

**TOWN OF WEDDINGTON  
REGULAR TOWN COUNCIL MEETING  
MONDAY, JULY 11, 2011 - 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 July 11, 2011, at 7:00 p.m. with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser, Robert Gilmartin (Left at 8:08 p.m.) and Jerry McKee, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Jordan Cook and Town Administrator/Clerk Amy S. McCollum

Absent: None

Visitors: Daryl Matthews, Jim Reichenbach, Heather Perryman, Jeff Perryman, Duane Baker, Robert Bodycombe, Tommy Price, Charles Moore, Terry Moore, Michael Carver, Ann Marie Quadarella, Melanie Marmer, Tom Turpin, Tony Gipson, Joe & Mary Ann DeSimone, David Strunk, Genny Reid, John Montgomery, Griffin Montgomery, Meg Hollingsworth, Patricia Fitzgerald, John Hollingsworth, Brenda Stone, Dudley Stone, Judy Johnston, Scott Buzzard, Rosanne Bongiovanni, Peg Conover, Don Conover, V.J. Farrow, B.B. Puckett, C.L. Puckett, Joshua Dye, Vanessa Dye, Rebecca Broughton, Lauren Marston, Alexander Martin, Danny Modia, Brian Strange, Dr. O.G. Fairchild, Judy Fairchild, Pat Harrison, Anthony Burman, Ron Salimao, Stephanie Belcher, Patrick Block, Chris Block, Barbara Harrison, Bill Price, Scott Robinson, Jack Parks, Walker Davidson, Robert Lockerman, Chrys Nikopoulos, Scott Johnston, Matthew Carow, Ryan Craig, Spencer Dobbins, Marquis Kimbrough, Brandon Tabor, Butch Plyler, Terry Byrum, John Rogers, Tom McMillian, Lisa Roth, Dan Warren, Eric Anderson, Louis and LuAnne Bernier

Mayor Nancy D. Anderson led in prayer prior to the opening of the meeting.

**Item No. 1. Call to Order.** Mayor Anderson called the July 11, 2011 Regular Town Council Meeting to order at 7:05 p.m.

**Item No. 2. Pledge of Allegiance.** Mayor Anderson led in the Pledge of Allegiance.

**Item No. 3. Recess Meeting.** Mayor Pro Tem Daniel Barry moved to recess the meeting to the Helms Hall at Weddington United Methodist Church. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**Item No. 4. Reconvene Meeting.** Mayor Pro Tem Barry moved to reconvene the July 11, 2011 Regular Town Council Meeting at 7:33 p.m. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
NAYS: None

**Item No. 5. Special Recognitions.**

**A. Deputy Ronnie Honeycutt.** Mayor Anderson recognized Deputy Ronnie Honeycutt on his retirement from the Union County Sheriff's Office and the Town of Weddington. She stated, "He has served the Town well for so many years. He is the epitome of what we call community policing."

Mayor Anderson presented Deputy Honeycutt with a gift and introduced the current deputies for the Town.

**B. 2010 Eagle Scouts from WUMC Troop #99 – Dr. Greg Thomas.** Mayor Anderson introduced Dr. Greg Thomas. Dr. Thomas stated, "Thank you for taking time out of your schedule to recognize these young men. Scouting in Union County is as strong as or stronger than it has ever been. Our values and our morals that we have in scouting has never failed and has never been challenged in the 101 years that scouting has been around. In scouting we want to make sure that these men are introduced to three values – duty to God and Country, duty to others and duty to self. I am very proud to recognize these young men and thank you to the Church because they are our charter organization. We have 150 young men that start out as young as 1<sup>st</sup> graders and then they grow up to become young men who are seniors in high school and college freshmen."

Mayor Anderson presented a certificate to the 2010 Eagles Scout recipients. She stated, "These young men could not have achieved their rank without leadership. Dr. Thomas also has received a recent award of being District Scout Master."

Representative Craig Horn spoke to the group stating, "You have begun your journey in life; one that will not only pay dividends to you personally but to our community, our state and our nation. We look to you for our leaders for tomorrow. We depend on you to do what you have now trained, disciplined and motivated yourself to do. This is a big deal. Congratulations on your hard work and achievements."

**Item No. 6. Determination of Quorum/Additions or Deletions to the Agenda.** There was a quorum.

Councilmember McKee asked that the following items be moved closer up on the agenda:

11. Fire Department Issue

- A. Presentation by Mr. Scott Shew – Director of EMS for Union County – Councilmember Jerry McKee
- B. Presentation by Wesley Chapel VFD Chief John Rogers – Councilmember Jerry McKee
- C. Presentation by Providence VFD Interim Chief Daryl Matthews – Councilmember Jerry McKee
- D. Presentation by Finance Officer Leslie Gaylord – Explanation of Budget Process – Councilmember Jerry McKee

Mayor Anderson requested that the following items be moved from the Consent Agenda to New Business:

8. Consent Agenda

- E. Consideration of Landscape Maintenance Agreement – Highways 16 and 84 and Rea Road
- F. Call for Public Hearing to Review and Consider – Union County Water Tower Conditional Zoning Application (Public Hearing to be held August 8, 2011 at 7:00 p.m. at the Weddington Town Hall)

Mayor Pro Tem Barry requested that Item 12A be moved to 4A.

12. New Business

A. Review and Discussion of Rules of Procedure #12 – Presiding Officer when the Mayor is in Active Debate – Mayor Pro Tem Daniel Barry

Mayor Anderson objected to that request and stated, “I was hoping that we could get through our business tonight. That is an hour discussion.”

Councilmember McKee moved to approve the agenda with all the changes noted except the one requested by Mayor Pro Tem Barry since the Mayor objected to changing the order of that agenda item. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Gilmartin, McKee and Mayor Pro Tem Barry  
and Mayor Anderson  
NAYS: None

**Item No. 7. Public Hearings.**

**A. Public Hearing to Review and Consider Orientation Signs Text Amendment.** Mayor Anderson opened the public hearing to consider the orientation signs text amendment. The Town Council received a copy of the following memo from Town Planner Jordan Cook, a copy of the Petition for Zoning Text Change dated April 19, 2011 and a copy of the proposed amendment:

- Staff received a formal application on April 19, 2011 from Brian King on behalf of Weddington United Methodist Church to add Orientation Signs text to the *Zoning Ordinance*.
- The Planning Board reviewed the Orientation Signs text amendment at their March, April and May meetings. At the March meeting the Planning Board asked that applicant (Weddington United Methodist Church) review Planning Board comments and return in April with additional text. The Planning Board recommended approval of the attached text amendment at their May 23<sup>rd</sup> meeting,
- The applicant has also applied for a Conditional Zoning District Minor Amendment for the actual signage plan if the Orientation Signs text amendment is approved.

Town Planner Cook stated, “Signs visible from the right-of-way require a permit. Orientation signs do not exist in our current code. These types of signs were going to be visible from the right-of-way therefore the Church would have to get a permit from the Town for an orientation sign. To obtain a permit for those orientation signs they must be added to the Zoning Ordinance.”

Mayor Anderson closed the public hearing since no one spoke in favor or against the text amendment.

**B. Public Hearing to Review and Consider Weddington United Methodist Church Conditional Zoning District Minor Amendment.** Mayor Anderson opened the public hearing to review and consider Weddington United Methodist Church Conditional Zoning District Minor Amendment. The Town Council received a copy of the following memo from Town Planner Cook:

Weddington United Methodist Church requests a Conditional Zoning District Minor Amendment for a universal signage plan located on Weddington United Methodist Church owned parcels throughout the Town of Weddington.

**Application Information**

Date of Application: April 28, 2011

Applicant Name: Weddington United Methodist Church  
Owner Name: Weddington United Methodist Church  
Parcel ID#: 06-150-039, 06-150-040, 06-150-045A, 06-150-064B and 06-150-075  
Property Location: Weddington United Methodist Church-Sanctuary, Helms Hall, Weddington Christian Preschool and Academy, Family Life Center, Hemby House, Fellowship Hall and Offices  
Existing Land Use: All parcels designated Residential Conservation  
Proposed Land Use: Residential Conservation  
Existing Zoning: All parcels zoned RCD  
Proposed Zoning: RCD(CZ) (Conditional Zoning District)

### **General Information-Conditional Zoning District Minor Amendment**

- A Conditional Zoning (CZ) District Minor Amendment is required for the Signage Plan proposed on the Church owned properties. The uses on the Church properties are previously approved Conditional Use Permits (CUP's). Therefore any modification from those approved CUP's require Town Council approval. This signage plan project will be reviewed under the CZ process rather than the CUP process since all CUP's were replaced with CZ's in the *Zoning Ordinance*.
- The Orientation signs and a portion of the Bulletin Board signs are currently not permitted by the Town's *Zoning Ordinance*. These (Orientation and Bulletin Board) signs will only be permitted if the proposed Orientation Signs text is approved by the Town Council. Proposed text amendments for these signs will be on the same Planning Board and Town Council agendas as the Conditional Zoning Amendment Application.
- Other signs are permitted but still require Town Council approval.

### **General Information-Sign Plan**

- The applicant proposes various signage throughout Church owned properties in Weddington.
- Under current zoning regulations each Church owned property is allowed one Freestanding Ground Identification sign, one Attached sign per building and Temporary Banners/Bulletin Board signs as permitted by Zoning Administrator.
- All Orientation signs and Bulletin Board signs require a text amendment.
- The *Weddington Zoning Ordinance* defines a "sign" as any form of publicity, visible from any public highway directing attention to an individual activity, business service, commodity or product and conveyed by means of words, figures, numerals, lettering, emblems, devices, designs, trademarks or trade names or other pictorial matter designed to convey such information and displayed by means of bills, panels, posters, paints, or other devices erected on an open framework, or attached to or otherwise applied to posts, stakes, poles, trees, buildings, or other structures or supports.
- Breakdown of proposed signage:
  - Signs #1 and #2 are Attached signs are affixed to the Family Life Center and Youth Center.
  - Sign #3 is a replacement sign attached to the brick wall in front of the Sanctuary.
  - Sign #4 is a Freestanding Ground Orientation sign on the Fellowship Hall and Office parcel.
  - Sign #5 is a Freestanding Ground sign on the Family Life Center parcel. This sign will be moved to the Providence Road and Weddington Church Road intersection when Weddington Church Road is relocated.
  - Sign #6 is a Freestanding Ground sign on the Sanctuary parcel.

- Sign #7 is an Orientation sign along Weddington Church Road and will be internal to the site when Weddington Church Road is relocated.
- Sign #8 is an Orientation sign on the Sanctuary parcel that is internal to the site.
- Sign #9 is an Orientation sign located on a vacant parcel near the Family Life Center that is internal to the site.
- Sign #10 is a Freestanding Identification sign located on the Hemby House parcel.
- Sign #12 is a Freestanding Identification sign located on a vacant parcel at the intersection of Weddington Church Road and Providence Road.
- Sign #13 is an Orientation sign located on the Family Life Center parcel.
- Signs #14 and #19 are Freestanding Identification signs located at the Fellowship Hall/Office parcel.
- Sign #15 is an Orientation sign located on the Sanctuary parcel.
- Sign #16 (three total) are Bulletin Board signs that will hold Temporary Banners. Temporary Banners change frequently and are allowed for a maximum of 30 days and intended only for special events. These three Bulletin Board signs are located on the Sanctuary, Fellowship Hall/Office and Family Life Center parcels.
- Sign #17 is an Attached sign located on the cement retaining wall installed by NCDOT at the corner of Providence Road and Weddington Road. The applicant proposes to cover the cement wall with brick and attach a text sign.
- Sign #18 is a Freestanding Ground Identification sign located at the entrance of Weddington Christian Academy on the Sanctuary parcel.

**Additional Information:**

- The required Public Involvement Meetings (PIM) for this project was held on May 23, 2011. The first of the required PIM's was held on-site at the Hemby House from 2-4pm. The second PIM was held at Weddington Town Hall from 4-6pm.
- Adjacent property owners within 1,300 feet were notified of the Public Involvement Meetings via first class mail.

**Conditions of Approval:**

1. The Orientation Text Amendment must be approved for Orientation and Bulletin Board signs to be approved;
2. Any sign lighting must comply with the Town's *Lighting Ordinance*;
3. All Temporary Banners must be approved by the Town of Weddington Zoning Administrator;
4. Any future revisions to the approved signage plan and other approved documents must comply with *Section 58-271 (i)* and *Chapter 58 of the Weddington Zoning Ordinance*.
5. Sign #5 will be moved upon the relocation of Weddington Church Road;
6. Sign #12 to be reduced from seven feet tall to six feet tall;
7. Signs #14 and #19 to be combined.

Staff has reviewed the application and submitted documents and finds the Conditional Zoning District Minor Amendment Application is in compliance with the *Town of Weddington Zoning Ordinance* with the aforementioned Conditions of Approval.

The Planning Board gave this application a unanimous favorable recommendation.

The Town Council also received a copy of the following:

- Conditional Zoning Application dated April 28, 2011

- Aerial Map
- Zoning Map
- Campus Map showing the location of the signs
- Drawings/Diagrams of the proposed signs

With there being no one that wished to speak in favor or against the application, Mayor Anderson closed the public hearing.

**Item No. 8. Approval of Minutes.**

**A. June 13, 2011 Regular Town Council Meeting.** Mayor Anderson requested an addition be made to the minutes. She stated, “On page 11 before we voted on the motion, I asked to go around the table and before voting on the budget that everyone state for the record their position on the budget. I would like for the record to show that none of the Town Council members had any comments or any discussion at that point. Councilmember McKee and Mayor Pro Tem Barry said no comment. Councilmembers Gilmartin and Thomisser nodded their head no. The Clerk took it straight off the tape.”

Mayor Pro Tem Barry moved to approve the June 13, 2011 Regular Town Council Meeting minutes with the correction noted by the Mayor. The vote is as follows:

AYES:	Councilmember Gilmartin and Mayor Pro Tem Barry
NAYS:	Councilmembers Thomisser and McKee

The Mayor broke the tie by voting in the affirmative.

For the record, Councilmember Gilmartin left at this time at 8:08 p.m.

**Item No. 9. Fire Department Issue.**

**A. Presentation by Mr. Scott Shew – Director of EMS for Union County – Councilmember Jerry McKee.** Councilmember McKee - I had asked for Mr. Shew, Director of EMS to come and speak. This is for public information about emergency management and how it is done in Union County and how the system works.

Mr. Scott Shew reviewed a PowerPoint Presentation with the group. He stated, “I appreciate the opportunity to speak regarding Union Emergency Medical Service. I am the Director of Union Emergency Medical Service. I have been with Union EMS approximately 14 years. I am clinically trained as a paramedic. I have been in the field of EMS for 25 years. I want to provide to you tonight an overview of EMS service here in Union County. A lot of people ask where EMS comes from, who organizes EMS and who is responsible for Emergency Management services within a jurisdiction. The State of North Carolina General Statutes delegates that power and responsibilities to the counties within North Carolina. Within emergency management services across the nation there are different ways that you look at EMS providers. There are basic life support providers and there are advanced life support providers. Those are broken down nationally. Basic life support includes first responders and emergency medical technicians (EMTs). At the advanced life support level it is the EMT Intermediate and the EMT paramedic. In North Carolina we mirror that to a large degree. Union EMS was a department of Union County starting in 1985. At that time we were at the basic service (EMT). In 1986 we progressed to the EMT-Immediate level. In 1987 we progressed to the paramedic level. We operated as a full department of Union County until 1997. At that time we became a part of the Carolinas Healthcare System through a lease management arrangement.”

Mr. Shew shared with Council Union EMS’s Mission and Vision statements. He stated, “We operate 11 ambulances during the day and 9 ambulances at night. We operate two groups of response vehicles from

our headquarters and Western Union County. Our response teams are supplemented by supervisory personnel. We operate out of 10 operations which are strategically placed throughout the county. Our emergency response time average is a total of 9 minutes countywide. Our mission is to try to maintain or improve response times. We have a large mass to cover which is approximately 637 square miles here in Union County. Sixty-one percent of our transports go to CMC-Union and the other 39% goes to out of County hospitals. When you call 911, that call comes into Union County Emergency Communications Center. At that time the emergency medical dispatcher will begin taking information from the caller, they process that information and based on the questions that they asked and the answers the caller provides them, the emergency medical dispatcher uses the protocols that are established to determine the appropriate response. First responders usually arrive within a few minutes because they are located in local neighborhoods. They begin to provide basic life support as needed and assess the patient at that time. Typically within an 8 to 9 minute time frame the ambulance arrives. The EMT and First Responders from the fire department give a patient report and they begin to work as a team in a coordinated effort to take care of that patient. At that point the advanced life support team would start IVs and giving medications. We then transport the patient to the hospital. At that point the first responders become available to respond in their neighborhood and district again.”

Mr. Shew discussed how the call volumes have changed over the years. He stated, “We have more calls during the day than at night. We try to match staffing with the demand. Eighty-seven percent of our calls are between 6 a.m. to midnight and 13% are between midnight and 6 a.m. We have to staff the county at a basic level. We have to have an ambulance spaced out throughout the county to provide the coverage. After that basic coverage, it only makes sense to put resources out there during the time when most of the calls are and that is just a matter of economics. We would love to put one on every corner. It takes six personnel to staff it 24 hours a day and that is money. It is balancing the resources with demand. Fifty-six percent of our responses fall into seven main categories – motor vehicle crashes (13%), transfers (11%), general sickness (11%), falls (10%), breathing problems (9%), and chest pain (7%), unconscious/fainting (5%). The Weddington area accounts for approximately 4.5% of the call volume. I would be remiss if I did not mention finances. From the standpoint of any public safety agency if there is no margin there is no mission. To understand health care finance and certainly EMS finance you have to understand who our patients are and what type of insurance they have. All of those types of things help pay for what we do. Half of our transports are for Medicare and Medicaid patients. A typical ambulance call averages \$700. This is not a money making proposition. Public Safety is public service that we provide. The county funds a portion of our operations. The cost of operating an EMS system - we have to cover the land mass and the call volume and we have to maintain a response time that is acceptable to the community. We have personnel that we have to pay and their benefits. We have vehicles that we have to keep on the road. Back in 1997 EMS’s budget was \$3.1 million. The County’s portion of that was \$2.9m back then. The county was funding 99% of the EMS Budget at that time. In 2011 our operating budget is \$6.9 and the county’s portion is \$2.9. If you do costs per transport back in 1997 it was costing Union County taxpayers \$604 every time we transported a patient. In 2011 it costs approximately \$240. I hope that this demonstrates that over the years EMS has added value to you as a taxpayer. In conclusion this has been a very rapid overview of a very complex EMS System. I hope I have shown that we try to provide quality and value. It is important to note that we face the same challenges that any public safety agency faces. We try to work together to manage our budget the best we can do. As we grow we have to look at call volume and funding. We face challenges with technology. You cannot do EMS like you did five years ago. The equipment is outdated. You want the equipment to be state of the art.

Mayor Anderson – The Town of Weddington actually purchased the ambulance that sits at the New Town Fire Station. Thank you for managing that for us.

Councilmember McKee – His presentation will be on the Town’s website for your review. What is the difference between a paramedic and a first responder as far as education and training is involved? What can a paramedic do medically that a first responder cannot do?

Mr. Shew – Sometimes the terminology of a first responder is to include both certified medical responders and also emergency medical technicians or even a paramedic in some cases where they are the first ones on the scenes. From a certification/credentialing standpoint in the State’s eyes a medical responder or a first responder by definition is an individual who has had somewhere in the neighborhood of 80 hours of training. An EMT typically has 60 hours of medical training. A paramedic has 1,500 hours of training. It is really the equivalent of an associate degree if you put it all together. One level builds on the next - a medical responder, first responder, EMT provide the basic life support. A paramedic is capable of starting IVs, administer medication, and operate an EKG machine and defibrillator.

Councilmember McKee – Can a first responder do the things that a paramedic does?

Mr. Shew – A first responder cannot do the advanced life support skills – just the basic skills.

Councilmember McKee – Do you recommend that citizens acquire and learn how to use a defibrillator and have it in the house and someone in the house be CPR certified if there is an emergency?

Mr. Shew – I recommend that the general population learn CPR and be familiar with those techniques and learn how to operate an automatic defibrillator. It is usually cost prohibitive for an individual to purchase their own. I do recommend the placement of automatic defibrillators in public places, churches and public buildings, etc. CPR has changed - we are learning that compressions make all the difference.

Councilmember McKee – In your presentation you said that only 2% of the calls are actual cardiac related.

Mr. Shew – That would be a cardiac arrest call and the caller is pulse less and not breathing at the time of the call. About 70% of calls are chest pain or some type of cardiac symptom.

Mayor Pro Tem Barry – I wanted you to discuss the staffing model.

Mr. Shew – New Town Road ambulance is staffed 24 hours. They are on 24 hours off 48 hours. We have two ambulances located in Stallings. One of those is 24 on 48 off and the other one is 12 hours daytime.

Mayor Pro Tem Barry – If the New Town ambulance is taking me to Carolinas Medical Center then Stallings comes in this area?

Mr. Shew – It would be one of the ambulances that would come in this area. We also have an ambulance stationed in Waxhaw.

Mayor Pro Tem Barry – As close as we are to Mecklenburg County would they ever dispatch out of Mecklenburg County?

Mr. Shew – If we were down to one or two ambulances under a mutual aid type of situation they could. As our system gets busy we are not just based at one place. After two or three calls we begin moving the resources that are left throughout the county in strategic places so that they can respond. Basically we move all of our shells around on the board to make sure that everyone gets an equal opportunity.



Councilmember Thomisser – I would like for you to clarify we have firefighters that are EMT qualified and they do a great job. Based on what you said they can do basic life support. Can they administer any drugs?

Mr. Shew – If they are basic EMT certified by the State of North Carolina they can administer only a few medications. A paramedic can administer a longer list of medications.

Mayor Anderson – You said earlier that first responders get there to administer basic life support while the paramedic is in route for advanced life support.

Mr. Shew – That is correct. It works as a system. EMS cannot stand alone as an island – if so we would have to have an ambulance on every corner. The way for an EMS system to work is for first responders to be available in a community and they provide initial response. It is a team effort to be successful.

Councilmember McKee – In the case of New Town Road it is my understanding that the New Town Road station is not manned by firefighters at night. If a call comes in and it goes to New Town Road, the paramedics would be the first to respond, is that correct?

Mr. Shew – Not necessarily the first responders in Union County although some stations are manned 24 hours in a lot of cases the first responders respond from home. They are your neighbors. They are in your community and it is your next door neighbor that is getting out of bed.

Councilmember McKee – So you are saying that they are coming from their home.

Mr. Shew – It varies from station to station.

Councilmember Thomisser – Can the ambulance drive faster than the speed limit?

Mr. Shew – In emergency conditions there is a provision in the NC General Statutes that they can exceed the speed limit in certain conditions.

Councilmember Thomisser – On June 24 at 11:32 p.m., I left the Wesley Chapel New Town Road fire house for a distance of three miles and it took me five minutes and I stopped for a red light which took about 25 seconds. It took me five minutes to get to this area. At 1:00 or 2:00 in the morning what would be a good estimate as to how fast that ambulance could get to that location?

Mr. Shew – It would be slightly better than what your experience was. It has been known across the nation that speeding only shaves seconds off of the response time. There is a big debate in public safety about the use of speed and red lights for responding to emergencies. You are putting the crew and public in more risk than in many cases that you save.

Councilmember Thomisser – If I could get here in five minutes is it safe to say that they could get here in 5 minutes?

Mr. Shew – I would say so.

Councilmember Thomisser – And nine minutes is the average response time in Union County?

Mr. Shew – Correct.

Councilmember Thomisser – What would you consider a five minute response time?

Mr. Shew – For a rural environment it would be excellent; for an urban environment it would be on target or a little better than average.

Councilmember Thomisser – I would like to point out that the average response time from the Providence VFD is 4 minutes and 25 seconds.

Council thanked Mr. Shew for his presentation.

**B. Presentation by Wesley Chapel VFD Chief John Rogers – Councilmember Jerry McKee.**

Councilmember McKee introduced Wesley Chapel VFD Chief John Rogers. Chief John Rogers stated, “I have been the chief now for Wesley Chapel for approximately 1 ½ years. I have been in fire service since 1988. Wesley Chapel VFD covers four towns - Weddington, Wesley Chapel, Marvin and Indian Trail. We have a total of 62 members on our roster of which 21 are paid staff – that is from 7 to 5 during the day and we have 41 volunteers that supplement the paid staff during the day. We have two buildings. We are in the process of building a new building now to house the firefighters.”

Chief Rogers discussed the equipment that Wesley Chapel VFD has. He stated, “We had the first ladder truck in Union County. In 2010 we ran 887 calls and so far this year to June 30 we have run a total of 700 calls.”

Councilmember McKee – You run a day shift from 7 a.m. to 5 p.m. What is your night shift?

Chief Rogers – We run two shifts at night which are covered by volunteers. It starts at 5:00 p.m. and runs to 12 midnight and the other shift is 12 midnight to 7 a.m.

Councilmember McKee – Are they required to be at the station?

Chief Rogers – No they are not. They can voluntarily stay at the station if they want to. There is a guarantee that we are going to have four during the 5 to 12 shift and four people from the 12 to 7 shift.

Councilmember McKee – It is my understanding that you have to have three people respond in an apparatus to have a successful call.

Chief Rogers – It is according to what kind of call you are talking about. If it is a fire alarm or a house structure fire, they can respond in their personal vehicle if they want to. Remember they are volunteers.

Councilmember McKee – On your night shift if they are not required to be at the station and a 911 call comes in how do they get the call?

Chief Rogers – When the 911 call comes in Union County Dispatch Center will get the information and they are going to send to the appropriate people (Fire, EMS or Sheriff) to come. This will go off (referring to his beeper) and it will wake you up. This is how we receive our calls.

Councilmember McKee – When the beeper goes off what do they do next?

Chief Rogers – It depends on the call. If it is a medical call there is no need for them to drive all the way to the fire station to get a truck and go to the scene. He is going to take his personal vehicle and go to the scene. He would have his medical bag with him. The four that are on call are spread out throughout the whole district. They are going to get their faster.

Mayor Pro Tem Barry – I wanted to find out how much debt you are carrying.

Mr. Butch Plyler – Too much.

Treasurer for Wesley Chapel VFD – We are in debt. We have a \$4,000,000 line of credit. We also have a debt with BB&T for our Station 31. It is a 15-year loan which was \$1.7 million and we have made six payments on that. We have nine years left on that debt. I pay interest and principal every year. We have one truck and there is \$411,000 balance on that and the first payment is due this month.

Chief Rogers – We have paid staff from 7:00 a.m. to 5:00 p.m. The volunteers at night get \$25.00 per shift even if they do not go to a call. If they run a call they get paid for their certification. In fire service you cannot count on one person.

Councilmember Thomisser – In the past year have you missed any calls?

Chief Rogers – No.

Councilmember Thomisser – Besides the money you get from the fire tax do you get any money from anyplace else?

Chief Rogers – No, other than from donations.

Councilmember Thomisser – Do you actively solicit donations?

Chief Rogers – In the past, yes.

Mayor Anderson – We were at a meeting at the Providence VFD and the alarm went off and Providence responded. It was to a fire in Providence Downs. I want people to be clear when there is a structure fire both departments get phoned out at the same time.

Chief Rogers – In the County we have a mutual aid agreement. If there is a possible structure fire, Providence is our primary backup on that. Providence will come on some calls; Waxhaw, Mineral Springs, Bakers and Stallings will all come in our territory to help fight the fire.

Mayor Anderson – Even though you currently do not have paid firefighters staying at the station at night, it is clear that you are planning for that in the future. New Town has sleeping quarters.

Chief Rogers – Right now we have a good volunteer base. Most of the time for a structure fire or wreck, we can usually get 15 to 20 people at the scene. As long as that stands and we can keep those numbers – it may last two years or five years.

Mayor Anderson – It is the envy of the County with the volunteer base that you have.

Mayor Pro Tem Barry – The Town of Weddington provides some subsidy to the Providence VFD and we asked whether you get money from anyone else. Do any other towns provide you any financial subsidies?

Mr. Byrum – No – it is just the fire tax.

**C. Presentation by Providence VFD Interim Chief Daryl Matthews – Councilmember Jerry McKee.** Councilmember McKee introduced Providence VFD Interim Chief Daryl Matthews. Chief

Matthews - I have been with the Providence VFD for 24 years. I am also a volunteer with Wesley Chapel VFD for approximately 20 years. I have served as a Captain for approximately 15 years with Providence, Deputy Chief for one year and been the Chief for about eight months now. We have a volunteer staff of 18 volunteers. We have 21 paid firemen and 25 EMTs. The paid firemen are all EMTs. We have paid staff that is there from 6:00 a.m. to 6:00 p.m. – three Firefighters II which includes EMTs. From 6:00 p.m. to 6:00 a.m. we have one Firefighter II and two volunteers that we pay a stipend to.

Mr. Jack Parks – We are debt free. That does not mean we do not have money problems. We cover 30% of parcels in Weddington and 30% of the population of Weddington. We cover 25% of the square miles of Weddington and 32% of the road miles. Our rolling stock is paid for.

Councilmember McKee – When you run the night shift from 6:00 p.m. to 6:00 a.m. in our conversations with Wesley Chapel they do not sleep there and they come from their home to respond directly to the scene. Why does Providence not do that?

Mr. Parks – If we did not have 24/7 coverage the other option would be to have volunteers that have that capability. One of our problems is where our volunteers are located. Unlike Wesley Chapel which has this great benefit of having their volunteers close to the stations some of our volunteers do not live in close enough proximity. That is the reason that in December 2009 with working with the Town that it was best to serve our community with paid staffing from 6:00 p.m. to 6:00 a.m.

Councilmember McKee – Prior to 18 months ago, before you started the night shift how did you respond to a 911 call?

Chief Matthews – We did it with volunteers. We have a few that live in the district.

Councilmember McKee – So now none of them live in the district?

Chief Matthews – We have approximately four that live in the district.

Councilmember McKee – They do not work at night like Wesley Chapel volunteers do?

Chief Matthews – Yes they do. EMTs - we do not. They live just outside the district.

Councilmember McKee – Why does Wesley Chapel have all of these volunteers and Providence does not?

Chief Matthews – We used to cover a majority of Mecklenburg County. As Charlotte has annexed our area, our volunteers still live in that past district. We have had to adjust.

Councilmember McKee – Is your district so small that it is hard to get volunteers that live in Weddington?

Chief Matthews – When you have million dollar houses you are not going to get volunteers.

Councilmember McKee – Do just \$200,000 houses get volunteers?

Councilmember Thomisser – You submitted on the June Report that was given to the Town you had 19 fire calls, 9 EMS calls and 2 Mecklenburg fire calls. You also stated that from 6:00 a.m. to 6:00 p.m. were 63% of your calls and from 6:00 p.m. to 6:00 a.m. were 37%. I looked at the records for the last year and from 6:00 a.m. to 6:00 p.m. 56% of the calls came in and 34% came from 6:00 p.m. to 12

midnight and 10% from 12:00 a.m. to 6:00 a.m. If you do numbers the average monthly call is three fire calls from midnight to 6:00 a.m. which two fire departments are responding to and one medical call.

Chief Matthews – I have the past quarter’s numbers broken down and in April from 6 p.m. to midnight we ran seven calls which is 63%. From 12 a.m. to 6 a.m. we ran four which is 36%. In May calls we ran 12 calls from 6:00 p.m. to 12 a.m. and seven calls from 12 a.m. to 6 a.m. In June 6 p.m. to 12 a.m. we ran seven calls and from 12 a.m. to 6 a.m. we ran four calls.

Representative from Providence VFD– Of the 36% of calls we ran after midnight 57% of those were working fires.

Councilmember Thomisser – The record shows that 10% of your calls came from midnight to 6 a.m. for the past year. The point I am trying to make is there are very few calls coming in from midnight to 6 a.m.

Council took a 10 minute break.

**D. Request for Item to be Added to Agenda.** Mayor Pro Tem Barry asked to add the following agenda item under New Business:

- Review and Consideration of Drafting Letter to Fire Marshal

All were in favor, with votes recorded as follows:

AYES:	Councilmembers Thomisser, McKee, Mayor Pro Tem Barry and Mayor Anderson
NAYS:	None

**E. Presentation by Finance Officer Leslie Gaylord – Explanation of Budget Process – Councilmember Jerry McKee.** The Town Council received the following document from Finance Officer Leslie Gaylord:

#### **BUDGET PREPARATION – GENERAL PROCEDURES AND TIMEFRAME**

##### **FEBRUARY/MARCH**

Request staff and council to notify town administrator and/or finance officer of any potential new or one-time budget expenditures for the upcoming fiscal year.

Determine from council if they would like to see various tax rate scenarios prepared as part of the initial budget preparation.

Discuss preliminary budget and/or list of potential expenditure items at Town Council retreat. Discuss whether the listing of potential budget expenditures is complete.

Schedule Budget Work Session.

##### **MARCH/APRIL**

Finance officer prepares preliminary draft(s) of proposed budget which includes:

Actual revenues and expenditures for current fiscal year to date as well as forecasted total current year expenditures. Also includes current year budgeted amounts.

Forecasted operating budget for next fiscal year excluding any one-time or non-recurring budget items or those items to be reviewed by Council (i.e. outside agency funding, fire department paid salaries, parks and recreation budget). Forecast is prepared for the various tax rate scenarios requested by Council.

Schedule of non-operating expenditures and resulting total net revenues/expenditures. Note that at this point in time the budget may not be balanced.

#### Budget Work Session

Review preliminary draft(s) of budget.

Discuss various tax rate scenarios (if more than one) and determine which tax rate to use in the proposed budget.

Discuss line by line the potential non-operating expenditures and determine whether or not to include them in the proposed budget and/or whether additional information may still be needed (i.e. estimated cost, estimated time frame – should the item be included entirely in one fiscal year or will the expenditures be spread over multiple fiscal years, can the item be included in the current fiscal year's budget, etc.). Incorporate any new line items which may be identified during the work session.

Prepare revised proposed budget based on Council decisions and present to Council at either a second budget work session or the April Town Council meeting. At this time the proposed budget is either balanced or shows a proposed appropriation from fund balance. Continue discussions and potential revisions to be made to the proposed budget.

#### **MAY**

Present most current revised proposed budget to Council at May Town Council meeting. Incorporate any additional changes Council may request and call for a public hearing on the proposed budget.

Include proposed budget and date of public hearing in the Town newsletter and invite citizen feedback and comments.

#### **JUNE**

Hold public hearing on the proposed budget. Council discusses and makes any final changes to the budget. Final budget and budget ordinance incorporating any council changes are approved by Council.

---

Mayor Anderson noted that at that time the Council sets the tax rate.

Councilmember McKee – At that time these are all public meetings and always announced and publicized?

Finance Officer Gaylord – That is correct.

Councilmember McKee – At the time the budget is decided, we have a public hearing and the public is offered time to speak for or against the budget. My recollection at the last public hearing was only the fire department and three other residents were in attendance. These are the people that come to every Council meeting and are involved in the process. How did the \$450,000 that was originally in there get in the budget?

Finance Officer Gaylord – This year we had six different versions of the budget before we came up with the final budget. That is not uncommon. It is not uncommon to make changes to the budget after the public hearing. The \$450,000 came to light this year at the Town Retreat. The fire department made a presentation. At that point they indicated to us that they had some building renovations that they would like to have funded and requested the Town Council to consider that. We put it on our list of items to be discussed at the budget work session. At the budget work session the Council opted not to include it in the budget and it was taken out. We included just staffing for the paid salaries only. When we called for the public hearing in May, the \$450,000 was not initially included in the budget because of the uncertainties with what was going on. The Council was not comfortable with it at that particular point in time but they decided that because of possibly funding that in the upcoming year it warranted being in the budget for the public hearing and wanted to hear the public's opinion so we added it in that evening and made a couple more tweaks to the budget that night as well. We sent that out to the public through the website and Town newsletter and then had the public hearing in June.

Councilmember Thomisser – During the process did any Councilmember promise the \$450,000 to the fire department?

Finance Officer Gaylord – Not to my knowledge.

Councilmember Thomisser – Did any councilmember promise the \$293,000?

Finance Officer Gaylord – No, that was always up for discussion. We were trying to narrow down that salary number.

Councilmember Thomisser – After the public hearing we voted for the \$276,000 appropriation for the Providence VFD salaries which is a 9% increase over the previous year.

Finance Officer Gaylord – That is correct.

Councilmember Thomisser – Have you had an opportunity to look at the June 30, 2011 Financial Statements from Providence VFD?

Finance Officer Gaylord – Yes.

Councilmember Thomisser – How much cash are they showing?

Finance Officer Gaylord – They have a total cash balance of \$360,719.67.

Mayor Anderson – I would agree that no one made any promises but certainly suggest that through many discussions with the fire department that it seemed by consensus that the Town Council was supportive of their needs. I should say our needs. The fire department does not need anything. The Town does. I think they were expecting it. We discussed it and somehow that number got in the budget. We voted to put that in there as a line item.

Finance Officer Gaylord – They wanted it in the budget for public review and discussion. I do think that the Town Council throughout the budget process weighed the pros and cons of other options to paying that \$450,000. At one point it looked like they may not have another choice so they wanted to put it there to see what the public reaction would be. We debated whether or not to leave it out. They wanted the public to see it to know that it was there and have the opportunity to express an opinion on it. That is why it was included.

Mayor Pro Tem Barry – If you do a budget change or make a change in the fund balance it is not subject to a public hearing. So in the desire to have the \$450,000 be transparent it was placed into the operating budget. The money is still in our fund balance - we just did not allocate it through the budgetary process.

Councilmember Thomisser – Mayor, do you recall when we went down to the Monroe Library for a Steering Committee Meeting and after the meeting we had an enthusiastic discussion in the parking lot on another issue and after we got through with that issue you stated to me that, “Werner there is push back on the \$450,000.” Do you remember saying that to me?

Mayor Anderson – No sir, I do not. I am not denying that I said it. I just have no recollection because the conversation happened four or five months ago.

Councilmember Thomisser – It happened in May.

Mayor Pro Tem Barry – Point of order – this is a discussion of how the Town prepares the budget.

Councilmember McKee – I would like to make a motion that we take the presentations given tonight by Mr. Shew, Chief Rogers, Chief Matthews and Finance Officer Gaylord and direct staff to summarize the presentations and work with our Town Attorney to prepare a summary to be put in our next newsletter in August to go to every household in Weddington so that everyone will be informed.

Mayor Anderson – I appreciate the effort but that may be out of order because we do not have anything for consideration.

Attorney Fox – You just had a presentation of the information. It is a motion that can be made and it is a Regular Meeting.

All were in favor of the motion, votes are recorded as follows:

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

**Item No. 10. Public Comment.** Mayor Anderson stated, “It is the sole responsibility of the Mayor to maintain proper etiquette and decorum. I cannot control what you say but I can and will control how you say it. Please be respectful of your neighbors and friends and members of the Town Council. Please direct your comments to the Town Council. You are limited to three minutes.”

Town Administrator/Clerk McCollum read the NC General Statutes regarding Public Comments.

Mr. Tommy Price – Since the inception of this Town all of the previous Councils have worked and struggled through a lot of tough decisions to keep our tax rate low and the quality of life high in Weddington. That was the Town’s purpose for incorporation and the biggest part of our identity. It has worked pretty well. Town officials have also done their best to save money. I have read the flyers about how Weddington has \$2 million in the bank. It took almost 30 years to save that money and that is



something that the Town and people should be proud of. I look at next year's budget and I see that you have \$200,000 for the lights, \$250,000 reserved for a county library and \$200,000 for the road design for Rea Road which is a State DOT project. I also see \$450,000 for the county fire department. If you spend or appropriate that kind of money then it has taken you a year to spend over half of the Town's 30 years of savings. Unfortunately it seems that in the last year when we have a tough subject there is a lot of one-sided information. I know that people only relay the information that they receive. They are getting a lot of information from somebody that they should be able to rely on but unfortunately that is not the fact. I heard from County EMS that they are operating purely on County funds. I heard from Wesley Chapel that the only funds they get are getting is from the County Fire Tax. Unfortunately over half of every dollar of ad valorem tax that is paid to this Town it is going to the operational budget of the Providence VFD. People are not only paying the 2.2 cents fire tax but they are turning around and paying 1.2 cents for the operating budget of the Providence VFD. I do not care if the County forces a merger or whether they change the fire district lines. I truly believe in Public Safety but the thing is a County Fire Department it is not a Town of Weddington fire department. I think that the Town does a great deal already.

Mr. Jeff Perryman – We have heard a lot of information tonight. There is no greater responsibility of government than public safety. We need to take this opportunity to show some leadership in that regard. We should want to have our fire department the best not only in this County but this State. We need to have 24 hour coverage. We need to have a fast response time and the people that show up should be the best trained and equipped that we can make it. There is a lot of talk about money. I wish they did not have to run on any calls. I would have rather have the best fire department with EMTs that never have to leave that station because nothing bad ever happened. I do not care if there was one call between midnight and 6 a.m. for that one person or one family that makes a difference. At the work session one of the Councilmembers made the statement – “seems our sense of urgency is overblown.” That statement baffled me when it comes to public safety. I cannot emphasize enough that this Town needs to get behind this fire department. I do not want them to merge. It will not fix our revenue problem. It is not going to fix the problem that we have a building that needs renovation. It seems like we are so caught up on the money and the number of calls. I can speak from personal experience when our two year old daughter stopped breathing it was after 6 p.m. and I dialed 911 and I know what I expected and I wanted them there as quick as they could get there. If you look at this map and tell me we are going to lose 24/7 coverage I do not want to wait nine minutes for the average time for someone to show up. If we are just here debating that we do not have the number of calls to justify it. All it takes is for one house to burn down or one person to get hurt to make a difference. I hope that the Town Council can stand up and look this issue in the eye and do what is right for us. This is our Town and we need to get behind our fire department. I hope that the citizens will get involved.

Mr. Andrew Moore – Last night based on the turnout at the fire hall I saw a lot of people that are willing to pay a little bit more money for the excellent service that we have. I think more people realize how bad the situation is with Providence VFD and need to get involved. It is no slight to the fine people of Wesley Chapel VFD but if we are forced to merge our fire department with theirs we have been told that we would have no control of how it is run or how it is budgeted. We do not have any say that could possibly jeopardize the service. There are a lot of unknowns with the service. If after tonight that call comes in and it is in the night and it is a question of two minutes, three minutes or seven minutes and that daughter or son did not make it - could that incur a wrongful death lawsuit on the Town of Weddington and/or with the Town Council? It took 30 years to get \$2 million in the bank - that is a good way to wipe it out. There are a lot of moving parts to this issue. The Council has to open its mind to what could happen down the road if we decide to commit to this merger.

Gentleman - I am a paid first aid responder and Assistant Scout Master. I know what to do with first aid. It is not enough to save someone else's life but it is to make them comfortable until proper medical care

can arrive. My wife is a diabetic and went into insulin shock three months ago. I was at work and received a call. I was able to tell one of my children what to do. The first thing was to call 911 – responders were there within 2 ½ minutes. We happen to be next door to the Providence VFD. That saved my wife's life - \$500,000 is a small price to pay for someone's life. The service that we currently enjoy is phenomenal. Thank you. You will be taking a huge step backwards. I moved to Weddington six years ago because I saw the progressive life going on in Weddington. I value the service that is provided. We chose our house specifically because it was close to the Providence fire station. We have no fire hydrants. If the tanker from Wesley Chapel happens to be tied up and we no longer have the services of Providence fire station do I just enjoy watching my house burn down? I think Council is making a grave error in assuming that it is not necessary or it is not cost effective. When was the last time that lives were cost effective? I hope that the Town Council strongly considers this decision and reverses it.

Ms. Barbara Harrison – For the last four years, I have gotten up when the budget was going to be voted on and asked why Wesley Chapel VFD does not get the same amount of money as Providence. Last month I also attended and I said, “Do not get up Barbara, do not speak because it goes on deaf ears.” I actually heard the Fire Chief for Providence indicate that even though he lives an 8<sup>th</sup> of a mile from my house when he responds to Wesley Chapel I would probably die of a heart attack or my house would burn down. The issue with the fire department and what seems to be lacking needs to be addressed by Union County, the Fire Commission and the Commissioners. This is not a Weddington fire house. If you have a house for \$250,000 in the Providence fire district you pay \$82.75 fire fee and \$75.00 in taxes from Weddington. If you live in Wesley Chapel you pay \$55.00 for fire tax and the same \$75.00 in taxes but there is a difference. Anybody that has a car and lives in the Wesley Chapel district also pays Wesley Chapel fire tax on every car that they have. In you are in Providence's district, you do not pay it. If you have a house and it is worth \$500,000 you still pay the \$82.75 but in Wesley Chapel you would pay \$110.00. If you have a million dollar home you still pay the \$82.75 but if you are in Wesley Chapel's district you pay \$220.00. As you go up the price gets different. In 2009 Weddington issued 4,310 property tax notices. If you divide that number into the \$450,000 approximately \$104.00 per taxpayer would go to Providence upgrades. We already know that anyone that has a house less than \$500,000 is not going to pay that kind of money. If you divide the number into \$230,000 for salaries it would be \$53.00 per taxpayer would go to Providence. I would rather see the Council and the Mayor spend their time and energy with Union County to resolve the inadequacies of the Union County fire tax. Why should people in either one pay more than they need to because the funding is not right? Moving the lines is not going to help. My brother-in-law has been a volunteer captain for a rescue squad. I can tell you all the creative ways that they make money and it was not going to the Town to get it. If you need some help, I will be happy to help you on that.

Ms. Judy Johnston – I am the creator of the website that was created to get the information out to the public about this issue. This is really a community issue. I did that as a result of the June 13 meeting where I felt that our Town leaders had personal agendas and they were not addressing the needs of the community. A lot has been said on the website. To address issues that came up at the work session this evening: You have reserved \$250,000 for a library and you did that without knowing what the cost of the library would be but you were unwilling to create a reserve for capital improvements for a vital service without knowing exact numbers. I think there is an inequity there. We want 24/7 staffed coverage. It is not an option to us. We have had it for 18 months. You do not go back - you go forward and you improve services. We understand that taxes are probably going to go up and I believe that most of the community is willing to pay a higher tax for the benefit of saving our homes and our family. You cannot put a price on our homes and our families. You cannot put a price on a life or your investment over decades. Listening tonight there is so much double talk. I am not a politician. I am a private citizen. I hear so much talk about numbers and statistics. This is not rocket science. We are talking about a vital emergency service that should be the number one priority of a Town. We are the Town of Weddington and it is a town issue. Yes the County does work with us for setting the fire district lines and making

those changes. This is a town and we are a community and we need to start getting our act together and acting like a community. It is not Town leaders versus the community. The mission of the Town is to provide public safety and protect property values. I understand it was a platform that you as Councilmembers ran on to be elected. This is opportunity for you tonight to recognize all of this as your number one priority. I also have petitions that have been signed by members of the community that I would like to present to you. *The following petitions are attached to the minutes: Petition for the Town of Weddington to Embrace Providence VFD in Partnership and obtain jurisdiction over fire and EMT services, Petition for the Town of Weddington to provide operational funding to Providence VFD, and Petition for the Town of Weddington to Fund Capital Improvements at Providence VFD.*

Mr. John Montgomery – I would suggest that the Town Council consider some type of public referendum on this matter.

Mr. Bill Price – I am 75 years old. I am a long time resident of this area, not just a 25 or 30 year resident. I want to give you a history of the area. Providence VFD was established as a Mecklenburg County unit. It was located behind the service station on the corner of Ballantyne Commons Road and Providence Road. It covered an area from Sharon Amity Road to the County line and over to Highway 521. In those days fire departments were located generally near service stations because some of the good old boys were generally hanging around and could answer the calls when they came in. In the late 60s or early 70s the City of Charlotte annexed out to the Arboretum. They received money for the loss of the area and built a new station on Tilley Morris Road. In mid 80s Charlotte annexed again buying Providence's station on Tilley Morris and moving to the County line. Chief Gary Whipple, a friend of mine, came to me to see if my father would lease the land on the corner of Cox Road and Highway 84 for a new station. They wanted the lease for 99 years. My dad did not want to tie up the land for that long and declined. If the station would have been built there it would have been built out of its district. Ms. Ollie Manus donated the land for the new station to be built where it is today. One of the local firemen built the new station but upon the completion of the station he was sued for some reason concerning the building. The outcome of this suit I do not remember. Providence VFD and this Board of Directors for whatever reason have chosen to ignore the fact that one day they would no longer be in Mecklenburg County and receive the funding. They have known this since the mid 80s for sure and made no provisions for whenever this happened to my knowledge. I am not against helping the fire departments but I am strongly opposed to the current way this is done. Providence VFD covers roughly 20 to 30% of the area but receives the majority of the funding. Since 2000 this is the funding received from the Town - Stallings VFD - \$44,876, Wesley Chapel VFD - \$75,317 and Providence VFD - \$1,049,163.

Ms. Brenda Stone – I am a member of Councilmember Thomisser's district for over 20 years since Hemby was a gravel road. I have not been really involved in politics to where I understand what the situation was with the fire department. I was asked why is it such a big deal since 18 months ago you did not have 24/7 coverage. Several years ago we did not have the cancer treatment that we do today. Do you want to go back to those times? No. Now that we have 24/7 service we want to keep it. You cannot put a price on a life. I understood from the informational meeting that I attended yesterday evening that 48% of their calls come in during the night. I am thrilled to death that Mr. Shew has ambulances staffed with paramedics. I know that paramedics can do more than EMTs. If I have an emergency in my home I want the quickest responder that can possibly get there. We are a Town and I do consider this to be one of your duties. I understand that Mr. Thomisser was in favor of the 24/7 coverage until recently. I would like to ask him what changed. If we merge with Wesley Chapel VFD I understand we may lose that 24/7 coverage. We want to keep it. We think you as Town Council should spend our money on vital services before you spend it on laptops, street lights or landscaping.

Ms. Mary Ann Desimone – I am a member of the Public Safety Advisory Board. As a member of the committee I was very disappointed that we were not informed that funding was going to be withheld. The

Public Safety Committee was formed to benefit the Providence VFD and to find a way to save the department and to discuss how we could help and I have been to every meeting but one. I am concerned that none of us were informed of the decision to withhold the funding.

Mr. Jim Weiland- I have been a resident of Weddington for 10 years. There have been a lot of personal attacks and misinformation. There are things being said in the local printed media and websites and I am not absolutely convinced that the things being put in there are completely accurate. Union County spent \$55,000 on a fire study and it was a Union County Fire Study that recommended that Providence be merged into or absorbed by Wesley Chapel VFD. That was not anything that the Town Council had anything to say about. The Town Council has some very tough decisions to make. I do not think it is fair that Werner Thomisser be demonized for any decisions that he makes in the best interest of the Town Council. The \$450,000 request and the \$293,000 request you have to remember that the vote to not approve that was 4 to 0 and 3 to 1; it was not 1 to 0. Why the personal attacks? Let's remember the \$236,000 for salaries that Thomisser noted was 9% greater than the fire service the previous year. Then we need to know that Providence approached the Town Council about the 24 hour service. It was not the other way around. They said we have this great idea. Let's try it. The Town Council voted to fund it to see if it indeed was a workable relationship. Providence in November of 2009 issued a long range planning report. The report outlined the growth opportunities and what they wanted to do and what their spending goals were going to be there. They did not have one sentence in there on how they were going to pay for it.

Mr. Dick S. – I look at this map and it does not make sense to me. When I moved here I saw the Providence VFD and I said that was the Weddington Fire Department. Now what I have learned over the last couple of weeks is it is not the Weddington Fire Department but that it is actually a patchwork of volunteer fire departments throughout the county. Maybe it is time that we change the discussion and stop talking about how we fit within the context of the Union County Fire Department and how we start dealing with this as a municipal fire department.

Mr. Chris Johnson – My son is one of Providence VFD's finest. I have been in the insurance business for 35 years and I am a Vietnam veteran so I understand the value of a life. This is a public safety issue. I am getting tired of hearing about the numbers and cost benefit analysis. If the money is available to fund this fire department and to save even one life I believe that it is your fiduciary duty to support this fire department.

Mr. Doc Fairchild – I am in District I. The only person that I ever speak to on the board is Mayor Anderson. I saw my district representative at the tree lighting. I am one of those people who have had a 4:00 in the morning call. When I woke up a man from Providence VFD was there for me. If it is you or your husband or your child you want it now not 10 minutes from now. They were at my house in less than 2 ½ minutes. If we had our combined unit with middle of the night coverage it would have been more minutes maybe 15. Our councilmembers are so worried about money. They have \$2 million laid away and they are concerned with putting up \$450,000 to upgrade our fire department in our area. The number one job of government is to protect the health and welfare of their citizens. I have a gentleman in our neighborhood that said, "I would give the Town \$1,000 right now because I want that coverage." I think you as board should consider this.

Mr. Jerry Fitzgerald – You can tell by the color of my hair that I am no rookie. I have been a sales person for over 40 years. I have learned that it does not take me long to size up the situation. I do not need all that experience to identify a problem that exists on this Council in regards to our fire department. It is either personal agenda or animosity. The attitude and unwillingness of this Town Council to objectively solve this problem is disgusting. This constituent at Willows Oaks Trail supports no merger. I want my fire station upgraded. I want the firemen on duty at night to come down from a safe dormitory and get on

that truck pronto. A fire doubles every one minute; suggesting anything less is insulting. Our fire department has been around since 1954. I want them running 24/7 another 60 years. Councilmember Thomisser, your comment at the work session that a fireman should put on a rain coat to run to the fire station to man his apparatus from a modular somewhere on the property (modular, double wide, goat shed or an out house) is despicable. This indicates to me you have a personal issue that prohibits your objectivity of this situation. Your attitude of opposition to all fire department requests is unacceptable. You represent the constituents in District I not your obvious personal agenda. Therefore it is my belief you are incompetent to serve as my councilmember in District I. You exhibit the most grotesque abuse of public trust I have ever witnessed. I am personally requesting your resignation from this council immediately on the grounds of total incompetence. I do not think you have a clue what is going on with regard to your constituents. If you do not tender your resignation immediately I will initiate a petition for your resignation of District I. I am requesting a new attitude of cooperation and courtesy of this Town Council and the Providence VFD. To solve this problem you need outstanding fire fighters to get the job done here in our own neighborhood of Weddington, North Carolina.

Citizen - I think this would be a good beginning for me to justify my increased property taxes for having been annexed into the Town of Weddington by providing what your citizens need in terms of a fire department. Right now I am paying taxes and I do not know why – we are not getting anything for them.

**Item No. 11. Consent Agenda.**

**A. Consideration of Authorizing Tax Collector to Collect the 2011 Real Property Taxes for the Town of Weddington.** Mayor Pro Tem Barry moved to authorize the Tax Collector to collect the 2011 real property taxes for the Town. The Town Council received the following documentation from Tax Collector Kim Woods:

In accordance with General Statutes 105.321, I am hereby requesting authorization to collect the 2011 Real Property Taxes for the Town of Weddington.

State of North Carolina  
Town of Weddington

To the Tax Collector of the Town of Weddington:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the Town of Weddington Collections Department and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Weddington, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with the law.

Witness my hand and official seal this 11th day of July, 2011.

All were in favor, with votes recorded as follows:

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

**B. Consideration of Code Enforcement Proposal from Centralina Council of Governments.** Mayor Pro Tem Barry moved to approve the Code Enforcement Proposal from Centralina Council of Governments. The Town Council received a copy of the proposal from Centralina Council of Governments to provide Code Enforcement technical assistance services.

Centralina will provide these services at a cost of \$5,071 plus the use of 15 member hours from the Town's FY 2011-2012 allocation. The Town will only be billed for actual time spent on enforcement. All were in favor, with votes recorded as follows:

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

**C. Consideration of Amendment to the Interlocal Agreement with Union County – Urban Forester.**

The Town Council received a copy of the amendment to the Interlocal Agreement with Union County regarding the Urban Forester Position for Fiscal Year 2011-2012. The Town's share of the cost for the Urban Forester position is \$2,356.60.

Mayor Pro Tem Barry moved to approve the amendment to the Interlocal Agreement with Union County for the Urban Forester. All were in favor, with votes recorded as follows:

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

**D. Consideration of Landscape Maintenance Agreement for Town Hall.** The Town Council received a copy of the Landscape Maintenance Agreement with Daryl's Lawn Care for the landscaping and maintenance services for the Town Hall Property. The cost of these services is \$400.00 per month. Additional materials and supplies required such as seed, fertilizer and weed killer will be billed as needed. The agreement is for a period of one year. The Town Council received a copy of the proposed services.

Mayor Pro Tem Barry moved to approve the landscape maintenance agreement for Town Hall with Daryl's Lawn Care. All were in favor, with votes recorded as follows:

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

**E. Consideration of Landscape Maintenance Agreement – Highways 16 and 84 and Rea Road.**  
This item was moved from the Consent Agenda to New Business.

**F. Call for Public Hearing to Review and Consider – Union County Water Tower Conditional Zoning Application (Public Hearing to be held August 8, 2011 at 7:00 p.m. at the Weddington Town Hall).** This item was moved from the Consent Agenda to New Business.

**Item No. 12. Consideration of Public Hearings.**

**A. Consideration of Ordinance Adopting Orientation Signs Text Amendment.** Councilmember McKee moved to adopt Ordinance O-2011-11:

**AN ORDINANCE TO AMEND SECTION 58-4 AND ARTICLE V. SIGNS  
OF THE CODE OF ORDINANCES  
OF THE TOWN OF WEDDINGTON  
O-2011-11**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON THAT  
SECTION 58-4 AND ARTICLE V. SIGNS OF THE CODE OF ORDINANCES BE AMENDED  
AS FOLLOWS:**

#### **SECTION 58-4**

*Bulletin board* means a sign used to announce meetings or programs of a church, school, auditorium, library, museum, community recreational center or similar noncommercial place of public assembly. **Bulletin board signs may be permanent signs which hold temporary banners or text that changes on a regular basis.**

**Orientation sign means an on-premise sign that directs pedestrians and traffic on a property.**

#### **ARTICLE V. SIGNS**

Sec. 58-149. Freestanding signs.

- (a) No freestanding ground sign shall be higher than 12 feet above grade as measured to the top of the sign.
- (b) No part of the sign including projections shall be located closer than fifteen feet to any adjacent side lot line and shall not be located within five feet of the edge of the street right-of-way line.
- (c) All freestanding ground sign structures or poles shall be self-supporting structures erected on or set into and permanently attached to concrete foundations. Such structures or poles shall comply with the building codes of Union County and be affixed as not create a public safety hazard.
- (d) The sign shall be located in a manner that does not impair traffic visibility.
- (e) Freestanding ground signs are permitted as long as the building or structure in which the activity is conducted is set back at least 30 feet from the street right-of-way.
- (f) ~~The maximum total sign area per side shall be 50 square feet and the total text area per side (including logos) shall be no greater than 20 square feet.~~

#### **Sec. 58-150. Orientation signs**

- (a) Orientation signs are allowed on church campuses and educational and governmental facilities containing several buildings located on one or more lots.**
- (b) Orientation signs are intended for directing pedestrians and traffic and are not allowed off-premise.**
- (c) All orientation signs must be secured to the ground or affixed so as not to create a public safety hazard.**
- (d) The sign shall be located so as to not impair traffic visibility.**
- (e) The maximum total sign area per side shall be 14 square feet including all text, graphics and logos.**
- (f) No freestanding ground orientation sign shall be located higher than 6 feet above grade as measured to the top of the sign.**
- (g) No part of the sign including projections shall be located closer than fifteen feet to any adjacent side lot line and shall not be located within 20 feet of the edge of the street right-of-way line.**

Sec. 58-152. Signs permitted in all R residential districts.

- (a) Signs on-premises of single-family and two-family dwellings and on the premises of mobile homes in all R residential districts are regulated as follows:

(1)	Types of signs permitted:	Identification.
(2)	Permitted number of signs:	One per dwelling unit.
(3)	Maximum area of signs:	Three square feet.

(4)	Permitted location:	Behind street right-of-way.
-----	---------------------	-----------------------------

(b) Signs on-premises of small group day care homes are regulated as follows:

(1)	Types of signs permitted:	Identification.
(2)	Permitted number of signs:	One per dwelling unit.
(3)	Maximum area of signs:	Three square feet.
(4)	Permitted location:	Behind street right-of-way.

(c) Signs on-premises of cemeteries are regulated as follows:

(1)	Types of signs permitted:	Identification.
(2)	Permitted number of signs:	One per street front.
(3)	Maximum area of signs:	20 square feet.
(4)	Permitted location:	Behind required setback.

**(d) Signs on-premises of church campuses and educational and governmental facilities are regulated as follows:**

<b><u>(1)</u></b>	<b><u>Types of signs permitted:</u></b>	<b><u>Identification, Bulletin Board and Orientation</u></b>
<b><u>(2)</u></b>	<b><u>Permitted number of signs:</u></b>	<b><u>Attached: One for each building's main entrances. All requirements of section 58-148 shall be met.</u></b>
		<b><u>Freestanding Ground Identification and Bulletin Board: One identification or one bulletin board per principal building.</u></b>
		<b><u>Orientation: One freestanding ground and two attached for each 750 feet of frontage on a public roadway on one or more contiguous lots with common ownership. All requirements of section 58-150-1 shall be met.</u></b>
<b><u>(3)</u></b>	<b><u>Maximum area of signs:</u></b>	<b><u>Attached: One square foot of aggregate area per linear foot of building street frontage up to a maximum of 64 square feet per premises, regardless of the number of establishments occupying such premises.</u></b>
		<b><u>Freestanding Ground (excluding Orientation): The maximum total sign area per side shall be 25 square feet and the total text area per side (including logos) shall be no greater than 20 square feet.</u></b>
		<b><u>Temporary and Bulletin Board: 25 square feet. Bulletin Board signs that display text that changes regularly shall be allowed to have permanent support structures as long as the text area including logos or other graphics does not exceed 20 square feet.</u></b>
		<b><u>Orientation: The maximum total sign area per side shall be 14 square feet</u></b>



		<b><u>including all text, graphics and logos.</u></b>
<b><u>(4)</u></b>	<b><u>Permitted location:</u></b>	<b><u>Attached: Signs shall be located on the building and shall not extend above the parapet of the building nor more than 18 inches from any building wall or marquee face, provided that such sign shall not project more than six inches into the street right-of-way unless it is at least ten feet above street grade, in which case it may not extend more than 18 inches into the street right-of-way.</u></b>
		<b><u>Orientation: 20' behind property line and in accordance with section 58-150-1.</u></b>

**(e)** Signs on all other nonresidential uses in an R district are regulated as follows:

(1)	Types of signs permitted:	Identification and bulletin board
(2)	Permitted number of signs:	One principal building: One identification and one bulletin board each. A third sign is permitted if the building is located on a through lot or has frontage on three or more streets.
		Two or more principal buildings: One identification and one bulletin board for the first principal building, plus one identification or one bulletin board for each additional principal building.
(3)	Maximum area of signs:	One principal building: No sign shall be greater than 30 square feet.
		Two or more principal buildings: No signs shall be greater than 15 square feet.
(4)	Permitted location:	Identification and bulletin board: Behind right-of-way line.

**(f)** Subdivision identification signs shall be regulated as follows:

(1)	Types of signs permitted:	Identification.
(2)	Permitted number of signs:	Two signs per subdivision entrance.
(3)	Maximum area of signs:	No sign shall be greater than 20 square feet in area.
(4)	Permitted location:	Behind right-of-way line.

Adopted this 11<sup>th</sup> day of July, 2011.

All were in favor, with votes recorded as follows:

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

**B. Consideration of Weddington United Methodist Church Conditional Zoning District Minor Amendment.** Councilmember McKee moved to approve the Weddington United Methodist Church Conditional Zoning District Minor Amendment and found that this rezoning meets the reasonableness and consistency of the current Zoning Ordinance, Land Use Plan and recently approved text amendments.

All were in favor, with votes recorded as follows:

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

**Item No. 13. Old Business.**

**A. Update on 2011 Weddstock Festival.** Mayor Anderson advised that this report would come via email.

**Item No. 14. Fire Department Issue.**

**A. Discussion and Consideration of Board Action Requesting Union County Board of Commissioners and the Fire Marshal Moving the Fire District Lines in Order to Expand the District of the Providence VFD – Mayor Pro Tem Barry.** Mayor Pro Tem Barry stated, “For those of you who were not at the work session today, there was a brief conversation about the fire district lines. As you recall it is not in the purview or control of the Town. We asked the Fire Commission, Fire Marshal and County Commissioners to look at that. This is a request of the Town Council in support of the fire department in their efforts to engage those groups in redrawing the fire district lines. I move that the Weddington Town Council send a letter to the Fire Commission, Fire Marshal and Board of Commissioners asking them to assess and look at redrawing the fire district lines for Western Union County and the Providence VFD.”

Councilmember Thomisser asked to amend the motion to request that the Fire Commission, Fire Marshal and Board of Commissioners do whatever is necessary to move the fire district lines in order to expand the fire district of the Providence VFD.

Mayor Pro Tem Barry accepted the friendly amendment.

Mayor Pro Tem Barry - I meant to add that this is a precursor to our request to convert Providence VFD from a fee district to a tax district. We do not want to set up the tax district until we move the district lines. We want to add that to the letter that is sent. The County Commissioners set the tax rate. If the district lines stay where they are and they are converted to a tax, the tax rate would have to be 8 cents per \$100.

Mayor Anderson – To clarify we are rescinding our previous decision to direct Providence VFD to work towards a merger.

Mayor Pro Tem Barry – I did not say that.

Mayor Anderson – So you are saying this is Option B.

Mayor Pro Tem Barry – No I am not saying that. We are doing these separately. I asked that the Town Council draft a document to the Fire Commission and County Commissioners to redraw the fire lines and prepare us to convert to a fire tax. If they merge, they would have to convert to a fire tax any way. At the board meeting with the Providence VFD you and I attended last night and the work session today, we discussed helping them solve their current revenue problems, one of which is the option is to redraw the fire lines.

All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry

NAYS: None

**B. Discussion and Consideration of a Request by the Weddington Town Council to the Providence VFD Board of Directors to Change their By-laws to Allow the Appointment to their Board a Member of the Weddington Town Council – Mayor Pro Tem Barry.** Mayor Pro Tem Barry – This is an effort to ask the Providence VFD to add a member of their board to be a sitting member of the Town Council. This is to improve our relationship and transparency between Providence and the Weddington Town Council. I move that Providence VFD amend their by-laws to allow a Weddington Town Councilmember to sit on their Board.

Mayor Anderson – Do you want to elaborate on how that person is chosen or accepted?

Mayor Pro Tem Barry – If the Providence VFD wants to make it an ex-officio member that would be fine.

Mayor Anderson – The terms would be worked out later.

Mayor Pro Tem Barry – I ask that Providence VFD draft that opportunity and leave it up to them to draft that language into their bylaws.

Councilmember McKee – What is the purpose of doing this?

Mayor Pro Tem Barry – It is to create a tighter relationship with their board and transparency between their actions and the Weddington Town Council.

Councilmember Thomisser – We already receive the financials from them on a monthly basis. If we are going to put a board member on the Providence VFD that covers 30% of Weddington then what about the Wesley Chapel VFD?

Mayor Pro Tem Barry – If Butch Plyler wanted to do that I would be prepared to do that also. Currently we represent about 50% of Providence VFD's operating costs. We need to protect all of the interests of the taxpayers of the Town of Weddington when we are spending that kind of money with one single entity.

Councilmember McKee - I do not think it is the function of the Town Council to get involved in the day-to-day operations of the Providence VFD.

Mayor Anderson questioned whether it had to be a Town Council member or could it be a designee such as someone from the Public Safety Advisory Board.

Mayor Pro Tem Barry – There seems to be an undercurrent of frustration on both sides not understanding where each team is currently and where they are trying to get. If it is the will of the Town Council not to have that then I can go to the board meetings. I just am not in the district. We have to figure out how to systemically change that.

Councilmember McKee moved to table this item indefinitely. All were in favor, with votes recorded as follows:

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

**C. Discussion and Consideration Requesting a Complete Audit of the Providence VFD Financial Statements – Councilmember Werner Thomisser.**

Councilmember Thomisser showed everyone a copy of the audit that the Town of Weddington has to do every year. He stated, “I move that the Town of Weddington request a complete audit by a CPA firm such as Tinsley and Terry of the financial statements of the Providence VFD for fiscal year ending 2010 and fiscal year ending 2011 at a cost of approximately \$11,000. It is the responsibility of the Weddington Town Council to be good stewards of taxpayer dollars. We as a council have a fiduciary responsibility to ensure that their tax dollars are properly spent. Since the year 2000 the Town has given over \$1,000,000 to the Providence VFD and there has never been an audit. The Town is averaging over a quarter of million dollars a year to Providence without an audit. It just makes good sense.”

Attorney Fox – I think what the motion is intending to do is condition the current funding to the Providence VFD on their agreement to allow the Town or agent of the Town to perform a financial audit of the fire department for fiscal years 2010 and 2011.

Finance Officer Gaylord - The Town would not engage the auditor. The auditor would have to be engaged by the Providence VFD. It would be their auditor. I think that Werner is asking that we have the authority to approve who that is or that the firm meets our satisfaction. I believe Werner you were indicating who you wanted to pay for that audit.

Councilmember Thomisser – It is the Weddington Town Council’s responsibility to pay for the two-year audit at an amount not to exceed \$11,000.

Finance Officer Gaylord – Do you want them to bid out that work and then we approve the bid?

Attorney Fox – Better language would be in an amount not to exceed \$11,000. The intent of the Town would be to approve the auditor selected by the Providence VFD and the amount that the Town will contribute to that audit would be in an amount not to exceed \$11,000 and the results of the audit would be shared with the Town.

Finance Officer Gaylord – I called the Town’s current auditors and I asked them if they were to do an audit of a volunteer fire department what the cost would be. They have experience with volunteer fire departments and that is the number that they gave me. It is a generally accepted principal audit.

Mayor Pro Tem Barry – I talked with two accountants this weekend about this issue and they both said they would do it for \$2,000.

Finance Officer Gaylord – This would be the same type of audit that the Town has. It would be testing some transactions. The general audit is not looking at every transaction. The auditors go in and they look at the balance sheet and the income statement and they determine an amount that would make their financial statements materially misstated and they would test sample transactions to give them a comfort level that would allow them to state that the financial statements are not materially misstated.

Mayor Anderson – Several years ago our attorney advised us that any time we give money to an outside agency and using taxpayers’ money that we should have a good review of the financials. We do get those every month.

Finance Officer Gaylord – I scan the monthly financials, look through the expense accounts. I have recently rolled the net income number to the retained earnings number to make sure that they are properly rolled. I do not look at any transactions. I am only looking for unusual fluctuations in account balances or accounts that were not there. For instance, when the truck loan got paid off I did not see it flow through the cash balance sheet. It was an incorrect accounting entry. We do not test the transactions to make sure that they are accurate.

Mayor Pro Tem Barry – Legally can we dictate to get an audit.

Attorney Fox – You could because you are conditionally granting the funding contingent upon the audit. They want your funding - they agree to your rules. You want them to have a comfort level with who does the audit.

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

AYES:	Councilmember Thomisser
NAYS:	Councilmember McKee and Mayor Pro Tem Barry

Councilmember Thomisser wanted the record to reflect that he tried to get an audit.

Council took a small recess.

#### **Item No. 15. New Business.**

**A. Review and Discussion of Rules of Procedure #12 – Presiding Officer when the Mayor is in Active Debate – Mayor Pro Tem Daniel Barry.** Mayor Pro Tem Barry - Our Rules of Procedure comes from the School of Government. The presiding officer of the meeting of larger bodies does not participate in debate. We have a Rule #12 that suggests that the Mayor pass the gavel if that individual wishes to participate in the debate. I asked Attorney Fox to give us some clarity around Rule #12 and its application and this is a result of the last Town Council meeting.

Mayor Anderson – Given the lateness of the hour would you consider tabling this until our next meeting. I think all of our Rules of Procedure needs to be reviewed by our Council. I think this is an hour discussion.

Mayor Pro Tem Barry – I will defer this action with the agreement that we will not follow the Rules of Procedure for setting the agenda and it will go in front of the public hearings and behind the determination of quorum.

All were in favor, with votes recorded as follows:

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

**B. Discussion and Consideration of Censuring Mayor Nancy Anderson for her Statements and Actions at the June 13 Town Council Meeting – Councilmember Werner Thomisser.** Councilmember Thomisser - Your Town Council works very hard. I want everyone to know that we spend a lot of time researching these issues. We do the best job that we can do to make a decision based on facts. A good example of that was I lost a vote tonight and that is the way it goes. You do not always win. At the June Town Council meeting, we voted 4 to 0 to remove the \$450,000 Providence VFD expenditure from the budget. The next motion was to fund the Providence VFD for \$236,000 which is 9% more than the previous year and the vote on that was 3 to 1. When you lose a vote 4 to 0 or 3 to 1 that

delivers a pretty good message. But what happened was that Mayor Anderson lost control of her emotions and gavelled for a five minute recess, ran out the back of the Town Hall door and was screaming. To me it was a loss of emotional control and quite frankly I was embarrassed. We came back in and before we started to discuss the motion which was a 3 to 1 vote she accused the Council of doing back room deals. Attorney Fox was consulted and he said it was perfectly proper to do that motion the way we did it. You can get a copy of the June minutes. On page 18 of those minutes at the end of the meeting, Mayor Anderson was quoted as saying, "I am very disappointed in the outcome of the budget meeting. I am embarrassed that we are spending money on landscaping but we are not putting money forth on public safety." The Town Council of Weddington has bought a \$100,000 ambulance, Councilmember Gilmartin started day time paid staffing at the Providence VFD in 2007. The current Council expanded that coverage in 2009 to include night time staffing. Councilmember McKee earlier this year convinced NCDOT to make the Beulah Church Road and Antioch Church Road intersection a four-way stop. The current Town Council secured from NCDOT a stop light at Hemby Road and Beulah Church Road. The Weddington Town Council bought a speed radar trailer for the Town deputies and a new generator for the Providence VFD Rescue Truck. Activist Werner Thomisser secured from NCDOT a stop light at Hemby Road and Providence Road in 2003. Councilmember McKee and Councilmember Thomisser sit on the Weddington Public Safety Advisory Board. I believe that this Council indeed does care about public safety and we have nothing to be embarrassed about. During that same month on page 8 of the minutes Mayor Anderson is quoted as saying, "I am offended by your disrespect and comments to these men and women who serve us." She went on to say that the Council waited until after the public hearing was closed to slash the public safety appropriation. Also in the Union County Weekly of June 17 she was quoted as saying, "She was surprised by the Council's budget decisions. Never did I think we would not pay for the upgrades to the Providence VFD and I am very disappointed and embarrassed." I think Mayor Anderson stepped over the line by making accusations about this Town Council who has worked so hard to make Weddington a better place. I move that Weddington Town Council censure Mayor Nancy Anderson for her statements and actions at the June 13, 2011 Town Council meeting including the media documentation that I read.

Councilmember McKee – I was quite taken aback by the Mayor's reaction at our last Town Council meeting. During the past four years the Mayor and I have disagreed on a lot of stuff and sometimes it is a little overheated but whenever it was my fault I called the Mayor and apologized and she apologized back. I am not sure about the censuring but I think that an apology would be in order especially to Councilmember Thomisser for the personal attack on him.

Mayor Pro Tem Barry – The Mayor and I disagree which is probably more often than you realize. It is usually done on the cell phone and the pitch gets pretty loud and would be embarrassing to anyone that actually heard it. We have the right to disagree with each other but we do not have the right to make it personal. It needs to be about the issue. The Mayor and I have talked about that night and I do not know that I need to spend any more time talking about it.

Mayor Pro Tem Barry took the gavel to allow the Mayor to speak on this issue.

Mayor Anderson – Yes I did call a recess for a cooling off period. I was very angry and very upset. We do have a problem with the back door not closing properly. I am still disappointed and embarrassed with the outcome. I will continue to stand up for what I believe and will represent the people. I think that one of the problems here is that Councilmember Thomisser has been a citizen activist for years and has made comments and like you we did not respond. He was able to say whatever he wanted to say. Again, you do not censure what they say just how they say it. When you are on this side of the table and you are giving out facts that people are going to make decisions on not only is it my right but it is my responsibility to have all of my questions answered and to question some of the facts that were being placed out there. I did ask a lot of probing questions because I knew some of the things that you were

saying to be false. I thought it was important to bring that forward. It is never fun being bashed around in the media. I think you and I have personal issues with that which you have presented facts about me which I felt were wrong. It is just a matter of opinion. If you thought you were being treated unfairly by the media welcome to public office. I make no apologies for my position. I do apologize if you thought my behavior was personally attacking you but I honestly do not understand your position and the way it was stated. I will continue to stand up for the citizens of the Town. If you censure for that then so be it.

Councilmember Thomisser – This was not a personal attack against me this was an attack on the Weddington Town Council.

Mayor Anderson – There are some people that believe you have to abide by the wishes of the Council no matter what their wishes are. I was taught by Representative Sue Myrick when in your heart you feel that a decision that the Town Council has made is wrong then you need to stand up for that and take it to the public and the way to do that is through the media, internet, and phone calls. That is how you engage the grass roots and that is how we represent the people that you are elected to represent.

Councilmember Thomisser – We are talking about what happened at the Town Council meeting. Your lack of self control going out the back door and not shutting it and a citizen had to shut the door so the people in the chamber would not hear what you were saying. I am pretty tough skinned. It was a personal attack on this Town Council. You were embarrassed over a 4 to 0 and the 3 to 1 vote which you did not agree with. That is the bottom line.

Mayor Anderson – Let me be clear - I am being censured for my position.

Councilmember Thomisser – You are being censured for your actions after we voted and criticism of the Town Council. The vote went 4 to 0. That delivers a very strong message. The second vote went 3 to 1.

Attorney Fox – There is no authority for censuring in the North Carolina Statutes although councils have done it. It is more like a symbolic gesture. There is nothing provided for it in your Rules of Procedure.

Councilmember McKee – It was a matter of how you presented yourself. You are entitled to your opinion. It was the method that was used. I admire you for taking a position. I would like a friendly amendment that the Mayor apologizes to the Town Council for what happened during that meeting (not the issue itself but for the language and confrontation).

Councilmember Thomisser – If the Mayor is willing to do that then I would accept the friendly amendment.

Mayor Anderson – I make no apologies for standing up for the people of this Town.

Mayor Pro Tem Barry – Anthony, you commented earlier that there is no rule in our Rules of Procedure and there is nothing in the General Statutes for this - then this would be out of order.

Attorney Fox – I do not know that it is out of order. A lot of your rules are designed to promote stability and promote the best mechanism under the democratic process to reach consensus and desired outcome. Whatever the Council does should always promote the further interest of the community and the interest of getting the best decision made for the citizens. I think that the General Assembly and the Legislative Branch had the foresight in not providing specific authority for doing this very process because it is one that cuts against the promotion of good decision making and civility. If you read a lot of comments in your Rules of Procedure it always talks about leadership and about consensus and promoting the best outcome for the citizens. I would caution you as you proceed down this road. I do not believe it is out of

order. There are examples where this has been done by some communities.

Councilmember McKee – Mayor, I am not referring to your opinion or what should or should not be done. I am only referring to the confrontation and the language that was used. Again I am not asking you to apologize for your decisions.

The vote on Councilmember Thomisser’s motion is as follows:

AYES:	Councilmembers Thomisser and McKee
NAYS:	Mayor Pro Tem Barry

**C. Consideration of Landscape Maintenance Agreement – Highways 16 and 84 and Rea Road.**

Attorney Fox ask that this item be deferred to allow for contractual language to be added to the agreement. Mayor Pro Tem Barry moved to defer consideration of the landscape maintenance agreement for the mowing of the shoulders and medians. All were in favor, with votes recorded as follows:

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

**D. Call for Public Hearing to Review and Consider – Union County Water Tower Conditional Zoning Application (Public Hearing to be held August 8, 2011 at 7:00 p.m. at the Weddington Town Hall).** The Town Council received a copy of the Conditional Zoning Application dated May 27, 2011. Mayor Pro Tem Barry moved to call for a public hearing to consider the Union County Water Tower conditional zoning application. The public hearing is to be held August 8, 2011 at 7:00 p.m. at the Weddington Town Hall.

Mayor Anderson - I had a conversation with the Union County Public Works Director this afternoon. According to our ordinances once the application has passed through the Planning Board we are obligated to call for a public hearing. The problem is the plat that they presented is for a water tower and there has been some discussion on whether it should be a water tank. That would be a substantial change from what is being presented to us.

Anthony Fox – You are going to inject into the debate the prospect of a design change that would include potentially a water tank as opposed to the tower.

Mayor Pro Tem Barry – At the public hearing I am going to ask questions as to why they do not use ground tanks instead of a water tower.

Councilmember McKee – Are you for a tax increase to do it?

Mayor Pro Tem Barry – I am not going to make any decision until I have data. I want to know what it is going to cost.

Attorney Fox - I think the desire is to let it be known to the public of the prospect that the tank issue may also be discussed. I think the intent is just to give the public more notice of the whole range of options that may be available.

All were in favor of the motion, with votes recorded as follows:

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



**E. Review and Consideration of Drafting Letter to Fire Marshal.** Mayor Pro Tem Barry – During the work session the Town Council agreed to send a letter to the Fire Marshal. A letter has been drafted and is in front of you. I move that we prepare and send this letter to the Fire Marshal by fax tomorrow morning.

Mayor Anderson raised questions regarding the letter.

Mayor Pro Tem Barry – The letter can be redrafted tomorrow by the Town Attorney and emailed to the Council for their approval. The letter can be ratified at the next Town Council Meeting.

All were in favor of the motion, with votes recorded as follows:

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

**Item No. 16. Update from Town Planner.** The Town Council received a copy of the following update from Town Planner Cook:

- NCDOT has acquired the right-of-way needed to install turn lanes and a traffic signal at the intersection of Hemby Road/Beulah Church Road and Weddington-Matthews Road. Installation of the traffic signals has begun. NCDOT will soon have the asphalt for the road work and will then need about two weeks to complete the grading and pavement work.
- NCDOT has notified the Town that work on the NC 84 Weddington-Matthews Road Dual Lane Roundabout will commence within the next two weeks. NCDOT will have engineers, surveyors, geologists, and others gathering data for the next several months.
- The Town Council will hold a Public Hearing on July 11<sup>th</sup> to add Orientation Signs to the Town Zoning Ordinance. These signs would be allowed only on church campuses, educational and government facilities.
- The Town Council will hold a Public Hearing on July 11<sup>th</sup> to review a CZ Amendment Application from Weddington United Methodist Church for church campus signs.
- A link to the 2012-2018 Draft TIP is available on the Town website and a hard copy is available in Town Hall for Public Comment. The Public Comment period will end on June 30<sup>th</sup>.
- Town Staff has received a Conditional Zoning Application from Union County for the construction of a Water Tower in Weddington. The Planning Board gave this project a favorable recommendation at their June 27<sup>th</sup> meeting. The Public Hearing and Consideration for this project will be on the August 8<sup>th</sup> Town Council agenda.
- The Planning Board approved the Weddstock Temporary Use Permit at their June 27<sup>th</sup> meeting. Weddstock is scheduled to take place on Saturday, August 20<sup>th</sup> from 8:00am to 11:00pm on The Hunter Farm.
- Staff has received an application for a stand-alone ATM machine in the Weddington Corners parking lot. This project may be on the July 25<sup>th</sup> Planning Board agenda.
- The following text amendments may be on the July 25<sup>th</sup> Planning Board agenda for discussion:
  - Access Entrances Gates for Subdivisions (annual maintenance)
  - CUP Removals (removing any reference to CUP and replacing with CZ)
  - Farmers Market definition and development standards

**Item No. 17. Update from Town Administrator/Clerk.** The Town Council received a copy of the following update from Town Administrator/Clerk Amy McCollum:

A joint meeting with the Union County Board of County Commissioners is tentatively scheduled for October 10, 2011 at 4:30. Once I have confirmation from County Manager Cindy Coto we will start working on an agenda for that meeting. A light dinner will also be served that night.

Tyler Mills, our new Deputy, began work last week after the retirement of Deputy Ronnie Honeycutt.

#### **Update on Streetscape Project**

- The lights are working; however some adjustments may need to be made as to what time they come on.
- The banners have been re-sized and have been installed.
- Ornamental Post & Panel will rebuild the stone portion of the light poles. They will begin upfitting the one at Town Hall for approval, then upfit the rest of the posts upon approval. Our consultant has met with them several times to go over options. The Town is retaining \$4,000 until the work has been completed. The stone base detail is currently 7" x 7"; however the working drawings showed approximately 9" x 9".
- Our consultant has made his final recommendations on the locations for the monuments and I am waiting for Scott Buzzard to schedule a Downtown Committee Meeting to finalize.

I am in contact with NCDOT about getting a Municipal Agreement to allow the Town to mow areas on Providence Road, Highway 84, and Rea Road and to be reimbursed for some of those costs.

Councilmember McKee and I are working on purchasing the iPads for the Town Council for use with emails and at the Town Council Meeting for the agenda packets. We hope to have them operational by the August Town Council Meeting.

We have been approached again about doing another Welcome to Weddington Magazine. There is no cost for the Town to participate and we are allowed to place several informational pages within the magazine. The last one was done in 2008. Please let me know if it is acceptable to proceed with this project.

The following terms on Boards and Committees will expire in December:

- Planning Board – Scott Buzzard and Jeff Perryman
- Parks and Recreation Advisory Board – Scott Buzzard, Jeff Perryman and Robert Gilmartin
- Downtown Core Committee – Scott Buzzard and Jerry McKee
- Public Safety – Jerry McKee

The Public Safety Committee did ask that Scott Cole with NCDOT review the speed limit on Weddington-Matthews Road. Per an email from Scott Cole on June 21 they have not gotten to this request but have it on their list.

#### **Item No. 18. Public Safety Report.**

##### **Weddington Deputies – 443 Calls**

##### **Wesley Chapel VFD – 133 Calls**

##### **Providence VFD**

Union Fire	-	19
Union EMS	-	9
Mecklenburg Fire	-	2

Mecklenburg EMS	-	0
Total	-	30

The call totals between 6AM and 6PM are 19, or 63%. The call totals between 6PM and 6AM are 11, or 37%. Over the prior 3 months, our day calls averaged 52%, and the night calls averaged 48%.

The Town Council also received the Income and Expense Budget Performance and Balance Sheet as of June 30, 2011.

**Item No. 19. Update from Finance Officer and Tax Collector.**

**A. Finance Officer.** The Town Council received the Revenue and Expenditure Statement and Balance Sheet for June 1, 2011 to June 30, 2011.

**B. Tax Collector. Monthly Report – June 2011**

<b>Transactions</b>	
Pay Interest and Penalties	\$(241.80)
Refunds	\$25.75
Adjust Under \$5.00	\$3.11
Discoveries	\$216.94
Overpayments	\$(5.43)
<b>Taxes Collected:</b>	
2010	\$(2,007.60)
2009	\$(1,098.19)
2008	\$(470.78)
<b>As of June 30, 2011; the following taxes remain Outstanding:</b>	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$291.65
2006	\$180.70
2007	\$308.39
2008	\$2,945.33
2009	\$4,646.31
2010	\$14,809.30
<b>Total Outstanding:</b>	<b>\$23,619.45</b>

**Annual Settlement Statement – Fiscal Year 2010-2011**

2010 Tax Charge	\$634,071.42
Balance Adjustments	\$11.45
Discoveries	\$216.94
Interest Charges	\$1,900.29
Refunds	\$5,786.07

Late List Penalties	\$149.42
Adjustments Under \$5.00	\$(113.33)
2010 Tax Exemptions	\$(34,195.49)
2010 Tax Deferments	\$(34,584.97)
2010 Tax Write-offs (<5.00)	\$(840.94)
Overpayments	\$(5,760.98)
Interest Payments	\$(1,134.39)
Penalty Payments	\$(59.01)
Releases	\$(158.71)
2010 Taxes Collected:	\$(550,478.47)
2010 Unpaid Balance	\$14,809.30

**Item No. 20. Transportation Report.** By consensus this item was deferred until the next meeting.

**Item No. 21. Council Comments.** Mayor Pro Tem Barry thanked the public for their phone calls and emails over the past 30 days. He stated, “I think it is important for the public to get involved – remember that we have the right to disagree.”

Mayor Anderson stated, “Thank you to the fire department, firefighters and board members. I also want to thank Representative Craig Horn for his marathon non-stop historic legislative session.”

**Item No. 22. Adjournment.** Mayor Pro Tem Barry moved to adjourn the July 11, 2011 Regular Town Council Meeting. All were in favor, with votes recorded as follows:

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

The meeting ended at 12:02 p.m.

---

Nancy D. Anderson, Mayor

---

Amy S. McCollum, Town Clerk