

**TOWN OF WEDDINGTON
SPECIAL TOWN COUNCIL MEETING
2014 BOARD RETREAT
AUGUST 28, 2014 – 9:00 A.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Meeting/Retreat at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104, with Mayor Bill Deter presiding.

Present: Mayor Bill Deter, Mayor Pro Tem Don Titherington, Councilmembers Michael Smith, Pamela Hadley and Barbara Harrison, Planning Board Chairman Dorine Sharp, Vice-Chairman Rob Dow, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Julian Burton and Town Administrator Amy S. McCollum

Visitors: Robert Phillips and Charlie Conner.

Item No. 1. Open the Meeting. Mayor Bill Deter opened the meeting at 9:11 a.m. There was a quorum.

Item No. 2. Presentation by Town Engineer on Proposed Storm Water and Road Text Amendments. The Town Council received a letter dated August 12, 2014 from Town Engineer Bonnie Fisher regarding proposed storm water policies and received a copy of the proposed storm water ordinance.

Town Engineer Fisher reviewed proposed road and storm water amendments with the Town Council. The following items were discussed:

Roads

- How does the Town stay current with NCDOT's regulations if they change? Make sure wording says roads shall be built consistent with NCDOT standards instead of stating specific standards in the Town's ordinances.
- Next step for proposed road amendments is to go to the Planning Board after review by the Town Attorney.
- Language in the ordinance states that the Town shall maintain in the office of the Clerk design regulations as referenced herein that may be updated from time to time. Council asked that these regulations show the date of the standards.

Stormwater

- Ms. Fisher discussed Charlotte-Mecklenburg's Stormwater Manual and advised that a lot of neighboring towns have adopted the manual.
- How will the Town know if the manual has changed? The Council will adopt the manual as of a certain date and USI will notify the Town when there are changes.
- Ms. Fisher shared a worksheet showing neighboring communities' thresholds before they require stormwater detention.
- Chairman Sharp felt that the Town should make an exception for minor subdivisions.
- Town could do a percentage or square footage to trigger requiring a detention pond.
- Plan would show that the post construction development for stormwater is lower than the preconstruction.
- It is up to the subdivision whether dry ponds are fenced.
- Homeowners Associations maintain the detention ponds.
- How is the Town going to make sure that the ponds are maintained?
- Consider incentives for doing wet ponds.
- Do we encourage rain gardens? Ms. Fisher advised that they do not provide a lot of detention and require a lot of maintenance.

- Do we want to require a maintenance bond for the detention pond?
- Can we have flexibility on a case-by-case basis?
- Town’s Engineer would advise applicant of what they have to do and then the developer would come back and show if there needs to be a deviation.
- Council agreed to exempt minor subdivisions and to keep the 100 year flood in the amendments.
- Council and engineer to decide whether to define detention ponds as open space or not.
- Consider overlay small area plan exemption to allow for shared detention ponds.
- Consider HOA covenant change.
- Town Engineer Fisher will revise the text based on comments made by the Town Council and then give to staff and the Town Attorney for review.

Item No. 3. Update and Discussion from February 2014 Retreat Action Items.

A. Public Safety Retreat Action Items. The Town Council received the following worksheet showing the status of Public Safety Retreat Action Items:

| ACTION ITEMS FROM 2014 RETREAT | CONTACT PERSON(S) | STATUS | Comments/Results of investigation June 10, 2014 |
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| CERT – send out another notice and reach out to neighboring towns to see if there is an interest to work together | Melchior | <ul style="list-style-type: none"> • Chairman Melchior reported that this item had been discussed before and there was not a lot of interest from the public. • Have information table at Weddington Festival in September to try to sign up individuals interested in serving on a CERT Team. • Identify and engage other CERT Teams in the area. • CERT sponsor would help direct the CERT Team and advise where help is needed. | <ul style="list-style-type: none"> • I call Lancaster Cty CERT contact. They do not have an official CERT Team. They do offer training for the Citizens but do not have a TEAM that they can activate. He did suggest another contact that I could speak with at another county in SC that has a very active CERT program but that is a countywide program with county funding and county management. We do not have this commitment in Union County. • He asked about how involved our citizens will be, I mentioned we were going to gauge interest at the Town Fair. He thought that was a good idea and if the interest was there to start a team, I could make contact with other CERT teams and the NC CERT contact to get helping starting a team. • The PSC will have a table in the Sept Town Fair to see if there is any interest in a CERT team. |
| Research appropriate lighting around the roundabout and work with NCDOT on | Melchior | <ul style="list-style-type: none"> • Chairman Melchior reported that it gets very dark around the roundabout. • See if NCDOT would be | <ul style="list-style-type: none"> • I contacted NCDOT and they feel the lighting is adequate for this roundabout. If the Town would like to add more lights, they can go thru the |

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| regulations | | <p>interested in adding additional lighting.</p> <ul style="list-style-type: none"> Investigate installing additional lighting on the nearby power poles. | <p>same process as they did with adding Street Lights and get the same approvals and quotes in adding lights.</p> <ul style="list-style-type: none"> It might not be much work required to extend the existing street lights up to and past the roundabout if that is all that is required to add some additional lighting. I can work with the Planning person at Town Hall to see what we can do, if they Council would like. |
| Work with NCDOT on additional signage at the roundabout | Melchior | <ul style="list-style-type: none"> Chairman Melchior will contact NCDOT to see if additional signage at the roundabout can be added or is needed. | <ul style="list-style-type: none"> I contacted NCDOT and they feel the signage is adequate. In fact, they said they added more signs than normal. I would like to see if the article in the Town Newsletter helped clear up some confusion on how to drive a roundabout before we see if we need to fight this with NCDOT. |
| Have NCDOT review the 35 MPH speed limit on Providence Road | Melchior | <ul style="list-style-type: none"> Chairman Melchior will contact NCDOT on this issue. There was discussion that this item had already been researched in the past by the Committee and NCDOT. | <ul style="list-style-type: none"> I contacted NCDOT and they agreed that due to the road widening, a new study should be conducted to see if the speed limit should be increased. They completed the study and support an increase in the speed limit. If the town would like the limit increased, all they need do is ask. I have already submitted the official information from NCDOT to Amy for submission to the next Town Council meeting so they can review. |
| Investigate fire whistle as early warning signal | Wescott | <ul style="list-style-type: none"> Fire Whistle alerts residents of public safety warnings in the area. Where to locate, how many would be needed in Town and what would they be used for? Typically residents do not like them. | <ul style="list-style-type: none"> No Update for the June meeting. Needed more definition of requirement. Will continue to work on this item. |
| Note certain areas in the Town that | PS Committee | <ul style="list-style-type: none"> Complete | <ul style="list-style-type: none"> Chairman Melchior advised that Union Power |

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| may need a street light and the policy from the electric company on costs and installation | | | <p>will install a light but the ongoing cost is approximately \$9.00 a month.</p> <ul style="list-style-type: none"> • Installation of additional lighting is at the discretion of the Town Council since there are monthly costs involved. • Sets precedent and could get expensive. • Discussed areas in the Town that could benefit from additional lighting such as Twelve Mile Creek Road and Beulah Church Road. |
| Contribute newsletter stories each quarter | PS Committee | <ul style="list-style-type: none"> • Complete | <ul style="list-style-type: none"> • Chairman Melchior wrote a story to be in the May newsletter regarding how to drive in the roundabout. • Next story – CERT Team for Weddington |
| Volunteer at Town Events | PS Committee | <ul style="list-style-type: none"> • Complete | <ul style="list-style-type: none"> • Public Safety Committee plans to volunteer at the Weddington Festival in September. • August meeting will finalize plans for PSC Table |
| Work with deputies on radar schedule | Maxson | <ul style="list-style-type: none"> • Work with deputies on radar schedule. | <ul style="list-style-type: none"> • No update at this time. Will work with Councilman Smith to coordinate Town use of RADAR and Citizen requests. |
| Research metrics (response times/times of calls) to evaluate if schedule changes or additional staff is needed. | Maxson | <ul style="list-style-type: none"> • Research metrics and response time of calls to evaluate deputies schedules. • Are deputies covering the times with the highest volume of calls? | <ul style="list-style-type: none"> • No update at this time. |

B. Discussion of Implementing Recommendations of Public Safety Action Items. Councilwoman Harrison discussed the need for more lighting at the roundabout. Council decided to add the discussion of adding street lighting as a budget request for next year.

Councilwoman Harrison also discussed whether the speed limit on Providence Road should be increased from 35 mph to 45 mph. The Public Safety Committee reviewed this item and discussed with NCDOT. NCDOT advised that they would increase the speed limit at the request of the Town Council. Town Administrator McCollum informed the Council that the Committee had concerns with raising the speed limit. Council asked that this item be placed on a future agenda for discussion.

Councilmember Smith advised that he will be meeting with the deputies to work on a radar schedule for the trailer and radar sign.

Staff advised that they will forward to the Council information gathered by Public Safety Member Timothy Wescott regarding an early warning system.

C. Planning Board Retreat Action Items. Planning Board Vice-Chairman Rob Dow reviewed the following Traffic Impact Analysis Proposal with the Town Council. He advised that TIA's are currently only required in MX and CZ development and there are no set criteria, requirements or methodology. He informed Council that he contacted the Town's Traffic Engineer to work on this item.

Purpose:

1. Continue to require TIA's for all MX and CZ development
2. Set threshold for the requirement of TIA's in subdivisions
3. Standardize criteria, requirements, and methodology for TIA reports
4. Add requirements of TIA's in subdivisions to development procedure checklist

Actions:

1. Develop TIA pamphlet with procedures and requirements
2. Add statement to application meeting that the Zoning Administrator will determine the need for a TIA
3. Require a preliminary TIA at sketch plan phase
4. Add final TIA to the preliminary plat checklist

Mr. Dow informed the Council that he would like to set up a meeting with Mr. Carroll, Town Planner Burton, NCDOT Representative John Underwood and Planning Board Chairman Dorine Sharp to discuss proposed text changes. He stated, "We do not maintain roads. We need to use the same criteria as NCDOT. I should have language by the next Planning Board Meeting."

The group discussed the timing of the TIA and when the Town would require it be completed. Attorney Fox shared his concerns of reviewing the TIA early in the development process. Chairman Sharp voiced concerns with waiting until the Final Plat to review the TIA because at that point the developer has done a lot of work with regards to the roads for the subdivision. It was discussed that a lot of the major decisions are made during the preliminary plat approval process.

Council advised that a major question relative to this item is at what stage does the Town want the TIA provided and reviewed? Mr. Dow mentioned that Huntersville has a different term for their first submission of the TIA and it does not have the same meaning as the one submitted later on in the process.

Chairman Sharp discussed that Ms. Jennifer Romaine is working on the buffering agenda item from the retreat. She stated, "It is very complex. She is reviewing ordinances from other municipalities. Waxhaw has a formula that they use. John Giattino and Bruce Klink are getting together to try to come up with some type of formula. The question is how much can we actually require? Do you want to take topography and vegetation into account? We will need to account for future road improvements as well. Marvin's buffering requirements are aggressive. We will come up with a formula based on road frontage and number of lots."

Council asked that the Planning Board work on the following items in this order: Buffering Language, Permitted Uses in Residential Zoning and TIAs.

Chairman Sharp reviewed the following items being worked on by Mr. Jeff Perryman:

Permitted Uses and Residential Zoning

Mr. Perryman took away from last meeting that the Planning Board is to judge any application or idea without initial fundamental criteria.

Vice Chairman Dow thinks the Council wants the Planning Board to go through the list and determine what should stay and what should go.

The Planning Board discussed the following:

- A. Churches and affiliated uses - Chairman Sharp suggested a query be sent to Town Administrator McCollum and Attorney Fox about what towns can and can't do with regards to regulating churches and the affiliated uses.
- B. Public and Private Schools serving all grades including preschool facilities (leave as is)
- C. Golf Courses, parks, playgrounds and community recreation centers both public and private (leave as is)
- D. Country Clubs, fraternal social and other civic organizations (cross off fraternal, social and other civic organizations)
- E. Emergency Governmental Service Facilities including police, fire and rescue (leave as is)
- F. Cemeteries (leave as is)
- G. Essential Services Classes 2 & 3 (leave as is)

Item No. 4. Planning Discussions.

A. Overlay/Small Area Plan. Town Planner Burton reviewed the following information with the Town Council:

Small Area Plan/New Policy for Town Center

Timeline

1. Development pressure
 - o Get ahead (barely) of any actual development, and try and ensure that it's done in a way that creates an attractive, accessible, and unified Town Center – area currently designated future business on land use plan (map)
2. Discussions with various council and planning board members
 - o Decided that we needed new policy to address:
 - Connectivity
 - Design
 - Infrastructure
 - Open Space
3. Urgency
 - o Planning Board worked on several MX policy amendments to get something in place quickly
 - o However, received confirmation that the Town could legally turn down new commercial development applications if the Town were formally working on a plan
 - o Council formed a committee to better protect the Town against any impending development and give the Town a little more time to make sure it is done the way the Town wants to

Committee/Going Forward

1. Understand that we can't take years to make this plan.
2. Put together a short document with formalized policy recommendations
 - a. Present to Planning Board in 1-2 months
3. Propose policy text amendments to reflect all policy recommendations
 - a. 3-4months out
4. Hold public hearing to implement text amendments – 6-8 months

Town Planner Burton is working on this plan with three Planning Board Members and will reach out to the stakeholders and include them in the process. He will also get with NCDOT to discuss proposed road improvements in the area. He advised that this was not an expansion of the commercial area but controlling what is already defined as business on the Future Land Use Map.

B. Payment of Fees in Lieu of Dedication. Councilwoman Pamela Hadley reviewed Stallings and Mineral Springs' ordinances regarding payment of fees in lieu of dedication. The Town Council also received the Town of Mineral Springs' Ordinance regarding Dedication of Land and/or Fees in Lieu of for Park, Recreation, and Open Space Purposes.

Council discussed the following:

- Councilwoman Hadley's interpretation of the language was that it is in addition to the Town's open space requirements.
- Councilwoman Hadley also discussed the Antioch Church Road cross walk and that fees could have been used for installing this item.
- Fees in lieu can go into a fund to help develop parks in the future.
- Town does not want to reduce buffering requirements or open space.
- Does the Town want the money or flexibility?
- Council discussed considering adding a fee to the Subdivision Fees Schedule for this.
- Fee in lieu of land could be used for but not restricted to sidewalks, crosswalks, traffic improvements including intersections.

C. Managing Growth: APFO, Traffic, Roads, Expansion of Water, Sewer, Fire Hydrants. Mayor Deter advised that he has developed a schedule for the radar trailer and sign. He explained that the schedule is based on placing the sign on key arterial roads for 10 – 14 days at a time to help build up a database on traffic counts.

Council discussed the training needs for the deputies in relation to the radar equipment and what the Town is going to do with the data collected. Mayor Deter felt that the information could be used to show where traffic is increasing or decreasing. Information could also be given to the Union County School Board and the Department of Transportation. Council advised that this could be given to Public Safety Chairman Gene Melchior to assist the deputies in the best way to collect the data.

Mayor Deter informed the Council that Town Planner Burton had developed a water and sewer map for their review. He asked if the Town can help support getting Weddington residents at the top of the list for water and sewer. Members discussed that a lot of residents do not want to pay for water or sewer.

Items discussed:

- Will the Town force residents to hook on to water and sewer if the lines are run?
- Councilmembers discussed other places that they lived where they were required to hook on.
- What can the Town Council control?
- Special Assessments
- Are there any ordinance changes that need to be made to help new developments hook on to water and sewer?
- Change covenants and restrictions for subdivisions to require that residents in the neighborhood hook up to water once it is available or when house is sold as part of the closing.
- Mayor Deter, Councilwoman Hadley and possibly Planning Board Member Bruce Klink will work as liaisons to Union County on this item and set up a meeting with County Manager Cindy Coto, Union County Public Works Director Ed Gosicki and/or the Union County Board of Commissioners to discuss how to speed up the process of getting water and sewer to Weddington.
- Councilwoman Harrison asked that an item be placed on every agenda going forward giving an update from the Public Works Liaison.

Item No. 5. Discussion of New/Expanded Ordinances.

A. Enforcement and Changes Needed for Reoccurring Offenses. Councilmember Smith advised that there have been issues in the Town where items in the Town's ordinance are not enforceable and with reoccurring violations. Chairman Sharp and Councilmember Smith will look at the ordinances to see if any ordinances are not enforceable and to recommend necessary text amendments. Staff will also draft language to be considered by the Planning Board and Town Council dealing with reoccurring violations. Attorney Fox advised that he has seen ordinances where if a violation occurs again within 30 days or whatever amount the Council deems appropriate then it is a continuation of the first violation.

B. Septic Line Encroachments for New Construction. Councilmember Smith discussed the incident that occurred in the Atherton Estates Subdivision with the septic line encroachment to a neighboring property owner. Chairman Sharp explained what occurred with this item. Chairman Sharp will develop text stating that septic fields must be on the lot that it serves or on a non-buildable lot at the discretion of the Zoning Administrator.

C. House Numbers for New Construction Due to New Postal Requirements. Town Planner Burton advised that he has spoken with 911 regarding this item. Union County is working on how they want to handle. He stated, "We put a condition on the approval of the Graham Hall Subdivision that addressing must meet Union County's requirements."

D. Noise Ordinance Enforcement and Purchase of a Decibel Reader. The Town Council received the Town's Noise Regulations, Nuisance Ordinance for Union County and the City of Charlotte Noise Ordinance. Councilmember Smith discussed that there have been some issues with events that have been approved through the temporary use permit process and that there was a misconception that the deputies have a decibel reader to deal with noise complaints. Councilmember Smith questioned whether the Town needed to purchase a decibel meter and wanted conditions/ordinance that were enforceable. The group discussed the pros and cons of having the language too vague or with set standards. Chairman Sharp felt the key was allowing no amplification after a certain hour for the event. Mr. Dow felt that concerns could be handled through appropriate conditions through the temporary use permit process.

E. Temporary Use Permits for Large Event Gatherings. The Town Council received a copy of Section 58-13. Temporary Structures and Uses from the Town's Ordinances. Councilmember Smith explained that he was concerned about events approved under the temporary use permit process and what would trigger dedicated ambulance service and the appropriate amount of police personnel for the event. Council questioned what the threshold should be to require dedicated emergency personnel.

F. Home Occupations and Parking of Commercial Vehicles. The Town Council received a copy of Section 58-7. Customary Home Occupations and Section 58-175. Off-Street Parking from the Town's Ordinances. The group discussed issues in the Town dealing with parking of company vehicles, abandoned vehicles and home occupations. Vice-Chairman Rob Dow advised that he would research how the Town has dealt with some of the issues in the past and that requiring tags on vehicles could be a possibility.

Item No. 6. Budget Discussions.

A. Videoing Council Meetings. The Town Council received a copy of a quote from Analog Digital Solutions for videoing of Council meetings. Town Administrator McCollum gave updated pricing to the Town Council. This item may be considered for next budget year.

B. Painting Town Hall. Councilwoman Harrison provided a letter to the Town from a consultant from Sherwin Williams regarding the condition of the paint at the Town Hall. She explained that underneath each piece of siding it is caulked which is retaining water. The Town can remove the caulking, scrape and repaint or be prepared to paint the Town Hall more frequently. The group discussed that the house is a locally designated historic property and caulking adds a level of attractiveness to the building.

Councilwoman Hadley will look into getting someone to test the air quality in the Town due to concerns with mold and mildew and will price different options on painting the house.

C. Alarm System Upgrade. Councilmember Smith discussed getting pricing for a possible upgrade to the Town's security system. Council advised that Councilmember Smith could get pricing and a list of the updated features to be considered for next budget year.

Item No. 7. Miscellaneous.

A. Historic Update. Councilwoman Harrison advised that the Historic Intern has gone back to college. She updated Council on items that he worked on during the summer. Councilwoman Harrison will check to see if there are any students in the History Honor Society at Weddington High School who are interested in volunteering.

B. Council Communication. Councilmember Smith advised that he would like to see the Council work better as a team and do a better job of communicating with each other on items that they are working on so items are not being duplicated.

C. Discussion of Statement to be Read at the Start of Council Meetings Regarding Procedures, Public Comments, etc. Councilwoman Harrison requested that staff and Town Attorney Fox draft a simple statement to be read before the meeting to help explain Town procedures for citizens that have not attended a meeting before. Attorney Fox mentioned that he would work with staff to develop statements to be added to the agenda to help explain certain agenda items.

D. Attorney Communication by Council or Public. The Town Council received a copy of the policy regarding utilizing the Town Attorney. Councilwoman Harrison felt that the Mayor and Council should funnel as many questions as possible through staff to the attorney versus each council person calling the Town Attorney. She felt this would help reduce attorney costs. Attorney Fox also advised that from time to time he has received calls from citizens or past elected officials asking to discuss different Town issues. He informed the Council that this does not happen often and he tries to manage it so it does not become excessive.

Item No. 8. Adjournment. Councilmember Smith moved to adjourn the August 28, 2014 Special Town Council Meeting. All were in favor, with votes recorded as follows:

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

The meeting adjourned at 4:00 p.m.

Bill Deter, Mayor

Amy S. McCollum, Town Clerk