

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JANUARY 9, 2012 - 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 January 9, 2012, with Mayor Walker F. Davidson presiding.

Present: Mayor Walker F. Davidson, Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser, Pamela Hadley and Barbara Harrison, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Jordan Cook and Town Administrator/Clerk Amy S. McCollum

Absent: None

Visitors: Bill Price, Lib Propst, Janice Propst, Janet Garvey, Mickey Key, Brian Carlton, Judy Johnston, Jack Parks, Peggy Stallings, Andy Stallings, Mike Davis, David Basri, Annette Baker, John Hoin, Marsha Mayhew, Frank Aikmus, John Houston, Silvano Ferrazzo, Laura Ferrazzo, Genny Reid, Richard Sahlie, Scott Buzzard, Patrick Garvey, Stephanie Belcher, Sue Fitch, LA Smith, Sharon Sanders, Jerilyn Davidson, Mike Davidson, Walton L. Hogan, Kaitlin Wood, Stan Sewell, Bruce Johnston, Steven Carow, Beverly Turpin, Tom Turpin, Ken Evans, Jim Vivian, Bob Rapp, Dan Loch, Butch Plyler, Hannah McLendon, Steven McLendon, Michael Sullivan, Charlie Porter, Andrew Moore, Ben Brooks and Joshua Dye

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

Item No. 1. Call to Order. Mayor Davidson called the January 9, 2012 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.

Mayor Davidson stated, "There is a rumor that we are going to do something significant with fire service tonight. I have no intention of making a major decision tonight. It is going to be six to eight months of deliberation on different options and we will publish the agenda the night that we are going to make a major decision."

Item No. 4. Public Comments.

Mr. Jerry McKee – Last week Jack Parks made his presentation. He came up with a 3 cents tax rate to generate \$600,000 for their budget. After looking at this throughout my four years on this Council, I finally came to the point what is the planning for the future for Providence VFD. He talked about wanting to buy property, expand it and renovate the existing building. A 3 cents tax rate will hardly meet those demands. Just to renovate the current fire department is estimated to cost \$1 million which is probably low. Expanding with property purchases would probably be another \$2 million. In their Long Range Planning Committee they state that Engine 322 would need to be replaced in 2014. I have not seen anybody discuss the future needs. The \$600,000 budget is only to pay expenses. How are they going to fund these expansions? They have already been to the bank once and cannot get a loan. Guess where the money is coming from – the Town of Weddington or as we are referred to the "Bank of Weddington."

You have got to look into this to see what the tax rate would be if there was a district. If a district comes into place 3 cents gives them their \$600,000 and the next year they come back just like they have been coming back for 10 years to a tune of over \$1,000,000. Something needs to be done – the merger is the less expensive way to go. The coverage in Weddington will remain the same regardless of the situation that happens at Providence if it merges or closes someone is going to be there. It is time for you to step up to the plate. The only way to make this merger work, because they do not want to have merger talks, is to stop funding this at the end of this fiscal year. Rather than worry about getting reelected do the right thing for the Town of Weddington and the taxpayers. We do not want higher taxes.

Mr. Jerry Fitzgerald – I am not on any board or committee. I beg to differ with Mr. McKee's interpretation of Jack Parks and Ken Evans and the Providence VFD. Those guys have numbers that are dead square on the money. Professionally I am a commercial real estate broker. I have a real good idea of how all of this works. I have a real good idea of the integrity and responsibility of the people that are carrying the torch on this. As a Weddington resident, it is ludicrous to give up our fire department that has been here almost 50 years – it is totally paid for. Their numbers can show if there is an increase in property tax it is minuscule when you consider it in context of the whole situation. I am going to say that the majority of the people in this room will say let's keep our fire department and let's back these guys and come up with a plan that makes it work.

Ms. Annette Baker – I am here to address the future funding of Weddstock. If I remember correctly, Weddington was incorporated to protect its citizens from high taxes and big government from the surrounding towns so that they could not come in and swallow us up and charge us their tax rate. I moved to Weddington for that protection but I see that our Town Council in the past is starting to adopt some of the same ideas that surrounding Towns have that will eventually lead to higher taxes here. Weddstock is a prime example. Our Town Council is sitting on my taxes and it is nearly burning a hole in your pocket so you decide to spend a little money here and a little there and soon the hole gets bigger and more money goes out. I know that the Town has a bank account that money just appears in every year and you get to decide how it is spent but that money is coming from families who have had to make difficult decisions on what to buy and what to save. We haven't the luxury to throw a party – Weddstock – at someone else's expense. If it is not fire, police or medic, I do not want my taxes spent on it. If you want to have Weddstock let corporate sponsors take care of the expense or better yet let the participants that are there support it and not tax dollars. I do not want parties, street lights, parks, shopping centers, etc. I want protection from other high taxes and fire and police protection. It is not the purpose of the government to throw parties – so why are you?

Ms. Sue Fitch – I have been asked to speak as the representative of the Weddstock Committee. I am honored to represent this amazingly talented, resourceful, hardworking group of women. I speak for many when I say that, besides the return on investment people seek when choosing a town to call home, even more important is the quality of life. Surrounding townships and their residents are placing significant value on the promotion of 'community'. Residents understand home values and ongoing appreciation are intrinsically linked to the township in which they live. Many people expect a township, as an institution for its people, should go beyond basic operational infrastructure. Above and beyond the basics are the community amenities and township events. Over the last two years I have spoken with hundreds of Weddington residents as the President of the Weddington Middle School PTSO, and there is an increasing trend of perception building, that people see other townships as more appealing to live and raise their families, and are having to go to other townships to enjoy their events and amenities. As a home owner and believer in community, this is very alarming. People are happy to see that the Town has finally seen the importance of a community gathering. They look forward to this event, and express the desire to see more events in the Town in which they live. People have begun talking about how is the Weddstock planning going, and how can they be involved? Unfortunately, we have to tell them planning is coming to a halt. The residents are expressing their concern that the new Town Council may be out of touch with their

Town vision of community. The Weddstock event is the biggest and most successful event in this Town's history to date, and has become a forum to promote a sense of community and Town pride. Success is typically measured by results, and for an event, interest is based on attendance. With a turnout of over 6,000 people last year, mainly Weddington taxpayers, it was clear this event was important and interesting enough for people to make time in their busy schedules to bring their families to enjoy the day with other families in Weddington. Throughout the day the attendees supported local merchants, restaurants, home businesses, girl and boy scouts, churches, and schools. The local fire department benefitted from the visibility of this event, and spotlighted awareness and appreciation of their service. All benefitted from a place to gather in their home town. Due to the high visibility of the Weddstock 5K for local runners and a local TV station running a news story, an issue was brought to light during the Weddstock event. The Weddington High School running track needed to be resurfaced due to safety and school pride issues. This issue ended in a favorable decision by the County Commissioners to repair and resurface the track. The work is to be completed by April of this year. Serving on my neighborhood HOA Board for the last 5 years, I am very aware how difficult it can be to navigate personal opinions versus the good of the majority. Considering that many more people attended Weddstock last year than came to the polls to vote, it is obvious that this community event has the support of the majority of the townspeople. The overwhelming consensus was the event was unique, great family fun, and a source of pride for members of the Town.

Ms. Sharon Sanders – I am on the Parks and Recreation Advisory Board and I am also the head of the Weddstock Committee and I run the charity Kids First of the Carolinas which is Weddington based. She read the following portion of Sue Fitch's comments for the record: The Town Council told the Committee they wanted an annual event to showcase the Town. That was brought up at our Parks and Recreation Committee and hence that is where Weddstock came from. Since the charity is local, they were in the unique position of joining with a proven volunteer force through working on highly successful fundraisers in the schools, who would work for free, could find additional sponsors because of the tax breaks, and procure the extremely important in-kind donations to the charity, that a township simply does not have access to. That means in-kind donations for Weddstock last year were over \$180,000 that were donated. A true win-win for all parties involved. Based on the success in just two short years, according to the budget approval on the Weddington website from last June, the Town Council approved the budget for this year's third Weddstock. At the Weddstock report meeting last August, the Town Council agreed Weddstock was a proven success and the event was promised to go forward. Planning and promotion for the third annual Weddstock has already been well underway. Since last October, we have secured five radio stations and a television station. Even the Town of Weddington's website, whose slogan is 'a great place to live' is currently advertising Weddstock as an annual event. The charity has already met to finalize the promotional advertising package of 5 radio stations, and a TV station. Bands are being booked and vendors have already set up the date for their own scheduling. Verbal commitments have been made. This was a set Town event with approved funding since last June. Based upon this new proposal, the townspeople are required to pay taxes to the township, but if they want to have an event that promotes the town to help increase the taxpayer's quality of life, they will need to pay for it themselves. Unless there are fiscal limitations that are not enabling the Town to fund the event themselves, which clearly was not an issue last June when the annual budget was passed, that is not a typical 'best practice' approach. Starting from scratch from the funding level, and waiting to see where that goes, is not a successful approach to organize an event of this magnitude. It is a huge event and thank goodness we have 10 awesome moms that volunteer and give up their entire summer for this. It is not just a party. We know, because we have done it twice already. If this event does not have funding this year, it is unfortunate, we will move it but skipping a year loses the momentum, and the Committee will move onto other projects – no problem. No one will want to start again from scratch – believe me it is a lot of work to start an event and prove it and get people that want to sponsor. By setting the task of raising the funds to another volunteer Town committee possibly the Parks and Recreation Advisory Board and the unlikely probability that they would be able to raise these funds in enough time logistically to have the event organized for this year would be

impossible. I can tell you that because I would be the one on Parks and Recreation that would do that. How it appears to the Committee, is the event is not being blown out quickly like a candle, it is being covered, so the lack of oxygen can snuff out the flame.

Ms. Jerilyn Davidson – We moved here about 4 ½ years ago from a little town in New Hampshire called New London. It was similar in size to Weddington. We really loved its charm and in fact the first week that we moved there it was the week of their annual festival that was started in 1924 by a group of community volunteers. It was a great event. Everyone got together for fun, food and fellowship. It was real clear to us that we were living in a place where residents spent time together and they shared a lot of pride in the community that they were a part of. People left there and went to college and they came and brought their kids back. They wanted to raise their families there. It was home to them. It fostered a sense of family and community and bringing all of those people together. Even though we were brand new within the first week we felt like we were in a place that we belonged. It was hard to leave there but we knew we would find our place again in Weddington. We really miss that sense of community and I can honestly say that it was not until this past summer when we attended Weddstock for the first time that we really felt like we belonged. It finally did feel like a family. At this event there were so many parts of the community represented – church groups, Councilmembers, clubs from different schools, girl scouts, cheerleaders, runners from the 5k that we did, local businesses, Representative Craig Horn was there, World War II Veterans were there for our kids to meet and talk with. Everyone came together to celebrate being a part of Weddington and it was awesome to see that happen and be a part of it. When I was asked to be a part of the 2011 Weddstock Committee, I took on the task of organizing the 5K race. The team volunteers that I put together were a group of parents whose children were on the high school track team. Our goal was to raise awareness in the community of the poor conditions of the high school track which was not due to be resurfaced by the County for another three to five years. We were told that we would have no hope of that happening. But through the exposure created by Weddstock the community awareness was raised and we learned this past week that the Weddington High school track will be resurfaced this spring. That Weddstock event gave our High School Administration a vehicle to take their case and re-petition the County to reassess our track which they did. Many families are staying closer to home due to the economy. They are not going on vacation. This was a great way to end our summer. It was a weekend before school started. It raised that sense of community and fostered that family feeling that a lot of people really need right now.

Ms. Judy Johnston – Tonight we have heard about home values and how important that is and about some wonderful events that are very successful. But I have not heard about priorities except to not fund fire services which is a vital service. As far as I am concerned, vital services should be the number one priority of our Town leaders over and above any these extra entertainment events, parks and recreation activities and landscaping and such. There is a cost to fire services. That is absolutely correct. Although Jerry McKee has misquoted his numbers on what Jack Parks quoted in the presentation that he gave, I am sure when you get to the financial part of that you will clarify that. But each day that passes increases the cost that you cannot measure on a financial statement. That is the cost of safety for the residents and some of those residents are currently in the Wesley Chapel Fire District in the neighborhoods of Williamsburg, Weddington Heritage, Weddington Downs, Waybridge, Hadley Park, Greystone and Gatewood. These neighborhoods are all closer in proximity to the Providence Fire Station and yet they are potentially at risk of longer response time because they are assigned to a Fire Department that is significantly at a greater distance. I ask that the Town Council at this point to set your priorities. If you want to fund these events such as Weddstock or landscaping activities, then do it but don't do it at the expense of fire services and the safety of the residents of Weddington.

Ms. Stephanie Belcher – I am the current chair of the Parks and Recreation Advisory Board of the Town. I would like to address two topics. Weddstock is a community wide music event for families. It was conceived two years ago. It took us as a Town over six years of discussion and hoping that someone

would volunteer to step up to organize an event. Larger towns (not by population but in spirit) run events all the time and put significant dollars into those events as part of their Town budget. Specifically what is at question here today I believe is whether the Town will continue to fund its sponsorship of this event. The Town is merely a sponsor. It is putting in a small investment for a large event. The Town could not pay for this event on its own. It is a \$250,000 event. The Town is basically getting a significant branding effort for itself for next to nothing. Part of community and the Town's responsibility is to build our brand and our reputation. Everyone is absolutely concerned about the fire safety. What I am very confused about is why the Town has decided to take on the responsibility of funding the Providence VFD when this is a County effort to fund fire departments. We are taxed by the County and no town in our area is contributing to a fire department. Wesley Chapel does not give money to the Wesley Chapel VFD. Marvin is not giving money to any of our fire departments. I am very confused as to why our Town Council thinks that it is its responsibility to take on this funding. If we think Providence VFD needs help then it is a County initiative to figure out how that funding should be taken care of. I think that everyone needs to understand and clearly separate Town responsibility from County responsibility so we are clear that the Town does not tax us for the fire department – the County does.

Mr. Richard Sahlie – I commend the ladies who are so excited about Weddstock and I do not doubt for a minute that it is a great event; however the question comes is this a legitimate government expense? Let's separate the things that we forcibly take taxes from people from things that are outside of that realm. Thomas Jefferson once said that government governs best which governs least. I firmly believe that is a principal that we should run this Town on. I lived in Mecklenburg County more years than I want to count and was active in politics there and I watched Mecklenburg take on more and more things that were not legitimate functions. I do not want us to go down that slippery slope of doing things no matter how beneficial they are. They are not government functions. They are not the things that you ought to take money by force in taxes and then spend it for things you like. Let's look at the things first that are government functions – the first is the protection of tax payers. Fire, EMT and police - you take care of those first and leave festivals for private funding. I have no doubt that this festival could be taken care of by private donations if you get out there and put your mind to it but please do not ask the tax payers that may not even be benefitted by it.

Ms. Hallie Sanders – I am here to discuss Weddstock. Our cheerleaders have been a part of the Weddstock event for two years. Not only has it brought us together as a community but also as a team. My team has raised over \$400.00 by selling snow cones to take us to competitions, give us places to practice and it has brought us together as a team. Weddstock is a great event for all ages. Even high school and college kids attend the event. My mom has done this event for two years now. Personally when my mom makes an event it becomes a part of me and it is hard to let it go. I am very fond of Weddstock and so are all of my friends that attend the event. We have performed at Weddstock every year and hopefully we will next year. I am proud to say that my mom has made this event to raise money and to bring our Town together. While performing at Weddstock, I learned that it is not only an event but it is not all fun and games either. Ten moms give up their summer to make an event for our community. It is not like we need street lights or parks – this event gives what we want. It raises money for our community too. This outstanding event has given me something – not only do you raise money for your event but you do it to help in your community. Weddstock has helped our school and it has helped me to learn that when you want something you go for it and you do not give up on it and that is what my mom has taught me through this event. If you lose Weddstock for one year you are going to lose people that want to come to Weddstock and I do not want to see this event go because it would be taking a part of me.

Mr. Bill Price - Providence VFD was established as a Mecklenburg County unit. Basically it was for the people of Providence Presbyterian Church and the people of Southern Mecklenburg County. In the mid 80's the City of Charlotte moved out of the Providence Department on Tilley Morris Road and their property forcing them to move which they did into the Town of Weddington at their present location. Just

because they moved here does not make this a Town Fire Department. This Town should have never gotten into this discussion. These fire departments are volunteer units. I am not against helping fire departments but I am against the present procedure of helping a department that covers 25 to 30% of the Town and I do not get any benefit from this and you are using my tax dollars. If the Town is not very careful with their money, this fire department and the Weddington WCWAA will bankrupt this Town then what are we going to do – Welcome to the City of Charlotte.

Ms. Sania Tucker – I lived in Charlotte for 18 years and had an opportunity to move into Weddington 9 years ago. I am amazed about this Town. I am amazed about people I have been able to volunteer with and was even more excited about Weddstock when it happened two years ago. I saw an opportunity for a lot of charities and the whole community to come together to work together and actually make Weddington a designation. I do feel that if we do continue with Weddstock people will find us better because it was an event that brought a few thousand people out of Weddington just to our little festival here at Hunter Farms. I would like to see it continue because many of our Girl Scouts want to do a lot of adventures and without these types of events they do not have an opportunity to raise funds. They can sell cookies but those cookies only bring 45 to 55 cents a box to the girls. My Girl Scout Troop hosted the Cowboy Breakfast – our girls were able to sell so many pancakes that we gained \$500 to start our steps towards Europe in 2014 and I am very proud of that. Weddstock gave us that little stepping stone to do that. I would like to continue that tradition and who knows there may be another charity that may want to volunteer at the event and gain some funds for their own purpose too. It shows the Mecklenburg area that Weddington is really a neat town. Thank you for your time and I hope you will vote for Weddstock.

Mr. Silvano Ferrazzo - I do not think people are against Weddstock. What I am hearing is that people are against the Town funding it. There are many events and festivals that go on with private funding and public fundraising which may be the preferable way to approach it. Being Italian I can give you a little bit of Roman History. When government became very corrupt and people became upset over the government, the government started giving them festivals. We should take that to heart. It is not the government's business to give people festivals. I agree with whoever said that the government's business is to protect the people and that is what the Providence VFD is doing for our community. Someone said that it was the County's responsibility. Well it may be that except for two Council meetings ago a vote was taken to make it a tax district which would be our responsibility and everyone agreed that was a great step forward and at the next meeting they reversed that vote. That is why I am here. I am concerned with a Town Council that cannot stick with a decision that they have made. There is no interest in a merger with Wesley Chapel VFD. The County has turned its back on this issue. They are not interested and when we approached them about setting up a tax district they said that they were going to postpone the decision and revisit it. I am very concerned Mayor when I hear you say that this may take 6 to 8 months of more deliberation when a vote was taken to set up a tax district and for some reason the vote was reversed. I would like to see the Council stick to a vote that they have taken – and stand behind it and move forward.

Ms. LA Smith – Ms. Fitch was unable to finish what she had written and asked if I would read one portion of her statement. She had spoken with our State Representative Craig Horn this afternoon regarding the Weddstock funding issue and he gave her a statement that he wanted entered into the record. He said that Weddstock is a community wide event that has been growing in visibility for the last couple of years and it would be doing the community a disservice to make this an agenda item to be voted on at the same time without creating more public awareness about this agenda item. He does not believe this issue should be voted on and closed without letting the community having more public testimony on this issue. I believe that is clearly how all of us feel in this room. I know there have been some efforts here to pit Weddstock versus the Fire Department. I think sometimes if you are perceived as speaking against the fire department it is like flag burning – everyone gets all up in arms and I do not think it has to be that way. I do not think it is a choice between Weddstock and the fire department. We have the mechanisms in place to provide funding. We are fortunate to be the Town that we are and to have the budget that we have and we can use

it responsibly. I think what the Town puts in its budget for the Weddstock event is a minuscule amount compared to what you get out of it. Not only in the good will and the charity donations and the visibility that the Town gets from an event like Weddstock. I would urge you to give serious consideration before you pull that.

Mr. Eric Anderson – I want to speak briefly in support of the Providence VFD. I know a lot of people think that since it covers such a small area it does not do the Town of Weddington residents any good. With the tax district it would serve most of Weddington. They are going to repair the sign across from the Harris Teeter because somebody passed out at the wheel and ran into it. They were there within 2 minutes. It probably saved that woman's life. That is what the fire department provides for us. Sometimes things happen that we have no control over and they are there to save us.

Mr. David Basri – How many people are primarily served by Providence VFD and think they get good service? How many people are primarily served by Wesley Chapel VFD and think they get good service? This is not about service. Both departments provide good service and I am absolutely convinced of that. What is this about? It is about funding and it is about structure. As a couple of people have said legally this is a County issue. Providence and Wesley Chapel follow different formulas for staffing and different formulas for funding. The Town of Weddington through a lot of history has become a major part of the funding source for the Providence VFD. I am glad that you are not going to make a decision tonight because this is going to take a lot of consideration. The gentleman over there said that it is our fire department. It is not your fire department. It is the County fire department and it only serves 25% of the Town. Again, I happen to be served by Wesley Chapel VFD. I have made use of both their EMT and their fire service. Their response time is excellent. I think we all agree that both fire departments deliver excellent service. This really is about whether the Town wants to become more than it currently is. Do we want to take on fire and police service? When I was in college, I served as a fireman at my university. I lived at the fire station for 2 ½ years. The university paid for that fire department by its reduction in fire insurance. When I was there in 1976 the budget was about 1.1 million dollars a year. By the time I left 2 ½ years later the fire department's budget was up 1.6 million dollars and finally the university turned it over to the City. I respect and admire fire departments. I have been one. I love it. It is a never ending escalating thing and it has to be spread across as big a funding base as we can possibly get. The County funded an independent study of consultants to say what is the most rational way to do this and the answer is a merger. I understand that there are a lot of emotions about a merger. The assets of Providence are going to stay there because Wesley Chapel cannot cover their area without their assets. Providence cannot cover the rest of Weddington without Wesley Chapel's assets. It cannot be done. The assets are going to stay there. The personnel are going to stay there. This is a question of what name is on the door. It is a question of spreading out the funding in as rational a way as possible and it is a question of whether the Town wants to become the City of Charlotte and take on fire and police service. I would hope that you do not do that.

Item No. 5. Additions, Deletions and/or Adoption of the Agenda. Councilmember Thomisser moved to approve the agenda with moving the following items up on the agenda:

- Consideration of Future Funding for Weddstock 2012
- Discussion and Possible Consideration of Fire Service in the Town of Weddington
- Discussion and Consideration of a Fund Balance Assignment or Committed Fund Balance Item Regarding Providence VFD

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison, Mayor Pro Tem Barry and Mayor Davidson

NAYS: None

Item No. 6. Consideration of Future Funding for Weddstock 2012. Mayor Davidson – I put this on the agenda. The intent of putting this on the agenda for January was to give time if the Council wanted to go the route of seeing if we can fund Weddstock privately. Barbara and I have had some history with Weddstock and the funding. I think the event is great. I have gone to the event every year. The question is whether it is the role of the Town to pay for it. It started out at \$2,500. It quickly went to \$11,500. I believe the next year they asked for more than \$20,000.

Finance Officer Gaylord - I do not remember what the initial request was. We gave them \$20,000 - \$5,000 in one fiscal year and \$15,000 in the next.

Mayor Davidson - It went from \$2,500 to \$11,500 to \$20,000. The three components of Weddstock are the festival part of it, the charity part of it and the economic development for your vendors to promote their businesses. As a Republican I feel it is one of those things that we should try to do privately before we do them publicly and I think we skipped a step in the funding of it. Participation was mentioned. Two years ago I was able to pick up the phone and call and raise about \$600.00 and that was a point that I was trying to make. Werner gave \$100, I gave \$100, Daniel gave \$100 and Barbara gave \$100 and I would be willing to do that again this year if we can make the attempt to do this on a private basis. We did not know Pam at the time. I wanted to see if the Council would consider an attempt to privately fund it and perhaps send to the Parks and Recreation Committee to develop a plan. This is why it is brought up in January and not at budget time.

Finance Officer Gaylord - Can I make one further clarification item? There was a stipulation that was put in place that if enough money was raised the Town would be paid back. There was a potential that amount would be less.

Councilwoman Hadley - How much was paid back?

Finance Officer Gaylord - We did not get any this past year. We came close.

Mayor Pro Tem Barry - In the budget for 2011-2012, we allocated \$15,000 for Weddstock. How much of that has been spent?

Finance Officer Gaylord - All of it.

Mayor Pro Tem Barry - They do not have any money from us towards the 2012 event left in the budget.

Finance Officer Gaylord – No, we have always said we would approve it annually. We would have the event and then it would be reevaluated. The split was actually from the prior year and last year and not last year and this year.

Councilwoman Harrison – I am on Parks and Recreation. I believe that Weddstock is a good venue and a good festival but I have always been concerned that the Town has funded this. Last year when the budget was brought out, it was emailed to the Parks and Recreation Committee. I asked where the numbers came from and were we going to have a discussion. I was told the numbers are what the numbers are. Having worked in corporate America, I was kind of taken back by that. I heard tonight and I actually wrote down what different people from the committee said and one of the issues that I had was is this a Town festival or is the Town one of the sponsors for the festival? Those are two different and very distinct items. Ms. Belcher said that we are nothing more than a sponsor and that we cannot possibly pay for it because it was said it costs \$250,000. If this is the case, then I think there is one decision to be made. The decision is if

we put it back in Parks and Recreation and ask them to come up with private funding and the corporate sponsorships. It should be done by all of the committee on the Parks and Recreation and not just by Ms. Sanders. She is one person. One of the issues that I went through as I went door to door campaigning was people asked me why was the Town funding a charity. In the end, though we have not approved it in the minutes it said that the charity made about \$9,000. I have been told multiple times that if you went to any of the other Town's they have Event Coordinators that cost a lot of money. Is not the charity the event coordinator and were they not paid by getting most of the profit from the festival? Those have been my issues. If you go to Matthews and Matthews Alive the Town may fund or put up upfront money but in the end they get their money back before any charity gets any money. That is an issue. Ms. Fitch was quoted as saying if more than \$17,000 in sponsorship money is garnered then the Town would get any money above that back. If the charity was going through their resources and capabilities and a small amount was given back to the charity what is the incentive for the charity if there is no potential to make money – proceeds would be nominal. It sounds to me like we should be having the Parks and Recreation Board work as a group to find out how this can be publicly funded by getting corporate sponsorships and then if the charity wants to come back and ask the Town if they want to sponsor we should be able to say yes or no to that. Right now there are two different issues on hand. Either this is a Town festival or we give money. I have been confused for two years on that. If you listen to Ms. Belcher it is one thing and if you listen to other people it is something different. I would rather put it to the committee.

Councilmember Thomisser - Where can you get a \$200,000 return by spending \$20,000? Our Mayor is in the financial planning business. That is a great return on an investment. To those who have questioned the legitimacy of the Town doing this - I wrote an email to an Assistant Professor of Public Law and Government at the School of Government. She replied back the following: *You asked me whether the governing board of the Town of Weddington could legally appropriate tax proceeds to pay for community events such as communal viewing movies or similar type of festival activities.* She answered in the affirmative. It is absolutely legitimate and absolutely legal. She gave me approximately over 40 legitimate uses for tax payer dollars. The Town of Matthews, Wesley Chapel, Indian Trail, Waxhaw, Marvin have festivals. Every municipality around Weddington has a festival. I attended Weddstock in 2010 and 2011 – what I saw were young families with children, teenagers participating, middle aged people listening to music and senior citizens were there also. This is a quality of life issue. This is good for the Town. If we are splitting hairs about a \$20,000 investment when you get over \$200,000 return to me - it is a no brainer. I totally support the funding of Weddstock.

Mayor Pro Tem Barry - It is interesting to me – we probably have 70 people in this room clearly 85% - 90% of you are here to talk about the fire department and this issue just happened to land on the agenda on the same night. Sorry for the confusion.

Councilwoman Hadley - I am totally supportive of Weddstock. I love festivals and I think it has the potential to probably grow as much as Matthews Alive. That would be my hope. However, I would not give my daughter \$1,000 without having a business plan. That is just good business to have a business plan. I also think the situation where we are in now with our fire department it is real easy for me to say like I have said on the campaign trail for months and months until we have public safety straightened out I could not spend money for anything other than public safety. I think it is perfectly reasonable for this to be put to Parks and Recreation.

Mayor Davidson – Werner, I know you have the list that states everything that we are allowed to use taxes to pay for. It is not illegal and it is within the law. The Republican part of this for me is to attempt to do things privately. We can do it. As far as the viability of funding it privately – if you have 5,000 people that come to this then you have brand equity. There are vendors that will want to get in front of 5,000 people. All I am asking is go try to find them. If you look at this there is land, labor and capital. The land has been given voluntarily, the labor has been given voluntarily the only thing that is not voluntary is the

capital. I know it takes work. I also heard what a hard time it is for people with the economy. It is no easier on the tax payer. The issue with public safety being moved up in priority is important to me. Those that have concerns about moving into the fire department issue it is because of taxes. It is not the end of Weddstock. I would like to see a plan put together by a group of people. It would be real irresponsible to show up at budget time to propose this. That is why it is on the January agenda.

Councilmember Thomisser - Two years ago you did come to me and some of the Councilmembers and asked for a donation. We saw the benefit of this program. You raised \$600 but a lot of that was Town Councilmembers' money. Nine years ago the former Mayor decided to have a Strawberry Festival and I had just moved to Weddington and I worked with her because of my corporate experience in marketing. Getting sponsors is very difficult. I spent two to three days walking up and down Independence Boulevard calling on car dealers and any business that I could try to get to sponsor. In three days I got one sponsor – Home Depot and they gave \$2,000. It is not as easy as it appears to be.

Councilwoman Harrison – I do not think anyone questions that but what I see is no one has tried. By starting in January you have the ability to get those corporate sponsors because I have done it by working with a charity. I would like to make a motion that we move this to Parks and Recreation and the entire committee work on getting private donations for this festival.

The vote was as follows:

AYES:	Councilwomen Hadley and Harrison
NAYS:	Councilmember Thomisser and Mayor Pro Tem Barry

Mayor Davidson voted in the affirmative; therefore the motion passed.

Item No. 7. Discussion and Possible Consideration of Fire Service in the Town of Weddington.

Mayor Davidson - We are going to have a discussion tonight that is going to continue on for many meetings. There are four scenarios – Do Nothing, Merger, Move the lines with a fire tax and a Municipal Fire District. What I have done is gone through and put a lot of numbers together. The first thing that it says on this worksheet for disclosure is these numbers are wrong and the goal of the Town Council is to work together to get the correct numbers and assumptions. Opinions may still vary among the Town Council after the numbers are corrected and assumptions are listed. We have to go through this if we are going to make a decision. The County has been asked to address it and they have not and they have not shown any indication that they will address it.

Mayor Davidson discussed the financial worksheets he had developed showing that it costs approximately \$875,000 to run the Town but the Town receives approximately \$1,200,000 in revenues. He stated, “That number includes the deputies but not fire. That would leave \$325,000 at the 3 cents tax rate. Providence VFD’s total revenue is \$213,600 with projected costs of \$523,000 which will give us the service that we currently have. That is operating only.”

Finance Officer Gaylord advised that government is required to do a balanced budget with revenues equaling expenses and government is also required to do a short term one year budget. She stated, “You cannot budget to save more than 5% of what your expenditures are unless you have a construction in process or a fund where you are specifically allocating money for known projects that you are setting up then you can go out further than that. The State’s minimum Fund Balance is 8% of your budget. It is only to keep you going for a couple of months. The Town has a policy that we maintain at least 50% of our expenditures as a fund balance.”

Mayor Davidson - The intent is to create a shell and start putting in the numbers over the next few months. If we combine the two budgets, we have \$325,000 and they have a deficit of \$309,000, we could do this without a lot of pain – no tax increase but we would be running extremely lean. It is not a viable model.

Mayor Pro Tem Barry – But 70% of the revenues is generated by the tax base where Providence VFD is not the primary.

Mayor Davidson - Providence gets paid by 20% of Weddington, but if there is a fire we all know that both are going. One of them gets paid and one of them does not. I have put some assumptions that this assumes no change year to year which is a bad assumption because we need to forecast out a 5 to 10 year plan. The good about this is that Providence VFD stays open for five more years. The insurance rates in Providence VFD and Wesley Chapel VFD remain stable for five more years and the response times would remain the same. The bad thing is that it does not fix the long term problem and the response times for medical do not improve and it prevents the Town from spending on other items. It prevents the Town from reducing taxes if it wanted to, it is unsustainable for Town financials without a tax increase and it does not reduce the burden on all taxpayers paying for a regional fire service. It does not improve the number of houses paying for a fire station closest to their house. The essence of my argument is when we dial 911; you want the closest fire station to come. That situation does not exist for medical. The second scenario is how can we expand more of Providence's territory? It is underutilized. If you convert Providence to a fire tax at 2.2 cents you get \$142,947 but it is kind of a wash because you lose the \$21,600 from Union County and you were getting \$120,000 from your fire fee. If we were able to ask some of these neighborhoods such as the back of Highgate, Williamsburg, Waybridge would they like to be in the Providence district and have the medical coverage and pay the same rate that they are paying Wesley Chapel? I asked Jordan to give me some property values on Phase I and that territory is worth \$20,233 at 2.2 cents. If we did Phase II and Phase III you see that it helps our situation. In Fiscal Year 15/16, I have a 2.2 rate in there. That is moving in the direction of moving the lines but it is on a tiered basis where people can make preparations over a few years.

Mayor Pro Tem Barry – Is there a staffing and apparatus impact of adding those phases?

Mayor Davidson – I have not heard one because when I hear underutilize I hear I can do more.

Mayor Pro Tem Barry - What about in their long range plan the acquisition of the new engine in the next 24 months?

Mayor Davidson - I think we can go through this exercise operationally and then look at the capital improvement budget on our 5 to 10 year plan.

Councilwoman Harrison – If Providence went to 2.2 cents have you taken into account that all the people in that district would now also be paying a fire fee out of their automobile fee? We should also look at the grant process. After talking with some chiefs, there is a grant process out there.

Mayor Davidson - I do not have car or sales tax on there. I will add sales tax, CIP process and grant process to the list of assumptions/questions.

Councilmember Thomisser – What motivation would someone have to pay 2.2 cents per \$100 if they are only paying the \$100.00 fire fee?

Mayor Davidson - The medical is going to help and the fact that under the other scenarios they are going to pay 2.2 cents any way.

Mayor Davidson - I want to know would the Town Council allow a letter from the Mayor be sent to these neighborhoods asking their opinion?

Councilmember Thomisser – Unfortunately, most people paying their tax bill have no idea what they are paying and then we would go out and ask whether they want to pay \$100 or 2.2 cents. They are confused before you even start. I am questioning whether that would be legitimate way to go.

Councilwoman Harrison - I have been trying to educate myself on this. I have gone to talk to five different fire chiefs in five towns and have a couple more set up. Stallings put a referendum to the Town and asked if instead of being part of the County would you pay for fire service and the answer was yes. Do we have the right to write a letter to the different subdivisions asking their opinion?

Attorney Fox - You can certainly write a letter to your residents and ask opinions about anything you want to do. You have to have the approval of the General Assembly to get authority to hold a referendum on a specific issue.

Councilmember Thomisser discussed how many people turned out to vote this last time and what good does a referendum do if it only represents less than 19% of the people.

Mayor Davidson - Do you see anything wrong with us getting input from these people who are very close to a fire station and when they call 911 it is not coming to them?

Councilwoman Harrison – I see no problem with that.

Mayor Pro Tem Barry - It depends on how it is worded.

Mayor Davidson discussed the merger scenario. He stated, “If we convert to a fire tax at 2.2 cents we no longer get the \$21,600 from the County and still get the \$72,000 from Mecklenburg. You have a deficit of \$308,000. From that County document, I derived Wesley Chapel VFD’s numbers. I am showing a projected deficit of \$18,000. Under a merger scenario Providence goes to Wesley Chapel’s tax rate. If we did the merger, all we have done at 2.2 cents is created a deficit of \$326,000. Now we have the merger at 2.2 cents and it still costs \$523,000 at Providence and you have a loss of \$326,000. What does it take to make that zero? It takes a 2.7 cents tax rate to make that zero when you merge the two fire departments. The assumption is that they spend \$523,000 at Providence VFD.”

Councilmember Thomisser - The operating expense per square mile for Wesley Chapel VFD is approximately \$39,000 and for Providence VFD is \$139,000. Both fire departments are operating under different scenarios.

Council agreed to allow Mayor Pro Tem Barry and Mayor Davidson work together on preparing the accurate financial information. Councilwoman Harrison advised the Town Council that she would like to start investigating the grant process.

Councilmember Thomisser – In order to do a municipal fire district you are going to have to get the legislature to agree to do that and I do not believe that we have the support there to do that. That fire station on Hemby Road is not going to close. I do not think the Providence VFD Board of Directors, Wesley Chapel VFD Board of Directions and this Town Council is that irresponsible to allow that fire station to close.

Attorney Fox - A town has clear authority to establish a fire department and to provide fire service for its residents. Funding is accomplished through their property tax rate. The creation of fire tax districts are

generally conferred upon the County under the current authority. There is the possibility that you can get a local act from the General Assembly. If you get a local act you can create it and form it in any way that is amenable to the legislators to approve. If you were to seek a local act, it could provide for a fire tax district. This year it is a short session of the General Assembly so things available for introduction in the short session are very limited. Special legislation in the short session has to be non-controversial and has to enjoy the uniform approval of your local delegation. The long session does not require unanimity to introduce a local act but you would be talking about another year.

Mayor Davidson - How do you feel about a letter from the Mayor's office on letterhead to these neighborhoods?

Mayor Pro Tem Barry moved that the Council send a letter under the Mayor's signature to all the neighborhoods of Phases I, II and III to let them know about this issue and to let the Town know what their wishes are.

The vote on this motion is as follows:

AYES:	Councilmembers Hadley, Harrison and Mayor Pro Tem Barry
NAYS:	Councilmember Thomisser

Mayor Davidson – This opens up an immediate issue with the people spending the night at the fire station. Jack Parks has said that it is difficult and improvements need to be made to the station. It is difficult to get contractors to talk with them and he has asked us to do a letter of support to provide to the contractors. The letter would state the following: *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.* If you want overnight coverage, we have a problem there. Jack has a plan to improve fire service for the future. You and I have talked about this land and building swap as a way to protect the Town's balance sheet. Anthony, are there any issues of a fire department donating property to the Town?

Attorney Fox – No, the General Statutes provide that persons can donate and give to the Town real or personal property - the use of which the Town can use for any purpose that it deems appropriate for a public purpose. My reaction to the letter is that we need a formal agreement structure that is legally binding if you got to that point.

Mayor Davidson – Jack and I talked about there is a \$300,000 balance at Providence. Barbara had brought up that having a balance may hurt you in the grant process. They were turned down for a loan because they do not have any type of taxing authority.

Attorney Fox – The Town could fund a loan for the volunteer fire department which is a separate entity. We would have to look at the structure of that. I think it is a public purpose but you have got to make sure that you meet the requirements and the LGC would be comfortable with the approach. It sounds like we are being a Guarantor on behalf of a non-profit entity that is not us.

Mayor Pro Tem Barry – I understand where we are going. Until there is closure in the operational, I do not want to subject taxpayers to the liability of acquiring property, building buildings and renovating buildings if the end result may be where we are sitting and all this becomes Wesley Chapel's responsibility

and they tax and build. Then we would have delivered \$750,000 of assets to a volunteer fire department that has the wherewithal to generate their own borrowing capacity and to take over fire service. I think we are way in front. I do not want the fire department to close. Our balance sheet is available to help them. I said to Jack spend your money first. Let's get the issues revolved and then come back and deal with the physical plans.

Councilmember Thomisser – Neal Speer told me that Union County is not guaranteeing Wesley Chapel VFD's loan. If Union County Board of Commissioners is uncomfortable about doing something like that why should the Town of Weddington consider it?

Mayor Davidson – You have been over there and seen the beds downstairs and it is 24/7 coverage and it is not a very nice place to sleep right now. What is different is we would be getting an asset?

Mayor Pro Tem Barry – We have to fix the operational cash requirements. Once you resolve all of your operational issues, then you have a capital issue.

Councilmember Thomisser – I ran an idea past Attorney Fox regarding a wholly owned subsidy versus a merger which is another option on the table. Non-profit organizations are permitted in North Carolina to own non-profit subsidiaries. It would be a parent subsidiary relationship. The Providence VFD name would be preserved. The Providence VFD and Wesley Chapel VFD would have an agreement to give Providence power to appoint members to their board. I informally discussed this idea with Wesley Chapel VFD and Providence VFD and there was no interest. With a passionate issue like this, there are a lot of rumors floating around such as over the weekend I found out that everybody is going to pay \$250 to \$600 in insurance costs if the Hemby Road station closes. I think everybody on this Town Council has said that is not an option. Police, Fire and EMT are the highest priority that the Town can address and we can do all three and we can have superior service in all three areas but that does not mean we have to cancel everything else in order to achieve that. There is a way to achieve superior fire service in Weddington at a reasonable cost. Another rumor that is floating around is regarding emergency medical service. I had Jordan prepare a map for me. I did not have an opportunity to ask Providence VFD to put circles on the map as to where their EMT people live. I will give them an opportunity to do that. As you see every red circle is an EMT person affiliated with the Wesley Chapel VFD that lives in the district. There are 36 EMT people either in Weddington or close to Weddington to get to a medical emergency and there are six others that I have not put on the map because I did not think it was relevant but there are a total of 42 EMT people that are qualified to go to a medical emergency and give CPR and save a life. In addition to that, we have an ambulance at the Wesley Chapel VFD fire station which happens to be in Weddington. There is also an ambulance in Waxhaw and there are two ambulances at Chestnut. I would also like to ask the Providence VFD to augment this map.

Mayor Davidson asked that Council take a brief recess.

Item No. 8. Discussion and Consideration of a Fund Balance Assignment or Committed Fund Balance Item Regarding Providence VFD. Mayor Davidson – I would like for us to set aside \$350,000 for Providence VFD in our Fund Balance. We have \$1.9 in the Fund Balance that is unallocated and then \$600,000 that we must keep which leaves \$1.3 million. This would be a good faith effort that we are going to support Providence while we work this out.

Finance Officer Gaylord - It earmarks that money so that it would not be spent on something at a later time. You can change your mind. It is not binding. If we get to a position where we are the primary source of income for the fire department they will become a component unit of the Town from a financial statement standpoint and we would reflect them in our financial statements and they would have to have an audit.

Mayor Pro Tem Barry moved that we set aside \$250,000 out of the fund balance for the next calendar year. We subsidize them at a rate between \$230,000 and \$260,000. It seems that we would be on the hook for about that same amount for the operation next year anyway based on my comments of support towards the fire station. All we are doing is setting it aside before the budget process begins.

Councilwoman Hadley - I would like to raise it to \$300,000.

Councilmember Thomisser – There is no question that everyone at this table supports the fire services and the Providence VFD but it delivers a message much like what is happening in Washington, DC. We are kicking this issue down the road. I want to see a resolution to this before June 30. I cannot support it.

Mayor Pro Tem Barry – The Town Council at our retreat in 2011 met with the President and Board members of Providence VFD and I remember our commitment to them that the Council had heartburn of them spending our money first and we are desirous of them paying off some equipment and spending their balances and we would be there as a fall back for them during this process. We agreed later that we would be here for the next 18 to 24 months to continue to work with them as they work to resolve their operational cash flow issue. Beyond 2012/2013 budget year is beyond the scope of any of those agreements that we made with them.

Councilwoman Harrison – I did not see anything in the minutes that said June 30 was the drop dead date. In good faith they have paid off some of their equipment and this is no different than putting money aside for a road or for a library. I think we should do this. You keep saying that station will not close but I do not think anyone here can guarantee that is not the case. I want to make sure that they understand and the people of their district understand that we are here to make sure that does not happen.

Councilmember Thomisser – The people that ultimately decide whether that station stays or goes away is the board of the Providence VFD and the board of Wesley Chapel VFD.

Mayor Davidson – The deficit that they are going to run is \$309,400. I would like to see it up to \$300,000.

Mayor Pro Tem Barry advised that he would not accept a friendly amendment. The vote on Mayor Pro Tem Barry's motion is as follows:

AYES:	Mayor Pro Tem Barry
NAYS:	Councilmembers Thomisser, Hadley, Harrison

The motion failed.

Councilwoman Hadley moved to assign \$300,000 in the Fund Balance for Providence VFD. The vote on this motion is as follows:

AYES:	Councilwomen Hadley and Harrison
NAYS:	Councilmembers Thomisser and Mayor Pro Tem Barry

Mayor Davidson voted in the affirmative; therefore, the motion passed.

Item No. 9. Approval of Minutes.

A. November 14, 2011 Regular Town Council Meeting. Councilmember Thomisser moved to approve the November 14, 2011 Regular Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS: None

B. December 12, 2011 Regular Town Council Meeting. Councilmember Thomisser moved to approve the December 12, 2011 Regular Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS: None

C. December 15, 2011 Special Town Council Meeting. Councilmember Thomisser moved to approve the December 15, 2011 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS: None

Item No. 10. Public Hearings and Consideration of Public Hearings.

A. Public Hearing to Review Building Mounted Signs Text Amendment. Mayor Davidson opened the public hearing to review the building mounted signs text amendment. The Town Council received a copy of the following proposed text amendments:

Sec. 58-4.-Definitions

Sign, attached (on-structure), means a sign applied or attached directly to the face of a building and becoming, or appearing to become, a part of the building. **These signs are flush to the wall to which they are affixed.**

Sign, building-mounted, means any sign attached to and deriving its major support from a building, and including wall or fascia signs, projecting signs, and roof signs. **These signs are perpendicular to the wall and protrude from the wall to which they are affixed.**

Sec. 58-146. - Prohibited signs.

The following signs are expressly prohibited within all zoning districts, unless as otherwise specified in this chapter:

- (1) All off-premises signs, including directional signs and billboards. Such prohibition, however, shall not be applicable to temporary signs permitted by section 58-151
- (2) All portable signs, except as may otherwise be allowed by this chapter.
- (3) Flashing light signs (except signs which give time and temperature and other public information messages).
- (4) Any sign which the zoning administrator determines obstructs the view of bicyclists or motorists using any street, private driveway, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device or signal.
- (5) Luminous signs.
- (6) Any sign placed upon a traffic control sign, tree, or utility pole for any reason whatsoever.
- (7) Building-mounted signs.**

Town Planner Cook reviewed the proposed text changes with the Town Council. With there being no one wishing to speak in favor or against the proposed text amendment, Mayor Davidson closed the public hearing.

B. Consideration of Ordinance to Adopt Building Mounted Signs Text Amendment. Mayor Pro Tem Barry moved to adopt Ordinance O-2012-01:

**AN ORDINANCE TO AMEND SECTIONS 58-4 AND 58-146
OF THE CODE OF ORDINANCES
OF THE TOWN OF WEDDINGTON
O-2012-01**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTIONS 58-4 AND 58-146 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Sec. 58-4.-Definitions

Sign, attached (on-structure), means a sign applied or attached directly to the face of a building and becoming, or appearing to become, a part of the building. **These signs are flush to the wall to which they are affixed.**

Sign, building-mounted, means any sign attached to and deriving its major support from a building, and including wall or fascia signs, projecting signs, and roof signs. **These signs are perpendicular to the wall and protrude from the wall to which they are affixed.**

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- (2) All portable signs, except as may otherwise be allowed by this chapter.
- (3) Flashing light signs (except signs which give time and temperature and other public information messages).
- (4) Any sign which the zoning administrator determines obstructs the view of bicyclists or motorists using any street, private driveway, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device or signal.
- (5) Luminous signs.
- (6) Any sign placed upon a traffic control sign, tree, or utility pole for any reason whatsoever.
- (7) **Building-mounted signs.**

Adopted this 9th day of January, 2012.

All were in favor, with votes recorded as follows:

AYES:	Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS:	None

C. Public Hearing to Review Connection to Public Water Lines Text Amendment. Mayor Davidson opened the public hearing to review the connection to public water lines text amendment. The Town Council received a copy of the following proposed text amendment and Town Planner Cook reviewed with the Town Council:

Sec. 46-78. - Connection to public water lines.

- (a) If county or municipal water lines are located within one-half mile of a subdivision of ten to 39 lots, or one mile of a subdivision of 40 lots or more, where the distances are measured along the roadway to the nearest edge of the property, then the developer must connect to these lines to provide water service and fire protection for the subdivision. Extensions to the county water system shall be made in conformance with the policies and procedures set forth in the current Union County Water and Sewer Extension Policy as approved by the board of county commissioners and Town of Weddington.
- (b) There may be times when the county cannot issue new water permits due to lack of available capacity. If a developer is denied permits for this reason, the town may allow the use of individual domestic wells to serve a proposed development provided that the developer still installs water lines to county specifications as initially approved for fire flow only. The developer shall be responsible for proving to the town that capacity is not available. A determination of what capacity is available and whether to allow the use of individual domestic wells shall lie within the sole discretion of the town.
- (c) The proposed water lines must still meet all the requirements of the Union County Water and Sewer Extension Policy, including providing fire flow protection to the development and taps and meter boxes for each developable lot. If the county and town approve these plans then the use of wells may be approved as an interim measure until such time as water capacity becomes available. **The developer will be required to provide written proof that Union County will charge the lines for fire hydrant use.**
- (d) As a condition of approval of the proposed development, the developer or property owner shall require these lots with domestic use wells connect to the county system at such time as the county indicates water capacity is available. Individual wells may be converted to irrigation use at the property owners expense provided such conversion is in conformance with the Union County Building Code and Union County Water and Sewer Specifications. The developer and/or property owner shall be responsible for any fees and charges from the county as a condition of connection to the county water system.
- (e) The use of community wells for domestic needs is discouraged and will only be allowed if the water system is built to Union County Water and Sewer Specifications. The system must be capable of meeting the water needs of the community including domestic, irrigation and fire flow requirements and an agreement exists with the county for: 1) the conditions under which the system becomes part of the county system; and 2) an arrangement is made with the county to tap into the county system for working fire hydrants according to the county specifications.

With there being no one wishing to speak in favor or against the proposed text amendment, Mayor Davidson closed the public hearing.

D. Consideration of Ordinance to Adopt Connection to Public Water Lines Text Amendment.

Mayor Pro Tem Barry moved to adopt Ordinance O-2012-02:

**AN ORDINANCE TO AMEND SECTION 46-78
OF THE CODE OF ORDINANCES
OF THE TOWN OF WEDDINGTON
O-2012-02**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT SECTIONS 46-78 OF THE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Sec. 46-78. - Connection to public water lines.

- (a) If county or municipal water lines are located within one-half mile of a subdivision of ten to 39 lots, or one mile of a subdivision of 40 lots or more, where the distances are measured along the roadway to the nearest edge of the property, then the developer must connect to these lines to provide water service and fire protection for the subdivision. Extensions to the county water system shall be made in conformance with the policies and procedures set forth in the current Union County Water and Sewer Extension Policy

as approved by the board of county commissioners and Town of Weddington.

(b) There may be times when the county cannot issue new water permits due to lack of available capacity. If a developer is denied permits for this reason, the town may allow the use of individual domestic wells to serve a proposed development provided that the developer still installs water lines to county specifications as initially approved for fire flow only. The developer shall be responsible for proving to the town that capacity is not available. A determination of what capacity is available and whether to allow the use of individual domestic wells shall lie within the sole discretion of the town.

(c) The proposed water lines must still meet all the requirements of the Union County Water and Sewer Extension Policy, including providing fire flow protection to the development and taps and meter boxes for each developable lot. If the county and town approve these plans then the use of wells may be approved as an interim measure until such time as water capacity becomes available. **The developer will be required to provide written proof that Union County will charge the lines for fire hydrant use.**

(d) As a condition of approval of the proposed development, the developer or property owner shall require these lots with domestic use wells connect to the county system at such time as the county indicates water capacity is available. Individual wells may be converted to irrigation use at the property owners expense provided such conversion is in conformance with the Union County Building Code and Union County Water and Sewer Specifications. The developer and/or property owner shall be responsible for any fees and charges from the county as a condition of connection to the county water system.

(e) The use of community wells for domestic needs is discouraged and will only be allowed if the water system is built to Union County Water and Sewer Specifications. The system must be capable of meeting the water needs of the community including domestic, irrigation and fire flow requirements and an agreement exists with the county for: 1) the conditions under which the system becomes part of the county system; and 2) an arrangement is made with the county to tap into the county system for working fire hydrants according to the county specifications.

Adopted this 9th day of January, 2012.

All were in favor, with votes recorded as follows:

AYES:	Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS:	None

Item No. 11. New Business.

A. Review and Consideration of Continuance of Current Downtown Core Committee and/or Consideration of Possible Appointments. Councilwoman Hadley moved to dissolve the Weddington Core Committee.

Councilmember Thomisser – They were formed to make recommendations to the Town Council. They have made decisions on the streetscape improvements and I am sure in the immediate future there will be other things that they will be able to do.

Councilwoman Hadley – My reasoning is that I am going to have to agree with Mr. Steele who stated in the January 24 minutes that once the landscaping of road improvements is completed there will not be anything significant for the committee to do after that. I saw the Farmer's Market go from the Planning Board, to Parks and Recreation Board to Downtown Core over to the Town Council and back to the Planning Board. I see the duplication between the Planning Board, Parks and Recreation and Town Council, I feel that these decisions can be made.

Mayor Davidson – I think part of it is cutting down on meeting times. I do not see anything right now that the Downtown would do.

The vote on the motion is as follows:

AYES: Councilmembers Hadley, Harrison and Mayor Pro Tem Barry
NAYS: Councilmember Thomisser

Council asked that letters be sent to the Committee thanking them for their service.

B. Consideration of Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-58.1 – New Town Market Annexation. The Town Council received the following:

- Petition Requesting Annexation
- Exhibit A-1 – Legal Description of Property
- Record Plat for New Town Market Map 1 – 6.177 acres
- Exhibit B – Letter from Lee Jenson, Land Use Administrator for Union County Department of Inspection dated September 9, 2008
- Special Use Permit Granted August 2, 2004
- Special Use Permit Granted December 3, 2007
- Section 136 – Commercial Districts Established from Union County
- NCGS 160A-58.1 – Petition for Annexation; Standards

Mayor Pro Tem Barry moved to approve Resolution R-2012-01:

**TOWN OF WEDDINGTON
RESOLUTION DIRECTING THE CLERK TO
INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-58.1
NEW TOWN MARKET ANNEXATION
R-2012-01**

WHEREAS, a petition requesting annexation of an area described in said petition was received on November 15, 2011 by the Town Council; and

WHEREAS, G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Weddington deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Weddington that;

The City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Town Council the result of her investigation.

Adopted this 9th day of January, 2011.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS: None

C. Consideration of Release of Road Performance Bond for Providence Forest Estates. The Town Council received the following memo from Town Administrator/Clerk Amy McCollum:

The Town is currently holding road performance bond money in the amount of \$48,354.98 for Providence Forest Estates. Per the attached letter, US Infrastructure advises that the roadway and drainage items have been satisfactorily completed and recommends release of the developer's performance bond. A roadway maintenance bond in the amount of \$29,512.50 should be held until NCDOT takes over the maintenance of the streets. We will not release the performance money until a new bond in the amount of \$29,512.50 is submitted to the Town. The developer has submitted their request for NCDOT to take over the maintenance of the streets and is awaiting approval.

The Town Council received a copy of a letter dated November 8, 2011 from Bonnie Fisher, P.E. with US Infrastructure of Carolina, Inc.

Councilmember Thomisser moved to release the road performance bond for Providence Forest Estates. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS:	None

D. Consideration of Renewal of Contract for Engineering Services – US Infrastructure of Carolina, Inc. The Town Council received a copy of the following memo from Town Administrator/Clerk McCollum, the renewal of contract for engineering services and the current schedule of fees with US Infrastructure:

Please find attached a request from US Infrastructure for renewal of their contract for engineering services for 2012 and 2013. USI has served as the Town's engineer for over 10 years. They provide miscellaneous engineering services to the Town on an as-needed basis. A more detailed description of the engineering services they provide is listed in the attached letter. Our last agreement with USI was approved November 17, 2008. A majority of the engineering services provided by USI are reimbursed by the developer, etc. I have attached the current schedule of fees with USI. If needed, Town Planner Cook is prepared to discuss costs comparisons with other engineering companies.

Mayor Pro Tem Barry moved to approve the renewal of the contract for engineering services with US Infrastructure of Carolina, Inc. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS:	None

E. Consideration of Reducing the Number of Planning Board Seats on the Parks and Recreation Advisory Board. Councilwoman Harrison moved to reduce the number of Planning Board seats on the Parks and Recreation Advisory Board from 2 to 1 and then add the additional seat as a citizen seat. All were in favor, with votes recorded as follows:

AYES:	Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS:	None

F. Consideration of Appointments to the Parks and Recreation Advisory Board. Councilwoman Hadley moved to appoint Barbara Harrison as the Town Council representative on the Parks and Recreation Advisory Board.

Mayor Pro Tem Barry moved to close the nominations. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS: None

The vote on Councilwoman Hadley's motion is as follows:

AYES: Councilmembers Hadley, Harrison and Mayor Pro Tem Barry
NAYS: Councilmember Thomisser

Councilwoman Harrison moved to appoint Janice Propst from the Planning Board on the Parks and Recreation Advisory Board by acclamation. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS: None

Councilwoman Harrison moved to appoint Gail Giattino as one of the citizen seats to the Parks and Recreation Advisory Board.

Councilmember Thomisser moved to appoint Anne Pruitt as one of the citizen seats to the Parks and Recreation Advisory Board.

Councilwoman Harrison moved to close nominations. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS: None

The vote on Councilmember Thomisser's nomination is as follows:

AYES: Councilmember Thomisser and Mayor Pro Tem Barry
NAYS: Councilwomen Hadley and Harrison

Mayor Davidson voted no; therefore the motion failed.

The vote on Councilwoman Harrison's motion is as follows:

AYES: Councilwoman Hadley and Harrison
NAYS: Councilmember Thomisser and Mayor Pro Tem Barry

Mayor Davidson voted in the affirmative; therefore the motion passed.

Councilwoman Harrison moved to appoint Jean Lee Pirkey by acclamation as the second citizen seat to the Parks and Recreation Advisory Board. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS: None

G. Consideration of Scheduling 2012 Planning Retreat. The Town Council received the following memo from Town Administrator/Clerk McCollum:

The last Town Council Retreat was held March 18 and 19, 2011 at the Firethorne Country Club in Marvin. The cost of this event was \$1,204 – which included \$400 for the Council Reception on Friday night. Please let me know if you would like to hold a retreat this year to begin discussions of the 2012-2013 Budget and other miscellaneous agenda items. Staff needs direction on the following: Preferred Location, Dates, Facilitator and Proposed Agenda Items. Last year Bill Duston with COG served as facilitator at a cost of \$679.00.

Finance Officer Gaylord advised that money is budgeted for a retreat.

Councilmember Thomisser felt that the retreat should be held at the Firethorne Country Club. Several members expressed that they wanted a facilitator to assist with the retreat. The Council agreed to a one-day retreat and the reception to be held afterwards and to invite members of the State legislation, County Commissioners, members of the Boards and Committees and citizens to attend.

H. Update from December COG Meeting – Councilmember Werner Thomisser. The Town Council received a packet of information from the December 14, 2011 CCOG Board of Delegates Meetings. Councilmember Thomisser updated the Town Council on this meeting.

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

- Construction of the NC 84 Weddington-Matthews Road Dual Lane Roundabout should begin this summer. NCDOT plans to begin construction as soon as schools are out. NCDOT has provided costs for additional items in or around the roundabout. Those items are sidewalks along Weddington Road, irrigation in the roundabout, additional street lighting, upgraded crosswalks and sign posts. NCDOT Division Engineer Barry Moose will be at the February 13th meeting to discuss these upgrades and the proposed roundabout in greater detail.
- NCDOT plans to start construction of the Weddington Church Road relocation in March. All environmental permits have been approved and the construction contract will soon be awarded.
- Planning staff is currently working with the TCC, MUMPO and NCDOT on the CTP (Comprehensive Transportation Plan). Several meetings have occurred and all of the LARTP recommendations are on the CTP. The CTP should go to MUMPO in July 2012 for approval and to the NCDOT Board in September 2012 for final approval.
- The Town has begun discussions with NCDOT and David Grant (Union County Urban Forester) regarding supplemental plantings in the medians along Providence Road. Plantings should be done by March 2012. NCDOT has requested a letter requesting a planting permit and a landscape plan to begin the review process. David Grant is currently working on a landscaping plan with NCDOT's Tim Simpson while I will prepare the letter.
- The Town has received a petition for voluntary annexation of 6.177 acres located at the northwest corner of Providence Road and New Town Road. This area includes three commercial parcels with existing commercial uses.
- The Town Council approved the following text amendment at their December 12th meeting:
 - Construction Announcement Signs
- The following items may be on the January 23rd Planning Board agenda for discussion:
 - The continuation of discussions on luminous and lighted signs.
 - Signage Ordinance-Staff and Planning Board member(s) will begin looking at how to improve and clarify the current signage ordinance. This may be a multi-step process and entail multiple text amendments. Staff is currently looking into creating a "quick reference table" as an element of the signage ordinance.
 - Produce Stand Definition
- The following permits were issued in 2011:

- Zoning Permits for New Houses-51
- Upfit Permits for Additions or Remodeling Projects-74
- Accessory Use Permits for Pools or Detached Structures-31
- Compliance Permits for Completed Houses-42
- In 2010 there were 34 new homes permitted, 80 upfits permitted and 51 accessory structures permitted.

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

We will officially be paperless with the Town Council agenda packets beginning in February. If you need any assistance with using your iPad, please let us know and we will be happy to assist you.

The Town is working with VC3 on the offsite backup of our Town servers.

A newsletter is being drafted and will be sent out to Town residents within the next two weeks.

There is a joint Closed Session Meeting with the Planning Board scheduled on February 13, 2012 beginning at 5:30 p.m. prior to the Regular Town Council Meeting.

The Weddington 2nd Annual Easter Egg Hunt will be held March 31, 2012 from 2 to 4 p.m. here at the Town Hall.

The Urban Archery Season dates are January 14, 2012 to February 19, 2012. If there are no objections, I will renew this option with the NC Wildlife Resources Commission for 2013.

The Weddington Spring Litter Sweep will be held April 21, 2012 at 9:00 a.m. here at the Town Hall.

Deputy Ryan Hedlund took Deputy Gene Baucom's position after his retirement. A meeting is scheduled on Tuesday between Mayor Davidson and Councilwoman Hadley with Captain Cody Luke to discuss the deputy contract and future expectations.

A notice requesting applications for citizens interested in serving as a liaison regarding school related issues will be sent out on Monday.

The Public Safety Advisory Committee will begin meeting on a monthly basis and will meet at 4:00 p.m. prior to the Town Council's Thursday night Work Sessions. The Public Safety Committee appointed liaisons to the three volunteer fire departments. Councilmember Thomisser will serve as the liaison to Wesley Chapel VFD, John Houston to Providence VFD and Jennifer Romaine to Stallings VFD.

The last Town monument will be installed at Rea Road on January 9, 2012 and then Daryl's Lawn Care will install the landscaping around the monument.

We have given the company that did our original horse banners until January 31, 2012 to replace any banners that were not properly sewn to be corrected and installed.

We are currently working on a new Welcome Magazine for the Town of Weddington. There is no cost to the Town and we will be able to place approximately 8 to 10 informational pages in the magazine.

I will be attending a conference in Chapel Hill January 22 through 25.

Mayor Davidson, Councilwomen Hadley and Harrison will be attending the Essentials of Municipal Government in February which will allow them to receive their required two hours of Ethics Training.

Upcoming Dates:

January 16, 2012 - Town Hall Closed in Observance of Martin Luther King Day
 January 23, 2012 - Planning Board Meeting
 January 23, 2012 - Board of Adjustment Meeting
 January 23, 2012 - Historic Preservation Commission Meeting

Item No. 14. Public Safety Report.

Weddington Deputies – 571 Calls

Wesley Chapel VFD – 120 Calls

Providence VFD

Training hours for the month – 816 - This training is a reflection of members doing Firefighter 1 and 2, hands-on training and station meetings.

Union County:

Fire 15 EMS 9 Total 24

Mecklenburg County:

Fire 3 EMS 1 Total 4

Department Total:

Fire 18
 EMS 10
 Total 28

The Town Council also received the Income and Expense Budget Performance and Balance Sheet for December 2011.

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

A. Finance Officer's Report. The Town Council received the July 1, 2011 to December 31, 2011 Revenue and Expenditure Statement and Balance Sheet.

B. Tax Collector's Report. Monthly Report – December 2011

Transactions:	
<\$5.00 Adjustments	\$1.68
Penalty and Interest Payments	\$(64.28)
Refunds	\$3,544.43
Overpayments	\$(208.06)
Taxes Collected:	
2011	\$(197,201.45)
2010	\$(546.38)
2009	\$(99.21)

As of December 31, 2011; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$291.65
2006	\$180.70
2007	\$200.32
2008	\$2,945.33
2009	\$4,178.61
2010	\$7,707.54
2011	\$120,941.65
Total Outstanding:	\$136,883.57

Item No. 16. Transportation Report.

A. Discussion and Consideration of MUMPO Agenda Items. Mayor Pro Tem Barry – The MUMPO Board Meeting is next week and they will elect officers. The only indication on the Chairman is that Ted Biggers will run for re-election. There is a competitive race for Vice-Chairman. Right now the indication is that Daune Gardner is going to run against Lynda Paxton. Indian Trail, Monroe, Union County, Wingate, Waxhaw and Weddington have all indicated their support for Daune.

Councilmember Thomisser moved that Weddington nominate Daune Gardner and cast a ballot in her favor at the MUMPO Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS: None

Item No. 17. Council Comments. There were no Council Comments.

Item No. 18. Adjournment. Mayor Pro Tem Barry moved to adjourn the January 9, 2012 Regular Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley, Harrison and Mayor Pro Tem Barry
NAYS: None

The meeting ended at 10:28 p.m.

Walker F. Davidson, Mayor

Amy S. McCollum, Town Clerk