

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JUNE 10, 2013 - 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 June 10, 2013, with Mayor Walker F. Davidson presiding.

Present: Mayor Walker F. Davidson, Councilmembers Werner Thomisser, Pamela Hadley and Barbara Harrison, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord and Town Planner Jordan Cook

Absent: Mayor Pro Tem Daniel Barry

Visitors: Bill Deter, Danis Simmons, Peter Tatge, Robert Stiegele, Eric Smith, Rob Kreisher, Steven McLendon, Jack Parks, John Temple and Stephen Overcash

Mayor Walker F. Davidson offered the Invocation prior to the opening of the meeting.

Item No. 1. Open the Meeting. Mayor Davidson called the June 10, 2013 Regular Town Council Meeting to order at 7:02 p.m.

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

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

Item No. 4. Public Comments.

Mr. Bill Deter – I want to address some erroneous statements that were made at the last Town Council Meeting when it was stated that on Page 10 of the Land Use Plan that we added the following, “There are those that favor mixed use development with more urban amenities than now exist.” Page 10 actually says, “There are those who favor development with more amenities.” It does not say mixed use. It was also stated that the survey indicated that 67% were in favor of mixed use. Actually almost 67% are opposed to mixed use. Question #10 of the survey: Should the Land Use Plan allow for mixed use with residential and 65.6% answered no. Question 5 – To what degree are the following important or very important to Weddington - almost 79% answered limiting non-residential growth. In an attempt to sweeten the responses, a follow up question Number 6 was asked – Would your opinion change if mixed use development included additional amenities such as parks, libraries, etc.? Still the majority said no. The people’s wishes on mixed use development are very clear. A friend once told me years ago you can put whip cream on dog poop but people still know that it is dog poop. I hope the Council will finally accept and validate the people’s responses on this issue. As a business person I am a strong believer in having constructive tension in an organization. It allows for a frank discussion of the issues and develops a better solution that ultimately leads to better decisions. Part of the downside is that discussions can turn into rhetoric and vitriol. I already have that with my federal leaders in Washington. I believe most people in this room will agree that our Congress is a dysfunctional organization unable to do the people’s business. I don’t want that with my local leaders in Weddington. I would ask that all of you tone down the emotion and the rhetoric. Start talking to each other not past each other. I know that the Council faces a lot of tough and emotional issues such as the Land Use Plan, the water tower location, funding of the Providence VFD and many more; however, I know you can do it. Set aside the emotion, focus on the relevant facts and get on with the people’s business. I want to thank you for your service to the community and hope that you can move forward in a positive manner.

Item No. 5. Additions, Deletions and/or Adoption of the Agenda. Councilwoman Pamela Hadley asked to move the following item to next on the agenda:

- Review and Consideration of Polivka Construction Documents – Town Planner Cook

Attorney Anthony Fox – The wording for the item regarding the fire department preceded a meeting that was held with the Providence VFD and preceded a discussion that followed with the bank. The correct action item on that is to have a discussion about the Volunteer Fire Department renovation project and to then consider the adoption of the Resolution that the bank/lender has asked for the Town to adopt.

Councilwoman Hadley moved to accept the agenda as modified. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
 NAYS: None

Item No. 6. New Business.

A. Review and Consideration of Polivka Construction Documents – Town Planner Cook. The Town Council received the following memo from Town Planner Cook:

Polivka International Company, Inc. has submitted their construction documents for the 15,000 square foot office building located at 13700 Providence Road, Weddington, NC.

General Information:

- The Polivka MX Rezoning request was approved by the Town Council on November 13, 2012 with thirteen conditions.
- The applicant now submits their construction documents in accordance with *Section 58-271 (h)* of the *Weddington Zoning Ordinance*.
- During their May 20 Meeting, the Planning Board did act as the Design Review Board and approved these construction documents and architectural renderings. They were approved but the Planning Board asked that the signage be approved at a later date, sconces be added to the back staircase landing, and the lighting plan and fixtures be approved at a later date.
- The conditions of approval are listed below for your reference.

Conditions of Approval:

1. Water Plans and Allocation must be approved by Union County Public Works;
2. Lighting Plan must be approved by Town Lighting Engineer;
3. All engineering must be approved by Town Engineer-***Stormwater Management Plan and Calculations approved by Town Engineer;***
4. NCDOT driveway permit must be approved by NCDOT;
5. Traffic Impact Analysis must be approved by Town Traffic Engineer-***Town Traffic Engineer recommendations included in packet;***
6. All signage must comply with *Chapter 58, Article 5* of the *Weddington Zoning Ordinance*;
7. Prior to the commencement of any construction, the Town Council must approve Construction Documents in accordance with *Section 58-271 (h)* of the *Weddington Zoning Ordinance*;
8. Applicant must provide detention volume controls for a 25 year storm-***Applicant has provided detention volume controls for a 25 year storm;***
9. Any future revisions to the approved site plan and other approved documents must comply with *Section 58-271 (i)* of the *Weddington Zoning Ordinance*.
10. Save the large tree near the house if at all possible; if not possible provide Zoning Administrator written documentation of why tree cannot be saved;
11. Any future sewer connection must be made at Providence Road (Highway 16);
12. Pedestrian crosswalks to be added to two driveway entrances along Providence Road-***Crosswalks have been added to site plan (sheet RZ 1);***
13. Security lights in the parking lot can be on one hour after the last business closes until one hour before the first business opens.

In addition to the aforementioned conditions, the Planning Board expressed concerns about the following items:

1. Two driveway cuts along recently widened Providence Road;
2. Negative impact of left turn lane into site.

The Town Council also received the following information:

- Section 58-271 - Conditional Zoning District Amendment Procedure
- Article IX. – Amendments
- Exterior Sketch
- Lighting Plan
- Site Plan
- Water Drainage

Councilmember Werner Thomisser – Looking at this plan it looks like the land is level. When you look at it now, there is a slight incline. Is it safe to assume that after this construction is completed, that land will be leveled as it is in this picture?

Town Planner Cook – I do not think so. Grading has to take place. The applicant may be able to speak to that.

Mr. John Temple – It is not level. If you are standing on Providence Road, it is elevated. It just looks flat. We are going to keep the elevation on the project.

Councilmember Thomisser – Can you explain the function of the retention pond to me? Is that the water that is coming off of the parking lot and roof top and will eventually end up in this retention pond?

Mr. Stephen Overcash – We were required to design the pond for a 25-year flood. We designed for a 50. All the water on the site will go into that pond either through pipes or natural drainage and it will seep out very slowly and go downstream. It is going to be less runoff of the site than currently exists today.

Councilwoman Hadley – I think there were two additions that were added to this from the Planning Board which were the sconces/lights on the back and they wanted them to investigate whether a drain is required on the dumpster.

Mr. Overcash – A drain is not required.

Councilwoman Hadley – So these plans show the sconces on the back stairwell?

Mr. Overcash – Correct.

Councilwoman Hadley moved to accept the construction documents for the Polivka Project as presented. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

Item No. 7. Approval of Minutes.

A. May 6, 2013 Special Town Council Meeting. Councilwoman Harrison moved to approve the May 6, 2013 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

B. May 13, 2013 Regular Town Council Meeting. Councilwoman Harrison moved to approve the May 13, 2013 Regular Town Council Meeting minutes with the amendments presented by the Town Clerk this afternoon. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

Item No. 8. Consent Agenda (Public Hearings to be held July 8, 2013 at 7:00 p.m. at the Weddington Town Hall).

A. Call for Public Hearing to Review and Consider - Text Amendment to Section 58-3 (Enforcement and Penalties). The Town Council received a copy of the proposed text amendments. Councilmember Thomisser moved to call for a public hearing to review and consider text amendments to Section 58-3. The public hearing is to be held July 8, 2013 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

B. Call for Public Hearing to Review and Consider - Text Amendment to Section 58-13 (Temporary Structures and Uses). The Town Council received a copy of the proposed text amendments. Councilmember Thomisser moved to call for a public hearing to review and consider text amendments to Section 58-13. The public hearing is to be held July 8, 2013 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

C. Call for Public Hearing to Review and Consider - Text Amendment to Section 58-60 (1) o Banquet and Reception Centers, and Conference Centers and Text Amendment to Sections 58-52, 58-53, 58-54 and 58-58 to add Wedding, Banquet and Reception Centers. The Town Council received a copy of the proposed text amendments. Councilmember Thomisser moved to call for a public hearing to review and consider text amendments to Section 58-60, 58-52, 58-53, 58-54 and 58-58. The public hearing is to be held July 8, 2013 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

D. Call for Public Hearing to Review and Consider - Text Amendment to Section 58-4 (Add Definition of Conference Center). The Town Council received a copy of the proposed text amendments. Councilmember Thomisser moved to call for a public hearing to review and consider text amendments to Section 58-4. The public hearing is to be held July 8, 2013 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

Item No. 9. Public Hearings and Consideration of Public Hearings.

A. Public Hearing to Review and Consider the Preliminary Plat for the Vintage Creek Subdivision (Continued from the May 13, 2013 Regular Town Council Meeting). Mayor Davidson reopened the public hearing to review and consider the preliminary plat for the Vintage Creek Subdivision. The Town Council received a copy of the following memo from Town Planner Jordan Cook:

Stillwell NC, LLC submits a subdivision preliminary plat application for a 90 lot Residential Conservation Subdivision on 116.52 acres located on Weddington-Matthews Road.

Application Information:

Subdivision Name: Vintage Creek
Date of Application: January 18, 2013
Applicant/Developer Name: Stillwell NC, LLC
Owner Name: Stillwell NC LLC and Dorothy Morris Killough (Parcel 060-93-011 01)
Parcel ID#: 060-90-004 (74 acres), 060-93-011 01 (13.45 acres) and 060-93-007A (28 acres)
Property Location: Weddington-Matthews Road
Existing Zoning: RCD
Proposed Zoning: RCD (Conservation Subdivision through the Conditional Zoning process)
Existing Land Use: Residential Conservation
Proposed Land Use: Residential Conservation
Existing Use: Vacant Land
Proposed Use: Single Family Residential Subdivision
Parcel Size: 116.52 acres

Project Information:

The Vintage Creek Subdivision is a proposed 90 lot subdivision on 116.52 acres comprised of three parcels. The subdivision is located on and accessed by Weddington-Matthews Road and is being developed by Stillwell NC, LLC as an RCD conservation subdivision.

A conservation subdivision must base the number of proposed lots on a yield plan per *Section 46-42* of the *Weddington Subdivision Ordinance*. This yield plan must show the number of lots that would be allowed if the tract was developed as a conventional subdivision with 40,000 square foot lots. The Vintage Creek yield plan yielded ninety, 40,000 square foot lots. Conservation subdivisions shall be density neutral (same number of lots as would be permitted in a conventional subdivision). The site is 0.77 dwelling units per acre.

Background Information:

- A pre-sketch conference was held on December 14, 2011 and June 18, 2012.
- A site walk occurred on-site May 3, 2012.
- Public Involvement Meetings were held on Monday, July 9, 2012 on-site from 2:00-4:00pm and Wednesday, July 11, 2012 at Town Hall from 6:00-8:00pm.
- The Planning Board approved the Sketch Plan on July 23, 2012.
- The Planning Board gave a unanimous favorable recommendation of the Preliminary Plat on March 25, 2013.
- The Town Council tabled the Public Hearing at their May 13th meeting.

Preliminary Plat Information:

- The entire site is 116.52 acres and is depicted as Phase I and Phase II on the Preliminary Plat. Phase I is comprised of 50 lots on 61.77 acres. Phase II is comprised of 40 lots on 54.75 acres.
- The applicant has included a revised Preliminary Plat depicting the relocated entrance after the acquisition of the Shirley Hill property. The Hill property is 2.1280 acres and will allow the applicant to shift the entrance 50 feet east. A separate map of the Hill property has been included in your packet.
- The minimum lot size is 12,000 square feet. The smallest lot proposed is 13,500 square feet and the average lot size is 15,357 square feet.

- The applicant is required 50% or 58.26 acres of conservation lands. The applicant has provided 52.1% or 60.68 acres of conservations lands.
- The applicant has also provided 13.59 acres of common open space. These areas are not included in the conservation lands calculations.
- The cul-de-sac on Vintage Creek Drive is 804 feet in length. The Town does allow cul-de-sacs in conservation subdivisions to exceed 600 feet in length. This is to prevent degradation and development in primary and secondary conservation lands.
- The applicant has provided a four foot sidewalk along all roads within the subdivision.
- Amanda Drive Extension is an approved thoroughfare improvement on the adopted Local Area Regional Transportation Plan (LARTP) which will soon be added to NCDOT's Comprehensive Transportation Plan (CTP). The applicant has shown this road improvement on the plan.
- A pump station will be located behind lots 63 and 64.
- A Duke Power easement runs along the eastern perimeter of the property. Wetlands also run along the eastern edge of the property and through the middle of the site.
- A copy of the approved Sketch Plan *and Yield Plan* has been included in the packet.

Conservation Land Summary:

Section 58-58 (4) of the Weddington Zoning Ordinance stipulates that a minimum of 50% of the gross acreage must be retained as conservation land. Conservation lands must remain conservation lands in perpetuity. Conservation lands are broken down into three tiers and given different priorities. Vintage Creek has provided the following conservation lands:

- Forest Lands (Tier A)-38.56 acres
- Ponds (Tier A)-0.78 acres
- Wetlands-6.43 acres
- Duke Power Easement-5.58 acres
- Meadow/Open Fields/Farmland (Tier B)-9.33 acres
- A total of 60.68 acres of the 116.52 acres or 52.1% of the site will remain conservation lands.

Additional Information:

- The Sketch Plan and Preliminary Plat have been approved by the Planning Board. Following approval of the Preliminary Plat, the applicant will have two years to apply for the Final Pat. The Final Plat can be submitted in multiple phases.
- Vintage Creek is to be served by Union County Public Water and Sewer. Union County Public Works has provided approval letters for the water and sewer plans.
- The North Carolina Department of Environment and Natural Resources (NCDENR) have approved the erosion and sedimentation control plans.
- The North Carolina Army Corps of Engineers have approved the wetlands permit.
- Vintage Creek is comprised of three parcels. The Town has received signed and notarized letters from all property owners allowing Stillwell NC, LLC to represent them in the Sketch Plan and Preliminary Plat process.
- The Town Engineer, US Infrastructure has provided the first round of review comments.
- Road names have been approved by Union County E911.

The Vintage Creek RCD Subdivision Preliminary Plat has been found to be in general compliance with the Town of Weddington Zoning and Subdivision Ordinances with the following conditions (conditions 8 and 9 added by the Planning Board):

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. Declaration of Conservation Easement and Restrictions shall be reviewed (by Town Attorney) and executed prior to Preliminary Plat approval by Weddington Town Council;
5. Maintenance Plan and Maintenance Agreement shall be reviewed (by Town Attorney) and executed prior to Preliminary Plat approval by Weddington Town Council;
6. Covenants, Conditions and Restrictions (CCRs) shall be reviewed (by Town Attorney) and executed prior to Preliminary Plat approval by Weddington Town Council;
7. Timing for construction of the extension of Amanda Drive, east of the roundabout proposed within Phase II, shall be initiated by the Town of Weddington when development occurs on the adjacent property (Parcel Tax ID# 06093007-Deed Book 3741 Page 317). Applicant agrees to a payment in lieu of through the establishment of an escrow account for said construction commensurate with the filing of the first Plat within Phase II. Escrow account funding amount shall be based on engineer's estimate cost to construct for this portion of Amanda Drive to be approved by the Weddington Town Council;
8. Zoning Administrator to have additional week to review changes proposed at Planning Board meeting;
9. Plans for subdivision entry monument to be approved by the Planning Board;
10. Addition of Parcel 06-090-002A (Shirley Hill Property) must be depicted on Final Plat and any addition of single family lots, conservations lands, etc. must comply with Chapters 46 and 58 of the Weddington Zoning Ordinance.

The Town Council also received the following information:

- Preliminary Yield Plan
- Preliminary Cluster Sketch Plan
- Overall Preliminary Plat
- Map of Shirley Hill Property

Town Planner Cook - The public hearing was tabled at the last meeting to tonight so the applicant could explore alternatives to the main ingress/egress on Matthews-Weddington Road. I have included in your packet the yield plan which is the actual plan if this were developed by right as a conventional subdivision. I have also included a survey of the Shirley Hill property that was discussed a lot at the last meeting. Attorney Fox worked today on revising condition Number 7. There was some discussion at the last meeting about the Amanda Drive Extension being built in the future. The new language: *The applicant commits to the construction of the extension of Amanda Drive east of the roundabout proposed within Phase 2 within 30 days following written notice from the Town that development is occurring on the adjacent parcel #06-093-007. Applicant agrees that in lieu of the Amanda Drive Extension construction applicant may fund through the establishment of an escrow account all costs of the construction of Amanda Drive Extension. The escrow account funds shall be established commensurate with the filing of the first plat within Phase 2 of the Vintage Creek Subdivision and shall be used to construct the Amanda Drive Extension. The escrow account funds shall be based on the Town's engineers estimated costs to construct the Amanda Drive Extension and shall be based on the projected construction date. The escrow account shall be established by the Town and approved by the Weddington Town Council.* That is the only thing that has changed. I know that the applicant has moved the entrance. I will let them speak on that item.

Mr. Robert Stiegele – I wanted to take a look back at where we have been and what we have gone through with the development thus far. Last May we started with two Public Involvements Meetings which we got unanimous support for the development. There were several concerns from the last meeting. The first concern was the entry feature and the line of sight. We have successfully placed under contract Ms. Shirley Hill's property for a dear price. That allows us to take the entry itself and move it approximately 50 feet off of our adjacent property owner to the west. It also enables us to open up the actual neck of the development itself. It lets us open up the line of sight looking to the east all the way along Matthews-Weddington Road. It also

permits us to improve the entry and the line of sight for the development. We are supposed to close in the next 30 days. One of the restrictions in the contract with Ms. Hill is that the 2 ½ acres will be non-buildable. We will not be able to place any structures on that development. We will be able to enhance that property in the form of entry monumentation, street trees, columns, planters, aesthetics, but there will not be allowed to have any structures built in the form of houses.

Mayor Davidson – Will that go under conservation with the other part?

Town Planner Cook – I did miss something on my staff report. I did add another condition that the addition of this parcel must be depicted on the final plat and any addition of single family lots and conservation land must comply with the subdivision and the zoning ordinances. This would be added as conservation land but it would open two acres up somewhere else. As long as they do not increase by 10% they can do that. We would have to see that at the final plat stage.

Mr. Stiegele – In our contract with Ms. Hill, we agreed to selectively clear that area enough to enhance the line of sight which was a concern and to keep the vegetation that currently exists and not blanket clear the site. The second issue that came up was would we meet with NCDOT. We have met with NCDOT and we inquired regarding two things: a traffic calming device (roundabout) at the front of our development and the second was whether we would be able to have a traffic light. The answer to both of those is no. That is not where they thought it belonged.

Councilmember Thomisser – Where was the roundabout discussed to be located - at the seminary? Did NCDOT say they would not entertain a roundabout at the seminary?

Mr. Steigele – No, at our entrance. At the meeting last time someone in the audience asked would we consider placing a traffic calming device at our entrance or a lighted intersection. We said we would inquire. We met with NCDOT two weeks ago and the answer was no at our entrance. The other item that we discussed was a little hiatus of property to our south which is the connection between our property and Amanda Drive. We have been in contact with Mr. Dick Bonner who is fully aware that he has this hiatus of property and we have been in open discussion with him in an attempt to acquire. It is a little less than an acre. We are continuously discussing this and he is getting back with us on a price to acquire that. I do not know what that is going to involve and where we get to at the end of the day. We are attempting in good faith to continue the discussion with Mr. Bonner to acquire that. If not we may have to look at some form of condemnation but so far things have gone well. I have to tell you with confidence if we can get Ms. Hill I feel pretty comfortable we can probably work out an agreement with Mr. Bonner. The last thing I want to touch on which is a sensitive issue is water pressure. We met today with Union County and we have been assured that water pressure in this development will not be an issue. We met today with Scott Honeycutt and Charlie O’Cain. I have spoken with Mr. Gosicki since our last meeting a half a dozen times. They feel the timing of this development with the future construction of the tower should all work in time. Those were the big issues and concerns. We have done all we could in the last 30 days to overcome some of these issues. As far as the extension of the roadway and putting the money in escrow - we have no issues with that.

Councilmember Thomisser – I would like to thank you for working on this issue because last month I was very uncomfortable with the line of sight. It does appear from the map that it has significantly improved. Unfortunately you still have speeding on Matthews-Weddington Road and Tilley Morris Road but that is a situation that I plan to bring to the attention of the Public Safety Committee to try to work with NCDOT on possibly putting a stop light by the seminary or a roundabout or some type of signage to try to slow the traffic down. We were successful in doing that at Antioch Church Road and Highview Road. The Public Safety Committee will look into this and it has nothing to do with your project.

Councilwoman Harrison – Thank you for taking the time to do that. That was my biggest concern.

Mayor Davidson closed the public hearing.

B. Consideration of the Preliminary Plat for the Vintage Creek Subdivision (Continued from the May 13, 2013 Regular Town Council Meeting). Councilwoman Harrison moved to approve the preliminary plat for the Vintage Creek Subdivision with the conditions as stated. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
 NAYS: None

C. Public Hearing Regarding an Offer to Renovate the Providence VFD and the Town’s Acquisition of the Department’s Title and Interest in the Real Property Located at 5025 Hemby Road, Weddington, NC. Mayor Davidson opened the public hearing. The Town Council received a copy of an appraisal as of March 20, 2013 for the Providence VFD prepared by Morrison Appraisal, Inc. dated April 2, 2013. The Town Council also received a copy of the following email from Mr. Jack Parks, President of the Providence VFD:

Mayor Davidson & Town Council,

We received and opened the bids for the renovation of our station yesterday and Scott Garner, our architect, has reviewed the bids and makes the following recommendation for our renovation budget:

PVFD Station Renovation	
Base Bid (Edison Foard)	\$536,000
Construction Contingency	\$53,600
Special Materials Inspection	\$4,800
Architectural Fee Balance	\$24,334
Miscellaneous (Printing, travel, etc. not included in Architectural Fee)	\$3,500
Total	\$622,324

The Base Bid represents the contractors fixed bid to make the renovations in accordance with the architectural and engineering specifications. The Construction Contingency is monies that should be available if unforeseen issues arise during the demo and construction for the renovation. It is 10% of the Base Bid. The Special Materials Inspection are fees that will be paid to a third party engineering inspection firm to inspect soil conditions and site work required for the foundations for the exterior stairwells and concrete pours around the station. This inspection is required by the building code. The Architectural Fee Balance is the remainder of the architectural fees that will be owed to complete the construction phase of the project. The Miscellaneous amount is for additional plans/specifications printing, travel etc. that might be required to accommodate code enforcement request from Union County.

Please review this budget and let us know if you need additional information. We appreciate your help in the completion of this project.

Attorney Fox – This is still a public hearing but it is a discussion about the renovations as well as consideration of the resolution. When this item was originally placed on the agenda, there was contemplation that there would be a transaction that would be occurring between the Town and the Volunteer Fire Department with regards to the acquisition of the property and commensurate with that the purchase of that property in an amount to be paid by the Town that would also help the Providence VFD move forward with the proposed construction renovations. Since that time things have changed with regards to the structure of the deal. There was a meeting between the Volunteer Fire Department and members of staff with regards to the proposal that was being

considered. That meeting addressed the potential interlocal agreement that dealt with the transfer of the property and conditions around that. Prior to that meeting, Providence VFD submitted an appraisal that reported to show the value of the property before the renovation and the value of the property post improvements. Those values were \$1 million before and \$1.5 million post improvements. As a result of those discussions and as a result of having some conversations with the bank, the discussion involved how could the bank move forward with the loan and what would it require. After educating the bank, it was determined at this point based on the appraisal and upon its current funding arrangement that Providence could proceed forward with a construction loan by the bank. In order to accommodate the construction loan, the bank and the governmental lending practice would like to see the Town adopt a resolution acknowledging where the Town has been with regards to its relationship with the Providence VFD, whether the Town is in support of the improvements that were being proposed, acknowledging the amount of the improvements that were being proposed and the cost of the improvements and the cost of the loan that the bank would undertake realizing that the resolution was just that, an acknowledgment of the loan and the support of the efforts of the Volunteer Fire Department and was not a guarantee of the funding of the loan. The resolution was prepared and provided today by the bank and massaged by me substantially and that is what is before you.

Attorney Fox read the following Resolution for the record:

**RESOLUTION ACKNOWLEDGING SUPPORT FOR PROVIDENCE VOLUNTEER FIRE
DEPARTMENT IN CONNECTION WITH A LOAN FROM BB&T**

WHEREAS, the Providence Volunteer Fire Department (the “Department”) plans to make certain immediate renovations and improvements (the “Improvements”) to its facility located at 5025 Hemby Road in Weddington, North Carolina (the “Property”); and

WHEREAS, Branch Banking and Trust Company (“BB&T”) has agreed to make a construction loan to the Department to facilitate the construction of the Improvements; and

WHEREAS, the Department provides fire protection services to the residents of the Town and the Improvements are integral to the Department’s ability to provide fire services; and

WHEREAS, annually, the Town of Weddington (the “Town”) appropriates funds to the Department to support the Department’s ability to provide fire services to the residents of the Town and understands and supports the need for the Improvements; and

WHEREAS, BB&T has requested that the Town express its continued commitment to the Department and its plans to provide fire services to the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

(1) Support of the Department’s Plans. The Town understands and supports the Department’s need for the Improvements and the need for the Department to obtain a loan to finance the Improvements. Further, the Town understands that the Department will borrow approximately Eight Hundred Thousand Dollars (\$800,000.00) from BB&T for a term of approximately 12 months, and will use that money to make the Improvements to the Property.

(2) Continued Support of the Department. The Town intends to continue to appropriate funds to the Department to support the Department’s ability to respond to the fire needs of the residents of the Town and upon the completion of construction, but in any event prior to the maturity of the loan, intends to explore a long term service agreement containing annual appropriation commitments with the Department.

(3) Intent to Continue Appropriations to the Department. The Town understands that the Department expects to have limited funds to provide for payments on its loan from BB&T and will be dependent on current and future support from the Town to aid in the servicing of the funds from BB&T.

(4) BB&T's Right to Foreclose. If the Department fails to make any payments on the loan, BB&T will have the right to foreclose on the Property and take other appropriate action as may be specified in BB&T's agreements with the Department.

(5) Non-Guarantee. The Council expresses its intention to continue to appropriate funds to the Department. The Town promises that if any request for an appropriation of funds is made by either BB&T or the Department, the Town will promptly consider the request. The Town recognizes, however, that it has no authority to make legally binding long-term commitments or guarantees to BB&T or to the Department.

(6) Miscellaneous provisions.

(a) All Town officers and employees are authorized to take all such further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. All such prior actions of Town officers and employees are hereby ratified.

(b) The Town makes the representations and agreements stated in this resolution with the desire and expectation that BB&T will rely on them in connection with its determination to make the proposed loan to the Department. The Town requests and accepts this reliance by BB&T.

(c) This resolution takes effect immediately.

Attorney Fox - That is what BB&T seeks from this Council to adopt to aid it as it moves forward with entering into a construction loan with the Department. That construction loan would be solely between BB&T and the Volunteer Fire Department. The Town would not be a party to that construction loan. The Town may explore the acquisition of real property from the Volunteer Fire Department at some point in the future. That acquisition would be accompanied by an amendment to the service agreement with the Providence VFD like the resolution mentioned and could include perhaps a long term agreement and an appropriation commitment. By way of background your service agreement with the volunteer fire departments all include appropriation commitments and are limited to one year contracts that are renewable from year to year. If the service agreement is addressed in the future it is anticipated that there may be an interlocal agreement with the Town and the Volunteer Fire Department that may affect the transfer of real property from the Providence VFD to the Town based upon the value of the improvements to be acquired.

Mayor Davidson – At the March meeting I recommended we offer Providence VFD \$750,000 in cash and in return get the building and the land. Before that meeting we gave them \$50,000 that went through a public hearing through our budget process a year before. Since then we have given them \$220,000. Is that correct?

Councilmember Thomisser – Up to.

Finance Officer Gaylord – You approved it but we have not given to them yet.

Mayor Davidson – How do they get that? What action do they take to get it?

Attorney Fox – I believe the action that this board took was up to \$220,000 and was based upon allowing them to improve the metal structure that is at the rear of the property and to be able to transfer their operations to the rear of the property when the improvements would be made to the main facility at the front of the building.

Mayor Davidson – And that is separate from this loan of \$800,000?

Attorney Fox – The \$800,000 is for the improvements of the front of the property.

Mayor Davidson – So they are a separate transaction?

Councilwoman Harrison – I thought they were combined.

Councilwoman Hadley - \$633,000 is for the front of the building and up to \$220,000 for the rear building.

Councilmember Thomisser – But the money for the rear building included some of the things that needed to be done for the front of the building like a water line hookup.

Mayor Davidson – What is the total exposure to the Town through all these different pieces?

Finance Officer Gaylord – I think one million dollars.

Mayor Davidson – Can you help me get that?

Councilwoman Hadley – \$220,000 for the back building, \$630,000 for the building which totals \$850,000 and then there would be a purchase agreement for a million dollars.

Mayor Davidson – I have not heard about that. Where is that?

Attorney Fox – That has not been finalized. That is something that may occur in the future.

Finance Officer Gaylord – The question was if we acquire the building do we acquire it at the appraised value and that is where the million is coming from.

Mayor Davidson – So tonight what are we doing?

Attorney Fox – The only action before the Board tonight is to consider the adoption of a resolution that provides support for the improvements that Providence is undertaking through a loan with BB&T based upon the annual appropriation that you have in the past provided.

Mayor Davidson - \$1 million – the 800,000 is part of the 1 million dollars?

Finance Officer Gaylord – Yes.

Mayor Davidson – We gave them \$50,000. Is that part of the \$1million?

Finance Officer – I do not think so.

Councilwoman Harrison – I thought the \$50,000 was in the budget this year to use as they wanted.

Mayor Davidson – It was capital improvements and it is outside the one million dollars.

Councilmember Thomisser – I believe that \$50,000 has already been used. Jack, can you explain what that \$50,000 was used for?

Mr. Jack Parks – The \$50,000 was used to reimburse the department for architectural engineering fees that have already been spent for the renovations of the front and the rear building plus other capital improvements that exceed \$100,000 during the year. That \$50,000 went back to reimburse that. The budget for the front building is \$622,000 and that is the budget from the architect based on the low bid that we received from the contractor with some contingency built into that. The budget for the rear building is \$220,000 with contingencies. The

appraisal value of the property as it sits today is \$1,025,000. The appraisal value of the property once renovated is right at \$1,600,000. What we are doing at this point is getting a construction loan that would fund our payments to the contractor that we contracted with to do the renovations on the front building. The rear building has already begun and you will receive some invoices on that probably fairly soon because you have already approved up to \$220,000. Council has asked the fire department to consider the transfer of real property to the citizens of Weddington and the Board has tentatively agreed to that based on contracts and conditions that will be worked out at a later time. The end result will be that we will have a renovated Providence VFD that has not been renovated since it was built in 1985 and will prepare us to move forward for the next probably 10 to 20 years.

Mayor Davidson – I just want to know the terms of this. I understand all that. What is the interest rate of your loan?

Mr. Parks – It was not been finalized yet but I expect 1.9 to 3.5.

Mayor Davidson – Once the construction loan is over because it is a one year loan what happens then?

Mr. Parks – Once the construction loan is over the Town has shown interest in acquiring the property and at that point it is up to Council whether you want to participate in a governmental loan to do that or you want to pay out of fund balance or whether you want Providence VFD to get a loan and make it a budget item.

Mayor Davidson – Does your board need a long term contract? Are we going to evoke that local act that was passed to allow us to do binding contracts? Where do we stand with that?

Mr. Parks – In the consideration of real property we request that there be more than a one-year contract.

Mayor Davidson – So we are going to bind future Councils?

Attorney Fox – I think the anticipation that in order for Providence VFD to entertain entering into an interlocal agreement that deals with the transfer of the property they want to see a long term commitment in a service agreement.

Mayor Davidson – We would not be able to do this contract that you are talking about without that local act being passed?

Attorney Fox – Yes. The local act provides for the ability to enter into long term agreements.

Mayor Davidson – Is any of this in writing anywhere?

Attorney Fox – I have begun to draft an agreement. This structure changed and so it is back to the drawing board. There has not been a draft that incorporates these terms or new structure.

Mayor Davidson – A year from now would be our next steps.

Finance Officer Gaylord – It could be sooner - at the completion of the construction.

Mayor Davidson – When do you believe that the construction will be done?

Mr. Parks – Depending on when we are able to start the front building. We would anticipate that it would be five months after that. We hope to start the renovation of the front building by sometime mid July.

Mayor Davidson – The construction loan could be completed on what date?

Mr. Parks – It should be completed by the end of 2013.

Finance Officer Gaylord – They have a specified amount of time to pay back the construction loan. It does not have to be immediately – 12 months. That is where the 12 months is coming in.

Mayor Davidson – What is the earliest that the Town Council has to make this decision that you are talking about of borrowing money or buying outright?

Mr. Parks – Probably by the end of the year.

Finance Officer Gaylord – I actually think it may need to be earlier than that because it would have to have LGC approval and we would plan to have the application in by November.

Mayor Davidson – If the Town Council does not back you, what happens?

Mr. Parks – If you do not fund us, we go out of business.

Mayor Davidson – We will fund you.

Mr. Parks – If you fund us, then you back us.

Mayor Davidson – We will fund the operations. Let's say we fund the operations but we do not decide to buy the facility. You are borrowing \$800,000 and you are relying on us for that \$800,000.

Mr. Parks – The request for facilities came from you and other members of this Council. We are responding to that request.

Mayor Davidson – But we are not bound.

Attorney Fox – The Town is not bound. The bank is looking for as much assurance as it can but they have before them an appraisal of property of one million dollars and they are looking to expend \$800,000. The bank being the governmental component seeks a resolution just to show that this appropriation commitment that the Town has historically made is going to continue to be made.

Finance Officer Gaylord – Also in our preliminary meetings the bank, before we got into the acquisition discussions, it was willing to do the permanent loan with the fire department provided we had a similar resolution saying that we would appropriate enough funds to pay the fire department's debt service going forward. The fire department would have the option if we decide not to purchase the building to request a permanent loan to fund their continued use of the building but we would have to help them with that.

Mayor Davidson – What is the reason for the long-term contract and we can't just buy it out right and be free and clear? What is the point?

Mr. Parks – You are asking us to give you 60 years of building a fire department and facilities for less than market value of our property.

Mayor Davidson – You mentioned before you do not want another Town Council coming in and turning it over and changing things. Do you still feel that way? Does your Board feel that way?

Mr. Parks – We want security for what has been built to make sure in the future and as long as the fire department is doing contractually what they are obligated to do that there is an assurance of what has been built there is going to remain there and operated by Providence.

Attorney Fox – None of the agreements have been finalized and negotiations have not been completed. We really do not know what the agreement is going to look like and what we are going to end up with at the end of the day.

Mayor Davidson – We are in a gray area here. That is why I am asking hard questions. They are getting ready to take out a loan for \$800,000. I am looking for our exposure and liability and it says in here BB&T's right to foreclose. They can foreclose if this does not work out.

Attorney Fox – You are right and that is the exposure. The exposure is not that the Town has a pledge or commitment to this loan but that Providence VFD has this obligation if they do not fulfill then the property could be foreclosed on by the bank.

Mayor Davidson – Do you have any other sources of income?

Mr. Parks – Mecklenburg County and some from Union County but they are fairly insignificant. It is around \$100,000.

Councilmember Thomisser – It was my understanding that this long-term contract was approved by the State Legislature.

Mayor Davidson – There was a local act that was passed which was requested by the Town of Weddington to allow binding contracts and to bind future councils. You have to get special permission to get that done.

Attorney Fox – The General Assembly passed a local act which is equivalent to a statute.

Councilmember Thomisser – What did that provide?

Attorney Fox – It gave you the authority to enter into long-term binding contracts for up to 10 years.

Councilmember Thomisser – The way I understand this is we have land and buildings that are worth \$1 million and if a future Council decides to execute it they are going to get an asset which the citizens of Weddington will own – the land and the buildings which will be worth \$1.6 million. Do I understand that correctly?

Mayor Davidson – Sounds like it.

Councilmember Thomisser – That sounds like a good deal for the citizens of Weddington.

Mayor Davidson – There are two things I do not like about it. When we started this discovery process of what to do about the problem of fire service in Weddington we laid out a list of things to do and talk about. Jack gave a presentation on December 15, 2011. I liked the way he did it. Jack came up and said, "We can do nothing, we can ask the County to move the lines and create a fire tax, we can merge or we can create a municipal fire district." I liked that process because we had different things to talk about. This is better than this or this is better than this. I threw out in March \$750,000 in cash because we have plenty of money in the fund balance and we can get it done quickly and we would already be moving forward at this point and there was no contingency on it. We own the property and we were not tied to a long-term contract. It is hard for me to compare my proposal with this proposal because it is in so many pieces with many different times and I do not have anything in writing in front of me that says this is everything. This is your exposure. I don't like the long-term contract. I always wanted this fire service to be taken from the County and given to the citizens of Weddington. When we sold this idea there was a lot of selling of this municipal solution. Jack came up and gave a presentation in December 15, 2011. The reason for municipal was to improve fire service. The reason that I cut Jack off and I don't usually cut Jack off is that we do not need any more discussion about fire service being good or bad. That is not what this is about. We have drastically improved fire service in Weddington. But the second thing he said was the reason to do municipal was to provide the citizens of Weddington through

the elected officials input for fire, medical and public safety and that is not what the board is saying right now. They are saying they do not want another council coming in and changing this. I fight for that right for a council to do that. You elect us and we carry things out. Hopefully we ran and we said we were going to do certain things and we carried that out. I don't want to take that out of the hands of the people of Weddington and give it to a fire department. He said that the tax rate of 5.2 cents would cover the municipal obligations including fire, medical and public safety. This was also in the presentation. As we get in the budget I want to keep it at 5.2 cents. I think we can do it but this budget we have has a deficit. Another slide said that the Town consider funding the addition from existing reserves. Providence would consider deeding the properties to the Town designed with input from the Safety committee and Town Council. On January 9, Jack asked me to get a letter approved by the Council because it was difficult to talk to contractors. He wanted a letter of support so that he could go out and begin the bidding process. I read it to the Town Council and they did not approve it. But the letter said: "The Town of Weddington agrees to partner with Providence VFD to facilitate the needed upgrades to the station located at 5025 Hemby Road. The support will include financial assistance to be used for the acquisition of contiguous property, renovation of the existing facilities and construction of a building addition. The financial assistance will consist of money and loan guarantees not to exceed \$750,000. Providence VFD will be expected to bring offers for purchase of property and estimates from contractors to the Town Council for review and approval. In return the Providence VFD will agree to transfer ownership of real estate including land and structures to the Town of Weddington." That is why I made my proposal in March for \$750,000 and they would give us the land and the buildings and that is not this newest proposal. February 13, Mayor Pro Tem Barry stated, "The concern lies in the long term capital issue aspects of any of the solutions. It is a big unknown and we need complete transparency on what exactly those long term costs are going to be." I agree with that statement. I do not feel that I am getting that now. Mayor Pro Tem Barry felt that it would be unfair not to disclose all the costs since they will be ultimately important in the final decision. I agree with that as well. I wish we were doing it now. March 12, Dan Barry stated, "I stand for election every four years, the majority of this board stands for election every two years on a rotating basis. You have the ability to cast a ballot and take control over the Town Council and set the direction and the tax policy of this Town. We have no ability to control what happens in your volunteer fire departments." He goes on to say, "I do not recall ever receiving communication about the fire department being built and being able to participate as a participant of the district in voting for my tax dollars to be used in that way. You as a citizen every other November get to go to the polls and decide how your tax policy in the Town is going to be determined and that is why I am making the decision I am making." March 20 we sent out a letter to the citizens again selling the municipal fire service idea. The letter stated, "Our goal is to create a fire service model where the citizens of Weddington can freely choose the level and cost of fire service they deem to be the most appropriate for Weddington. Spending tax dollars efficiently is another priority of our Town Council. We hope the municipal fire service model will provide the Weddington tax payers a better means of transparency and scrutiny when it comes to spending tax dollars on fire service. Each tax dollar spent should be based on the level of service deemed appropriate by the citizens of Weddington no more - no less. Under a fire service model, citizens who wish to influence the level and cost of fire service in Weddington may do so by participating in the open election process held in Weddington every two years." April 2, over at the church, Dan Barry said, "By creating a municipal service district like we are talking about doing we are allowing the citizens to make that determination. When we create a municipal fire district, you get to participate in that process every two years because a majority of this board is up for reelection and you will determine the fire service model in this Town and what is going to be delivered and what the expectations are."

Councilmember Thomisser – Mr. Mayor.

Mayor Davidson – No. I have the floor. I have a quote from you because you were right. During our debate on the municipal model Werner was pushing back on it and he said it is going to be expensive. He said, "The numbers that the Mayor put together only cover the operating costs, which was true. Nothing has been said about capital improvements. Providence has said it is going to cost them \$1,000,000 for their fire house." You were right. Dan Barry said, "What we are trying to do is have the elected officials regularly make that decision and you get to go to the ballot box and make that decision." When I had to go through these negotiations with different fire companies I had to negotiate with Wesley Chapel. Butch Plyler told me, "You can move the lines

but you are not changing the dollars.” At that point the people of Weddington were paying the Wesley Chapel VFD \$243,000 a year and they said that they were not going to move. I offered them \$162,000 and they said no. I then offered them \$114,000 and they did not call me back. In the end they are being paid \$124,800 because I was able to negotiate with them. Providence two years ago said it was going to be \$450,000. I thought I had a deal at \$750,000 in January 2012. Now we have crossed a million dollars. Part of me says we need to hurry up and buy the place because the cost keeps going up. The reason I am saying these things is not through debate because I know I am not going to win the debate but I did a lot of work in this and it is not turning out the way I wanted it to. I want everyone to know that. I want to be on the record. We never did offer Providence \$750,000 for the land and the buildings and got them to say no. We never even did it. That was all I was asking. Let’s ask them and it would be their choice if they say “yes or no.” If they would have said “no” I would have done what I did with Wesley Chapel. I would have waited a little bit. They have people sleeping in the fire house and the Fire Marshal does not like it and they are out of compliance. After that what I would have done is you see this map that Pam Hadley made about future fire stations that circle on the right there is where I would have gone with my \$750,000 because I think we need to look into looking at substations. We would have three fire companies compete to bid on that territory. Tell you some secrets about how this fire service model works. We have three fire companies that don’t like each other very much and it is great because the competition brings the price down. The worst situation we could have is if they all liked each other and they colluded against us and then the price would go up. Jack has made this statement that in the future he wants us to build more fire departments three miles apart. I would just go ahead and take that circle to the right. You can tell that I am a little confused of what the offer is on the table and it is hard to argue and debate it.

Attorney Fox – I think we do still have a public hearing.

Councilmember Thomisser – Hindsight is always 20/20. You have been talking for the last five minutes about the past. The people of Weddington on the survey...

Mayor Davidson – Don’t play that card with me.

Councilwoman Hadley – Point of order.

Mayor Davidson – Stand up.

Councilwoman Hadley – I will stand up. He has the floor. Give him the floor.

Mayor Davidson – I already said we are not playing that card.

Councilmember Thomisser – What card are you talking about?

Mayor Davidson – Fire service. We are not talking about fire service. We are talking about control and money.

Attorney Fox – We have to recognize the speaker on the floor. They recognized you, Mayor. He has the floor and he is allowed to speak.

Councilmember Thomisser – What I was about to say is that the people of Weddington said that their Number 1 priority is fire service and how do you get what the people want? You have to make the renovations to that fire house. Jack Parks said \$688,000 and \$200,000. You add those two numbers together and it is \$888,000. It is not \$750,000 - it is more. You can’t make it \$750,000. This Council said that they were not going to raid the fund balance because there may be opportunities that come along which we are not aware of that we may want to take advantage of; therefore, this Council felt that we were going to go down this road. You can talk about the past. We are faced with renovating this fire company right now and we have to do something about it. There is a resolution on this table for us to move forward on this. As I stated earlier if we come forth with a million dollars and we get an asset worth \$1.6 million what is the beef? Help me understand that? Are you talking about the process or the end result? I want to provide fire service to the people of Weddington - good

fire service and I want the people to own an asset. We are not throwing or giving money away. We are getting an asset. What is wrong with getting a \$1.6 million asset when you buy it for one million dollars?

Mayor Davidson – The appraised value. What other offers do they have?

Councilmember Thomisser – If I want to buy a house and I go to the bank, they are not going to give me more than the appraised value. The appraised value has a significant impact on the amount of mortgage that I am going to get from the bank.

Attorney Fox – One thing that I wanted to remind the Council is that we are in a public hearing. I don't know if we had anyone signed up or if any members of the public would like to speak on the issue.

Mayor Davidson – Are we out of order?

Attorney Fox – I think that there are a couple of issues of order that need to be addressed. I think at this point you have a public hearing on the issue of the volunteer fire department renovations and improvements to be made. You also have the issue on whether or not you want to adopt a resolution in support of those improvements. At this point we are in the public hearing stage which is designed to allow members of the public to have an input into the issue.

Mayor Davidson – And the Mayor. I am not out of order.

Attorney Fox – There is Rule 12, Mr. Mayor, regarding debate.

Mayor Davidson – There is no motion on the table.

Attorney Fox – What I am hearing now is a debate between two members. That is why I was trying to redirect it to let the audience have some input if there is someone.

Mayor Davidson – But your rule applies once the motion is on the table.

Attorney Fox – You are right there is nothing on the table.

Mayor Davidson – So I can speak.

Attorney Fox – Yes.

Mayor Davidson – I want to know how many other offers they have, where they are going to get somebody to give them a million dollars and they don't have to leave the building and have a long-term contract. I think the margin for that is very small. That is my point of using the appraised value. The appraisal value assumes that you have clear rights to the property and can do anything with it. The Council will not have that under this scenario.

Councilwoman Harrison – I move that we approve the Resolution.

Mayor Davidson – We are still in the public hearing.

Councilwoman Harrison – You made the comment that there was no motion. I am trying to put the motion out.

Mayor Davidson – You can't because we are in the public hearing.

Councilwoman Harrison – Then you should not be debating.

Councilmember Thomisser- Let the people of Weddington speak.

Mayor Davidson – I am letting one of them speak right now – me.

Mr. Bill Deter – As far as I am concerned the Town Council is not properly prepared for a public hearing on the renovation of the Providence VFD. Approximately four days ago I was given a 68 page report that basically said we are going to appraise it at one million dollars. I got a document that said the renovations were going to cost around \$622,000 and I got a sample of a reimbursement document that may look like this but only different. At 6:45 p.m. when I walked out the door I got an email with this document. There has not been enough time for the public to review these issues in the slightest. This is as far as I am concerned a slam through of something without input or discussion. The discussion we have had here over the last couple of minutes I believe is the first good open discussion on this whole issue of the Providence VFD. I know time is a critical time factor but we cannot accept the excuse on the part of poor planning from different people without having a proper analysis. Unless I have missed something I have not seen various alternatives presented for the public to review and go by. My proposal is to strike this public hearing, I would then say if this binds us to nothing then why do we have to even have it? Nothing against lawyers but when I get a document just before a meeting that has five Whereas statements followed by a Therefore I get nervous. “The Town promises that if any request for an appropriation of funds is made by either BB&T or the Department, the Town will promptly consider the request.” We need to back off this thing and I know that is going to put people in a bind but as I said poor planning and lack of public consideration.

Mayor Davidson – I am not going to get to vote on this but I did a lot of work on the municipal fire department and my intent was to give it to the people of Weddington. I would not vote for this deal. This is not what I signed up for.

Mayor Davidson closed the public hearing.

D. Consideration of Offer to Renovate the Providence VFD and the Town’s Acquisition of the Department’s Title and Interest in the Real Property Located at 5025 Hemby Road, Weddington, NC.

Attorney Fox – The public hearing should read: Consideration of the Resolution Acknowledging Support of the Providence VFD in Connection With a Loan from BB&T. Councilwoman Harrison moved to approve the Resolution as previously read into the record by Attorney Fox. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

E. Public Hearing to Review and Consider the Proposed Budget for Fiscal Year 2013-2014.

The Town Council received a copy of the proposed budget for Fiscal Year 2013-2014 with a document outlining Council Approved Expenditures for FY2014 and a Fund Balance 5-Year Projection. Mayor Davidson opened the public hearing to consider the proposed budget.

Finance Officer Gaylord - You have in your packets the proposed budget that we put out at last month’s meeting. It had total expenditures of \$1,839,300 and revenues of \$1,678,100 and a fund balance appropriation of \$161,200. The tax rate is still \$.052 and the fund balance assignments are for the library at \$250,000, Rea Road Engineering at \$200,000 and various capital projects at \$118,000. There are two things that have come to my attention since this budget was put out there. One was as part of our budget discussions there was landscaping to be done along the medians that we thought we could do in this current fiscal year. Our landscaper is telling us that he does not think the timing of that is good and would prefer to wait until the fall so that was \$10,000. Instead of spending in 2013 we can add that to 2014. It would just be budgeted in administrative expenditures - that number would go up and our appropriation from fund balance would go up \$10,000. The other item that came to my attention today was additional funding from the Wesley Chapel VFD

requesting an additional \$20,750 for territory changes that were made during last year's contract and that is not reflected in this year's budget.

Mayor Davidson – What was our surplus this year?

Finance Officer Gaylord – We are going to have a surplus?

Mayor Davidson – We are not going to have a deficit?

Finance Officer Gaylord – No.

Mayor Davidson – What about the year before?

Finance Officer Gaylord – We have not had any deficits over the past five to six years.

Mayor Davidson – Are we going to have a deficit this year based on this budget?

Finance Officer Gaylord – Yes.

Mayor Davidson – In the fire service item, we have money budgeted for operational costs for Wesley Chapel VFD, Stallings VFD and Providence VFD. Is there anything more in the budget?

Finance Officer Gaylord – There is \$80,000 to cover the interest payments on Providence's construction loan.

Mayor Davidson – Just interest.

Finance Officer Gaylord – At this point yes.

Mayor Davidson – That is in the budget. We are not committing. We are setting that aside in the budget. What is our deficit total?

Finance Officer Gaylord – As submitted - \$161,200.

Mayor Davidson – So \$80,000 is just pure interest. But the other \$80,000 is not; it is operational.

Finance Officer Gaylord – Right.

Chief Steven McLendon – Thank you for the opportunity to talk tonight. I wanted to discuss and provide some clarity on the additional funding amount of \$20,751. As the Mayor previously said we did have negotiations last year. We agreed upon a rate of \$124,800 based on property value that was currently being covered by Wesley Chapel VFD in the municipal limits and using a calculation of a tax rate. After that contract was assigned last year and the rate was agreed upon, there were some additions to the contracted area. Those additions included some areas off of Forest Lawn Drive as well as a few other small parcels that were adjusted. This request comes from the current property value that is being covered by Wesley Chapel VFD today in the Town limits of Weddington multiplied by the agreeable tax rate. We are not requesting any additional funding. This is simply a representation of what the current value is that is covered today multiplied by the tax rate.

Councilwoman Hadley – You are asking for that tax rate to be 2.41 cents.

Chief McLendon – Correct, that is what our tax rate is.

Finance Officer Gaylord – Is that just on the additional territory or the whole territory?

Chief McLendon – That is on our entire territory.

Mayor Davidson – What would we do if we published this budget?

Finance Officer Gaylord – You can change it as part of the discussion.

Mayor Davidson – It would not require a new hearing?

Finance Officer Gaylord – Not unless it was material. We must be paying someone for that territory now. I assume it was Stallings VFD. Would it reduce the amount to go to Stallings if we it pay it to Wesley Chapel?

Councilwoman Harrison – I want to know how we came up with 2.41 cents. Mayor, maybe you can explain that. Is that what you negotiated with them last year? You negotiated with 2.41 cents to Wesley Chapel but you negotiated with Providence at 2.2 cents.

Mayor Davidson – What we did with Wesley Chapel at that time was use 2.2 cents because that was their rate the prior year before their new rate was established. Then we took the property value and negotiated it.

Councilwoman Harrison – I have to go back and look at the minutes and right now is not the time to do that. My understanding last year was we were going to have the same rate for all three fire companies. Now you are telling me that is not the case.

Mayor Davison – I am telling you that was never the case. The example I can use is the water system for the county. They have two rates because they have two suppliers but everyone agrees to the same rate. The people of Weddington pay the same rate but we negotiate differently with each fire department trying to get the best price.

Councilwoman Harrison – I know I have asked this of you before Steven but you cannot break it down. You send me something that has 110 calls but you cannot tell me how many are in Weddington and how many are in that affected area for \$20,000.

Chief McLendon – I do not have that information right now. That information can be obtained from Communications in Union County. Our reporting system allows us to break down calls, not specific parcels or things of that nature. I am sure that information can be obtained; however, I want to make the statement that this is not for any additional area. This is for the area that we are covering if we get a call tonight.

Councilwoman Harrison – I am having a hard time with that. Why did it take you a whole year to come back?

Chief McLendon – It did not take a whole year to come back. These discussions have been going on for a while. I received the tax value of the area from Mr. Cook when I requested that information in April or May. He provided what the taxable value was in Weddington and then I was contacted about going to a budget retreat and it was agreed upon that I would not attend that retreat and we would discuss at a later time. When I came to the Council on May 6 I did present that there was a discrepancy in the numbers. Councilwoman Hadley came to Fire Station 26 several weeks ago and we had the discussion. I presented her with the newer number that reflected the district as it stands today. I did not throw this number up here yesterday. Once I received the data from the Town and did the calculations and went through the processes of presenting that information to the Council we ended up back here.

Councilwoman Hadley – I brought back the dollar amount based on your 2.41 back to Council and I am going to say again tonight what I have said before. I would like to receive more data about the calls that are being made in Weddington so that if we make any changes we can do all this at the same time. I would like to follow the advice of our auditor and have an audited financial statement from Wesley Chapel. I would like to see what the new standards are that will be published July 1 from the NC Department of Insurance and I would like for you

to have a new Board in place. Once we have this information it would give us a better understanding and we will be able to make a more educated decision as to how we go forward. I want to give you fair compensation. I have every intention of voting for fair compensation. I am not in favor of 2.41. Right now the proposed budget from the County is at 1.99 and they might give you your 2.41 but right now on the proposed budget for the County it is 1.99. There are all these different factors. I would promise you and I would make that commitment to this Council to start working on all that as soon as possible. I am already working with CCOM to get the data for calls made in Weddington. I have every intention of giving you what is your fair share. It does not matter what I think about 2.41 - that is up to the will of the Council. I would like to propose that we leave the contract as you presented it previously at \$124,800 and we research the runs per location in Weddington and we are provided with an audited financial statement and we make sure we know what the new standards are.

Chief McLendon – I respect your opinion and where you are coming from in regards to the information that you just discussed. However, if you look on Page 7 of Union County’s budget it clearly identifies Wesley Chapel’s VFD tax rate as 2.41 and it also says that all tax rates in Union County will be held flat this year. The 1.99 - you are right that was the original recommended rate but that has changed as illustrated on Page 7. The 2.41 rate - I am simply going off the information that was provided to me by the agreement we had with the Council. That is all I am doing. I am not going above that. If you use the 2.2 rate, we would still be receiving less money. In regards to the statements you made about the new standards, I am assuming you are talking about the ISO requirements. When the Town made the move towards a municipal fire department Providence VFD is the primary provider. They are the ones governed under the new ISO requirements. Wesley Chapel VFD is not governed under that in the municipal limits of Weddington. We are governed under that for the unincorporated areas of Union County but as it pertains to the Town of Weddington those standards are not applicable to us.

Councilwoman Hadley – You are exactly right.

Chief McLendon – I do not think the request I am making is out of line. I think it is exactly what has been conveyed to me. I am not asking for additional area or any additional money that is not illustrated by the tax value that we are covering tonight.

Mayor Davidson – Pam, when did you bring the 2.41 to Council and what was Council’s reaction?

Councilwoman Hadley – That was at our meeting two weeks ago?

Mayor Davidson – What meeting was that?

Councilwoman Hadley - The meeting that Steven and I had two weeks ago.

Mayor Davidson – With Council?

Councilwoman Hadley – No, Steven and I had a meeting two weeks ago and I brought it back to Council what his request was.

Mayor Davidson – At a Council meeting?

Councilwoman Hadley – We did not have a Council meeting two weeks ago. Two weeks ago I had an appointment with Steven and I brought his request back to and met with each of the Councilmembers and gave them his request.

Mayor Davidson – What was the reaction of the Councilmembers?

Councilwoman Hadley – It was my sense that they wanted to not make any changes with the budget and to go forward with the research that I would like to do in August or September. I cannot speak for the Council but it was my impression/sense that the consensus was to leave it as it is until these items were addressed.

Councilmember Thomisser- I want to go back to May 10 when Chief McLendon spoke and gave a presentation and Mayor Davidson asked him if he had asked for any additional funding beyond \$124,800 and he said no. Everybody knows that we have to put a budget together before June 30. The budget work sessions have gone on for the last three months. I am not about to support part of Weddington paying 5.4 cents and the other part paying 5.2 - that is not fair. My question is why are we doing this at the 11th hour? Everybody is aware of the process and Councilwoman Hadley has gone on record to say that she is willing to negotiate even more or less money depending on what the data reveals from the insurance people in Raleigh. There is going to be a new President of the Wesley Chapel VFD and she wants an audited report. I am not about to make a decision. I do not have enough information to make a decision on this; however, I would be a big proponent in October if everything pointed to the fact that Chief McLendon ought to be getting \$145,000 or \$150,000 we can always amend the budget right? It all depends on the information. The insurance people are coming out on July 1. We can't possibly do this exercise until we have more information. I think what Councilwoman Hadley is saying is we are going to give you the \$124,000 and we are going to raise it or lower depending on what the information shows that we get in September or October and she is on record for doing that. What is the big deal? What is the concern? You have assurances that is going to happen. If the data shows that I will be a big proponent on that.

Councilwoman Harrison – If you do not get this money right now, will you close your doors?

Chief McLendon – No.

Councilwoman Harrison – What are you going to use the money for?

Chief McLendon – We will apply to additional staffing.

Councilwoman Harrison – How much does \$20,000 get you?

Chief McLendon – It depends on how we can move some other things around with our current staffing model. It could be the difference between having a person there in the evening or on the weekend hours. It could mean several different things. In response to the previous comments with all due respect to the processes, I do follow the processes. I was advised not to go to the retreat. The first opportunity I had to address the Council was at the May 6 Meeting and I did that. And as Ms. Hadley stated, we had a meeting and I presented her the information as well. With all due respect to the processes, I followed them.

Councilmember Thomisser- Why did you not ask for \$145,000 in May when the Mayor asked you?

Chief McLendon – The Mayor asked me if I submitted the budget and I said I have submitted the budget using \$124,800 as a placeholder. If you read down through the notes of the May 6 meeting it was discussed about the area and compensation. It was agreed upon in the minutes that Ms. Hadley would take a look at which she did and we had a meeting. At that time is when I provided the information. Once again with respect to the processes I have followed your processes.

Mr. Bill Deter – The budget is about 1.8 million dollars and running a deficit of \$160,000. We are at a deficit of 8 to 9 % of our budget. I guess there is a process that we cover that through a fund balance. Is that a standard process? As a business guy, we need to find a way to reduce next year's spending to eliminate that deficit. No one wants to raise taxes and it is very hard to reduce spending but this is the first deficit we have had in the last five to six years as a Town which has me even more nervous. My recommendation is to sharpen your pencils and go back to the budget and find another \$160,000.

Mayor Davidson closed the public hearing.

F. Consideration of the Budget Ordinance for Fiscal Year 2013-2014. Councilwoman Harrison moved to approve the budget with the addition of \$10,000 for landscaping and that in September the Town will look at an amendment for Wesley Chapel VFD. She advised that the tax rate would remain at \$.052. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
 NAYS: None

All were in favor.

**TOWN OF WEDDINGTON, NORTH CAROLINA
 2013-2014 GENERAL FUND BUDGET ORDINANCE
 O-2013-06**

BE IT ORDAINED By The Town Council of Weddington, North Carolina, In Session Assembled:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of Weddington Government and its activities for the fiscal year beginning July 1, 2013 and ending June 30, 2014, according to the following summary and schedules:

SUMMARY

<u>FUND</u>	<u>ESTIMATED REVENUES</u>	<u>FUND BALANCE APPROPRIATION</u>	<u>TOTAL APPROPRIATION</u>
General	\$1,678,100	\$171,200	\$1,849,300

Section 2. That for said fiscal year there is hereby appropriated out of the General Fund the following:

<u>GENERAL FUND</u>	<u>AMOUNT</u>
Administrative	\$ 448,960
Planning & Zoning	200,365
General Government	<u>1,199,975</u>
TOTAL APPROPRIATIONS – GENERAL FUND	<u>\$1,849,300</u>

Section 3. It is estimated that the following General Fund Revenues and Fund Balance Appropriations will be available during the fiscal year beginning July 1, 2013 and ending June 30, 2014 to meet the foregoing General Fund appropriations:

<u>REVENUE SOURCE</u>	<u>AMOUNT</u>
Ad Valorem Taxes	\$1,045,250
State-Collected Revenues	606,350
Zoning and Subdivision Revenues	12,000
Other Revenues	<u>14,500</u>
TOTAL REVENUE GENERAL FUND	<u>\$1,678,100</u>
APPROPRIATION FROM FUND BALANCE	<u>\$ 171,200</u>

Section 4. There is hereby levied for the fiscal year ending June 30, 2014 the following rate of taxes on each (\$100) assessed valuation of taxable property as listed as of January 1, 2013 for the purpose of raising the revenues from current year's property tax as set forth in the foregoing estimates of Revenues, and in order to finance foregoing appropriations:

GENERAL FUND \$0.052

Section 5. The Finance Officer is hereby authorized to transfer appropriations within a fund contained herein under the following conditions:

- a. She may transfer amounts between object of expenditure within a department without limitation.
- b. She may transfer amounts between departments of the same fund with an official report on such transfers to the Town Council.
- c. She may make expenditures and/or transfers from appropriations as necessary.

Section 6. All capital items, (items exceeding \$5,000), are to be approved in accord with the adopted budget. The Finance Officer will maintain a list of approved capital outlay items.

Adopted this 10th day of June, 2013.

Item No. 10. Old Business.

A. Review and Consideration of an Ordinance Regulating Recordkeeping Requirements for Cash Converter Businesses, Pawnbrokers, Precious Metals Dealers and Secondary Metals Recyclers – Lieutenant David Linto. The Town Council received a copy of the proposed ordinance.

Lieutenant Linto - All we are asking here is to adopt the County ordinance. Union County passed an ordinance a couple of months ago. The State regulates pawnbrokers, cash converter businesses, precious metals dealers and such. Right now you do not have any pawnshops or jewelry stores in your city limits. The County's ordinance covers everything in unincorporated Union County. Waxhaw, Monroe, Wingate, Marvin and Wesley Chapel have already adopted this. It would regulate how these operations take in and buy used items. Some of the stipulations are that they take a picture of the person and a copy of their ID. They take a picture of the property that is pawned or sold. This aids in catching people that are stealing those kinds of things.

Councilwoman Hadley – Does this only apply to jewelry?

Lieutenant Linto – The State has a different statute for each one of these types of merchants. We are treating them all the same into one local ordinance. We are not saying that they have to keep it any specific amount of time. Most of them keep it five to seven days but we are requiring them to take a picture of the item. We will provide them a camera if they do not have one. Even if it gets destroyed we have some kind of evidence that we can try to make a case on.

Councilmember Thomisser moved to adopt the proposed ordinance for the Town. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

Item No. 11. New Business.

A. Review and Consideration of Audit Contract with Tinsley and Terry – Finance Officer Gaylord. The Town Council received a copy of the Contract to Audit Accounts with Tinsley & Terry, CPAs, PA for July 1, 2012 to June 30, 2013 in the amount of \$8,000.

Finance Officer Gaylord - Every year we have to sign a contract with the auditors to submit to the LGC for approval for them to audit our financial statements at the agreed upon contract price. You have the contract in front of you. It is a slight increase from last year. They do an excellent job for us and have been invaluable to us during these fire department discussions. I think it is money well spent. This does not include the fire department's audit. This is only for the Town's audit. The money is included in the budget.

Councilwoman Harrison – How long have we had them?

Finance Officer Gaylord – Probably 10 years. We changed over a couple of years after I started and we went out for bid again probably five years ago. This year they will have to include the fire department in our financial statements. They will be doing more work this year. It includes preparing our financial statements with including their financial statements but does not include auditing their financial statements. They are separate entities and they will have their separate contract and they will use those numbers to put in our financial statements.

Councilwoman Hadley moved to approve the audit contract with Tinsley and Terry. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

B. Review and Consideration of Fund Balance Policy – Finance Officer Gaylord. Finance Officer Gaylord - This is a housekeeping item. You are all aware that we have had these discussions of assigning fund balance for various things. That is a new term that the Governing Standards Board came up with last year. Our Fund Balance Policy used the old terms. We are just bringing the new terms in. It is the same policy just adjusting the terminology.

Councilwoman Hadley moved to approve the amended Fund Balance Policy. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser
NAYS: None

**TOWN OF WEDDINGTON
FUND BALANCE POLICY**

Total Fund Balance Available for Appropriation

Total Fund Balance Available for Appropriation shall not be less than 50% of budgeted expenditures in any given year. This amount approximates the State average for towns of Weddington's size which do not operate their own electric systems. In addition, fund balance appropriations in any given year (other than appropriations for a capital project encompassed as part of fund balance assigned for capital projects) shall be limited as follows:

Not to exceed 15% of General Fund budget if the Total Fund Balance Available is greater than or equal to 75%.

Not to exceed 10% of General Fund budget if the Total Fund Balance Available is less than 75% but greater than or equal to 50%. In addition, a plan for the future replenishment of Total Fund Balance Available should be established.

Unassigned Fund Balance and Assigned Fund Balance

Total Fund Balance Available for Appropriations may be allocated between unassigned fund balance and assigned fund balance. Total unassigned fund balance shall not be less than 25% of budgeted general fund expenditures (equivalent to three months of operating expenses). Any excess may be transferred to assigned fund balance to be used for designated items such as future capital projects, transportation, events, etc.

Item No. 12. Update from Town Planner. The Town Council received the following update memo from Town Planner Cook:

- I have received a Conditional Zoning Application for St. Mark Coptic Orthodox Church located at the intersection of Providence Road and Old Mill Road. This plan will be on the June 24th Planning Board agenda.
- Staff has received an application for a 46 lot Conservation Subdivision called Highclere located on 56.819 acres along Rea Road. This parcel is owned by MFG Enterprises, Inc. Public Involvement Meetings will be held on Tuesday, June 11th on-site from 10:00am-12:00pm and Wednesday, June 12th at Town Hall from 4:00-6:00pm. This plan will be on the June 24th Planning Board agenda.
- Orleans Homebuilders has submitted the Lake Forest Preserve Phase 3B Final Plat for 41 lots. This Final Plat has not yet been assigned to a Planning Board meeting.
- The DrumSTRONG Temporary Use Permit Application was approved at the April 22nd Planning Board meeting. This event took place May 17-19 at the Misty Meadows Farm located at 455 Providence Road. The Town received several complaints and has received the police reports from that night. A violation letter will be sent to the DrumSTRONG applicant.
- The Town and NCDOT have executed the right-of-way agreements for the roundabout located at NC 84 and Weddington-Matthews Road. Construction is planned for this summer and is expected to be completed by September 6, 2013.
- The Town of Weddington and City of Charlotte are beginning to work on renewing the 2004 Weddington/Charlotte Annexation Agreement.
- The following items were on the May 20th Planning Board agenda:
 - Polivka Construction Documents
 - TUP Text Amendment
 - Violation Fee Text Amendment
 - Weddington/Banquet Facility Text Amendments
- Union County plans to submit their Water Tower CZ Application in mid-July.
- The following items will be on the June 24th Planning Board agenda:
 - Beulah Acres Major Subdivision
 - Highclere Major Subdivision
 - All Nations Christian Fellowship Church Mobile Classrooms CUP
 - St. Mark Coptic Orthodox Church CZ Application
 - Height Exemption Text Amendment
 - Bard Property Sketch Plan

Item No. 13. Update from Town Administrator. The Town Council received the following update memo from Town Administrator Amy McCollum:

- The Town newsletter was mailed to residents last week.
- We have advertised requesting applications for the vacancy on the Public Safety Committee. The due date to receive applications is June 24.
- The next Public Safety Meeting is tentatively scheduled for June 18 at 6:30 p.m.
- Providence VFD Chief Joshua Dye has arranged for someone to train Town staff and Council on how to use the defibrillator and receive CPR training. The cost for each person is \$40.00 which covers the training costs and the cost of the cards from American Heart Association. Please let me know if the Council is interested in this training or if they would want staff to receive this training. Once I get

direction from Council, dates for this training can be arranged. *(Council agreed to allow staff to pursue setting up this training for some members of Council and staff).*

- A representative from Congressman Robert Pittenger’s Office has requested to utilize a space at the Town Hall once a month to meet with constituents. They will be at the Town Hall on Monday, June 10 from 10 to 2 p.m.

Save the Date:

Weddington Country Festival – September 21, 2013

Item No. 14. Public Safety Report.

Weddington Deputies – 729 Calls

Providence VFD

Total Incidents: 34. Number of Training Hours: 503

The Town Council received the NFIRS Incident Listing Summary Report and the Income and Expense Budget Performance and Balance Sheet for May 2013.

Wesley Chapel VFD – 110 calls

Item No. 15. Update from Finance Officer and Tax Collector.

A. Finance Officer’s Report. The Town Council received the Revenue and Expenditure Statement by Department and the Balance Sheet for 5/1/2013 to 5/31/2013.

Finance Officer Gaylord – I misspoke earlier when someone asked if there was a surplus this year and I said yes. That is not counting the back building renovations for Providence VFD. When those bills come in that will throw us into a deficit situation.

Mayor Davidson – That fund balance transfer takes place this year.

Finance Officer Gaylord – Yes. You approved that amended budget already.

B. Tax Collector’s Report.

Monthly Report – May 2013

Transactions:	
Adjust Under \$5.00	\$(14.40)
Advertising Cost	\$235.20
Interest Charges	\$154.41
Refund	\$51.68
Penalty and Interest Payments	\$(227.04)
Taxes Collected:	
2011	\$(57.18)
2012	\$(3,357.16)
As of May 31, 2013; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$129.05
2004	\$122.90

2005	\$252.74
2006	\$150.20
2007	\$144.42
2008	\$2,000.48
2009	\$2,409.07
2010	\$3,826.02
2011	\$5,844.32
2012	\$18,274.45
Total Outstanding:	\$33,235.72

Per G.S. 105-369 Delinquent Tax Ad ran 05/22/2013 in the Union Observer.

Item No. 16. Transportation Report. Councilwoman Harrison gave a brief update from the last MUMPO meeting.

Item No. 17. Council Comments. Councilmember Thomisser – It has been a long evening.

Mayor Davidson – Do you have any council comments?

Councilmember Thomisser – I move that we adjourn the meeting. I have nothing to say.

Mayor Davidson – Let me address some words that Barbara gave me at the last meeting. I had a meeting here just as Mayor because it was becoming difficult to talk about anything with the new Rules of Procedures. I can't talk very much. I want to address some comments. Transparency – Barbara said she heard this Council is not transparent. I do not think the Providence VFD deal is very transparent. Barbara said that she does not meet citizens in their homes. I do. I don't see anything wrong with it. I don't think you can have a secret meeting with a citizen. Criticizing councilmembers – I criticize behavior. There are things that I do not like. I tell people about it. She said she does not record any phone calls. I don't either. If someone chooses to leave me a message and then later on says that the conversation did not happen and trying to make me look like a fool or a liar, I kept the message and it held up in the argument I was having but I do not record phone calls. She said she does not create YouTube videos or criticize councilmembers because they do not vote the way she wants them to. The YouTube video was not because he did not vote the way I wanted him to; it is because he ran a certain way. I asked people to vote for him and I voted for him and then he turned the other way after getting a \$4,000 contribution from the applicant. That is why I did it. The Town's Rules of Procedures regarding invitations to speak at HOA meetings – If I get invited to an HOA meeting I am going. If somebody calls Amy to do it then she can tell us about it. If you get invited to an HOA meeting I have no problem with you going to it. One thing that you said was that you were embarrassed for people not knowing our Rules of Procedures. It is hard to get to know those procedures because they keep changing and they are constantly constraining and I never agreed to not go talk to people when they ask me to go talk with them. If I am in violation of the Rules of Procedures then I guess I am. Did I meet with the Utility Company? No, the reporter got it wrong. I called her, corrected her, didn't like it very much and she sent an email. I sent it to Amy and she sent it to Council. She said we would not be allowed to give money to any of the three fire companies or approve next year's budget or amend this year's budget without calling for a public hearing. You were at the meeting when the \$220,000 was given to Providence VFD outside of the public hearing. There is an act in the House that can potentially cause the Town to lose revenue through the utility franchise tax. You asked why I have not contacted Leslie to look at different scenarios. I did on April 10 to have her look at it. Trying to figure out what the State Legislature is going to do is very difficult. I don't think she should spend a lot of time on it. If we have a \$400,000 deficit we will either have to lower spending by \$400,000 or raise taxes by \$400,000. I wanted to address a few of those. I want to wish Sally a Happy Anniversary. You were the one that started this. With all the fussing going on she told me to find a group of people that I could share this with because she was tired of listening to it. She has come to the last few meetings. Happy Anniversary!

Item No. 18. Adjournment. Councilwoman Hadley moved to adjourn the June 10, 2013 Regular Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley and Thomisser

NAYS: None

The meeting adjourned at 9:10 p.m.

Walker F. Davidson, Mayor

Amy S. McCollum, Town Clerk