents himself as not only a resident but a member of the PVFD and doesn't understand why we're still discussing this decision. He doesn't understand how removing apparatus from the fire service is a good idea, why life safety would be played with and manipulated with for personal agendas, why selling an asset for less than what the town bought makes any sense in any business. He referred to the Mayor publicly stating this is a business decision. He believes the numbers add up to \$250,000 a year in savings, referring to the loss of apparatus, loss on cost of building and the potential penalty to get out of the contract costing \$4,000,000 that the tax payers will have to pay for; if you do the simple math \$250,000 into \$4,000,000 is 16 years and he asked for clarification on where the savings is. He concluded as a firefighter challenging the Council to look at him and his firefighters and tell them what they did wrong to deserve where they're at. "Why is our service not good enough? We went from an ISO rating of 6 to a 4 with less budget each year, usually when someone gets fired there's a justification

and clearly my men and women don't deserve this and I'd like out of respect for those that I fight with I want to know why."

Ed Seely, 1020 Antioch Woods Drive, Weddington, NC stated he is retired military, new resident of 4 years and feels local government's first responsibility is for safety, including police and fire protection. All other responsibilities, except schooling which is County, are secondary and whatever their priorities are that are driving this decision he requested they look at them in weight of their first priority which is public safety and continue the existence of this fire department.

Steve Garofalo, Antioch Woods, Weddington, NC stated his son asked why the fire department was being closed, they are so nice. He lives on the outskirts of town and from a common sense and financial perspective what is the cost of life, this is not a poor neighborhood and doesn't understand why we would elevate such a low cost to such a high value of human life. He grew up in Washington, DC and escaped to become part of America where people have a vote and government cares about them. He respectfully asked that Council undo this for the sake of his family to get care whether he's home or away.

John Rice, 3208 Michelle Drive, Weddington, NC a 30 year resident asked those that voted for it, why they feel it's necessary to give away the cow so we can buy milk. "You are the Mayor, we are Weddington, and we are the people."

Julie Moore, 3200 Michelle Drive, Wedding ton, NC stated they have heard misinformation about the fire service for the town. "Each citizen pays a 5.2 cent tax rate with the Town Council to determine what is to be paid to the fire service provider. PVFD has a budget of \$700,000; WCVFD has a budget of \$1,800,000 for 2 stations. PVFD operates on less than half of what it takes WCVFD to run one station. Yet the Mayor has said that he has contracted with WCVFD for less. The contract with WCVFD is for a one year time table and they must provide the same service as PVFD, so WCVFD will take over and all apparatus there belongs to PVFD, resulting in WCVFD providing their own." She referred to a notice published in the Enquirer Journal for WCVFD to restructure their debt in order to purchase the Hemby Road property. "If they need to do that it's likely they do not have funds on hand to purchase new apparatus, so they will have to pull from their other locations. Though the contract does not address the Hemby Road property it does stipulate operating from there, inquiring how WCVFD will compensate our town for the use of this property. It became our property after \$900,000 of our tax dollars were used to renovate it. Recently it's been proposed to sell for around \$750,000, the land and building are worth \$1,600,000; \$750,000 is less than half of what it's worth. Our town is not in extreme financial distress so why the short sale? If the property is sold to WCVFD and we want to dissolve our association with them how can we do that if the own the building? PVFD had 47 men and women providing our service, WCVFD will have to find and train 47 people to man the Hemby Road station by July 29th." The McGrath Fire Study you commissioned stated there is a nationwide concern that fewer people are volunteering to be firefighters. This will be a huge challenge that has to negatively affect the quality of the service. The one year time frame for this contract seems to favor WCVFD; as with any introductory contract, your low introductory price only lasts for a short time. There is no way with the money you needed to compensate our citizens for the use of the property, money to buy apparatus and the money

needed for firemen that the contract rate can continue. WCVFD will have to either increase the price or decrease the service. The one year time frame allows them to renegotiate for more money and the caps on increase will mean nothing if they own the building. With these uncertainties the Town must slow down and be sure this move is the best one. The Union County Board of Commissioners asked us to wait until next summer; they see the impact not only on our citizens but also on Western Union County if PVFD is no longer serving this area. She inquired if Council would enter into a contract with this many uncertainties with their own money, especially if your experience advisors caution them to wait and think it through? "I think you would find it too risky and wait until you can be more certain, that's all I'm asking you to do for our citizens."

Andrew Moore, 3200 Michelle Drive, Weddington, NC "A fire municipality was formed approximately 2 years ago, approved by the people of Weddington, the Town Council and the Fire Department. The County and the State Fire Marshal supported it and helped gain approval. \$900,000 was spent by the Town of Weddington to update PVFD, they entered into a FSA contract with the Town of Weddington for 10 years and PVFD turns over ownership of the building as part of the agreement. PVFD received an ISO rating of four 3-6 months ago. April 2015 Town Council, excluding Pam Hadley, voted to cancel the signed 10 year contract voted in August 2014. Cancelling this fire contract jeopardizes fire service and citizen safety for Stallings, rural Weddington and southern Mecklenburg. Intended contract with WCVFD would jeopardize fire service and safety for Wesley Chapel citizens and businesses as well. In addition, the \$750,000 penalty will have to be paid by the town due to breach of contract with citizens tax dollars. I've spoken to Commissioner Goodwin several times pertaining to an increase of insurance for homeowners. The Commissioner clearly stated rates could go up due to the timing to re-inspect. Mayor Deter does not agree, he says premiums will not go up, he has stated in public if rates would increase we would look into other alternatives. What alternatives? Mayor Deter does not have a fire safety, fireman or Fire Marshal background and yet he's making statements that are simply not true. The office of the Fire Marsha, the Board of County Commissioners and the Fire Marshal himself say to slow down and do not make false accusations you can not keep. I would side with Commissioner Goodwin on this one, based on his experience, background and current position. Why is the Town Council in such a rush? Why isn't the Mayor speaking to other parties to resolve this issue? Why is our first term Mayor saying premiums won't go up and is only pushing a savings of roughly \$234,000.00? The Mayor's background is not fire safety and is based clearly upon a statement that was printed dated May 15, 2015 and I quote "can someone please dumb this down for me so I can get an answer to what I thought was a simply question". Mr. Mayor the North Carolina Fire Marshal, the Board of County Commissioners are answering your question, slow down, pull back the reins and implement a plan the County is pursuing after planning, researching, pricing and devising a solution that is best for the tax payers and most importantly safe fire and EMT service for all."

Stan Delaney, Weddington Matthews Road, Weddington, NC stated "I'm probably one of the handful of natives from Weddington. I've seen a lot of changes in my lifetime but one constant was the PVFD. The dedication and willingness to give up their own time to serve the public, I thank you. We have some of the best people anywhere; we have the best response times. I know that first hand, I had my hand caught in a wood splitter last year, it took them 2 minutes. We're not going to get that with any other

service. We need to keep what we have, you need to listen to these residents and don't forget they are voters. Going through with what you plan is political suicide; these people have memories - they will vote you out."

Werner Thomisser, 2008 Kings Manor Drive, Weddington, NC stated that the time for venting is long past and he's here to show his concerns for the Council's decisions. He referred to a Resolution passed last Monday by the Union County Board of Commissioners that he understands that is not legally enforceable but illustrates their concerns for the fire and EMT service in Western Union County. "Now we have a contract and you say nothing will change but what is going to happen to the 47 certified firefighters and EMT's? How about the staff of 4 that's manning Hemby Road 24/7 365 days a year? What about the \$3,000,000 apparatus in the fire station? After July it's going to be an empty shell and the County has a freeze on the stuff so what are you going to have in that building, one fire truck? How are you going to shuttle 6,000 gallons of water, the building will be empty? What about the mutual aide, where's it going to come from? Waxhaw - six to eight miles away? A fire doubles every minute. How about Hemby Bridge and Mineral Springs? That's even further. The State Fire Marshal, Mr. Goodwin and the State Insurance Director did not commit that homeowner insurance rates will remain the same. How can you put that in the contract because nobody can verify the apparatus and the firefighters? How are you going to enforce it? Suppose they can't do it, it's a monopoly, what are you going to do fire them? Who will be the next fire company? There isn't one. \$915,000 was spent to renovate the fire station and now you want to give it away for whatever the number is; that's taxpayer money out of the fund balance of Weddington. Now you criticized the last Town Council for being \$30,000 short on the budget which didn't turn out that way; how much money have you spent on attorney's fees in order to change this fire service? You're going to give the fire station away for \$200,000 - 300,000 less than we paid for it? It is a lack of financial responsibility."

Kenneth Moore, 3903 Weddington Matthews Road, Weddington, NC thanked Council Member Hadley because she is the only member of this board who is willing to listen to the people of this town. As far as he's concerned, all those who voted against it should be thrown out of office. It was a bad decision that the four other Councilmembers made. He asked what they didn't understand about the residents not wanting to get rid of their fire department. "We have a super fire department, ask my little dog who starts howling every time the fire alarm goes off and within 2 minutes there's a truck that goes by my house. He has no respect for you four."

Mary Knoble, 1318 Lake Point Drive, Weddington, NC said that this decision was supposedly based on economic savings. Her understanding is that if this transferal of property and Weddington residents' tax revenue occurs there will be a transferal of \$3,000,000 of apparatus and equipment valuation; \$1,600,000 in Hemby Road Fire Station valuation, a probable expenditure of \$750,000 in payment to Providence for breaking their contract this comes to \$5,350,000. "If our 2014 budget was \$1,800,000 then we are giving away three years worth of Weddington's budget, because that's the total of those valuations, 500% of your annual budget. If this transpires I really am very concerned that it should never happen again; that something needs to be done to prohibit this amount of transferal of Weddington property based on three Weddington residents' votes. I want to know what we can do to prohibit this

kind of personal, political pay off with the taxpayer's funds. Why are we shutting down a Fire Department?"

Joe DiSimone, Willow Oaks, Weddington, NC - in 2012 backed by our residents a municipal fire department was formed under Providence. Now under the pretext of saving money and against the citizens wishes, you and some Council Members have decided to fire PVFD and hand it over to Wesley Chapel. The savings that were tossed to the media by the Mayor changed from one interview to the next to a point that we never knew what the savings were and still don't. PVFD submitted evidence proving their solvency and most of you dismissed it and were not receptive to any alternate proposals. Let's look at the facts: A) Insurance rates in Weddington are going to go up, contrary to what you say because you can't prove it anyway. This station will no longer keep its #4 rating. Attendees from the State Insurance and State Fire Marshal were prevented by this body from speaking at the last meeting, that's a travesty. Our station is valued at \$1,600,000 and is debt free. Wesley Chapel has begun action to restructure their current \$4,000,000+ debt in order to buy our building. The citizens of Weddington are being kept in the dark as to the plans to sell the building. Will it be sold at market value or is a special deal going to be in place that only favors Wesley Chapel but not the Weddington taxpayer?. Do you and this body have the authority to cut deals with our tax dollars without voter approval? Mr. Mayor, in 2013 you were quoted in the Union County Weekly as saying "I support the concept of our town gaining an asset in exchange for assisting Providence with the renovation of the station in order to meet State requirements. This is a paid asset belonging to us and selling it for any amount below market value will be a slap in the face to the Weddington residents." Wesley Chapel has to increase their debt in order to buy our building, resulting in Weddington resident paying for the building twice. I call that fiscal irresponsibility. 47 dedicated men, \$3,000,000 in trucks capable of delivering 6,000 gallons of water to a fire will disappear. How does Wesley Chapel plan on handling that? They have neither the equipment nor the staff to handle the level of service we currently have. Going forward WCVFD must depend on mutual aide, which means they will have to receive support from Waxhaw, Marvin, Mineral Springs, Stallings, etc. putting a larger strain on fire departments throughout all of Western Union County. It appears that some members of this administration failed to think very far down the road. 24/7 service with 4 certified firemen, 2 EMT's at the station. Under pressure, Wesley Chapel has agreed to the same service. However, the contract that the Council gave to them didn't specify that those 4 members had to be on site; that gives WCVFD a loophole."

Maryanne DiSimone, 1309 Willow Oaks Trail, Weddington, NC stated Providence VFD is located almost across the street from my subdivision, so I have a vested interest. The actions taken by this Town Council firing PVFD will cost the residents of Weddington, Marvin and Wesley Chapel; not only taxpayer dollars, but most important in the public safety of the citizens living in these areas. My remarks are directed not only to the members of this Council but to all of the residents. I'll focus on the public safety issue, if Wesley Chapel takes over the Hemby Road Station, it will acquire a building and property of \$1,600,000. It has been published that Wesley Chapel is holding a public hearing to renegotiate their loan in order to lower their interest rate of their debt in a neighborhood of \$4-5,000,000. It has also been published that the Town of Weddington plans to lease or sell the Hemby Road Station to Wesley Chapel adding even more to that debt. Any figure below market value would give the appearance of

collusion. Keep in mind that they will purchase only the land and the building and four outside walls. They will not acquire the furniture, rescue truck, brush truck, 3 engines and a tanker capable of carrying 6,000 gallons of water anywhere in the County. They will not get the hoses to put out a fire, the rescue tools such as the jaws of life required to extricate you from a vehicle in order to save your life; the SCVA tanks or the turn out gear that firefighters need in order to do their jobs. Wesley Chapel will be forced to thin out their current resources now located at two substations and relocate some of their trucks and manpower in order to get a third substation up to standard. The Mayor has promised time and time again that nothing would change in the Hemby Road Station. He promised that it would be staffed with 4 certified firefighters with at least 2 of them being EMT's 24/7 365 days a year. How can you make such a promise knowing that Wesley Chapel, Weddington and Marvin will also suffer because those same resources will be spread over a larger area? Wesley Chapel just purchased a new engine, costing about \$600,000; they will need about \$130,000 worth of equipment to put on that truck. With the loss of PVFD's tanker and 3 engines how can they put out a fire in those areas without hydrants? Without PVFD, Wesley Chapel is the sole provider of fire service. Where will the automatic and mutual aide come from since it is mandated that 2 separate departments must respond to a fire call?"

John Houston, 1219 Willow Oaks Trail, Weddington, NC is privileged to be a member of the Providence Volunteer Fire Department Board of Directors and appreciates the support Councilmember Hadley has given them. She has been wonderful and done everything she could possibly do to support our fire department and they do appreciate that. He referred to last year's annual meeting where they gave out awards to outstanding fire fighters, the Honorable Pat McCrory, Governor of the State of North Carolina made a video presentation in which he highly praised this fire department for the work they have done and publicly stated that there was no finer department in the State of North Carolina. There is no way that he can add any more to the facts and figures you have received, there's no need to rehash them again; he just wanted to go on record to say "he believes Council has received the message from the citizens, residents and taxpayers of Weddington and wants them to know he agrees with Travis and would like to know what did these fire fighters do wrong; why are they being turned out? They have given their all to serve this community and deserve the support that you can give them." We're all here for the same reason and as the Mayor says the train has left the station and he wanted to remind the Mayor that the train track runs both ways. "It can be backed up and we would respectfully request that you put that thing in reverse and back it up."

Jerry Fitzgerald, 1410 Willow Oaks Trail, Weddington, NC. thanked Councilmember Hadley for her support for the Providence Volunteer Fire Department. "She has tirelessly supported the fire department, as well as a majority of the people who are residents of Weddington who wish to maintain a fire department with an established ISO rating that has been earned by the Providence Volunteer Fire Department. Ms. Hadley appears to be the only Councilmember who has an understanding of Abraham Lincoln's famous quote "The Government is of, by and for the people". Mayor, remaining Councilmembers, I think it's evident by the turnout of Weddington residents not only at this meeting but at the previous meeting, Weddington residents want your current decision regarding Providence Volunteer Fire Department delayed. I think that everyone agrees that there are budget shortfalls that must be dealt with; but that's not the issue and everyone understands that. The issue is possible

alternatives to solve this shortfall problem other than closing this fire department and why we can't consider these other alternatives. If this fire department was a marginal organization with performance, management or rating problems it might be the best alternative to close and liquidate the department. The opposite is true; this fire department has a stellar performance grade, 47 first rate fire fighters and a 60 year tradition of serving this community. The majority of Weddington residents, the almost unanimous support of the Union County Commissioners, and State Insurance Commissioner Mr. Wayne Goodwin all support delay in this decision. I think residents, Commissioners and Commissioner Goodwin all supporting delay of this closing would be enough for you to question the timing of the shut down. With this much support of a decision delay - questions what you're doing and at least ask "is there another way to solve this budget problem; and why we can't we delay this?" There are very credible resources standing by to assist in this issue and you are totally discarding these resources. Of, by and for the people, this is one of the foundations of this government and I think Ms. Hadley's the only Councilmember that understands this. Mayor, remaining Councilmembers, it is this speaker's belief you do not understand this fundamental of public service and should take a lesson from Ms. Hadley. Of, by and for the people and you are turning a deaf ear to this very basic government principal. Ms. Hadley, thank you again and I personally appreciate your very sane perspective to this very insane issue. Mayor if you complete the closing of this fire department you will have ignored the voices of your constituents, totally disregarded the input of County Commissioners and the Insurance Commissioner, terminate 47 jobs and end a 60 year tradition of community service all to satisfy your personal agenda. What a legacy, what an accomplishment, I'm sure you'll be very proud of yourself. I'm Jerry Fitzgerald, 1410 Willow Oaks Trail and currently not a real proud resident of Weddington, North Carolina."

Eric Anderson, 1364 Providence Road, Weddington, NC stated everyone keeps saying we're going to loose \$3,000,000 worth of rolling stock that is owned by the fire department. The reason why Providence Volunteer Fire Department has no debt and was able to purchase all that equipment is for decades, people who had lived on dirt floors put their money towards that fire department. It's not the Councilmembers, huge sacrifices were made. My Grandmother propped open an oven door for years but the fire department had good tires on its truck. But to the main point, all this displeasure, if I wanted to live in a place where politicians did what they thought was best instead of what the people wanted I'd move to Detroit, Baltimore or Ferguson Missouri or the Middle East. Nobody wants to live there but that's the end result when politicians do what they think is best instead of what the people want. We have a right in the United States to make our own choices and to decide how we want to spend our own money. It may be that the Mayor is right but it's our choice to make. It's our money and we have decided time and time again, every 2 years we go through this every single time, the town residents want this fire department, we want to pay for it. Like the numbers given before, I bet you that if every resident in Weddington opened their pocket and got all the change out, we could make up this perceived shortfall. We're going to get a bath for about \$6,600,000 to save what the Mayor claims is \$200,000 per year; but we're going to pay interest on that money. If Wesley Chapel buys that firehouse they are going to put out money for it, where are they going to get the money, from us? We're going to pay interest on it; we're also going to assume all their debt. I didn't make those decisions, I had no say in that, no one else in here did. Why are we being punished for someone else's irresponsible choices because one fire department Providence spent their money on training? One other fire department

spent it on nice shiny toys. I can tell you it is much better to be an expert on okay equipment than merely competent on the best whiz bang stuff. Anybody who's ever worked on airplanes or been in the military knows that. With all that money it takes for Wesley Chapel, they don't spend half the money that Providence does training. It doesn't matter how many fire trucks show up if the fire fighters don't know what they're doing it's worthless."

Ernest Black, 16136 Providence Road, Weddington, NC "has sat here and listened to everybody speak and has heard a lot of wisdom, concern and people speaking about sacrifices. I'm not the smartest guy in this room and I'm not going to make believe I understand all the numbers. But my life is an open book and a lot of folks in this community have known me and seen me work. I come from a really, really bad side and I don't want to attack anybody's character, but it just seems to me like a no brainer. It's very hard, I heard Mr. Anderson mention Ferguson, Baltimore some of these other places where we have seen the will of the people has not been heard; and as a concerned individual in this community I'm very concerned when our Council or government gets in a position where it refuses to hear the will of the people. When all I've been hearing tonight is dollars and cents and if we as citizens don't mind giving our tax dollars to a fire system for these men to make us safe, I don't understand why we're making such an issue and setting such a bad example for our children. I heard about this because I watch the news all the time and have seen it build up and thought maybe I should go and voice my opinion. I feel that if you are going to elect an official in office you need to be able to voice your opinion on how you feel the direction of your community is going. So as a drop out of high school, a plain old guy who had a terrible record and God has transformed the change and prayed for wisdom; in the beginning that's a chutzpah which is a Hebrew word that means skill and ask that you skillfully look at these residents and that you reconsider this matter. That it is not something that you automatically do because everybody doesn't agree but take the consideration of the community as a whole into the consideration about getting rid of this fire department."

Nancy Anderson, 13624 Providence Road, Weddington, NC began by thanking all the fire departments that serve us, not just Providence but Wesley Chapel and Stallings. "I think we are very fortunate to have such a high quality of both volunteers and paid staff, so thank to everyone one of them. I know this is a very complicated issue, many councils before you, mine included wrestled with this issue. It is true, as Janice Propst said, I do have emotional ties to this fire station but I do want to address a few more pragmatic things about that, not from an emotion standpoint. I worked in the corporate world, in the military, civilian and many, many volunteer non profit organizations. In all of those the same style of leadership and management worked, you promote and reward your top performers. You let them be the trainers and mentors, you don't dissolve them. I had this conversation with Councilwoman Harrison this evening, in my mind I know you think this is a financial decision and it's all about the money, it's really not, it's about geography. If we just erase that imaginary line that we drew on there when we established the municipal districts we could maintain the integrity of three of the finest departments in Union County. Pool the money but keep the integrity of the leadership and the expertise that we're getting ready to lose, I think that would be a better solution. I know it's hard, I tried myself, and it's difficult. In closing I would like to say, I think it's very important that we not sell the fire department yet. The reason I say that is because no one goes into a marriage thinking they're going to get divorced but

what if this doesn't work out well. What if we decide maybe friendly competition is a good thing, I certainly like the competition between Carolina's Health System and Novant, and we've got some of the finest in the state because everyone is trying to outdo each other. So I know that it's going to come up if it hasn't already, I don't know what you folks have discussed, and I would say please hold off on that decision. I know that a statement has been attributed that they don't want to be held hostage by the Council; we don't want to hold them hostage but we do want to hold them accountable."

Walt Hogan, 5009 Laurel Grove Lane, Weddington, NC wanted to say that he believes they have a very difficult decision to make and is glad they are sticking to business. "I realize that a lot of people are heavily emotionally involved and thinks all of them are in this room tonight. He's not positive that the other 10,000 in Weddington are represented, nor am I positive that 60% of the coverage that this fire department, which is an excellent fire department no mistake about that, covers all of the other 40% of the town. So when you make the consideration, please remember that the town is much bigger than the 60% that is represented here."

Silvano Ferrazzo, 2308 Greenbrook Pkwy., Weddington, NC is from a neighborhood located right behind the fire station. "One of the reasons we purchased our home 13 years ago is because my wife is diabetic and I knew she someday, God willing it'll never happen, she might need emergency service entered into our decision to purchase our home where we did. One of the things I also noticed when we moved into the neighborhood, we have no fire hydrants and one of my large concerns, besides the solution you're longing to do, is that we also lose a tanker that is basically in my backyard to take care of our homes. We witnessed that happening 3 years ago when there was a small brush fire from the time we called it was 3.5 minutes to the time it was extinguished. I don't think there's any other facility that can provide that service especially without a tanker when there's not fire hydrants around. I also witnessed my neighbor have a heart attack, be rescued by the volunteer fire department and he's alive today; this was 5.5 years ago. If they were not there I would be missing dear, dear friends because his wife, daughter and grandchild would have moved. There's been a lot of passion tonight, an inordinate amount of facts and I know you have a very difficult decision; but frankly Councilwoman Pam Hadley has made the right decision. She's supporting the will of the people. Let me give you a little history lesson, by my name you can probably tell I'm Italian. There's a famous guy called Julius Caesar, back in 49BC he made a decision - that decision was to cross the Rubicon that changed the history of Italy and the world. When he made that decision someone said the die is cast. Many decisions happened after Caesar crossed Rubicon; the Roman Empire flourished and then it basically crashed and burned and I used the word burned because that's what happens when you don't have a fire department. It's also what happens when you cast the dye, you are gambling with a quick decision. Had he chosen to take the counsel of the then Senators the decision might have been different and who knows what would have happened. We could all be wearing Roman Togas, maybe. It may not be a good thing, but what I want to stress is casting a die and if we want to cast a die we should all consider moving to Las Vegas and gamble with our own money, not the people's money.

Council took a short break to change the recording CD.

Mayor Deter called the meeting back to order and inquired if anyone else wanted to speak.

Kent Sidney, 625 Blochaven Road, Weddington, NC stated that “it seems that there’s a lot of people who are fairly dead set against what’s happened, is it too late to un-ring this bell, is the decision already set, is it cast, can we undo this? We’re going to spend a whole lot of money for very little gain and when will we know when we can un-ring the bell?”

Mayor Deter closed the Public Comments portion of the meeting.

Item No.5 Additions, Deletions and/or Adoption of the Agenda: There were no additions or deletions. Councilwoman Barbara Harrison moved to approve the agenda as presented. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

Item No. 6 Approval of Minutes:

- A. **April 13, 2015 Regular Town Council Meeting**
- B. **February 9, 2015 Regular Town Council Meeting**
- C. **February 12-13, 2015 Council Retreat**

Councilmember Mike Smith moved to approve all sets of minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

Item No. 7 Consent Agenda

- A. **Call for Public Hearing: Review and Consideration of Text Amendment to Section 58-272: Downtown Overlay District – Creation of Overlay District Policy**
- B. **Call for Public Hearing: Review and Consideration of Text Amendment to Sections 58-541 – 58-547: Drainage, Storm Water Management & Wetland Protection – revisions to definitions and applications of impervious area, and creation of stormwater management regulations for the Overlay District**
- C. **Call for Public Hearing: Review and Consideration of Text Amendment to Section 58-271 to align section with requirements in TIA Ordinance and TIA Process and Procedures Manual**
- D. **Call for Public Hearing: Review and Consideration of Text Amendment to Section 46-41 to align section with requirements in TIA Ordinance and TIA Process and Procedures Manual**
- E. **Call for Public Hearing: Review and Consideration of Text Amendment to Section 58-4 to define adaptive reuse**
- F. **Call for Public Hearing: Review and Consideration of Text Amendments to Sections 58-60, 58-56.1, and 58-57.1 to align zoning districts with Section 58-272**
- G. **Call for Public Hearing: FY 2015/2016 Budget**
- H. **Approval for Peggy Piontek as signatory on Town Accounts**

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

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

Item No. 8 Public Hearing and Consideration of Public Hearing

- A. Public Hearing – Conditional Zoning Application for All Saints Anglican Church**
- B. Consideration of Conditional Zoning Application for All Saints Anglican Church**

Town Planner Burton advised that the applicant has asked the Council to defer the Public Hearing for at least one more month.

Mayor Pro Tem Titherington moved to approve deferring this matter until the next Town Council meeting which will be held on June 8, 2015. All were in favor, with the votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

C. Public Hearing – Conditional Zoning Major Amendment – LDS Church:

Mayor Deter opened the Public Hearing.

Town Planner Burton advised that the Church of Latter Day Saints recently discovered that a portion of their parking and their stormwater management facilities were encroaching on an adjoining property. They are applying for a Major Amendment to the existing Conditional Zoning for the Church in order to remove all encroaching development and replace them with new parking and stormwater facilities on Church owned property. The Church did purchase an adjacent property of .65 acres to the west of the existing property to new development. The new stormwater management facility will be located under the new portion of the parking lot, and will meet the requirements found in the Town's updated Stormwater Ordinance. The applicant is also applying for Construction Document approval and the Construction Documents are included in your packet. The Council will vote on those during new business.

Mr. Burton referred to a note in the memo that pertains to stormwater specifically. Early last week it seems as if the applicant was close to completing the design, working closely with our consulting engineering firm USI and it does appear that there is still some work that needs to be done. The design of the underground stormwater facility is slightly too small, so they will be continuing to work alongside USI to make sure that the design meets all of our stormwater requirements.

Some other aspects of the plan: there is a 38' landscaped buffer around the property and the applicant has also proposed a supplementary landscape plan which is included within your construction documents. This is just moving parking, there's not a significant increase in parking, approximately 12 additional spaces and the stormwater will be placed underground, under the parking lot. Staff

recommends that Council approve the Conditional Zoning Amendment contingent on the applicant continuing to work with US Infrastructure and meet all our requirements in our Stormwater Ordinance and also have all the construction documents approved by the Town Council.

Application Information:

Date of Application: February 27th, 2015

Applicant/Owner Name: Weddington Ward of the Church of Latter Day Saints

Parcel ID#: 06147004C Property Location: 5897 Hemby Road

Existing Zoning: CZ – Church

Proposed Zoning: CZ- Church

General Information

The required Public Involvement Meetings for this project were held on March 16th and March 17th. All questions and concerns were general in nature, and related to the overall site plan.

The Weddington Zoning Ordinance requires that all CZ Applications go through the Construction Document process per Section 58-271. Construction Documents are also included in your packet.

Lighting proposed on the new parking lot will match the lighting on the existing parking lot.

No new signs will be constructed.

Access and Parking:

The applicant is required to submit a Traffic Impact Analysis (TIA) as part of this application. This requirement was waived because the proposed amendment does not impact access, and only minimally affects the number of parking spaces on the property

Screening and Landscaping:

The applicant is required to provide a 38 foot landscaped buffer around the property, as required in Section 58-8.

All trees included in screening and landscaping are listed in the Town of Weddington Approved Plant Species List.

A supplementary landscaping plan is included in the Construction Documents. Stormwater and Engineering • USI has confirmed with Town Staff that the plans are nearing completion, and should meet the Town’s requirements. Staff is expecting final confirmation of plan approval by the end of the week, and will forward a letter of approval to Council when it is received.

Recommended Conditions of Approval:

1. All engineering must be approved by Town Engineer, Bonnie Fisher with USI;
2. 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

Mayor Deter opened the Public Comments portion of the hearing.

Bryant Baker, 4422 Commonwealth Drive, stated he is a member of the Church and also a Manager for the Church and is in support of this action tonight so the Church can continue to provide access for the members to attend this meeting house. "We came tonight to be a resource for any questions you might have. We also have the Architect and Engineer here."

Town Attorney Anthony Fox referred to the report advising that the stormwater has not been approved yet and inquired what type of timing are they wanting in regard to the project.

Mr. Baker replied they received a letter this past week stating, after further review with the Town's Engineer that we needed to make some alterations. "As soon as we make those modifications, our intent is to move forward, bid the project and then enter into construction at that point."

Attorney Fox asked Planner Burton if there is an issue in regards to making a zoning approval before we know if the stormwater modification will impact further the property or parking. Planner Burton replied he doesn't think it's a serious issue because normally you would approve a Conditional Zoning contingent upon the Construction Document anyway. Construction documents are normally submitted separately from the Conditional Zoning application, they are not required to be submitted at the same time. The applicant chose to submit everything at once and this is a central issue to the Council; he felt like it was relevant to address that in the Conditional Zoning approval but believes it is acceptable to vote for approval on Conditional Zoning contingent on Construction Document approval.

Attorney Fox informed Council that you have in the past approved subject to USI approving of the Engineering; from that perspective the Zoning might be acceptable if the Council was to take action on the Zoning. The Construction Plan is relevant which is also coming up later on another matter that we may want to look at.

Mayor Pro Tem Titherington inquired because the current retention ponds are part of the new system, "but I do know that we've been working with them to bring those back up to our codes; so as we look at this as part of the new stormwater drainage system has that issue been, or will it be addressed?" Planner Burton replied they will be addressed as part of the new system because it's part of the whole stormwater management system. "That front detention pond will remain and so as part of this new system it will need to be brought up to our new requirements."

Reece Schuler, 3809 L Beam Road, Charlotte, NC the Engineer of record for this project, restated that they are in the midst of trying to get the approval from US Infrastructure. "Our findings when we submitted the initial report is that it did meet all of the requirements of the Ordinance of Weddington. However, there's a little discrepancies in software in the numbers they have and what we have, which is not uncommon with hydraulics, as it's not an exact science. It is our full intent to get the numbers in line with what USI is asking for. Overall we're looking at a fairly small modification to the stormwater system, there's plenty of room under the parking lot to basically add a little bit of length to the pipes that we're proposing and get the storage that's required from USI. To answer the question about the time frame, we are prepared to submit the revised calculations to you and USI later this week."

Mike McLeod, 72 Southend Court, Hampstead, NC the Project Architect advised he's here to answer any questions or provide any thoughts. "As has been stated we have plenty of room under the new parking lot to expand the pipe and create the volume that's needed. We just got the information back recently, we can make those modifications and should be able to coordinate approval fairly quickly."

A gentleman stated that the Church property borders on Hemby Road and backs up to Providence Woods South subdivision. He's interested in exactly where the retention ponds for the run off and the parking lot are located.

Mr. McCleod replied it's across the street on the Southwest corner of Hemby Road.

Jim Mundorf, 5725 Hemby Road, Weddington, N C stated that his property is right against the Church and inquired where's the second pond going to be and if they are going to extend the parking lot where it would go. Just as important carry off water from a holding pond, expressing concern about water tables and protecting the forests and trees, his woods and his farming area.

Planner Burton pointed out the new parking area on the plans, advising that the new stormwater facility is under that parking area. Mr. Mundorf inquired where that water goes.

Mr. Schuler stated that when the Church was designed it was required to retain a 25 year storm event which consists of a certain amount of water. This design is for 100 year resulting in the retention of more water on site during a large storm event and releases more slowly. Mr. Mundorf asked if you build more parking lot what's going to happen. Mr. Schuler replied that this design does not add a significant amount of parking than what is there. What it's doing is moving parking that was erroneously built on a neighbor's parcel of land and getting it under the LDS Church land.

Mayor Deter requested that Planner Burton show the plan that illustrates the parking being removed and the parking being installed.

Mr. Schuler pointed out to Mr. Mundorf the areas of removal and replacement. Mr. Mundorf inquired if the same water table will remain. Mr. Schuler replied it shouldn't affect the water table.

Mayor Deter closed the Public Hearing.

D. Consideration of Conditional Zoning Major Amendment – LDS Church

Mayor Deter asked if there is any discussion from Council.

Councilwoman Hadley asked if the adjoining homeowner has been approached. Planner Burton replied the Church bought the entire piece of property and owns that house and is currently leasing it back to the current homeowners for the time being.

Councilwoman Hadley inquired if the dumpster enclosure is the same as the original? Mr. Schuler replied that the project will have a new setback so that the storage building and the dumpster will be built according to the municipal requirements.

Mayor Pro Tem Titherington moved to approve the Major Conditional Zoning Amendment for the LDS Church with the conditions so noted by USI and outlined for approval by USI and incorporating the existing retention ponds, ensuring they are brought up to standard as well. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

E. Public Hearing - Traffic Impact Analysis Ordinance and Process and Procedures Manual

Mayor Deter opened the Public Hearing.

Planner Burton explained there are two separate documents in the packet both dealing with traffic analysis. As Council is aware staff has worked with several Planning Board Members in the fall to start drafting these documents. The concepts discussed at that point and at the retreat remain the same in both documents. The main goals are that it requires a Traffic Impact Analysis to be completed for all major subdivisions, not just conservation subdivisions and not just Conditional Rezoning. It also requires that a Traffic Impact Analysis be submitted much earlier in the process to allow Council and our traffic consultant more time to respond and recommend changes to traffic impact analysis. It also potentially requires mitigation by the developer if impact seems to be significant. The first document is the Process and Procedures Manual that simply lays out how applicants will submit the traffic impact analysis documents, the timeline for submittals and the format of those submitted reports. The next document is the Traffic Impact Analysis Ordinance which is a more technical document which explains how different aspects of the report should be calculated. Justin Carroll has revised both documents three times and our Town Attorney has also reviewed and edited the documents.

Mayor Deter opened and closed the Public Comments portion of the hearing as no one had signed up to speak.

Mayor Deter closed the Public Hearing.

F. Consideration of Traffic Impact Analysis Ordinance and Process and Procedures Manual

Mayor Deter asked Council if they had any comments or discussions.

Mayor Pro Tem Titherington stated that Attorney Fox had some concerns earlier in the process and asked if those concerns have been satisfied. Attorney Fox replied he has reviewed the documents and is comfortable with them.

Traffic Impact Analysis (TIA) Process and Procedures Manual Introduction

The purpose of this manual is to guide implementation of Appendix C, "Traffic Impact Analysis (TIA) Ordinance", of the Town of Weddington Zoning Ordinance. This manual contains processes, procedures, design requirements, and guidelines for the preparation of TIAs. This manual also details the interaction between Town staff, the applicant, traffic consultants, and the requirements for the certification and recertification of qualified traffic consultants who prepare TIAs, as required, for development proposals in the Town of Weddington.

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I. TIA Preparation and Process

II. TIA Analysis Guidelines and Standards

III. TIA Report Requirements

IV. Consultant Pre-qualification and Re-qualification process

I. TIA Preparation and Process

The TIA ordinance is administered by the Planning Board and the Town Council, in coordination with Planning staff. The Town may coordinate with NCDOT or other governmental agencies or Town-hired consultants as needed in this process. The TIA is intended to satisfy the requirements of the Town's TIA Ordinance. Additional traffic studies may be required by NCDOT or other governmental agencies. It is recommended that the applicant contact NCDOT and surrounding municipalities if the development has a site access that also falls within another jurisdiction.

It is recommended that the TIA consultant be present at the TIA scoping meeting, Public Hearing, Planning Board meeting, and Town Council meeting to respond to questions about the study (see Step 2 below).

The TIA preparation and review process is outlined below:

Step 1. Determination of Need for TIA

The applicant shall submit a general site plan including the number of lots, roadways, and access points to Town Staff. If the applicant is applying for a major subdivision, both conventional and conservation, the general site plan shall be submitted prior to formal sketch plan submittal as outlined in Section 46-42 of the Weddington Zoning Ordinance. If the applicant is applying for a conditional rezoning (CZ), then the applicant shall submit the general site plan prior to submitting the application for CZ zoning (Section 58-271).

Based upon the proposed land use and development intensity information provided by the applicant, Town staff, in coordination with the Town Designated Transportation Engineer, will determine whether the proposed development is expected to generate enough peak hour vehicle trips (50 or more), or daily vehicle trips (500 or more) to require a TIA. The Town will notify the applicant if a TIA will be required. The coordination and determination of the need for a TIA and its administration shall be the responsibility of the Zoning Administrator/Town Planner. Additional information regarding the TIA located in the Town of Weddington Zoning Ordinance (Appendix C).

Step 2. Applicant Selection and Retaining of TIA Consultant

Should a TIA be required, the Applicant shall select and retain the services of a qualified TIA consultant. The TIA consultant shall be a licensed professional engineer in the state of North Carolina. The costs of the TIA consultant shall be the sole responsibility of the applicant.

Step 3. TIA Pre-Scoping Package and Scoping Meeting

If Town Staff determines that a TIA is necessary, A TIA pre-scoping package and scoping meeting shall be completed prior to the preparation of a draft TIA. The TIA consultant shall contact Town staff to request a date/time for a TIA scoping meeting.

The TIA consultant shall assemble the following information (pre-scoping package) and submit it to the Town a minimum of 5 business days prior to the scheduled TIA scoping meeting.

- Site Plan (to scale)
- Vicinity map
- Draft trip generation table for the proposed land uses and intensities including internal capture, transit capture (if any), and pass-by calculations
- Draft trip distribution and assignment (separate trip distributions are needed for residential, retail, and office land uses.)
- Proposed historical growth rate
- Proposed build year
- Phasing plan (if phasing of the analysis is desired. This can be added after the full build analysis is completed if desired.)
- List/Map of study area intersections in accordance with Appendix C.

The Town shall provide the list of approved developments and any approved but not yet constructed transportation facility projects to be included in the study. The Town will forward the meeting date, time and location to NCDOT, should NCDOT want to attend.

Upon completion of a scoping meeting, Town staff will notify the applicant and TIA consultant in writing if additional information is needed to complete the TIA scoping process or if the TIA scoping process is complete.

Once TIA scoping is complete, preparation of the draft TIA can begin. The TIA shall be completed in accordance with this TIA Manual.

Step 4. Submission and Review of Draft TIA

The draft TIA will be submitted in conjunction with the sketch plan for major subdivisions, and will be submitted prior to formal submittal of the conditional zoning application for conditional rezoning. Upon submission of a draft TIA (2 hard copies, 1 electronic (PDF) copy) by the consultant to the Town Planning Department, Town staff and the Town Designated Transportation Engineer will review the TIA within 30 days of submission. Comments (if any) shall be forwarded to the consultant and the applicant for discussion. If no comments are forwarded by the Town within 30 days of submission, the TIA is deemed acceptable and consultant shall submit final sealed copies to the Town. Revised draft TIA's may be needed depending on the level of comments submitted by the Town. The Town will notify the consultant if a revised draft TIA will be needed.

A meeting between Town staff, the applicant, and the TIA consultant may be needed or requested by the applicant to discuss the draft TIA.

Step 5. Final TIA

Once all comments by the Town have been addressed by the consultant and applicant, copies of the final sealed TIA (2 hard copies and 1 electronic (PDF) copy) shall be submitted to the Town. The final TIA will be submitted in conjunction with the preliminary plat for major subdivisions, and in conjunction with the conditional zoning application for conditional rezoning. Based on the final TIA, a list of required transportation mitigation improvements shall be prepared and included as part of any submitted development plans.

II. TIA Analysis Guidelines and Standards

Analysis Methodology

The TIA shall be completed using the latest Highway Capacity Manual methodology and in general conformance with Institute of Transportation Engineers (ITE) recommended practice.

Trip Generation

- The trip generation for the site shall utilize NCDOT Congestion Management's "Rate versus Equation" spreadsheet to determine the best calculation method, unless otherwise approved by the Zoning Administrator in Coordination with the Town Designated Transportation Engineer.
- Internal capture trip reductions should be limited to the MX Zoning designation.
- Internal capture trip reductions shall be applied before the pass-by trip reduction is taken.
- Transit capture trip reductions if applicable should be based on ITE's most recent Trip Generation Handbook and approved by the Town Designated Transportation Engineer.
- Transit capture trip reductions shall be applied before the pass-by trip reduction is taken.
- Pass-by percentages should only be applied to land uses with an ITE land use code in the 800's or 900's.
- Pass-by trip reductions will be limited to 10 percent of the adjacent street traffic unless otherwise approved by the Town Designated Transportation Engineer.
- Pass-by percentages should come from the ITE Trip Generation Handbook or NCDOT Congestion management's "Rate versus Equation" spreadsheet.

Turn Lane Storage Lengths

Determination of turn lane storage lengths for signalized intersections shall be based on the SimTraffic Maximum Queue or Synchro 95th Percentile Queue, whichever is greater.

- Determination of turn lane storage lengths for unsignalized intersections shall be based on the Warrant for Left and Right-Turn lanes graph published by the North Carolina Department of Transportation (graph attached).
- Recommended storage lengths should be rounded up to the nearest 25 feet with a minimum of 100 feet for a right- or left-turn lane.

Other Guidelines

A peak hour factor of 0.90 should be used unless traffic count data indicate that the peak hour factor is higher.

- When analyzing school traffic, a peak hour factor of 0.50 should be used on intersection approaches where 50 percent or more of the traffic on the approach is attributable to school traffic.
- It is recommended that peak hour factors be calculated by approach.
- Ideal saturation flow rate shall equal 1900 vphpl.
- Traffic volumes along corridors should be balanced to account for variations in the counts. Balancing should be balanced with no loss of volume between intersections which have no driveways between them and within 5 percent where a sufficient number/type of driveways exist between the study intersections.

- The AM Peak (7-9) and the PM Peak (4-6) periods will be included for all studies unless otherwise specified by the Town Designated Transportation Engineer. Count times for school developments will be based on the proposed school hours.
- Traffic analysis should be completed using Synchro 8 software. Roundabout analysis should be completed using SIDRA software.
- A SimTraffic simulation should be completed at a minimum when 95th percentile queues indicate that traffic will spill over across adjacent public street intersection (in or out of the study area). The simulation should be seeded long enough so that traffic can traverse through the entire network (a minimum of 10 minutes is recommended). The simulation should record for an entire 60 minute period.
- Existing lane widths shall be noted in the field notes and included in the traffic analysis.
- Preparation of a signal warrant analysis will be needed for all proposed signalized intersections.

Analysis of New Intersections (new site access drive or new public street)

- The baseline LOS for unsignalized intersections at build-out shall be LOS C.
- Unsignalized access locations at project build-out shall be mitigated (if needed) to obtain LOS C. If the proposed access intersection fails with the addition of a right-turn lane, a left-turn lane, and a through lane in each direction, a review of restriction of access shall be completed.
- Recommendation of turn lanes at unsignalized intersections shall be based on the thresholds depicted in the Warrant for Left and Right-Turn lanes graph published by the North Carolina Department of Transportation (graph attached).
- Preparation of a signal warrant analysis will be needed for all proposed signalized intersections.

III. TIA Report Requirements

Report Content

- The Synchro Lanes, Volumes, Timings reports shall be provided for all analysis scenarios for all intersections.
- All figures shall be numbered.

Existing laneage and Recommended laneage figures shall:

- o Show a separate arrow for each exclusive lane
 - o Existing laneage shall be shown as a different arrow type than proposed lanes
 - o Show the distance between existing and proposed intersections
 - o Show existing and/or proposed storage lengths
 - o Unsignalized intersections shall indicate which approaches are stop or yield controlled
 - o Signalized intersections shall be indicated
 - o Identify all streets by name. Also include a route number if street is a US or NC route.
 - o Include a north arrow
 - o Include a legend
 - o The site location shall be generally indicated
- The following traffic volume figures shall be included at a minimum:
 - o Existing traffic volumes: AM(PM)

- o Future Background AM traffic volumes: existing AM(historical growth){approved development volumes}[AM Total]
 - o Future Background PM traffic volumes: existing PM(historical growth traffic){approved development volumes}[PM total]
 - o Future Build-out AM traffic volumes: background AM total(net new site traffic){passby}[AM total]
 - o Future Build-out PM traffic volumes: background PM total(net new site traffic){passby}[PM total]
- Figures depicting each of the approved developments site trip assignment shall be included in the Appendix.
 - Field notes shall be included in the Appendix.
 - Study scoping documents shall be included in the Appendix.
 - Synchro reports shall be organized in the Appendix by analysis scenario then by peak period. For Example the 2011 Background AM Peak analysis for all intersections should be grouped separate from the 2011 Background PM Peak analysis.
 - Signal timing plans (if available) should be included in the Appendix.
 - Internal capture calculations shall be included in the Appendix.
 - Traffic count data shall be included in the Appendix of the report and provided in electronic Excel format.
 - Photos of the intersections from the site visit may be included.
 - A table of contents, list of figures, and list of tables shall be included in the front of the report.
 - The name of the development shall be included in the header or footer of each page of the report.
 - Existing study intersections shall be called out in the report as signalized or unsignalized.
 - Analysis results (Delay in seconds with corresponding LOS grade) shall be summarized in table format by intersection and approach. Level-of-Service results for existing, future background, future build-out, and future build-out mitigated (if needed) shall be included in one table. A summary table listing all intersections may be included as well.

Report Outline

1. Executive Summary

- Site location
- Development description
- Recommendations

2. Introduction

- Site location
- Development description
- Type of studies undertaken (impacts, signal warrant, sight distance, etc.)

3. Existing Conditions

- Study area intersections
- Description of roads

- Traffic counts including location, date, and time of counts (including figure)
- Existing land uses for site and adjacent area o Site location figure and vicinity map figure

4.Future Conditions

- Historical growth rate
- Description of proposed public projects (figure may be needed)
- Description of proposed private development and associated improvements (figure may be needed)
- Future background traffic volumes (including figures)

5.Proposed Site

- Description of development
- Site plan figure
- Trip generation discussion including table
- Trip distribution and assignment discussion (including figure)
- Proposed site access
- Phasing (if applicable)
- Future build-out traffic volumes

6.Capacity Analysis

- Methodology discussion including
 - Listing of Town level-of-service (LOS)) guidelines for determination of mitigation thresholds.
 - Discussion of storage length determination methodology. 97
- Analysis results by intersection
 - Table of results are to show the LOS and second of delay for each study intersection and approaches for all scenarios. For example, the 2009 existing, 2014 background, 2014 build-out, and 2014 build-out improved (if needed) would all be in the same table.
 - Listing and/or discussion of the recommended improvements including storage lengths.

7.Recommendations

- List of recommended improvements
- Recommended lineage figure

**AN ORDINANCE TO AMEND
THE CODE OF ORDINANCES
OF THE TOWN OF WEDDINGTON
O-2015-05**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT THE CODE OF
ORDINANCES WILL BE AMENDED AS FOLLOWS:**

APPENDIX C – Traffic Impact Analysis Ordinance

I. Overview

The adequacy of service levels for local, private, and state road intersections that serve or are affected by a proposed project shall be determined in accordance with the provisions of this Article. A Traffic Impact Analysis (TIA) required by this Article will be prepared by a qualified traffic engineering consultant retained by the Applicant and reviewed and approved by the Town of Weddington. All requirements and recommendations resulting from the TIA must be coordinated with and approved by NCDOT.

II. Applicability

A. Generally.

1) Except as provided in subsections (3) through (7) below, a TIA is required for any major subdivision, or conditional rezoning, or portion thereof, which is expected to create fifty (50) or more peak hour vehicle trips or 500 or more daily vehicle trips. Peak hour and daily vehicle trips are those occurring on peak days on the roadway adjacent to the proposed development, based on the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, with the exception of public and private schools which will be based on the NCDOT's most current Municipal School Transportation Assistance (MSTA) School Traffic Calculator. For the purposes of determining the requirement to submit a TIA, no adjustments such as modal split, pass-by trips, and/or internal capture rates will be allowed to the site traffic calculation.

NCDOT Congestion Management's "Rate versus Equation" spreadsheet shall be used to guide site trip calculations and determine allowable pass-by percentages. Alternative trip generation rates/equations for non-standard uses may be utilized subject to Town approval. A "Determination of Need" for a TIA shall be made by the Town in accordance with the trip generation standards set forth in subsection II.A.1 (See the Town of Weddington TIA Process and Procedures Manual for additional information.)

2) The determination of the number of trips generated also shall take into account pass-by trips, internal trip capture for MX projects (e.g., roadway and/or pedestrian connectivity) and any proposed transportation demand management system where adequate guarantees are provided by the applicant to the Town, which ensure the proposed demand management system will function as proposed for the life of the project.

3) For redevelopment projects, including changes of use, trip generation thresholds shall be defined as the number of net new trips anticipated to be generated by the proposed development over and above the number of trips generated by the current use of the site.

4) No TIA shall be required for special events, which either are temporary in nature, consistent with the Town Zoning Ordinance, or which generate trips that meet or exceed the thresholds set forth in (1), but which do not occur during the peak hours of the roadways adjacent to the proposed development.

5) Nothing herein shall prohibit the Town from requiring on-site or off-site improvements necessary to address traffic safety concerns created by a proposed development, regardless of whether the thresholds set forth above have been met.

6) This Article shall not apply to any rights that have vested prior to the effective date of this Article, nor shall this Article be applied in a manner that would result in a taking of property.

7) This Article shall not apply to any development proposal that is part of a conditional zoning plan or subdivision plan submitted prior to the effective date of this Article.

B. Consecutive or Sequential Applications.

Proposed developments may not be phased or subdivided in piecemeal fashion to avoid application of this Article. Two or more developments represented as separate developments shall be aggregated and treated as a single development where the Administrator determines the developments to be part of a unified plan of development and physically proximate to one another, based on the following factors:

- 1) There is common ownership, indicated by the fact that:
 - a) The same person, company, partnership or legal entity controls the developments;
 - b) The same person, company, partnership or legal entity has ownership or a significant legal or equitable interest in the developments;
 - c) There is common management of the developments which controls the form of physical development or disposition of parcels of the development;
 - d) There is proximity in time between the completion of 80 percent or less of one development and the submission of a development proposal for a subsequent development indicating a common development effort;
 - e) The sharing of infrastructure or improvements between multiple developments;
 - f) There is a common advertising scheme or promotional effort or plan for the developments; or
 - g) Any other credible information gained by the Town suggesting that the project is being phased or subdivided to avoid the requirements of this Article.

C. TIA Submission & Completion Requirement

Once the Town has made a Determination of Need for a TIA, the applicant may proceed with the TIA study, in accordance with the terms of the most recent version of the Town of Weddington TIA Process and Procedures Manual, as approved by Zoning Administrator and all applicable Zoning Ordinance and Subdivision Ordinance requirements.

III. Level of Service Standards; Compliance; Mitigation; Excess Capacity

A. Level of Service Standards and Compliance

1. The applicant must determine the existing (base) Level of Service (LOS) for all intersections within the Impact Area, as described in Section IV. The applicant shall be required to identify mitigation improvements to the roadway network if at least one of the following conditions exists when comparing base Level of Services to project conditions: (1) the total average delay at an intersection or individual approach delay increases by 25% or greater, while maintaining the same LOS; (2) the LOS degrades by at least one level; (3) or LOS is an "F". This determination shall be based on the most currently accepted Highway Capacity Manual (HCM) methodology.

For turning lanes, mitigation improvements shall be identified when the SimTraffic analysis indicates that the Max Queue exceeds the storage capacity of the existing lane.

The proposed mitigation measures required to meet the LOS standards may be modified, subject to final approval of the Town Council to substantially achieve the standards, purpose and intent of this ordinance. The determination of "substantial achievement" based upon an expert opinion provided by the Town's Designated Transportation Engineer.

2. As an alternative to mitigation, the developer may elect to phase the project, reduce its intensity, or delay the project until the LOS standards have been met as a result of a transportation improvement planned by the Town, the North Carolina Department of Transportation (NCDOT) or another party.

B. Mitigation

Mitigation measures shall be consistent with the Design Standards found within the Town of Weddington Roadway Standards.

Mitigation may include participation by the Town or other governmental agencies or private parties, and also may include the funding of road improvements planned by other governmental agencies. Such improvements can be advanced to mitigate the impacts of the proposed development. The nature and type of mitigation should reflect the timing and the availability of necessary right-of-way or other improvements, the existence and timing of other developments within the area, and the particular characteristics of the particular site and the needed transportation improvements. Monetary mitigation, if proposed by the applicant, may be accepted by the Town Council provided it is shown that such mitigation is a reasonable substitute for actual construction, based on the LOS standards and construction time frames set forth herein.

Proposed mitigation shall be included as a condition of approval or a binding agreement between the applicant and the Town, with the consent, as appropriate, of the NCDOT or other governmental regulatory agencies with jurisdiction.

2) Transportation improvements provided through mitigation, pursuant to this Article, shall be completed and available within three (3) years of the Town Council's final approval of the development proposal, unless expressly provided otherwise by the Town Council. Any improvements not completed prior to the issuance of a Certificate of Occupancy, shall be bonded at 115% of the cost of the remaining required improvement(s), as reviewed and approved by the Zoning Administrator following review by the Town Designated Transportation Engineer. All necessary right-of-way for identified transportation improvements shall be acquired prior to the issuance of a Certificate of Occupancy.

C. Excess Capacity

If a private party or developer chooses to build a transportation facility that provides capacity in excess of that needed to serve the proposed development, the Town and other responsible parties may enter into an agreement to facilitate the participation of subsequent developers, the Town, NCDOT, or other

parties in the provision or funding of the transportation improvement.

IV. Impact Area

The impact area designates the distance from a proposed development within which the TIA is conducted to determine compliance with the LOS standards set forth above. The following impact areas apply to any development subject to this Article:

- 1) Public street intersections within a half-mile radius from the proposed development property line
- 2) Intersections where proposed development contributes seven (7) percent or more of the traffic on any intersection approach during any peak hour.

V. Contents of TIA

A. Generally.

The TIA shall generally follow the guidelines set forth by the *ITE Transportation Impact Analysis for Site Development* consistent with the Town of Weddington Roadway Standards, or as required by the Zoning Administrator, and may include, but is not limited to, the following:

- 1) Traffic analysis information related to trip generation, peak hour impacts, and other factors evaluated to determine compliance with applicable LOS standards for intersections within the impact area;
- 2) Site location map and site layout;
- 3) Existing and proposed land uses;
- 4) Timing and phasing of the proposed development, by month and year;
- 5) A narrative describing the project, including any special transportation related impacts or considerations; and
- 6) Other information determined by the Town Designated Transportation Engineer to be necessary in order to determine whether the proposed project complies with the requirements of this Article and the requirements of the ITE guidelines for the preparation of TIAs for site development.

B. Demand Measures.

TIAs shall take into account the following demand factors:

- 1) Existing traffic volumes;
- 2) Background traffic, including historical growth traffic and projected trips associated with approved, but un-built development(s); and
- 3) The trips to be generated by the proposed development.

C. Capacity Measures.

TIAs shall take into account the following existing or anticipated capacity measures:

- 1) Existing road segments, intersections, and proposed development access points;

2) Roadway and intersection improvements planned by the Town, NCDOT, or other party, scheduled to be completed and available within three (3) years of the approval of the development proposal and which either have or are reasonably certain to have all necessary governmental approvals.

D. Mitigation Measures Needed.

The TIA shall describe what, if any, transportation facility improvements within the impact area are needed for the proposed development to comply with the intersection level of service standards set forth in section III of this Article.

VI. Intergovernmental Coordination

While the Town coordinates with NCDOT and other appropriate governmental agencies on development proposals, it shall remain the responsibility of the Applicant to contact NCDOT to discuss access and traffic impact issues on state roads.

VII. Appeals and variances

An applicant may seek a variance from the terms of this Article or appeal a determination by the Zoning Administrator made pursuant to the terms of this Article to the Zoning Board of Adjustment, as provided in Article VIII of the Zoning Ordinance.

Adopted this 11th day of May, 2015.

Mayor Pro Tem Titherington moved to approve the TIA Ordinance and Manual as outlined by staff. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

Item No. 9 Old Business

A. Review and Discussion of Preliminary Budget for Fiscal Year 2015-2016

Finance Officer Gaylord explained - The budget being presented to you this evening is a culmination of several meetings we have had starting in early February at our retreat. We came up with a very preliminary operating budget with some items to be discussed. We discussed it again at the March Council meeting, in April we received the new valuation estimate for the tax base so we had a work session last week and firmed up what we want to include in this final budget. This is the budget that we would call for a Public Hearing to be held at the June 8th Council meeting and present to the public.

The total revenues that are included in this budget are \$1,861,825.00, expenses are the same, a balanced budget is a General Statute requirement. The one difference from the work session and this budget is a contingency line item that we moved to building renovation and take the alarm software; we added an audit placeholder to pay for the Wesley Chapel Fire Department audit if necessary; under the

staff compensation we moved funds into there because we discussed potentially giving staff some bonus allocations because of the short staffing challenges they handled after the Town Clerk left. We didn't discuss that specifically at the meeting but when I got home I realized those items needed to be placed in the budget.

Mayor Deter referred to the revaluation and the loss of revenue that the Town will incur. Ms. Gaylord replied we are currently collecting over \$1,000,000 and the revaluation reduced that by approximately a 7% decline total, resulting in the final amount being \$944,000 which equates to almost \$100,000 reduction in Ad Valorem revenue.

Mayor Deter stated there has been a lot of conversation on fire service this evening, requesting that Ms. Gaylord provide the amount of the reduction of cost on an annual basis to include the fund balance capital allocation. Ms. Gaylord replied based on what was presented to us at the retreats from the three Fire Chiefs, the amounts in their operating budgets they requested from us was \$823,265. The new budget has \$709,895 based on the new contracts and we will no longer be contributing \$100,000 to fund balance appropriation for future capital expenditures; totaling between \$200,000 - \$230,000 annualized savings.

Councilwoman Hadley asked if you took the savings of 2016 verses 2015 actual that's a difference of \$42,730, asking Ms. Gaylord if those figures were correct. Ms. Gaylord asked if Councilwoman Hadley was referring to everyone coming in with a flat budget verses the new contract. Councilwoman Hadley replied she's looking at 2015 and if you look at 2015 actual or projected of \$752,000 and subtract out the budget for 2016 of \$709,800 she believes the difference is \$42,730 and asked if that is right? Ms. Gaylord replied yes and then the difference you're getting there is the \$71,000 projected deficit that was in the initial PVFD budget. Councilwoman Hadley stated all the Fire Departments go to the County with a wish list; a lot of them go with a wish list over \$2,000,000 and what's decided on at the end of the day. So I was really just trying to work with not assumptions or wish lists but with actual; so I'm just asking 2016 projected budget over actual 2015.

Mayor Deter stated that another way to say it is we felt if Providence could operate on a flat budget and not have to project that deficit then our savings drops down to approximately \$150,000. Ms. Gaylord stated he was correct and then there is the \$100,000 fund balance for capital. Ms. Gaylord explained that the Town has been setting aside \$100,000 a year towards the purchase of equipment. Mayor Deter stated that we have \$200,000 that can go back into the fund balance; Ms. Gaylord confirmed he was correct in addition to the \$100,000 that we wouldn't put in this year.

Councilwoman Hadley asked if it's been established that we are not going to have to spend that \$100,000 on a truck yet.

Mayor Deter replied based on the contract we have, yes.

Councilwoman Harrison asked the Town Planner Burton if we should renew the contract with the County for the Urban Forrester. There was discussion back and forth between Councilwoman Harrison and Ms. Gaylord about previous billing and payments. Ms. Gaylord advised we have not heard from the

County on the amount of the new contract. Councilwoman Harrison asked Planner Burton if he uses this resource, Mr. Burton said he hasn't but would appreciate being able to get back in touch with her on this matter. Councilwoman Harrison stated that we discussed this last year and decided if he came in over a certain amount we would not renew and this year.

Councilwoman Hadley referred to the \$3,067.92 for Stalling Volunteer Fire Department; and asked if that mean we're going to offer them that amount to serve a certain area. Mayor Deter replied that Council discussed at the budget workshop that our new contract is July 29th, so we would be having a one month contract with Stallings, Providence and Wesley Chapel. That's what those funds are. Ms. Gaylord clarified it is a one month contract extension.

Councilwoman Hadley inquired if Stallings has been notified of the loss of \$45,000 this year. Mayor Deter replied no, the annual contract we have with them and Wesley Chapel calls for 30 days notice to extend the contract. We will be discussing several fire issues at our meeting after this and then that process will be taken care of.

Councilwoman Hadley inquired if we put the \$6,000 for an audit as a place holder or is that going in to the projected budget. Ms. Gaylord replied it's in our budget, explaining that we will be requesting that Wesley Chapel have the audit and hopefully we won't have to pay for it, but since we do currently pay for the audit of the Providence Fire Department, we said in good faith we should offer to pay for it if we are going to require it. Councilwoman Hadley asked if an audit is required is there a reason that it wasn't in the contract. Mayor Deter replied no. Councilwoman Hadley replied so we can have a placeholder for it and we can ask if they will but they can politely decline. Mayor Deter explained with Providence we were Providence so we paid for the audit for them and now it's a larger organization and that's why we've got it in there as just a placeholder. If Marvin or Wesley Chapel is going to be doing this audit, that's why it's in as a placeholder until we get an answer. Councilwoman Hadley responded until we get their answer as to whether they will submit to an audit or not. Mayor Deter replied I guess the answer would be yes.

Councilwoman Hadley inquired if there is total increase for the tax rate to operate the Town. "I know we have looked at a percentage that we're spending on public safety and a percentage that we're spending on the town." I am looking to determine if we have a total increase tax rate to operate the town. Ms. Gaylord replied she would have to get back to her with that information.

Item No. 10 New Business

A. Review and Consideration of Construction Documents for LDS Church

Planner Burton advised that this matter is related to the Conditional Zoning that was approved earlier in this meeting. Construction Documents in our Conditional Zoning approval process are submitted as a separate document. Although these plans do not outlay the same stormwater plan that USI is receiving to look at because they are very technical drawings, this does show a lot of the other aspects of the Construction Documents that the Council will want to look at including lighting, the supplemental landscaping plan, dumpster, parking and storage building. Planner Burton stated that essentially we would just need a motion to approve or deny the Construction Documents. He's aware that it was

brought up earlier that potentially this particular item may need to wait because the Stormwater Management Facilities are still being reviewed. He's uncertain if there is a way to approve a condition that makes the Council comfortable with approving the Construction Documents today.

Attorney Fox inquired if USI creates certain tweaks within the Stormwater Management Facilities that they are going to install, could that impact the Construction Plans that they are seeking approval for such as landscaping and other needs. "It's conceivable that you approve a plan that may not be consistent with the approval of your Engineer that will require further modification to the plan. With that in mind it would suggest to me that perhaps it's more appropriate to table this until USI approval is received." The applicant replied he hopes to have the stormwater resolved to USI's satisfaction by the end of this week, pending their availability. He understands the Attorney's concern about other impacts of the project but because it is an underground structure under the parking lot there's plenty of capacity to increase the stormwater system more than adequately for USI and the Ordinance. He doesn't see anything pertaining to the stormwater aspect that would significantly affect any of the other documents. Attorney Fox stated that he understands it's an underground structure but feels it's appropriate for Council to have this information before making a decision on the Construction Documents. It sets a precedent as well.

Councilmember Titherington stated that there is a lot of demolition work that needs to be done, inquiring if they can start some of that work now and we not approve the Construction Documents until we get approval from USI but enable them to perform some of these tasks. Attorney Fox replied he believes that they can get building permits with regard to the demolition. The applicant informed Council they are going to do the demolition and put new parking in before removing existing parking, so there will be available parking all during construction; this process is actually being done in reverse of how it is normally done. Attorney Fox replied this matter will be placed on the June 8th Agenda if tabled. The applicant replied that would not delay their process, as they need to bid it out and it will take that long to get quotes.

Councilmember Smith moved to table this matter until the June 8th meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

B. Review and Consideration of Final Plat for Major Subdivision, West Property

Planner Burton presented that Council reviewed the subdivision plat for this submittal recently. They went ahead and submitted the final plat application for the five lot subdivision on twelve acres located off Antioch Church Road. He pointed out there are four lots that front Antioch Church Road and there's a five acre easement lot located to the rear. All lots will be accessed by shared driveways, one of which will serve the two southern most properties, the easement lot and the other shared driveway will serve the most northern lots four and five. He refreshed Council's memory that during the preliminary plat there was a lot of discussion about stormwater retention and the applicant was attempting the standard 20,000 of new impervious surface so they would not have to provide stormwater retention as described in our new Ordinance. The Council did place several conditions related to impervious surface on preliminary plat approval. There are notes on the second page of the report that address all of those conditions placed on the preliminary plat approval. There are still a few outstanding things that staff

needs; we will need the driveway permit from NCDOT; final approval of covenants and conditions of restrictions from our Town Attorney.

Councilwoman Harrison moved to approve the West Property Major Subdivision Final Plat with the following two conditions: the development subject to review and approval of driveway permit from NCDOT and Covenants, Conditions of Restrictions shall be reviewed by our Town Attorney and executed prior to final plat approval by Weddington Town Council. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

The applicant, Karla Knotts requested some clarification; "As Planner Burton stated the driveway permit would need to be reviewed and approved by this body. I don't believe that's in your ordinance nor do I believe you should approve a NCDOT Driveway Permit" She believes what was meant to be said was "receipt of the NCDOT Driveway Permit". She has two issues, how does she know it's approved if it's not with this body and the Town Attorney has had the Covenants, Conditions of Restrictions for a month. What is the mechanism that she will know they have been approved? Planner Burton advised that staff would inform her, we would not sign the final Mylar signed until proof of approval was received from NCDOT and proof of review of the CC&R's from the Attorney. We will not sign off on the final plat until those conditions are met. Ms. Knotts stated she believes there is an email stating that has already been done and she just has to produce them. She asked Mr. Fox when is it reasonable to expect the review to be completed. Attorney Fox explained the process of reviewing them, can result in comments from his office and they will be addressed by his office and the applicant's representative. The focus of the review is to ensure that the ordinance requirements are carried forth in the CC&R's and anticipates having this completed within a couple of weeks.

C. Review and Consideration of Final Plat for the Major Subdivision, Weddington Preserve

Planner Burton presented that the applicant, Pulte Homes submits a subdivision final plat application for all 48 lots of the approved Residential Conservation Subdivision on 58.06 acres located on Lochaven Road. The subdivision is called Weddington Preserve; as a Conservation Subdivision the ordinance requires that a minimum of 50% of the gross acreage be retained as Conservation Land, and will be served by Union County Water and Sewer. The draft driveway permit approval required by NCDOT includes a left turn in on Providence Road onto Lochaven Road. He received a question earlier if there would be a right turn out from Lochaven Road to Providence Road and it is his understanding there will not be. There will be improvements made to the entrance of Lochaven Road to accommodate the left turn in but there will not be specific right turn out.

Councilwoman Hadley stated she spoke to the Town Planner that she sees it all over town, especially on Beulah or Weddington Matthews Road, if you are trying to take a left there is no turn lane so people will cut around you to go straight. We just got the same complaint at Twelve Mile and 84 where there is a line of traffic trying to turn left and the people behind them trying to go straight, so they make their own lane. She has concerns about the new subdivision adding traffic coming out to Providence, trying to make that left turn, being held up in time, people stacking up and the people trying to make a right, go

right on Providence will going to make a lane whether it's there or not. She would like to request that one of the conditions be that there is a right turn lane, an improvement on Lochaven turning right onto Providence. Planner Burton stated if that condition was placed on it, we will have to make it contingent on NCDOT approving it. Councilwoman Hadley stated it would be prudent to address it now rather than letting the situation to deteriorate causing traffic accidents. Planner Burton suggested inviting up the applicant to inform Council of the process they have gone through thus far and whether or not they feel comfortable.

Town Clerk Peggy Piontek advised we need to change the CD. Mayor Deter called for a five minute break.

Council returned from break.

Councilmember Smith asked if Council had already discussed this earlier in the approval process. Planner Burton explained there is a right turn off of Lochaven Road into the subdivision and there is a left hand turn lane off of Providence into Lochaven Road, but is uncertain as to whether this particular request has been addressed. Councilmember Smith replied he remembered a conversation and although he understands Councilwoman Hadley's concern, but he believes during the initial discussion it was determined that it was wide enough to make that right hand turn.

Mr. Simmons, a Representative from ESB Associates, 3475 Lakemar Blvd., Fort Mill, SC stated they have gone through a lot of hard work to get to where they are on this particular project. He stated there was discussion about turn lanes, originally they were told from NCDOT that no modifications were required on Providence, then NCDOT revised it requesting a left hand turn lane. They have gone through the process, designed a turn lane, gone through the permitting and all that's left is to post a bond with NCDOT for that improvement. "We feel like we have done our due diligence trying to make sure that we have addressed all the comments and worked very hard to meet the requirements of the approved preliminary plat. It's been a lengthy process and hopefully we can work through this and get things take care of."

Councilwoman Harrison inquired if NCDOT did not require you to make a right hand turn out of Lochaven onto Providence going north? Mr. Simmons confirmed she was correct; they required us to do a left hand turn lane into Lochaven. There will be minor improvements.

Councilwoman Hadley stated "To that point, you're going to be there with a truck and asphalt anyway." Mr. Simmons replied there's a lot more that goes into it than a truck and asphalt. Councilwoman Hadley stated she" looked at the road and it's horrible, the asphalt's horrible, the drop off's horrible, someone is going to get impatient, they are going to four wheel it around stacked traffic trying to turn left onto Providence and they are going to scoot around. You can just see that it's going to happen." Mr. Simmons replied, he understands what she's saying but they can't always design improvements that will account for what some people are going to do. He said we went through the process, we came before the board, got a preliminary plat approved with the added condition of the left hand turn lane. Councilwoman Hadley stated "it appears you're saying that it would be a hardship for you to consider improving the intersection of Lochaven to be convenient for a right turn to be made for traffic stacked up for a left turn." Mr. Simmons replied "To some extent, if the process had been designed at the start we could have made a decision then, but at this stage of the game where we are posting bonds and have gotten through many plans and design processes to try and get to here and to hear we want you to

do more.” Councilwoman Hadley asked is it such a hardship that they won’t go to NCDOT to find out about it. Mr. Simmons replied that he would have to discuss it with his client.

Cisco Verse of Pulte Homes stated “We have gone through the process with NCDOT to address this intersection and the town and what’s become of it is a left hand turn lane off of Providence Road and that’s what we’re able to do with this project. It’s been over two years of going through approvals with this process, heard all kinds of public comments, and addressed everything that’s been brought up. I think we have a great plan, are excited to execute it and at this time a right turn lane will not be feasible for us.” Councilwoman Hadley responded she was disappointed. Mr. Simmons advised there will be some additional asphalt as a result of the modifications to the intersection from NCDOT.

Councilmember Smith moved to approve the final plat of the Major Subdivision Weddington Preserve as presented by staff. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

D. Request for SR-2 Resolution for Avery Court off Hemby Road

Planner Burton explained that the road has been completed and there are enough homes on the cul-de-sac for NCDOT to take over maintenance. “Procedurally we need to make a Resolution and what this does is basically says that we’re okay with NCDOT taking over the maintenance assuming that it meets all of their requirements. Assuming Council approves this Resolution, NCDOT will go through the process of inspecting the roads to ensure it meets NCDOT requirements and taking over the maintenance and we will have to make another Resolution to release the bond money to the HOA.”

Mayor Deter inquired how many homes it takes for NCDOT to take over the maintenance. Planner Burton said four. Mayor Deter replied “I saw three and one under construction when I went through there.” Planner Burton said that home is under renovations.

Mayor Pro Tem Titherington moved to approve the SR-2 Resolution for Avery Court off of Hemby Road. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM
TOWN OF WEDDINGTON, NORTH CAROLINA
R-2015-04

North Carolina
County of Union

Road Description: Avery Court, in the Avery Subdivision in the Town of Weddington, North Carolina

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

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

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

Adopted this 11th day of May, 2015.

Bill Deter, Mayor

Attest:

Peggy Piontek, Town Administrator

E. Consideration of approval of Public Records Request Policy

Mayor Deter stated that the Town Administrator Peggy Piontek sent the policy out to Council for review and asked for input; inquiring if Peggy had heard from all members. She replied she did, everyone seemed ok with it, including the Town Attorney.

Councilwoman Hadley requested that the clarification be made for the public to understand the policy and the process, including costs. Town Attorney Fox explained this is in regard to requests for public records and how we will respond. It is consistent with the State Law, is not contrary to the State Law and to me is just a way to ensure that each party is on the same page on the documents being request. He provided an example of inspection of records, advising if the individual does not show up in the time frame on the policy, staff will return the records and another request will need to be made. The law does allow for charging scheduled fees that cover the cost of duplication without including the cost of staff time gathering the documents. If the request is burdensome, the policy allows a deposit to be applied before the cost is incurred for such a request.

Councilwoman Hadley clarified that if there is a third party that is required to complete the required request that we may charge for that third party; but we may not charge for staff time in preparing. Ms. Piontek confirmed she was correct.

Attorney Fox clarified that the records of the town are the records of the public so you have a right to ask for them, but there may be an associated cost for your request, so the town can recover any reasonable cost associated with the reproduction.

Councilwoman Hadley asked Ms. Piontek if we get a request for all emails for ABC Road, are we able to process that request or will we need to contract with our IT vendor to do the search. Ms. Piontek replied generally it could be done, but if it's out of her realm of ability then we might have to hire someone to conduct the search and that's the point of the policy. Councilwoman Hadley inquired if our IT provider has given her the ability to conduct the searches on her own. Ms. Piontek replied she's been

incredibly busy and is unable to answer that question at the moment as she has not had an opportunity to attempt to conduct a search; but when she does she will let Councilwoman Hadley know. Mayor Deter said that he believes generally staff will have the ability to be able to conduct the searches themselves.

Mayor Pro Tem Titherington moved to approve instituting the Public Records Request Policy as presented by staff. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

Item No. 11 Update from Town Planner

Town Planner Julian Burton stated we have received a sketch plan application for a new conservation subdivision located just north of the Falls at Weddington; the title name of that subdivision is the Enclave at Weddington. It is 42 lots and is anticipated to be on the June Planning Board Agenda; the Public Involvement Meetings will probably be the first week of June. We also just last week received a sketch plan for Phase II of the Woods; which is just east of Phase I and is just under 100 lots. Those are the two bigger items, the smaller items are the Falls at Weddington will have their entry monument application reviewed at the next Planning Board meeting, along with a minor subdivision that will be presented to them at that time.

Item No. 12 Public Safety Report

There was nothing to report

Item No. 13 Update from Finance Officer and Tax Collector

Town Finance Officer Leslie Gaylord advised they have their monthly reports in their packet and if they have any questions, she'll be happy to answer them. There were no questions.

Item No. 14 Transportation Report

Councilwoman Harrison reported that we have started the 2045 Transportation Plan; we're on version 4 and have added new criteria which is seasonal driving. Doing that plan would give us a better idea if we can accelerate Providence any quicker.

Item No. 15 Council Comments

Councilwoman Harrison congratulated Pamela Hadley on being appointed to the Fire Community Stakeholders Committee; feeling it's a brilliant idea on the County Commissioners.

Councilwoman Hadley stated the Town of Weddington has sent a letter to cancel the contract with Providence and has signed fire suppression agreement with Wesley Chapel to provide fire/medical to the entire Town, both effective 7/29/2015.

"I'd like to preface my statements by saying, I'm not advocating any specific solution. This is bigger than one fire company....bigger than one person. This is certainly not meant to be degrading in any way to the Wesley Chapel VFD firefighters. However, the effects of this decision are far reaching and in many cases not all have been realized. This decision will have impacts...possibly negative...for not just the citizens of Weddington but for the County and the surrounding fire departments.

At our Special Meeting on 4/28, I used the Board of County Commissioners as an example of listening to the people and taking pause. I pleaded with my council to do the same. Although we have been discussing fire service since January, the motion for terminating the 10 year contract with Providence was only made...without being in the packet or previously discussed with me...15 days before at our Council meeting on 4/13.

At the Council's Special Meeting on 4/28, the council did not allow public comments or a change in venue for the many of the citizens that have not had the opportunity to voice their opinions on this specific motion. And most disappointing was that the Inspection Supervisor and Fire Rating Inspector from the NC Department of Insurance was not allowed to answer questions that could have brought some clarity to the council and public.

A Resolution was adopted and passed unanimously by the Board of County Commissioners at their meeting Monday 5/4/2015. They have made it perfectly clear they have no legal or legislative authority over the Town of Weddington. However, they are starting to realize the impact the decision of our Council will have on not just Weddington but the residents of surrounding towns and fire departments of Western Union County. They realize the value of a fire department that has served the community for 60 years and recognize their accomplishment of obtaining their outstanding rating. They requested that the Town of Weddington continue contracting with the Providence Volunteer Fire Department frozen at the current level until June 30, 2016 to allow Providence to be included in a countywide fire service solution

I will continue to hold this council and WCVFD accountable for the current level of service we enjoy today and what we have been promised. Certainly I disagree with the decision of this council but I've been very consistent advocating Public Safety for all the citizens of Weddington...and will continue to do so.

I will also continue to voice my displeasure with the process of how the public has been neglected by not receiving any pro forma of all the options. Words have not matched actions. Commitments have come and gone like spring showers.

Citizens who care enough to be engaged should have access to the information and their voices given careful consideration. That has not been the case with this issue. I'm unhappy about that and will continue to say so.

Thank you for coming out tonight and have a nice evening."

Mayor Pro Tem Titherington had no comments.

Councilmember Mike Smith welcomed Peggy aboard, "Glad to have you."

Mayor Deter echoed Councilmember Smith's comments welcoming Peggy on board. "She's coming up to speed at a fabulous pace and I appreciate all you've done Peggy." He informed everyone that he's spoken with Alex the intern and he needs to get with staff and Council on some projects for him. Wel told him we'd contact him early this week or next week..

Item No. 16 Closed Session

Councilmember Smith made a motion to go into Closed Session under Statutes: [N.C.G.S. 143-318.11(a)(3)]Consult with the Attorney – to protect the attorney-client privilege; and

[N.C.G.S. 143-318.11 (a)(6)] To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

Councilmember Smith made a motion to come out of Closed Session. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

Councilwoman Harrison made a motion to approve one time award bonuses for staff, aggregate net amount of \$2,000.00 effective June 1, 2015. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

Councilwoman Harrison made a motion to authorize the Town Attorney to spend the time necessary to address issues that may arise over fire service issues, police actions, Providence FSA, Wesley Chapel FSA, and Stallings FSA. All were in favor, with the votes were recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

Councilwoman Harrison made a motion to direct the Town Attorney to communicate to the Stallings Volunteer Fire Department with regards to the termination of the Fire Suppression Agreement between the Town and Stallings and the extension of that time limit. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

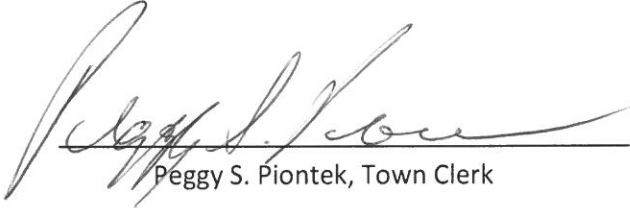
Item No. 17 Adjournment

Councilmember Mike Smith made a motion to adjourn. All were in favor, with votes recorded as follows:


AYES: Councilmembers Harrison, Hadley, Smith and Mayor Pro Tem Titherington

NAYS: None

The meeting adjourned at 10:30 p.m.



Peggy S. Piontek, Town Clerk



Bill Deter, Mayor

**AN ORDINANCE TO AMEND
THE CODE OF ORDINANCES
OF THE TOWN OF WEDDINGTON
O-2015-05**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT THE TRAFFIC IMPACT ANALYSIS ORDINANCE OF THE CODE OF ORDINANCES BE INCLUDED AS FOLLOWS:

APPENDIX C – Traffic Impact Analysis Ordinance

I. Overview

The adequacy of service levels for local, private, and state road intersections that serve or are affected by a proposed project shall be determined in accordance with the provisions of this Article. A Traffic Impact Analysis (TIA) required by this Article will be prepared by a qualified traffic engineering consultant retained by the Applicant and reviewed and approved by the Town of Weddington. All requirements and recommendations resulting from the TIA must be coordinated with and approved by NCDOT.

II. Applicability

A. Generally.

1) Except as provided in subsections (3) through (7) below, a TIA is required for any major subdivision, or conditional rezoning, or portion thereof, which is expected to create fifty (50) or more peak hour vehicle trips or 500 or more daily vehicle trips. Peak hour and daily vehicle trips are those occurring on peak days on the roadway adjacent to the proposed development, based on the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, with the exception of public and private schools which will be based on the NCDOT's most current Municipal School Transportation Assistance (MSTA) School Traffic Calculator. For the purposes of determining the requirement to submit a TIA, no adjustments such as modal split, pass-by trips, and/or internal capture rates will be allowed to the site traffic calculation.

NCDOT Congestion Management's "Rate versus Equation" spreadsheet shall be used to guide site trip calculations and determine allowable pass-by percentages. Alternative trip generation rates/equations for non-standard uses may be utilized subject to Town approval. A "Determination of Need" for a TIA shall be made by the Town in accordance with the trip generation standards set forth in subsection II.A.1 (See the Town of Weddington TIA Process and Procedures Manual for additional information.)

2) The determination of the number of trips generated also shall take into account pass-by trips, internal trip capture for MX projects (e.g., roadway and/or pedestrian connectivity) and any proposed transportation demand management system where adequate guarantees are provided by the applicant to

the Town, which ensure the proposed demand management system will function as proposed for the life of the project.

3) For redevelopment projects, including changes of use, trip generation thresholds shall be defined as the number of net new trips anticipated to be generated by the proposed development over and above the number of trips generated by the current use of the site.

4) No TIA shall be required for special events, which either are temporary in nature, consistent with the Town Zoning Ordinance, or which generate trips that meet or exceed the thresholds set forth in (1), but which do not occur during the peak hours of the roadways adjacent to the proposed development.

5) Nothing herein shall prohibit the Town from requiring on-site or off-site improvements necessary to address traffic safety concerns created by a proposed development, regardless of whether the thresholds set forth above have been met.

6) This Article shall not apply to any rights that have vested prior to the effective date of this Article, nor shall this Article be applied in a manner that would result in a taking of property.

7) This Article shall not apply to any development proposal that is part of a conditional zoning plan or subdivision plan submitted prior to the effective date of this Article.

B. Consecutive or Sequential Applications.

Proposed developments may not be phased or subdivided in piecemeal fashion to avoid application of this Article. Two or more developments represented as separate developments shall be aggregated and treated as a single development where the Administrator determines the developments to be part of a unified plan of development and physically proximate to one another, based on the following factors:

1) There is common ownership, indicated by the fact that:

a) The same person, company, partnership or legal entity controls the developments;

b) The same person, company, partnership or legal entity has ownership or a significant legal or equitable interest in the developments;

c) There is common management of the developments which controls the form of physical development or disposition of parcels of the development;

d) There is proximity in time between the completion of 80 percent or less of one development and the submission of a development proposal for a subsequent development indicating a common development effort;

e) The sharing of infrastructure or improvements between multiple developments;

f) There is a common advertising scheme or promotional effort or plan for the developments; or

g) Any other credible information gained by the Town suggesting that the project is being phased or subdivided to avoid the requirements of this Article.

C. TIA Submission & Completion Requirement

Once the Town has made a Determination of Need for a TIA, the applicant may proceed with the TIA study, in accordance with the terms of the most recent version of the Town of Weddington TIA Process and Procedures Manual, as approved by Zoning Administrator and all applicable Zoning Ordinance and Subdivision Ordinance requirements.

III. Level of Service Standards; Compliance; Mitigation; Excess Capacity

A. Level of Service Standards and Compliance

1. The applicant must determine the existing (base) Level of Service (LOS) for all intersections within the Impact Area, as described in Section IV. The applicant shall be required to identify mitigation improvements to the roadway network if at least one of the following conditions exists when comparing base Level of Services to project conditions: (1) the total average delay at an intersection or individual approach delay increases by 25% or greater, while maintaining the same LOS; (2) the LOS degrades by at least one level; (3) or LOS is an "F". This determination shall be based on the most currently accepted Highway Capacity Manual (HCM) methodology. For turning lanes, mitigation improvements shall be identified when the SimTraffic analysis indicates that the Max Queue exceeds the storage capacity of the existing lane.

The proposed mitigation measures required to meet the LOS standards may be modified, subject to final approval of the Town Council to substantially achieve the standards, purpose and intent of this ordinance. The determination of "substantial achievement" based upon an expert opinion provided by the Town's Designated Transportation Engineer.

2. As an alternative to mitigation, the developer may elect to phase the project, reduce its intensity, or delay the project until the LOS standards have been met as a result of a transportation improvement planned by the Town, the North Carolina Department of Transportation (NCDOT) or another party.

B. Mitigation

Mitigation measures shall be consistent with the Design Standards found within the Town of Weddington Roadway Standards.

Mitigation may include participation by the Town or other governmental agencies or private parties, and also may include the funding of road improvements planned by other governmental agencies. Such improvements can be advanced to mitigate the impacts of the proposed development. The nature and type of mitigation should reflect the timing and the availability of necessary right-of-way or other improvements, the existence and timing of other developments within the area, and the particular characteristics of the particular site and the needed transportation improvements. Monetary mitigation, if proposed by the applicant, may be accepted by the Town Council provided it is shown that such mitigation is a reasonable substitute for actual construction, based on the LOS standards and construction time frames set forth herein.

Proposed mitigation shall be included as a condition of approval or a binding agreement between the applicant and the Town, with the consent, as appropriate, of the NCDOT or other governmental regulatory agencies with jurisdiction.

- 2) Transportation improvements provided through mitigation, pursuant to this Article, shall be completed and available within three (3) years of the Town Council's final approval of the development proposal,

unless expressly provided otherwise by the Town Council. Any improvements not completed prior to the issuance of a Certificate of Occupancy, shall be bonded at 115% of the cost of the remaining required improvement(s), as reviewed and approved by the Zoning Administrator following review by the Town Designated Transportation Engineer. All necessary right-of-way for identified transportation improvements shall be acquired prior to the issuance of a Certificate of Occupancy.

D. Excess Capacity

If a private party or developer chooses to build a transportation facility that provides capacity in excess of that needed to serve the proposed development, the Town and other responsible parties may enter into an agreement to facilitate the participation of subsequent developers, the Town, NCDOT, or other parties in the provision or funding of the transportation improvement.

IV. Impact Area

The impact area designates the distance from a proposed development within which the TIA is conducted to determine compliance with the LOS standards set forth above. The following impact areas apply to any development subject to this Article:

- 1) Public street intersections within a half-mile radius from the proposed development property line
- 2) Intersections where proposed development contributes seven (7) percent or more of the traffic on any intersection approach during any peak hour.

V. Contents of TIA

A. Generally.

The TIA shall generally follow the guidelines set forth by the *ITE Transportation Impact Analysis for Site Development* consistent with the Town of Weddington Roadway Standards, or as required by the Zoning Administrator, and may include, but is not limited to, the following:

- 1) Traffic analysis information related to trip generation, peak hour impacts, and other factors evaluated to determine compliance with applicable LOS standards for intersections within the impact area;
- 2) Site location map and site layout;
- 3) Existing and proposed land uses;
- 4) Timing and phasing of the proposed development, by month and year;
- 5) A narrative describing the project, including any special transportation related impacts or considerations; and
- 6) Other information determined by the Town Designated Transportation Engineer to be necessary in order to determine whether the proposed project complies with the requirements of this Article and the requirements of the ITE guidelines for the preparation of TIAs for site development.

B. Demand Measures.

TIAs shall take into account the following demand factors:

- 1) Existing traffic volumes;
- 2) Background traffic, including historical growth traffic and projected trips associated with approved, but un-built development(s); and
- 3) The trips to be generated by the proposed development.

C. Capacity Measures.

TIAs shall take into account the following existing or anticipated capacity measures:

- 1) Existing road segments, intersections, and proposed development access points;
- 2) Roadway and intersection improvements planned by the Town, NCDOT, or other party, scheduled to be completed and available within three (3) years of the approval of the development proposal and which either have or are reasonably certain to have all necessary governmental approvals.

D. Mitigation Measures Needed.

The TIA shall describe what, if any, transportation facility improvements within the impact area are needed for the proposed development to comply with the intersection level of service standards set forth in section III of this Article.


VI. Intergovernmental Coordination

While the Town coordinates with NCDOT and other appropriate governmental agencies on development proposals, it shall remain the responsibility of the Applicant to contact NCDOT to discuss access and traffic impact issues on state roads.

VII. Appeals and variances


An applicant may seek a variance from the terms of this Article or appeal a determination by the Zoning Administrator made pursuant to the terms of this Article to the Zoning Board of Adjustment, as provided in Article VIII of the Zoning Ordinance.

Adopted this 11th day of May, 2015.



Bill Deter, Mayor

Attest:



Peggy S. Plontek, Town Clerk