

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, FEBRUARY 10, 2014 - 7:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Regular Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on February 10, 2014, with Mayor Bill Deter presiding.

Present: Mayor Bill Deter, Mayor Pro Tem Don Titherington, Councilmembers Michael Smith, Pamela Hadley and Barbara Harrison, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Jordan Cook and Town Administrator Amy McCollum

Absent: None

Visitors: Jane Duckwall, Jim Vivian, Jennifer Romaine, Steven McLendon, Bill Price, Chris Faulk and Carl Hubbell

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

Item No. 1. Open the Meeting. Mayor Deter called the February 10, 2014 Regular Town Council Meeting to order 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. There were no Public comments.

Item No. 5. Additions, Deletions and/or Adoption of the Agenda. Town Administrator Amy McCollum asked that the following item be added to the agenda:

- Review and Consideration of Increasing Hours and Responsibilities for Tax Collector and Administrative Assistant

Councilwoman Pamela Hadley moved to approve the agenda with the one addition. All were in favor, with votes recorded as follows:

AYES: Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
NAYS: None

Item No. 6. Approval of Minutes.

A. December 9, 2013 Regular Town Council Meeting Minutes. Councilwoman Hadley and Councilwoman Barbara Harrison offered amendments to the minutes. Councilwoman Hadley moved to approve the minutes with the two corrections. All were in favor, with votes recorded as follows:

AYES: Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
NAYS: None

Item No. 7. Consent Agenda (Public Hearings to be Held March 10, 2014 at 7:00 p.m. at the Weddington Town Hall).

A. Call for Public Hearing to Review and Consider Proposed Text Amendment – Corner Lot Definition. The Town Council received a copy of the proposed text amendments. Mayor Pro Tem Titherington moved to

call for a public hearing to review and consider the proposed text amendments. The public hearing is to be held March 10, 2014 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
NAYS: None

B. Call for Public Hearing to Review and Consider Proposed Text Amendment – Wedding, Banquet and Reception Center. The Town Council received a copy of the proposed text amendments. Mayor Pro Tem Titherington moved to call for a public hearing to review and consider the proposed text amendments. The public hearing is to be held March 10, 2014 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
NAYS: None

C. Review and Consideration of 2013 Authorization to Advertise Unpaid Taxes. Mayor Pro Tem Titherington moved to authorize the Tax Collector to advertise the 2013 Unpaid Taxes.

In accordance with North Carolina General Statute 105.369(a), the following represents the total of unpaid 2013 taxes that are liens on real property to date: **\$ 73,972.22.**

In accordance with General Statutes 105.369(a), I am hereby requesting authorization to advertise unpaid 2013 taxes that are liens on real property.

State of North Carolina

Town of Weddington

To the Tax Collector of the Town of Weddington

The Town of Weddington Tax Collector is ordered to advertise all unpaid 2013 taxes that are liens on real property, pursuant to North Carolina General Statute 105-369(a), -369(c).

Witness my hand and official seal this 10th day of February, 2014.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
NAYS: None

Item No. 8. Old Business. There was no Old Business.

Item No. 9. New Business.

A. Review and Consideration of Electrical Proposal for Town Hall – Councilwoman Pamela Hadley. The Town Council received two proposals for the electrical work to be completed at Town Hall and a copy of a contract with Cape Construction to complete the work in the amount of \$1,615.00.

Councilwoman Hadley reviewed the proposed electrical work with the Town Council. It was advised by Attorney Anthony Fox and Town Planner Jordan Cook that an encroachment agreement from NCDOT would be required for the work in the roundabout.

Councilwoman Hadley moved to enter into an agreement with Cape Construction for the electrical work as shown on the proposal in the amount of \$1,615.00 contingent upon an encroachment agreement from NCDOT and approval of the contract by the Town Attorney. All were in favor, with votes recorded as follows:

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

NAYS: None

B. Review and Consideration of the Preliminary Plat for the Graham Hall Conventional Subdivision.

The Town Council received the following memo from Town Planner Jordan Cook:

Aiden Properties submits a preliminary plat application for a six lot Conventional Subdivision on 6.90 acres located on Weddington-Matthews Road.

Application Information:

Subdivision Name: Graham Hall

Date of Application: November 19, 2013

Applicant/Developer Name: Aiden Properties

Owner Name: Aiden Properties

Parcel ID#: 06-117-005 and 06-117-005A

Property Location: Weddington-Matthews Road

Existing Zoning: R-40

Proposed Zoning: R-40

Existing Land Use: Traditional Residential

Proposed Land Use: Traditional Residential

Existing Use: Vacant Land

Proposed Use: Single Family Residential Subdivision

Parcel Size: 6.90 acres

Development Standards:

- Minimum lot size- 40,000 square feet
- Minimum lot width- 120 feet
- Minimum front yard setback- 50 feet
- Minimum rear yard setback- 40 feet
- Minimum side yard setback- 15 feet

Preliminary Plat Information:

- The entire site is 6.90 acres and is comprised of two parcels. A total 0.88 acres are being dedicated to NCDOT per the *Weddington Subdivision Ordinance*.
- The smallest lot is Lot 5 at 40,000 square feet.
- The applicant is not required open space as this subdivision is being developed as a by-right R-40 conventional subdivision. However, the applicant has provided a 36 foot required road buffer along Weddington-Matthews Road.
- The area in road buffer will be maintained by the HOA. The applicant also proposes supplemental landscaping in the buffer area. This landscaping will be in accordance with *Section 46-76* of the *Weddington Subdivision Ordinance*.
- A 498 foot cul-de-sac road (Graham Hall Court) will be constructed.
- All six lots will utilize Union County water and sewer.
- The property does not lie within a special flood hazard area.
- The existing structures on the property will be removed.
- At their January 27th meeting the Planning Board gave this project a unanimous favorable recommendation.

The Graham Hall R-40 Conventional Subdivision Preliminary Plat has been found to be in general compliance with the Town of Weddington Zoning and Subdivision Ordinances with the following conditions (the Planning Board added condition number 6):

1. Development subject to review and approval/permitting of construction documents, driveways permit(s), etc. by NCDOT;
2. Development subject to review and approval of construction documents by Town's Engineering Consultant, US Infrastructure;
3. Development subject to review and approval/permitting of construction documents by Union County Public Works;
4. Plans for subdivision entry monument to be approved by the Planning Board;
5. Road name to be approved by Union County; (This condition has been met).
6. Note number six shall be revised to include all improvements within the right-of-way. (This condition was added by the Planning Board and the applicant has made the change on the plan).

The Town Council also received the following:

- Preliminary Plat Application
- Site Plan
- Storm Drainage and Grading Plan
- Erosion Control Plan
- Roadway and Storm Drainage Profiles – Site Construction Details

Town Planner Cook – I did talk with the applicant about NCDOT's new policy and they are aware of that and have advised that the roads will be private. This is two R-40 lots being developed and is not required open space. Public Involvements Meetings were not required because the entire project is under 10 acres. When they were surveying a couple of months ago, I did get calls from two neighbors. I told them what was going on and I have not heard from anybody since.

Councilmember Harrison asked the applicant if they would be agreeable to put in a right hand turning lane.

Mr. Chris Faulk – Not right off I would not. Can I investigate it further? The more we go over the more we will have to take for right-of-way which is then going to lose our lot data. I do not know if a right turn lane will fit exactly in the right-of-way that we are dedicating now.

Councilwoman Harrison – Plans to widen Weddington-Matthews Road is on the 2040 plan and it is not funded.

Mayor Pro Tem Titherington – A lot of the neighbors in that area are concerned about speed and it is in close proximity of the Weddington Swim and Racquet Club.

The applicant advised that they would take into consideration and get back with the Town Council.

Mayor Pro Tem Titherington moved to table consideration of the preliminary plat for the Graham Hall Subdivision until the March meeting. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
NAYS:	None

C. Review and Consideration of Landscaping Items – Councilwoman Barbara Harrison. The Town Council received a proposal from Daryl's Landscaping.

Councilwoman Harrison reviewed the scope of work with the Town Council and advised that this work was budgeted for this year. The total amount of the work is \$12,230.00. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
NAYS:	None

D. Review and Consideration of Increasing Hours and Responsibilities for Tax Collector and Administrative Assistant. Town Administrator Amy McCollum reviewed this item with the Town Council. She stated, “This was discussed at the retreat on Thursday. Kim currently assists with permits but would take more of a responsibility to take a burden off of the Town Planner which may increase her hours up to three hours a week. Tonya will help take on Clerk responsibilities for the Planning Board which may increase her hours 3 to 5 hours a week.”

Mayor Pro Tem Titherington moved to approve staff’s recommendation for extending employees hours and responsibilities. All were in favor, with votes recorded as follows:

AYES: Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
NAYS: None

Item No. 10. Update from Town Planner. The Town Council received the following update memo from Town Planner Cook:

- Staff has received a Sketch Plan application for the 15 lot Bard Property subdivision located on Hemby Road. This plan will be on the February 24th Planning Board agenda. Public Involvement Meetings are scheduled for Tuesday, February 18th from 12 noon to 2:00 p.m. on-site and Monday, February 24th from 4:30 to 6:30 p.m. at Town Hall. (Mayor Pro Tem Titherington asked that Town Planner Cook communicate to the developers the Council’s desire for turning lanes into the development).
- Staff has received a Sketch Plan application for the six lot Ascot Estates subdivision located on Weddington Road across from the WCWAA. This is not yet on an agenda. (Mayor Pro Tem Titherington asked that the developer of this subdivision reach out and engage NCDOT and WCWAA on the traffic situation in that area).
- The following items were on the January 27th Planning Board agenda:
 - Graham Hall Conventional Subdivision Preliminary Plat
 - Corner Lot Definition Text Amendment
 - Wedding, Banquet and Reception Center Text Amendment
- The following items will be on the February 27th Planning Board agenda for discussion:
 - Bard Property Subdivision Preliminary Plat
 - Big Muddy TUP
 - Text Amendments addressing the new NCDOT Subdivision Street Policy
 - R-40 Open Space Text Amendment

Item No. 11. Public Safety Report.

Providence VFD

11 Meck Fire Calls
01 Meck EMS Calls
36 Union Fire Calls
14 Union EMS Calls
Total Fire Calls 47
Total Ems Calls 15
250 training hours

The Town Council also received the Income and Expense Budget Performance and Balance Sheet for January 2014.

Wesley Chapel VFD responded to 24 total incidents in the Town of Weddington in January. There were four fire alarms and two structure fires for mutual aid.

Mayor Deter asked what the process was for the Town since the Fire Department will be finalizing their construction of the building. Attorney Fox and Finance Officer Gaylord informed the Council that they would get together and look at the agreement and identify the to-do's and assign dates and advised that there may need to be a special meeting of the Town Council.

Item No. 12. Update from Finance Officer and Tax Collector.

A. Finance Officer's Report. The Town Council received the Revenue and Expenditure Statement by Department and Balance Sheet for January 1, 2014 to January 31, 2014.

B. Amendment to the Agenda. At the request of Finance Officer Gaylord, Councilwoman Hadley moved to amend the agenda to add the following item: Consideration of Purchasing Plotter for Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
 NAYS: None

C. Consideration of Purchasing Plotter for Town Hall. Councilwoman Harrison moved to approve the purchase of a plotter in an amount not to exceed \$10,000. Town Council requested that a minimum of three quotes be received and that Attorney Fox review the warranty provisions. All were in favor, with votes recorded as follows:

AYES: Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
 NAYS: None

D. Tax Collector's Report. Monthly Report –January 2014

Transactions:	
Balance Adjustment	\$(326.17)
Adjustments <\$5.00	\$(94.75)
Penalty and Interest Payments	\$(78.82)
Refunds	\$2,533.27
Interest Charges	\$1,745.49
Overpayment	\$(2,058.16)
Discovery	\$382.95
Taxes Collected:	
2006	\$(59.88)
2008	\$(168.04)
2009	\$(245.99)
2010	\$(168.04)
2011	\$(157.37)
2012	\$(737.63)
2013	\$(159,283.02)
As of January 31, 2014; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$129.05
2004	\$122.90
2005	\$252.74
2006	\$56.80

2007	\$144.42
2008	\$1,516.51
2009	\$1,608.95
2010	\$1,934.23
2011	\$3,414.45
2012	\$9,380.03
2013	\$73,972.22
Total Outstanding:	\$92,614.37

Item No. 13. Transportation Report. Councilwoman Harrison reported that she is to attend a joint TCC meeting on Wednesday but that it would probably be cancelled due to the weather.

Item No. 14. Council Comments. Councilwoman Harrison advised that the Easter Egg Hunt is scheduled for April 12 from 2 to 4 and that she needs to schedule the Spring Litter Sweep.

Councilwoman Hadley – I would like to thank staff for all the hard work done to prepare for the retreat. Our retreat was highly successful and I think we all came together and communicated and developed a vision for this Council and this Town and I feel that it was very productive and thank Councilmembers for their input and willingness to be involved and as engaged as they were.

Councilmember Smith - Ditto.

Mayor Pro Tem Titherington - The Council is painfully aware of the proposed school redistricting. I just want the citizens to realize that we understand that. We are doing what we can as a Town. It is very limited. You have at least three councilmembers here that are living it personally with their neighborhoods and in some cases their own kids. We are doing what we can as a Town to lend support to the citizens under the auspices that we are allowed to. We understand it and we are doing our best to facilitate a positive resolution for the Town.

Item No. 15. Adjournment. Councilmember Smith moved to adjourn the February 10, 2014 Regular Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Hadley, Harrison, Smith and Mayor Pro Tem Titherington
NAYS: None

The meeting adjourned at 7:44 p.m.

Bill Deter, Mayor

Amy S. McCollum, Town Clerk