

**TOWN OF WEDDINGTON
SPECIAL TOWN COUNCIL WORK SESSION
THURSDAY, FEBRUARY 9, 2012 - 5:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on February 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, Town Planner Jordan Cook and Town Administrator/Clerk Amy S. McCollum

Absent: None

Visitors: Judy Johnston, Chuck Rohland, Steven McLendon and David Basri

Item No. 1. Open the Meeting. Mayor Walker Davidson called the February 9, 2012 Special Town Council Work Session to order at 5:04 p.m.

Item No. 2. Determination of Quorum. There was a quorum.

Item No. 3. Discussion and Possible Consideration of NCDOT Estimates for Upgrades for the Traffic Circle at Weddington-Matthews Road and Highway 84. The Town Council received the following:

- Letter dated November 4, 2011 from Barry Moose, PE - Division Engineer from NCDOT regarding the NC 84 and Matthews-Weddington Road (SR 1344) Roundabout regarding the following: Sidewalks along NC 84, irrigation to the center of the roundabout, items that can be placed inside the center of the roundabout, upgraded crosswalks and sign posts and extension of street lighting.
- Email responding to questions regarding the roundabout between Town Planner Cook and Tim Boland
- Roundabout Brochure – Your Guide to Understanding Roundabouts
- Roundabout Map showing Pavement Marking Detail
- April 9, 2009 Analysis of Possible Roadway Modifications near the NC 16 and NC 84 Intersection
- Feasibility Study – FS-0310C

Mayor Davidson advised that Barry Moose will be at the Town Council Meeting on Monday but that his intent for tonight was to do some preliminary work on these items prior to that meeting.

NCDOT requested direction from the Town Council on the following items:

Sidewalks along NC 84

The cost to the Town would be \$3,500.00. Town Planner Jordan Cook believes that the sidewalks would be on both sides of the road. Councilwoman Barbara Harrison questioned whether it would include curb, grass and then the sidewalk and expressed concern that this would mean losing more land. Town Planner Cook felt that NCDOT already owns a lot of the right-of-way needed for the sidewalks. Councilmembers also requested that the Church and Dr. Pinsak be contacted about the sidewalks to see what their preference would be.

*Question for Barry Moose – Does the \$3,500 cover both sides of the road for sidewalks?

Irrigation to the center of the roundabout

Councilmember Werner Thomisser moved to run the lines to the roundabout for irrigation at a cost of \$5,000. All were in favor, with votes recorded as follows:

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

*Question for Mr. Moose – Do the lines include electricity to the roundabout as well?

Council advised that they wanted to ask questions of Mr. Moose regarding the \$4,000 for the dirt for the inside of the roundabout.

Items that can be placed inside the center of the roundabout

Town Planner Cook advised that any items that the Town considers placing in the roundabout would have to be approved by NCDOT.

Upgraded crosswalks and sign posts

Councilmembers discussed the maintenance costs associated with stamped crosswalks which would be the responsibility of the Town. Councilmember Thomisser felt that the stamped crosswalks help to break up the asphalt and is more aesthetically pleasing. Mayor Pro Tem Daniel Barry advised that he did not want to spend money on sidewalks or roads that do not go anywhere but there may be a connectivity issue with the church that has been created due to the widening project.

Mayor Pro Tem Barry moved to not fund upgrading the crosswalks. Councilmember Thomisser asked if he would accept a friendly amendment to do two of them. The amendment was not accepted by Mayor Pro Tem Barry. The vote on the motion is as follows:

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

*Question for Mr. Moose – Can some of the concrete in the triangle be landscaped instead and if so what would be the cost to the Town?

Extension of street lighting

*Question for Mr. Moose – Ask what he needs from the Town regarding the conduit for street lighting.

Item No. 4. Review of Interlocal Agreement with NCDOT for the Cost of the Sidewalks Along Providence Road. The Town Council received the following:

- Letter dated October 31, 2011 from Ritchie Hearne, PE – Project Manager with NCDOT
- Letter dated July 9, 2003 from Former Mayor Ed Howie
- Email correspondence from Teresa Bruton and Robert Cook
- A copy of the Transportation Improvement Project – Municipal Agreement between the Town of Weddington and NCDOT

Town Planner Cook gave a brief history regarding this item. He stated, “At the time the sidewalks were put on both sides of Providence Road, there should have been some type of agreement with a price sheet and estimates between NCDOT and the Town. At that time the Town should have paid 10% of the costs for the sidewalks along Providence Road. NCDOT had originally proposed that sidewalks go on the Mecklenburg County portion of the 16 widening and not in Weddington. From letters it appears that Former Mayor Ed Howie had asked for the sidewalks to be extended into Weddington. There was no formal signed

agreement. I cannot find anything whether they gave the Town one of these types of sheets to tell them how much it was going to cost. When discussions of the sidewalks on Highway 84 were occurring, I think it reminded NCDOT that they did not charge the Town for the sidewalks on Highway 16. NCDOT dropped the ball on it. This would also include taking over the maintenance of the sidewalks.”

Council discussed whether they had an obligation to pay the State back \$28,000 absent a written contract and minutes showing Council approval of a decision to request sidewalks into Weddington.

Mayor Pro Tem Barry - I think we have an obligation to work in good faith with NCDOT and possibly pay half this year and half next year.

Town Planner Cook - I talked with Richard Hancock and he admitted that NCDOT dropped the ball and advised that we do not have to pay for it but we did have to take over the maintenance. What does that do for our relationship with them? If NCDOT were to come in and build the two roads now the sidewalks would be standard.

Attorney Fox advised that one option would be to have Town Planner Cook discuss and negotiate the issue of payment and terms to be able to pay over a two-year period. Council will vote on this item at Monday’s Regular Meeting.

Item No. 5. Discussion and Consideration of NC Department of Transportation Mowing Agreement.

The Town Council received a copy of the Mowing Agreement between the Town of Weddington and NCDOT.

Town Administrator/Clerk McCollum advised that Daryl’s Lawn Care maintains the medians and shoulders on sections of Providence Road, Rea Road, Weddington Road and the first median on Hemby Road. She stated, “This is a mowing agreement to allow reimbursement from NCDOT for that mowing. They currently mow five cycles in the Town. The payment would be \$2,450 per year. I received an email from John Underwood with NCDOT stating that they would no longer be able to mow the roadways section in Weddington that have curb and gutter and sidewalks because their mowing equipment that is utilized is not suitable for this application. There are a lot of conditions placed in that mowing agreement. If we want to be reimbursed by NCDOT for the mowing, then we would need to sign the agreement.”

Council discussed that they were confused over what NCDOT currently mows for the Town. Councilwoman Hadley advised that she would have to speak with Daryl Matthews to see if he is comfortable agreeing to all of the conditions in the mowing agreement.

Mayor Pro Tem Barry moved to delegate Councilwoman Hadley to work with Daryl’s Lawn Care and NCDOT on receiving more information on this agreement and bringing a recommendation of action to the Town Council. All were in favor, with votes recorded as follows:

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

Item No. 6. Consideration of Proposed Letter to Phases I, II and III Regarding Fire Service in the Town of Weddington. The Town Council received a copy of the proposed letter drafted by Mayor Walker Davidson.

Mayor Davidson – We voted to communicate with these three areas which I call Phases I, II and III. You have the letter that I have proposed. It is a difficult topic. I tried to capture some essence of the problem

without going into too much detail. Giving an invitation to talk to us to know what is going on. They are not going to know what is going on by just the letter. It opens up the topic.

Councilwoman Hadley – I am not comfortable sending this letter out in its present form or before Monday.

Councilmember Thomisser – It is vague and does not give enough detail. It just lists three possible scenarios and you are asking them to tell us how they feel about the three scenarios and there is not information in there about a potential fire tax under each scenario.

Mayor Pro Tem Barry - I think you should add an item - Do Nothing. Be transparent in the process. There are costs of every option - some are insignificant and some are very significant and how do we articulate that without creating a tsunami? I do not think we are adequately communicating it and if we narrow the focus then maybe we can give more information.

Mayor Davidson - I was hoping on Monday night that we take the five scenarios and each Councilmember ranks them and talk about them.

Councilmember Thomisser - I think people have the right to know what it is going to cost.

Councilwoman Hadley – We were elected to do the research to make the decision. I think the vote this past November reflected exactly what the majority of the people wanted. I would prefer to have something more in my hand like what I took into Williamsburg last fall. I am all for clarity and transparency but at some point you can cross that line where you give too much information.

Councilwoman Harrison - What is our goal? I do not think we should do it. What if we have five people respond? Are those five people representative of the 500 and are they representative of the whole district?

Mayor Pro Tem Barry - People elect us to use our common sense and good conscience to make a decision and sometimes in this republic it is in their best interest but they do not like it. We are going to have to help this community make some very difficult decisions about fire service. The five of us are going to have to make that decision and not the 10,000 people that live in Weddington.

Mayor Davidson - The intent of this letter is to inform the people that we are doing something. I am telling them a place to get good information. I am fine with changing the letter. We have to reach out to the people.

Council felt that every taxpayer should get a letter.

Mayor Pro Tem Barry - If you do not tell the whole story, you are making the problem worse. We could put the .pdf of the financial documents on the website for the public's review. He stated, "It should also be noted that the financials only deal with the operating perspective and the capital component is not shown."

Mayor Davidson asked that Councilmembers send him their changes to the letter.

Item No. 7. Consideration of Directing Planning Board to Review and Consider Miniature Horse Text Amendment. Councilwoman Hadley – I move that we send this to the Planning Board to add the definition of a miniature horse as three miniatures to one large horse. I just want the definition. I feel that it is well documented that three miniature horses per acre is what is standard across many states and municipalities. I do not want to get into best management practices or any other issues with this. I would like to have a definition.

Mayor Pro Tem Barry - Having dealt with this issue with the prior Council, I think it is important to make sure that everybody understands this does not supersede homeowners' covenants and would only apply to subdivisions that do not reference this as a deed restriction.

Councilmember Thomisser - This is really an issue of manure management. The way our ordinance is written helps people manage their situation. If we put more horses on an acre of property, we are just exacerbating an issue that already exists.

The vote is as follows:

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

Item No. 8. Consideration of Weddington Town Limit Signs. The Town Council received the following memo from Town Administrator/Clerk Amy McCollum and a picture showing the proposed signage:

At the request of the Downtown Core Committee, Mr. Buzz Bizzell developed a Town limit sign that would replace the NCDOT green town limit signs that currently exist in the Town. The Town Council at its meeting on October 10, 2011 approved six of these Town limit signs. Town Planner Jordan Cook determined that at this time only four of the street signs would be needed. The total cost of each sign would be approximately \$460.00 – not including installation. This project is part of the overall streetscape project that the Downtown Core Committee developed with the street lights, banners, Town monuments, etc. We will have to get permission from NCDOT to allow these signs in place of the current Town limit signage.

Mayor Pro Tem Barry moved to not proceed in purchasing the Town Limit Signs. The vote on the motion is as follows:

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

Mayor Davidson advised that the following remaining items would be moved to Monday's Regular Meeting:

- Discussion and Consideration of Resolution in Support of a Union County Property Revaluation.
- Approval of Resolution of Consideration Identifying Areas as Being Under Consideration for Annexation.
- Update on Town Council Retreat.
- Discussion of 2012 Chiquita Classic – Club at Longview

Item No. 9. Adjournment. Councilwoman Harrison moved to adjourn the February 9, 2012 Special Town Council Work Session. 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 6:29 p.m.

Walker F. Davidson, Mayor

Amy S. McCollum, Town Clerk