

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, FEBRUARY 13, 2017 – 7:00 P.M. AND
FRIDAY, FEBRUARY 17, 2017 – 11:00 A.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 Monday, February 13, 2017 and Friday, February 17, 2017 with Mayor Bill Deter presiding.

Present: Mayor Bill Deter, Mayor Pro Tem Titherington (arrived for Friday, February 17th reconvened meeting), Councilmembers Michael Smith, Scott Buzzard, Janice Propst, Town Attorney Anthony Fox, Planner/Administrator Lisa Thompson and Finance Officer Leslie Gaylord

Absent: None

Visitors: Bill Price, Walt Hogan, Bob Rapp, Cameron B. Helms, Heather Sharpe, Weston Boles, Graham Allen, Susan Tolen, Liz Callis, Andy Stallings, Elton Hardy, Joe Revels

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

Item No. 1. Open the Meeting Mayor Deter opened the February 13, 2017 Regular Town Council Meeting at 7:00 p.m.

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

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

Item No. 4. Public Comments

Walt Hogan inquired as to whether the entrances to All Saints Anglican Church on Hemby Road are being constructed according to the specifications that Council approved. Planner/Administrator Thompson will follow up on this.

Eric Anderson discussed confusion over the noise ordinance. The Town Deputy was dispatched to his house last Saturday night at 9:30 p.m. regarding a noise complaint. Mr. Anderson was under the impression that amplified music was allowed until 10:00 p.m. but the deputy stated that anything that could be heard over 50 feet away any time of the day could be considered a nuisance. Mr. Anderson thinks that if this is correct it is too stringent. Mayor Deter asked Planner/Administrator Thompson to look into this.

Item No. 5. Additions, Deletions and/or Adoption of the Agenda

Councilmember Janice Propst asked to add Appropriation of Fund Balance for up to \$550,000 for the purchase of real property to the Consent Agenda.

Councilmember Michael Smith made a motion to accept the agenda as amended. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Item No. 6. Consent Agenda

- A. Authorize the Tax Collector to Advertise 2016 Unpaid Taxes
- B. Approve Releasing Bond No. 1134523 in the amount of \$13,836 for Arbor Oaks Subdivision
- C. Call for Public Hearing to be held Monday, March 3, 2017 at 7:00 p.m. at Weddington Town Hall for a Text Amendment to Section 58-54 (1)(b) – *open space regulations*
- D. Adopt Changes to Employee Pay Scale and Job Descriptions
- E. Adopt by Resolution Amendments to the Employee Handbook
- F. Appropriation of Fund Balance not to exceed \$550,000 for the purchase of real property – *this item was added to the agenda by a motion made by Councilmember Smith*

Councilmember Propst moved to adopt the Consent Agenda as amended. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Item No. 7. Approval of Minutes

A. Approval of January 9, 2017 Regular Town Council Meeting Minutes

Councilmember Smith moved to approve the January 9, 2017 Regular Town Council Meeting Minutes as presented. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Item No. 8 Public Hearing and Consideration of Public Hearing

A. Text Amendment to Section 46-45(b)(1), Section 46-49, Section 58-54(3) i 3 iv, Section 58-58(3) i 3 iv and Section 58-58 (4) i 3 iv of the Weddington Zoning and Subdivision Ordinance regarding Bonds

Mayor Deter opened and closed the public hearing as no one signed up to speak.

Planner/Administrator Lisa Thompson summarized the text amendment. Municipalities require bonds to guarantee that subdivision construction improvements are completed and maintained. Legislation passed in 2015 narrowed the authority on these performance guarantees. The statute explicitly states that the performance guarantees shall only be used for the completion of required improvements and not

for repair and maintenance and caps the bond amount at 125%. The Town's ordinance set the bonds at 150%. The text amendment modifies the ordinance to comply with the new state statute and has been unanimously recommended for approval by the Planning Board.

Councilmember Smith made a motion to adopt the text amendment to Section 46-45(b)(1), Section 46-49, Section 58-54(3) i 3 iv, Section 58-58(3) i 3 iv and Section 58-58(4) i 3 iv. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

B. Text Amendment to Section 58-4 Definitions to add Building Footprint to the Town Ordinances

Mayor Deter opened and closed the public hearing as no one signed up to speak.

Planner/Administrator Thompson summarized the text amendment. Building footprint is the total amount of area on the ground covered by the building structure, in lieu of exact measurements for the principal structure the total square footage divided by the number of floors may be used for the building footprint.

Councilmember Smith made a motion to approve the text amendment to Section 58-4 Definitions to add Building Footprint to the Town Ordinances. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

C. Text Amendment to Section 58-16 Accessory Uses and Structures

Mayor Deter opened and closed the public hearing as no one signed up to speak.

Planner/Administrator Thompson summarized the text amendment. Section 58-16 states that accessory uses shall not exceed two-thirds of the footprint of the principal building. The text amendment clarifies that the limit applies to the cumulative of all accessory structures rather than each individual accessory structure.

Councilmember Scott Buzzard made a motion to approve the text amendment to Section 58-16 Accessory Uses and Structures. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Item No. 9. Old Business

A. Review and Consideration of a Modification of the Subdivision Ordinance Section 46-76(g) Cul-de-sac for Graham Allen subdivision

Mayor Deter reminded Council that this had been discussed at December and January's council meetings and Council had asked the developer to take the plans back to the Planning Board for their review at their January meeting.

The developer has provided three separate plans. The first two plans were presented to the Planning Board. The first plan shows a neighborhood sized roundabout that would slow traffic and provide a turnaround for emergency vehicles. The second option adds a through street and meets the requirement of the ordinance by having a cul de sac that does not exceed 600 feet. The Planning Board unanimously recommended approval of the plan that meets the ordinance. Subsequently, the developer worked with staff to develop a third plan which is a modification of the second plan. The third option requires a modification to the subdivision ordinance but is the developer's preference. It slightly exceeds the ordinance but is the one the developer prefers in terms of lot layout. Planner/Administrator Thompson indicated that it would require a 162 foot modification as the proposed cul-de-sac length is 762 feet.

Councilmember Scott Buzzard – I appreciate them working with the town to address this.

Town Attorney Anthony Fox indicated that Council can rely on previous testimony given while noting that granting a variance in a lesser amount than what was previously testified to (the original modification requested was for 426 feet rather than 162 feet) is more in keeping with the Town's ordinance provisions than the previous request and therefore more favorable to the Town than what was originally presented. The modification addresses the concerns and the change in length is not that substantial to alter the testimony that was put forth.

Council reviewed the 5 findings with respect to the 162 foot modification.

- 1) *There are special circumstances or conditions effecting said property such that the strict application of the provision of this chapter would deprive the applicant of the reasonable use of his land.* Testimony was previously presented with regards to the characteristics of the adjoining property and the limitations of ingress and egress of the adjoining properties to the current site.
- 2) *The modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner.* The modification provides for a more fluid development and addresses some of the concerns. The 162 foot requested variance is not that substantial relative to what was being originally proposed.
- 3) *The circumstances giving rise to the need for the modification are peculiar to the parcel and not generally characteristic of other parcels in the jurisdiction of this chapter.* The back side of the property is surrounded by two RCD conservation districts. There is an issue with power lines with respect to the easement of the power lines. The two front areas are abutted by two different roads – Antioch Church and Matthews-Weddington Roads.
- 4) *The granting of the modification will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which the property is situated.* There is now a through road rather than a turnaround as originally presented. By allowing the 162 foot modification, instead of having two homes with roads on both the front and the back, there will only be one home in a circular so there will be less flag and double frontage lots.

- 5) *The modification will not vary the provisions of Chapter 58 applicable to the property.* The subdivision regulations provide for modifications by Council and in the judgment of the Council the modification meets the standards and objectives of the Chapter.

Councilmember Propst made a motion to approve a modification of the subdivision ordinance Section 46-76(g) Cul-de-sac for Graham Allen subdivision for a 162 foot modification based upon the findings that were stated by the members of the Council and the attorney in the rehashing of the evidence that had been presented at the public hearing. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Item No. 10. New Business

A. WCVFD Update – Budget Presentation and Discussion

Wesley Chapel Volunteer Fire Department Chief Steven McLendon distributed the Fire Department's preliminary budget to Council.

Chief McLendon stated that the Fiscal Year 2018 preliminary budget is broken down by line item for the Town of Weddington and includes an appendix that shows the line items and how the expenses are allocated. A portion of the budget is pro-rated for shared expenses and a portion is for expenses specific to the Town of Weddington. For the pro-rated expenses, the cost-sharing allocation is basically one-third.

Chief McLendon – The budget request is 3% over the current year. Information that I received from Town staff shows the growth rate is somewhere in the 3% conservative range so 3% is being presented. Salaries and wages stayed the same. We are not asking for any increases in salaries and wages. The majority of the increase is going towards our capital program which as we discussed in the past year is for a capital account to pay for future capital expenses such as fire trucks, SCBA units, things that cost several hundred thousand dollars. We include that in the budget to prepare for that and not come back at a later date and ask for additional funding. It's a budget-neutral CIP plan for the Town of Weddington. If you have any questions, please give me a call or shoot me an email and I can come back to the Council at a later date and we discuss this further. I will be glad to do so as time goes forward.

Mayor Deter inquired about audit expense. Chief McLendon believes the audit cost was approximately \$12,000 so the Town's allocated portion would be \$4,000. Chief McLendon will send a copy of the audit invoice to Finance Officer Leslie Gaylord for reimbursement.

Chief McLendon distributed a copy of the Fiscal Year 2016 Annual Report which details all of the accomplishments and initiatives of the organization over the operating cycle. Highlights of the report include:

- Incident specific data. Responded to 1864 calls for service and breaks out calls by category. Medical calls are still a large portion of the calls for service. Only 30 of the calls were for structure fires.

- Information on how many calls each of the three fire stations responded to. It is for the entire Wesley Chapel Fire District and doesn't specify calls responded to within the Town of Weddington.
- Save rate percentage is approximately 77% on the value as compared to the pre-incident value.
- Shows number of times called to assist another agency and number of times they are called to assist WCVFD. It is approximately a 50/50 split. WCVFD is able to cover calls 92% of the time exclusively with WCVFD resources and not require aid.
- Average response time for both emergency and non-emergency calls (does not include call processing time). This helps with planning.
- Operating budget.
- Accomplishments include most CPR saves in Union County.
- Fire safety events.
- Equipment and technology upgrades.
- Customer service program – WCVFD has never received a mark other than outstanding.
- Community service events. The department participated in over 120 community events.
- Focus for 2017 – ISO inspection in September; strategic 5, 10 and 15 year projections.

Council commended Chief McLendon on their accomplishments.

Chief McLendon – The Department did receive our new ISO score last week. The Department was able to achieve an ISO 3 rating which is extremely honorable and very difficult to obtain. I'm extremely proud of the department and all of the members and all of the hard work that went into achieving that score. One of the things that I will say about the rating is that there are two different ways that a fire department can be rated. You can be rated on a water haul which means that you have to use tankers to move water. You have to do that if you don't have 86% of your district covered with fire hydrants. In the state of North Carolina there are only two departments that have a Class 3 rating on a water haul and your fire department is one of those fire departments. That just goes to show you the superior service and the ability the department has. Out of all fire departments in North Carolina – over 1400 fire departments – there are only two in the state that have a Class 3 rating on a water haul. It is that difficult to achieve. The balance of the other departments that have a 3 rating are departments that have municipal water supplies. Some insurance information that we received from quotes from independent insurance agents talks about the possible savings from going from a 6 rating to a 3 rating. It averaged out at about 8.6% annual savings for a homeowner. Of course that is caveated with individual policies – age, roof, all the things that the insurance company looks at – but from a high level it averaged out to be 8.64% so we're very pleased with that and the opportunities that that provides to the citizens of Weddington as well. The new rate will take effect May 1st. There is really no way to define what each individual property will save because they are all unique but generally speaking it will have a higher impact on commercial than residential so commercial properties will absolutely see a higher impact but there is also the possibility of a residential savings as well. It just depends on providers, past insurance claims, and a whole plethora of things that go into that but certainly some opportunities for savings there for everyone.

Councilmember Smith – Steven, I had an opportunity to work with you over the years transitioning the fire service and I know what this means and how hard it is to achieve a rating like this so you and your company must have done a lot of hard work to achieve this ISO rating and I just want to say that I'm

very impressed with it and from what I can see of the service that you've given to Weddington - you and your men - I just really want to thank you for the phenomenal job. Thank you.

Mayor Deter – I think all of the Council would echo that.

Chief McLendon distributed a copy of the financial statement audit for the year ending June 30, 2016. He stated that there were no deficiencies, no negative management marks or no improper management practices or methods or accounting practices. He also reminded Council that this is for the department as a whole and is not exclusive to the Town of Weddington.

Mayor Deter inquired about the Department's not-for-profit tax status. Chief McLendon confirmed that WCVFD has applied to change from a 501C(4) to a 501C(3) and are waiting on a determination from the IRS.

B. Call for Public Hearing to be held Monday, March 13, 2017 at 7:00 p.m. at Weddington Town Hall for a Rezoning from R-40 to R-CD for Properties located at 5800 Deal Road (NE Corner of Deal Road and Highway 84, parcel numbers 06072003A & 06072003E)

Planner/Administrator Thompson - We received an application for two parcels at 5800 Deal Road that are looking to rezone from R-40 to R-CD. It's about 10 acres. They are going to combine it with a parcel to the north and they are planning to do a conservation subdivision. It wasn't rezoned in the past when you did the overall rezoning because each parcel was under 6 acres so if these would have been combined in the first place it would have been zoned R-CD. The Planning Board was in favor of the rezoning. They mentioned viewshed buffer that will now be required on both Deal and 84 and the conservation with an open space with a flood plain. They gave a favorable recommendation so tonight we just need to call for the public hearing.

Councilmember Propst made a motion to call for a public hearing for a rezoning from R-40 to R-CD for properties located at 5800 Deal Road (the NE Corner of Deal Road and Highway 84, parcel numbers 06072003A and 06072003E) to be held Monday, March 13, 2017 at 7:00pm at Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

C. Discussion and Consideration of Resolution #R-2017-02 Resolution Declaring the Intention of the Town of Weddington Council to Consider the Closing of the Undeveloped Portion of Reid Dairy Road and Call for a Public Hearing on the Matter

Planner/Administrator Thompson – At the last meeting you approved a resolution to abandon NCDOT maintenance. The next step of the process is to approve a resolution that calls for a public hearing and abandons the right of way so the right of way will go back to the property owner.

Councilmember Buzzard made a motion to approve Resolution R-2017-02 Declaring the Intention of the Town of Weddington to Consider the Closing of the Undeveloped Portion of Reid Dairy Road and to

call for a public hearing on the matter to be held on Monday, March 13, 2017. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

D. Discussion and Consideration of Subdivision Construction Review and Amending the Fee Schedule for PRD Zoning

Planner/Administrator Thompson - Staff has received within the last month three complaints about stormwater runoff or water backing up onto properties. One thing we can do is have an inspector on site during construction, especially during mass grading, until the site is sodded or seeded. We cannot charge that fee back to a developer – usually we can only charge fees that are administrative such as reviews of plats, TIA review and things like that - so the cost would be ours. Our contract engineer USI does have a person that can do this for us at \$80/hour. I thought we could start at maybe four hours a week times \$80/hour for 52 weeks would be about \$16k. This is something to consider for your upcoming budget. Start off more aggressively so that construction managers get to know the inspector and then can slow down.

Councilmember Smith indicated he had asked Planner/Administrator Thompson to look into this. He believes it is a much-needed safety net that will offer residents a service. He thinks it is well worth it.

Planner/Administrator Thompson thinks we should start it off aggressively and have somebody every week looking at as many as we can so the construction inspector gets to know the project managers so they make that contact and then we can slow it down to more as-needed through the fall and winter.

Mayor Deter inquired about road inspections on PRDs. Planner/Administrator Thompson stated that road inspections are different. We will have to do an amendment to our fee schedule. It will also require a text amendment to zone it as a kind of PRD in order to make the fee applicable. It is currently a conditional district process which already charges a conditional district fee at the preliminary construction plan phase. Planner/Administrator Thompson requires more time to prepare this.

Councilmember Smith made a motion to direct staff to look into contracting with USI for the recommended inspections and to include fees in the budget review process. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Item No. 11. Update from Planner

Planner/Administrator Thompson – We have a Public Involvement Meeting scheduled Monday on site from 2:00-4:00 and then here at Town Hall from 5:00-7:00 for the Weddington-Matthews Road subdivision. Thank you for your time at the retreat. I thought it was well worth the time. I learned a lot and look forward to the upcoming year.

Item No. 12. Code Enforcement Report

Council received the most recent Code Enforcement Report from Code Enforcement Officer Sam Leggett.

Mayor Deter stated that there is a court date set for April 17th for Item #1. He also asked if we could put the date the courtesy letters were sent for Items #8 and #9.

Item No. 13. Update from Finance Officer and Tax Collector

Finance Officer Gaylord discussed that the Town had received a letter from the LGC regarding an internal control concern related to check signing that was identified during its review of the Town's June 30, 2016 audited financial statements. After discussions with LGC staff and the Town's auditors, it was discovered that the comment is actually a comment from the FY2015 audit that was inadvertently not removed from the financial statements submitted for FY2016. The auditors have indicated a willingness to reissue corrected FY2016 financial statements to the LGC. A copy of staff's proposed response to the LGC is included in their packets.

Finance Officer Gaylord informed the Council that the regular monthly financial statements are in their packets. Preliminary budget discussions for FY2018 were held at the February 11th retreat and changes to the preliminary budget as a result of those discussions will be presented at the Council's March meeting. The Town's new auditors, Rowell, Craven & Short will also present the Town's audited financial statements for the year ended June 30, 2016 at the March meeting.

Item No. 14. Public Safety Report

Councilmember Smith stated that the Public Safety Committee has not met in several months as there really hasn't been anything for them to meet about. He will try to get up with the Chairman to discuss a few things and to give the committee some direction.

Councilmember Smith also commended Deputy Chris Black for his fine police work in responding to a larceny and obtaining a latent fingerprint which has yielded a suspect for whom arrest warrants are pending. Councilmember Smith emphasized how difficult it is to obtain a latent fingerprint. He complimented Deputy Black and also recognized Officers Ryan Hedlund and Jackson Hunt.

Item No. 15. Transportation Report

Councilmember Buzzard included in the Council packets an email to Council with some general information on crash history and how it is accounted for with NCDOT. He suggested either having our deputies or someone from our Public Safety Committee attend a training session the Waxhaw Police Department has on how to file crash reports with DOT and the importance of the reports. NCDOT recognizes that a lot of their projects are based on past data and not future growth so it is important just to make sure that the data that they have is accurate.

Council discussed the roundabout at Weddington-Matthews and Tilley-Morris Roads. The roundabout was discussed at the retreat and additional information is still needed. Council's preference is to discuss this when the full council is present and Mayor Pro Tem Titherington is able to attend.

Attorney Fox indicated that if we recess this meeting we can amend the agenda at that meeting to add this for discussion and consideration and not have to do a notice of a special meeting.

Item No. 16. Council Comments

Councilmember Propst - The Town of Weddington is excited to announce today the purchase of 3.232 acres of property located at 6924 Matthews-Weddington Road. This property is the only adjacent property to the current town hall and sits directly behind Weddington Corners Shopping Center.

The property was purchased from long-standing Weddington residents Ella Virginia Matthews and Kenneth Jeffrey Matthews, and has been in the JT Matthews family since February 9, 1932.

The purchase price was \$593,250.00 and was paid in full out of the Town's fund balance. Our fund balance is set aside for these opportunities, to assist with infrastructure expenditures, and for strategic long-range planning initiatives.

Why did the Town purchase the property? The purchase of this property provides the Town a combined total of 5.322 contiguous acres in the center of our downtown district. The property provides our community with so many wonderful growth opportunities. Some examples of that would be:

- Expansion of the town hall facilities when needed
- Green space
- A potential town park
- Expanded area to support our town events and other outdoor activities for our growing town

For additional questions, you can contact Bill or any Councilmembers or our Town Planner, Lisa Thompson.

The seller, the Matthews family, was also recognized for a \$35,000 charitable contribution to the Town of Weddington.

Attorney Fox – We may want to ratify the execution of the offer to purchase the property.

Councilmember Propst made a motion to amend the agenda to add ratification of the purchase of the Matthews property at 6924 Matthews-Weddington Road. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Councilmember Propst made a motion to accept the amended agenda. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Councilmember Smith – I just want to thank Janice for handling that transaction on behalf of the Town. She did an excellent job and at lightning speed. I appreciate all of your hard efforts and I know you put a lot of time into that. As to my feelings on why we bought it, I can't say it any better than she did so thank you, Janice, for all your hard work on that.

Councilmember Buzzard – I want to thank Janice. She took the reins on this and I think it turned out very well for the Town. Also, I want to thank our residents who are here tonight for coming out and supporting the Council and understanding what's going on and being a part of your community.

Mayor Deter – I will echo the same thing. I want to thank Janice for the hard work she did getting this through. I always like to see people out there. I appreciate you coming out. Next time, bring a friend with you and we can double the attendance. I would again like to congratulate Wesley Chapel Fire Department on their ISO rating and the hard work they've done.

Councilmember Propst – I just want to thank Joe Revels, one of the Matthews family. He came out tonight just to hear us announce this so I want to acknowledge the Matthews family and it's just been a pleasure to work with y'all and I'm so excited about the property and what this means to the Town.

Item No. 17. Ratification of the Execution of the Contract to Purchase 3.232 Acres at 6924 Matthews-Weddington Road in the amount of \$593,250.

Councilmember Propst made a motion to ratify the execution of the contract to purchase 3.232 acres for \$593,250. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

Item No. 18. Recess

Councilmember Smith made a motion to recess until Friday, February 17th at 11:00a.m. at Weddington Town Hall. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard and Propst

NAYS: None

The meeting recessed at 8:23 p.m.

Item No. 19. Reconvene the Meeting

Mayor Deter reopened the meeting on Friday, February 17th at 11:00 a.m. Mayor Pro Tem Titherington was present for the reconvened meeting.

Planner/Administrator Thompson requested that Discussion and Consideration of a Resolution and Funding in Support of a Roundabout at Tilley-Morris and Weddington-Matthews Road be added to the agenda.

Councilman Buzzard made a motion to add discussion and consideration of funding and resolution in support of Tilley-Morris/Weddington-Matthews Road roundabout to the agenda. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

Item No. 20. Discussion and Consideration of Funding and Resolution in Support of Roundabout at Tilley-Morris and Weddington-Matthews Road – *this item was added to the agenda by a motion made by Councilmember Buzzard*

Planner/Administrator Thompson provided Council with a summary of various NCDOT funding options for the roundabout and the timing of these options as well as the Town's estimated cost of participation in each. Finance Officer Gaylord provided Council with a summary of potential funding sources from the Town's General Fund cash flows.

Councilmember Buzzard – What Lisa has provided is pretty straightforward although it's technically not the spot-safety funds. It's something similar to that. And also the construction timetable that I heard from DOT on that was FY19/20 and not FY18 so I'm not 100% sure where you got that from. Basically there are two pools of money that NCDOT is looking to leverage because the roundabout is fairly high on their priority list.

The first one is the federal funds that are available through the CRTPO – the STPDA funds – and that's something that this Council has discussed back in the summer or early portion of the fall when we first walked down this road. Those are federal funds and basically what the stipulation is with those for anybody – whether it be NCDOT or the City of Charlotte or the Town of Weddington – if you have a project that you want to have to access to those funds, they require you to have a 20% match. Last spring the Town Council was approached by NCDOT about that and the email that we provided back was that we had Julian reiterate to them that we were not interested in walking up to a full 20% but mostly because we didn't know exactly what the cost of the project was. They were estimating it to be \$1 million; as it turns out it was a \$1.3 million. But they ended up submitting the project anyway. That did not get funded as you know, but only about 50% of those funds were released so they are calling now ending in March for a second round of those projects. That's the one pool of money.

The second pool of money is the state funds and basically from what I understand from both Lee and Scott is there is an excess in the NCDOT budget. They are providing those monies back to the local NCDOT for them to submit projects that are in the lower tier - projects that you would get funded

through the local MPOs for larger projects – again, the less state-concerned projects. Those monies are supposed to be capped at million dollar projects. Obviously the \$1.3 million roundabout exceeds the \$1 million project so NCDOT was looking back at the Town to try to get them under that \$1 million threshold. Being over a million dollars does not automatically put you out of the running for those projects but it forces then is that it be vetted in a different way than the under \$1 million projects so there is a likelihood, and talking with Scott and Lee, apparently a high likelihood that even if the state funding project exceeds \$1million that they will still be able to get it funded. I don't know why they think that; I didn't go into that so basically that's your two scenarios.

NCDOT was going to submit for both funding projects.

Mayor Pro Tem Don Titherington – They're going down that parallel path we are all kind of talking about.

Councilmember Buzzard – Correct. They were talking about casting a wide net. They are going to go with throwing two lines in. Two lines are better than one. So that's where we are. In any regard the NCDOT would very much like to have Town Council pass a resolution supporting the project regardless of funding. We have that with the letter that we wrote back in the fall but I think it's a good idea to reiterate that through a resolution.

Councilmember Propst questioned the timing of the projects through the two funding mechanisms. Councilmember Buzzard believes there is about a year difference based on what Lee and Scott with NCDOT have told him. Approval through state funding would save a little time versus federal funding. He believes we would be looking at Fiscal Year 2018-2019 versus Fiscal Year 2020-2021.

Councilmember Buzzard – I think having a resolution for both projects is something that we should do. I also feel that we keep the funding between the two projects consistent. Personally I don't feel that putting in \$300,000 or whatever that number would be to get that under \$1 million is something that Town Council wants to do. We don't really get any more benefit from putting in \$200,000 for the state funds versus \$65,000 for the federal funds. If we go to 10%, which would get us an extra five points through the federal funds, then you're putting in 10% for the project in both scenarios and would be the smartest way to go.

Mayor Deter – On the CRTPO approach versus the local approach, have they put a cost estimate on the roundabout? Are both of them \$1.3 million or has one not been costed out yet?

Councilmember Buzzard – That data is provided by NCDOT so whatever data they provide to the CRTPO on the roundabout cost is what they would go with. They don't go out and do their own costing so the \$1.3 million would be the same. NCDOT has not submitted either project yet. I did verify that. They are hoping to get the state funding submitted this month which is why we're here today. I believe that because the CRTPO is not closing until March they're going to submit that at a later date at the end of March.

Mayor Deter – Is the \$1.3 million that they have been talking about for either project a conservative estimate?

Councilmember Buzzard – I don't know how NCDOT does their budgeting - whether they take a conservative or a liberal approach. I know that they first approached the Town with \$1 million to when they submitted it at \$1.1, and after it didn't make it at \$1.1 it went up to \$1.2, and it's now \$1.3. My guess is that they're trying to make it as low as possible. I would imagine that \$1.3 is going to be at least the cost of the project.

Mayor Pro Tem Titherington indicated that based on documents he's seen that every year the project moves out adds 3% to the cost.

Planner/Administrator Thompson indicated that to address the concerns of the costs escalating she included wording in the proposed resolution that the Town will fund the lesser of a percentage of the final construction cost or an amount not to exceed "x" (a maximum amount to be determined by Council).

Mayor Pro Tem Titherington asked Planner/Administrator Thompson about the timing.

Planner/Administrator Thompson – I was told a year and a half to two years from funding it will be shovel ready. If it's funded within the next six months (the next two go arounds), 2018/2019 construction build. But Scott Cole said that the funding for CRTPO is available in 2020/2021 but they will do what they can ahead of time to be able to start construction so final construction will probably be in 2022.

Council had discussion as to timing of the project.

Councilmember Buzzard- This roundabout will be competing against all of the projects that both our district submits and all of the other districts submit at the state level which is why I think personally that the CRTPO is going to be the best path because it's a smaller project list. Both Lee and Scott said other municipalities have now had time to throw something in there; however, there's not a lot of municipalities that can go after those funds because it's tantamount to applying for a federal grant so you have to have the internal staff to be able to work the paperwork to get that process done and there's only a handful of municipalities that have that kind of staff that's willing to commit those extra hours and resources to go after those monies so I think that this project list for the CRTPO is going to remain fairly small and fairly similar to what it is that we have on that list here.

Council discussed the scoring of the project through CRTPO. If the Town issues a resolution it will be a local priority and garner 10 points. Because the roundabout is not on the LARTP, it needs a resolution to be a local priority. Projects on the LARTP are automatically considered local priorities. If the Town gets just past the 30% funding mark they would get another 15 points so there could be an extra 25 total points added to the Town's score.

Councilmember Buzzard - If you look at the scoring, even if there are other projects that come about, I still think that this project scores very high.

Mayor Pro Tem Titherington – The question I've got is that there are two lines in various emails that make me nervous. One is on the CRTPO where the first bullet point says "at the discretion of the

CRTPO approval rating” and Charlotte has more votes in that than we do, correct? I’m trying to figure out which project path has the higher probability of getting funded.

Councilmember Buzzard – In my opinion, the CRTPO has a higher probability.

Mayor Pro Tem Titherington – Scott Cole’s comment on the email he sent around was that probably the state would be better than the CRTPO. I get a little nervous when I hear that. We haven’t had a lot of success with CRTPO in the two and a half years that I’ve been on the Council. We’ve put a lot of projects up and they end up getting whacked and Charlotte gets approved. Charlotte seems to get the majority of the monies.

Councilmember Buzzard – They do but these projects are smaller in nature projects. The Charlotte projects generally are larger projects and if you look at the monies available for the STPDA and the monies available through everything that CRTPO administers this is probably like 2 or 3% of the money that is doled out. Charlotte is looking to capture those bigger projects – \$2.6 to \$5 million. If you look, Charlotte only has two projects on this whole list so it’s not like we’re competing against Charlotte for these projects. These are the smaller projects that are easily done.

Council discussed that based on the way points are assigned it would be a good return on investment to put in an additional 1% funding to increase the total funding from 30% to 31% and capture additional points. By doing so it would up the projects total score to 80 points.

Councilmember Buzzard said that if nobody submits any other projects we are only competing against 10 other projects. The projects are due the end of March and TCC and CRTPO will vote in June. Planner/Administrator Thompson said even though the vote will be in June the list of projects will be available at the beginning of April.

Mayor Pro Tem Titherington – The next question is on what I’ll call the district funds. They’ve got that call at the end of February.

Councilmember Buzzard – There’s no hard fast on that. There’s just trying to have theirs submitted by the end of February.

Mayor Pro Tem Titherington – When will the next call be? The risk is the money will dry up and then you’re done. Do we know if there’s a round two?

Council discussed whether or not spot safety funds might be a third option if we don’t get either of these funds. Mayor Pro Tem Titherington believes that spot safety projects are reviewed every quarter and must be under \$1 million. Councilmember Buzzard doesn’t think we have sufficient crash data to make us eligible for that.

Mayor Pro Tem Titherington - I get the CRTPO and 11% funding on the CRTPO makes sense but I’m trying to figure out on the district funds it appears that, based on what Scott Cole says, construction would be in 2018 and completed in 2019 and in this other email he was saying finish in 2022 so it could be an almost 3 year improvement based off of what Scott Cole was articulating here.

Councilmember Buzzard said that he told him it was only about a year difference.

Mayor Pro Tem Titherington – That's part of the problem with not having him here. We'd love the clarity. He's telling one thing in one conversation and putting in writing something separate. What I'm struggling with is we missing an opportunity for want of funding that we already have? Leslie pulled this [potential funding source document] together and I thought it was very helpful for me. This year alone we could fund \$202,000 out of our current cash flows.

Councilmember Buzzard – I'll answer your question. I'm not going to put \$300k in this project. And it would have to be \$300k because that would be the only way to get the state funds easier to us.

Mayor Pro Tem Titherington – I thought Scott Cole said that if you get close to that, the closer we get the better off we are.

Planner/Administrator Thompson – The more we put in, the better the benefit to cost ratio is.

Mayor Pro Tem Titherington – They said that they take the cost of the project and back out local funding and then that's the ratio that they look at. It's not the cost of the project; it's what DOT puts towards that project.

Councilmember Buzzard – What I could glean from Scott was that if you don't push the project under \$1million then having something is better than nothing.

Mayor Pro Tem Titherington - If we miss this opportunity then we go back with the spot safety funds and absolutely will have to be under \$1 million because that's what they control. I'm just trying to be reasonable here because I went back and looked at the surveys that we got at the retreat and the #1 issue for the 2012 and 2006 survey for folks is that what would reduce their quality of life in Weddington is traffic congestion. We already know we've got a problem; we all agree, I think, that we've got to get it fixed.

Councilmember Buzzard – If you start tying up all of those funds in this, then you don't have those funds available elsewhere when these situations arise. I think we would do better with being able to assist them with multiple projects that benefit the residents as opposed to just this one project.

Mayor Pro Tem Titherington – And I don't disagree.

Council discussed the Town's financial condition and their ability to fund future projects.

Councilmember Propst – We have other things going on in the Town and I haven't looked at all the issues but Providence Acres is screaming that they can't get out of their neighborhood and there's all kind of growth issues in the Town. I'm willing to give 11% and see what happens by June but I'm not willing to spend a ton of money beyond that. That's \$143,000 and I think that's a lot of money for a town that doesn't have a big tax base. I just think that's enough money for this project.

Mayor Deter – I'm just a little concerned, I guess I would come out the door that Don is, are we going to miss an opportunity here?

Mayor Pro Tem Titherington – The CRTPO at 11% seems to make all the sense in the world to me. If we move this excess funding which is at a moment in time, we don't know that the State will do that next year, and we miss out, the only way then we're back to hoping that CRTPO comes through or we have to definitely go below \$1 million on the local safety funds. That's what I'm struggling with.

Councilmember Buzzard – I don't know how much you're thinking about putting in but to your point that if we happen to miss out on both of them, if you're talking about putting in \$200,000 or what number you're thinking about, from what we've been bandying about then moving it from \$200 to \$300 is nothing so at some point if we wanted to, we could take it and get it under \$1 million. I don't think there's any reason to go that route at this time. I think having 11% for both resolutions is going to be fine.

Councilmember Propst – And then we'll weigh all of our options in June. If we don't know that we get either one of these, if you feel there's a good confidence that we will, we'll get our options come June, right? I'm just not willing to put that kind of money in going in.

Mayor Pro Tem Titherington – What I'm wrestling with, I would agree to keep the CRTPO at 11% - there is no value in increasing that - and we'll know that in June, to your point, then on the state funds, which according to Scott Cole's email he says this is the one that he feels we have the greatest potential of getting done and getting done quicker, I have no issue going with say \$200,000 because we're not even tapping the fund balance, it's coming out of this year's cash flows...

Councilmember Smith – I'm just telling you right now I'm not going to do that.

Mayor Pro Tem Titherington – If we miss that, we know we miss in June, then the only other option at that point is to go to spot safety which are local district funds and we can choose to get that area funded, we're going to have to be under \$1 million so we now know that our risk is up to \$300,000. We all agree that we've got to get that built. The worst case scenario is \$300,000 and we're worrying about 10% now and my only point is we do affect the scoring on the district funding if we increase more.

Councilmember Buzzard – You're making an assumption on that. Nobody has told me that that's the case.

Councilmember Propst – You feel like in your conversations with them that 10% would be great but 11% is even going to be a little better but they don't see that we need to be significantly....

Councilmember Buzzard – With the state scoring, Scott Cole did not make a mention that having anything between a \$1 and \$300,000 to get them under \$1 million is going to make a difference.

Mayor Pro Tem Titherington – I'm just going off of what we were told by Lee and Sean. It may be wrong but that's how they said that that gets scored. My recommendation would be we do it out of current cash flows, with that assumption, but if we don't we could be sitting here in June saying "okay, we didn't get either one of them and now what do we do?" and we would know that we have to go to spot safety funds.

Councilmember Propst – Seriously, there's a lot of the Town that has a lot of traffic and a lot of issues. I just feel like we have to be fair to the rest of the Town.

Councilmember Smith – I want to go the route that Scott wants to go. I agree that we have other projects in this town that need to be done. I think we're dumping a lot of money in there and I just don't think it's a wise move and there are just other things to take into consideration.

Councilmember Buzzard made a motion to submit two resolutions (one for each funding mechanism) in support of the Weddington-Matthews/Tilley-Morris roundabout and that each resolution will state that the Town will fund 11% not to exceed \$143,000. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington

NAYS: None

Planner/Administrator Thompson stated they would be Resolutions 03 and 04. Councilmember Buzzard requested that staff verify to whom the resolutions should be submitted.

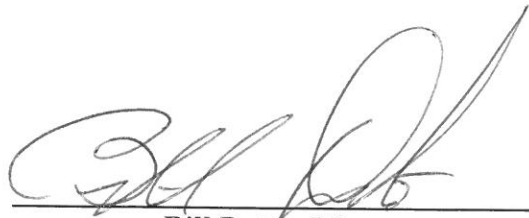
Item No. 21. Adjournment

Mayor Pro Tem Titherington made a motion to adjourn. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Buzzard, Propst and Mayor Pro Tem Titherington


NAYS: None

The meeting ended at 11:55 a.m.



Bill Deter, Mayor

Attest:



Leslie Gaylord, Interim Clerk



TOWN OF
WEDDINGTON

1924 Weddington Road • Weddington, North Carolina 28104

TO: Mayor and Town Council
FROM: Kim H. Woods, Tax Collector
DATE: February 13, 2017
SUBJECT: 2016 Authorization to Advertise

In accordance with North Carolina General Statute 105.369(a), the following represents the total of unpaid 2016 taxes that are liens on real property to date:


\$ 37,740.47

In accordance with General Statutes 105.369(a), I am hereby requesting authorization to advertise unpaid 2016 taxes that are liens on real property.

State of North Carolina
Town of Weddington
To the Tax Collector of the Town of Weddington


The Town of Weddington Tax Collector is ordered to advertise all unpaid 2016 taxes that are liens on real property, pursuant to North Carolina General Statute 105-369(a), -369(c).

Witness my hand and official seal this 13th day of February, 2017.



Bill Deter, Mayor

Attest:



Leslie Gaylord, Interim Town Clerk