

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, AUGUST 8, 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 August 8, 2011, with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Daniel Barry, Councilmembers Werner Thomisser and Jerry McKee, Town Attorney Anthony Fox, Finance Officer Leslie Gaylord, Town Planner Jordan Cook and Town Administrator/Clerk Amy S. McCollum

Absent: Councilmember Robert Gilmartin

Visitors: Walker Davidson, Roger Hawk, Steve Constantellos, John H. Parker, Richard Propst, Russell Davis, Kathy Davis, Johnie Flint, Bob Golden, Elaine Golden, Richard Karriker, Bruce Judd, Joshua Dye, William Donnegan, Joan Donnegan, Craig Bohlen, Josee Lemmetti, Karen Pollock, Dan Garvey, Todd Burke, Hans Kwaku, Mala Kwaku, Stephanie Belcher, Jennifer Romaine, Andrew Moore, Paul Garbon, Crystal Flint, Heather Perryman, Jeff Perryman, Gayle Bohlen, Gary Romaine, Judy Johnston, Bernadette Parker, Shirley Jacobs, Gary Nelms, Jean Love, Wilbert Love, John Houston, Craig Hurt, Chris Phelps, David Osmolski, Lee Grice, Steven Carow, Will Sanburg, Roland White, Alice White, Jim Myers, Bruce Johnston, Jan Taylor, Wallace Kirk, Anthony Burman, Carol Axtenhofen, Chuck Kohen, Valerie Kohen, Pat Harrison, Barbara Harrison, Jessica Wolfe, Steve Graybill, Kim Graybill, Jessica Elliott Michael, Clive Burger, Ron McClure, Willy McClure, David Strunk, Rajendre Pate, Judy Enderle, Art Enderle, Rocky Caponigro, Pete D'Adamo, Ginger Edgeworth, Ken Evans, Gary Palmer, Boris Dunn, Matt Sharon and Bill Price

Mayor Pro Tem Daniel Barry led the Council in prayer prior to the opening of the meeting.

Item No. 1. Call to Order. Mayor Nancy Anderson called the August 8, 2011 Regular Town Council Meeting to order at 7:00 p.m.

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

Item No. 3. Recess. Mayor Pro Tem Barry moved to recess the meeting to the Weddington United Methodist Church Helms Hall located at 13901 Providence Road. All were in favor, with votes recorded as follows:

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

Item No. 4. Reopen Meeting. Mayor Pro Tem Barry moved to reopen the Regular Town Council Meeting at 7:20 p.m. All were in favor, with votes recorded as follows:

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

Item No. 5. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum. Mayor Anderson advised that Councilmember Gilmartin had been delayed but hoped to arrive in approximately 30 minutes.

Attorney Anthony Fox asked to add a Closed Session Pursuant to G.S. 143-318.11 (a) (5) - To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

Attorney Fox also asked that the following item be moved until after the Closed Session: Consideration of Authorizing The Moser Group, Inc. to Proceed to Task 2 - Site Acquisition and Development Services.

Councilmember McKee moved to approve the agenda with the changes noted. All were in favor, with votes recorded as follows:

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

Item No. 6. Town Council Rules of Procedure.

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 asked Attorney Fox to review Rule 12 in the Council's Rules of Procedure and to give the Town Council guidance on this issue.

RULE 12. PRESIDING OFFICER WHEN THE MAYOR IS IN ACTIVE DEBATE

The mayor shall preside at meetings of the council unless he or she becomes actively engaged in debate on a particular proposal, in which case he or she may designate another council member to preside over the debate. The mayor shall resume presiding as soon as action on the matter is concluded.

COMMENT: Good leadership depends, to a certain extent, on not taking sides during a debate. On a small board this may not always be feasible or desirable; yet an unfair advantage accrues to the side that advocates controls access to the floor. This rule is designed to insure even-handed treatment to both sides during a heated debate. Ordinarily the mayor should ask the mayor pro tempore to preside in this situation, but if he or she is also engaged in the debate, the mayor should feel free to call on some other council member in order to achieve the purpose of this rule.

Attorney Fox - The Town Council has adopted certain Rules of Procedure to govern the conduct of the Council. The latest version of these rules is dated January 14, 2010. Rule #12 of the Rules of Procedure does have a specific rule relating to the presiding officer when the Mayor is in active debate. This rule provides that the Mayor shall preside at meetings of the Council unless he or she becomes actively engaged in the debate on the specific proposal in which case he or she may designate another Councilmember to preside over the debate. The Mayor shall resume presiding as soon as action on the matter is concluded. What this rule contemplates is that when the presiding officer (Mayor) is involved in an item that comes before the Town Council, then the Mayor shall then turn over and designate to another Councilmember the responsibility of presiding over this debate such that he or she is freed up to participate in the debate that is before the Town Council. This rule was adopted almost verbatim from proposed rules by the Institute of Government. It is designed to really help the functioning of Council and to provide for good leadership and for even handed treatment of both sides during a heated debate.

Councilmember Werner Thomisser - Who makes the call?

Attorney Fox – The rule is not specific on that point and perhaps that could be further clarified. The current language does not talk about who makes that decision. The assumption is that the presiding officer would state in advance that he or she would like to participate in the debate and therefore asks to turn the gavel over. That is not necessarily required. It does not tell you when the matter may constitute debate. That is somewhat a difficult target for you as a governing body to deal with. The other thing is it does not address who the presiding officer is to turn the gavel over to if no one is willing to accept the gavel because he or she may want to participate in the debate as well.

Councilmember Thomisser – Let's assume that the Mayor turns over the gavel to the Mayor Pro Tem - does she request the gavel back or does she vote on the issue?

Attorney Fox – It is my opinion that it does not affect the transfer of voting rights by a particular member.

Mayor Anderson – I have quite a few issues to bring up with this. The next agenda item deals with reviewing the entire Council Rules of Procedures. Can we roll this into that review?

Councilmember Thomisser – It is my understanding that the Town Attorney, Councilmember McKee and Mayor Pro Tem Barry would work together and I would like them to also address Pages 9, 10, 12 and 17.

Mayor Anderson – I wanted to see if the entire Council could be actively involved. Adopting Rules of Procedure is a major thing. I was wondering if we wanted to have a Work Session and knock it out in three hours and be done with it.

Councilmember Thomisser – I have all the confidence in Mayor Pro Tem Barry, Councilmember McKee and legal doing the changes.

Councilmember McKee – I think the reason that Mayor Pro Tem Barry brought this up is because of the topic tonight. I think that he wants to ensure that when the opportunity comes and the Mayor wants to be actively involved in the debate that she hands over the gavel.

Mayor Anderson – We have discussed this several times since I have been here for four terms. This states that he or she may designate another Councilmember; it does not say shall. I think that maintaining a spirit of the rule which is to ensure even handed treatment to both sides during a heated debate is really what you are looking for. We have had before on this Council when the Mayor wanted to enter into debate and ask the Mayor Pro Tem to take the gavel. The Mayor Pro Tem declined and no one on the Council would take it. In effect if you do not want the Mayor to talk you could decline to take the gavel. We have no provision in our rules on how to do this. The Mayor is required to vote in a tie. I think there is a fine line in asking clarifying questions and debating. I think it is the Mayor's responsibility to cast an informed vote and if I have questions about an issue that is not being answered by other members of the Council, how do you want that to be handled?

Councilmember McKee – It is not a question of whether you have a question. You have just as much right as anyone else on the Council to ask questions. If you are going to be in the debate, someone else should take the gavel.

Mayor Pro Tem Barry – I just wanted Attorney Fox to clarify the matter.

B. Consideration of Directing Legal, Mayor Pro Tem Daniel Barry and Councilmember Jerry

McKee to Review Current Town Council Rules of Procedure for Possible Amendments. The Town Council received a copy of the Council Rules of Procedures dated January 14, 2010.

Councilmember Thomisser moved to direct legal, Mayor Pro Tem Barry and Councilmember McKee to review the current Town Council Rules of Procedure for possible amendments. All were in favor, with votes recorded as follows:

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

Item No. 7. Public Hearing.

A. Public Hearing to Review and Consider – Union County Water Tower Conditional Zoning Application. Mayor Anderson opened the public hearing to review and consider the Union County Water Tower Conditional Zoning Application.

Mayor Anderson - The purpose of the public hearing is for us to hear what you have to say. We are not going to respond back to you directly. The first presentation will be our Town Planner and then the applicant will do their presentation. The Council will have the right to ask questions and then we will ask for Council input. It is important to respect each other and the Council. Please direct comments to the Council and not each other. We did have one person to ask to speak longer than we normally allow but they are speaking on behalf of an organization. What is your feeling about the length of time that they should be allowed to speak?

Councilmember Thomisser – If an individual is speaking on behalf of numerous residents and they have written approval to do so I would think it would be reasonable to let that person speak for ½ hour.

Mayor Anderson – I tend to go liberal on this sort of thing because it is your Town and we represent you and how can we do that without listening to you. We do have a Councilmember that is absent. We are expecting him to arrive shortly. It could be that we do not make a decision on this tonight. We do not want two people making this decision. At the end of the hearing, we may recess the hearing and let him listen to the tapes and allow him to ask questions and we may have to vote on this at our next meeting.

Councilmember Thomisser – You stated that we have a quorum. If we have a quorum, we should have the ability to vote on the issue.

Mayor Anderson – For something this important I would respectfully request that the Council wait until everyone is present.

The Town Council received the following memo from Town Planner Jordan Cook and the following narrative for the application:

Union County requests a Conditional Zoning Permit (CZ) for a 198 foot, 1.5 million gallon elevated water storage tank. The tank will be located at 247 Providence Road South.

Application Information:

Date of Application: May 27, 2011

Applicant Name: Cynthia Coto (Union County-County Manager)

Owner Name: Margaret H. Hemby, Kenneth H. Hemby and Laura H. Heffner

Parcel ID#: 06-153-013C, 06-153-013D and 06-153-007A

Property Location: 247 Providence Road South (western side of Providence Road just south of Rea Road)

Existing Zoning: R-40 and RCD

Proposed Zoning: R-40(CZ) and RCD(CZ)

Existing Land Use: Traditional Residential and Residential Conservation (no change proposed)

Existing Use: Vacant

Proposed Use: Elevated Water Storage Tank, Class II Essential Service

Parcel Size: 8.255 Acres (comprised of three separate parcels that will be combined)

General Information:

- A Conditional Zoning Permit is required for a Class II Essential Service in the R-40 and RCD zoning districts. Water Storage is included as a Class II Essential Service in the *Town of Weddington Zoning Ordinance*.
- The applicant is proposing a 198 foot tall, 1.5 million gallon elevated water storage tank within a fenced in area along Providence Road. The fenced area will encompass 2.53 acres.
- The proposed spheroid type water tank will have a 52 foot concrete diameter base and 86 foot diameter bowl.
- The proposed facility will be accessed by a 20 foot wide gravel access road from Providence Road. A decorative entrance gate will be placed 20 feet from the property line while an access gate at the facility entrance will be placed approximately 400 feet from the property line to reduce visibility of the facility from Providence Road. The actual water tower will be located over 550 feet from Providence Road.
- In addition to the water storage tank, the site will include a drainage structure with a rip rap apron and a detention pond and spillway near the rear of the property.
- There is an existing stream on site but the property is not within any FEMA regulated flood zones.

Minimum Standards for a Class II Essential Service in R-40 and RCD Zoning Districts:

Minimum Lot Area- 40,000 square feet—Combined lots are 8.255 Acres

Minimum Front Yard Setback- 75 feet—proposed setback is greater than 550 feet

Minimum Lot Width- 120 feet as measured at the front yard setback—proposed width is approximately 350 feet

Minimum Side Yard Setbacks- 15 feet—proposed left and right side yard setbacks are 180 feet and 100 feet respectively

Minimum Rear Yard Setback- 40 feet—proposed setback is greater than 350 feet

- The proposed water storage tank complies with all minimum yard regulations and front, side and rear yard setbacks for a Class II Essential Service in the R-40 and RCD zoning districts as set forth in the *Town of Weddington Zoning Ordinance*.
- The applicant has submitted a lot line revision plat that is currently under review. This lot line revision plat includes parcels 06-153-013C, 06-153-013D and 06-153-007A. All of parcels 06-153-013C and 06-153-013D will be included on the water tank site while only 0.735 acres of parcel 06-153-007A will be included. Parcel 06-153-007A is 7.923 acres in its entirety.

Additional Information:

- Screening and landscaping will be provided using new vegetation and existing, mature vegetation currently on site.
- A 40 foot landscape buffer is required around the proposed water tank. Landscaping will be added to the front and southern perimeters of the property to meet these buffer requirements. A natural/existing tree buffer will surround the rear and northern perimeters of the property.
- Clearing will only occur where the access road will be installed and within the tank construction limits. All proposed landscaping complies with the *Town of Weddington Zoning Ordinance*.

- Outdoor lighting will be minimal. Lighting on top of the tank will comply with Federal Aviation Administration requirements.
- The water tank does not have any pumps or other moving parts, therefore noise should not be a factor.
- The applicant has provided a map and pictures of the proposed water tank from various locations surrounding the water tank.
- The proposed water tank is exempt from the Town's maximum height restrictions per *Section 58-15* of the *Town of Weddington Zoning Ordinance*.
- All property owners have provided authorization to Union County to apply for the CZ Permit.
- Two Public Involvement Meetings (PIM) were held in accordance with *Section 58-271* of the *Town of Weddington Zoning Ordinance*.
 - The first PIM was held on-site at 247 Providence Road South on June 16, 2011 from 2:00-4:00pm. There were approximately 15 attendees at that meeting.
 - The second PIM was held at Weddington Town Hall on June 20, 2011 from 5:30-7:30pm. There were approximately 25 attendees at that meeting.
 - Most attendees were from the Stratford on Providence subdivision and were not in support of the proposed water tank.
- The Planning Board gave this project a favorable recommendation at a 5-1 vote and added condition number four below.
- The Town Council held a Special Meeting workshop on Wednesday, July 20th. Union County Public Works Director Ed Goscicki discussed the potential of building ground storage tank(s) as opposed to the currently proposed elevated water tower. Mr. Goscicki stated that ground tanks would cost \$1.6 million more than the elevated tower.

Conclusion and Conditions of Approval:

Staff has reviewed the application and submitted documents and finds the Conditional Zoning Application is in compliance with the *Town of Weddington Zoning Ordinance* with the following conditions:

1. All engineers (USI-Bonnie Fisher) comments must be addressed and completed prior to any construction;
2. Applicant must apply for NCDOT Driveway Permit for proposed driveway along Providence Road;
3. Lot line revision plat must be approved and recorded by the Union County Register of Deeds prior to any construction;
4. Applicant must consider additional screening/buffering/landscaping closer to Providence Road to reduce the visibility of the water tank from the road (Applicant has included a revised landscape plan showing vegetation along Providence Road).

Narrative for Conditional Zoning Permit Application

Union County, the project applicant, is proposing to construct approximately 198 foot tall, 1.5 million gallon elevated water storage tank in the Town of Weddington. The tank style will be spheroid with approximately 52 foot diameter base and 86 foot diameter bowl. The proposed project site is 8.25 acre group of parcels located on Providence Road, approximately 1000-feet south of Rea Road and Providence Road intersection. The parcel ID numbers of the sites are 06-153-007A, 06-153-013C and 06-153-013D. Parcels 06-153-013C and 06-153-013D will be purchased by Union County in their entirety whereas only 0.735 acre of Parcel 06-153-007A will be purchased. The parcels are currently zoned as R-40 district and RCD. The approval of the site plan and construction of a water storage tank will require a conditional

zoning permit which will change the zoning to R-40CZ and RCD-CZ. The proposed use is classified as an Essential Service, Class II, water storage, under the Town of Weddington's ordinance.

Parcel ID	Total Acreage	Acreage Purchased
06-153-007A	7.923 ac	0.735 ac
06-153-013C	5.34 ac	5.34 ac
06-153-013D	2.18 ac	2.18 ac

The proposed water storage tank will be strategically located on the west part of the property in order to decrease the visibility of the tank from the surrounding roads and adjacent properties. The tank will be approximately 600 feet from Providence Road. Currently, half of the site is wooded. With the exception of the access road and parking area around the tank and the area needed to facilitate the erection of the tank, stormwater pond and the drainage structure, the proposed project will be constructed with minimal clearing to maintain a natural tree buffer around the tank perimeter.

In addition to the water storage tank, the proposed development will include a 20 foot wide access road for use by Union County personnel. The area along the fence parallel to Providence Road will be landscaped to decrease the visibility of the tank site. The chain link fence will also be located approximately 460 feet from the road. Other structures on site include a tank drainage/overflow vault and stormwater pond. The tank drainage structure will be a 12 foot x 12 foot precast or cast-in-place concrete structure with riprap area around it to dissipate flow and energy during routine maintenance and tank overflow.

The need for the proposed Weddington Tank Elevated Water Storage Tank was identified in the County's 2005 Water Master Plan Update. Siting a tank at the proposed project site provides numerous benefits to the Town of Weddington and surrounding community including:

- Provides a more reliable water supply by coupling the operation of the existing Waxhaw-Marvin Pumping Station solely to the proposed Weddington Tank.
- Improved capability to meet existing and future domestic water demands in the Marvin-Weddington area.
- Increased static and dynamic water pressures in the Marvin-Weddington area and in particular for those areas situated at higher elevations where current water pressures are sometime marginal.
- The proposed tank will provide increased fire flow capability which is critical to protecting property and life in the area influenced by the proposed tank.

The proposed project site facilitates these benefits for several reasons. The site allows for the construction of a tank high enough to meet the County's hydraulic grade requirements to provide improved fire flow and pressure, has sufficient size to allow construction of the tank while providing additional buffer area, is adjacent to the County's 24-inch transmission main which facilitates distribution of the finished water to the service area, and provides positive drainage away from the site as needed when the tank is drained for maintenance purposes.

Constructing the proposed Weddington Elevated Water Storage Tank as planned at this location will not materially endanger the public health and safety and will provide numerous benefits including improved protection of public property and life through improved fire flow, improved water pressure in higher elevation areas where water pressure is marginal and minimizing the possibility of low or negative water pressures which can result in cross connection contamination.

The proposed project is required to provide adequate water supply to the existing customer base, as well as provide for future anticipated growth in the water service area and, therefore, is a public necessity. The proposed project will be in harmony with the surrounding developed area.

The Town Council also received the following information:

- Conditional Zoning Application dated May 27, 2011
- Aerial Map
- GIS Location Map
- Zoning Map
- Weddington Future Land Use Map
- Image Map of the area showing the locations of Pictures 1 through 4
- Pictures 1 through 4 showing the proposed water tank from various locations surrounding the water tank
- Diagram showing 20' Entrance Gate and 20' Wide Gravel Access Road
- Section IX – Amendments from the Code of Ordinances
- Cover Sheet, Sheet Index and Vicinity Map
- General Legend and Project Notes
- Standard Details
- Drainage Structure Plan and Sections
- Erosion Control Details
- Storm Water Details
- Site Plan
- Yard Piping Plan
- Erosion Control and Grading Plan
- Stormwater Plan
- Landscaping Plan
- Tank Piping Plan
- Waterspheroid Elevated Storage Tank Details

Town Planner Cook – I have received approximately 60 signed petitions mostly from the Providence Acres Subdivision stating that they are not in favor of the water storage tank. This is a conditional zoning process as opposed to the previous conditional use permit process. Conditional district decisions are a legislative process. Conditional district decisions shall take into account applicable adopted Land Use Plans for the area and other adopted land use policies, documents and/or ordinances.

Mayor Anderson – When we were talking about the ground tank versus the elevated tank, it was said that it was \$1.6 million extra but then at the work session I believe I heard that it was going to be \$2.5 million extra.

Mr. Ed Goscicki – The number that we presented at the work session was based on a very preliminary engineering analysis and was in the order of approximately \$1.5 million. I do not have those numbers in front of me. It was not \$2.5.

Mr. Pete D'Adamo – I am with HDR Engineers and I am here on behalf of Union County. We appreciate the opportunity to speak to you tonight and I appreciate the public being here to voice their opinion about this project. We want to review the history of the project and give you a brief overview. In 2005 Union County updated their Master Water Plan and we try to do that every five years. As a part of that planning process, it identified a need for an elevated water storage tank in the Weddington area and it programmed

that tank to be built by 2010. The County has two major water pumping stations – Waxhaw-Marvin and Watkins Road. The goal of this planning process was to separate out the Weddington area from the Stallings area and dedicate one pump station in each area and provide a better operation as well as improve water pressure and fire flow requirements. This slide gives you an overview of the infrastructure of the general vicinity. The different colored lines represent water mains that are part of the County system serving the general area in Weddington and outside of Weddington. As part of the planning process we developed a hydraulic model. What you do with the tank process is you set up a model and you predict what the water pressures and fire flows would be in the region and then you identify if there are any deficiencies and then you identify what are some improvements that could be made to address the deficiencies. As part of that process we identified based on the 20 mgd max day demand which has occurred in the county before, some areas based on the modeling that had pressures below the NCDENR requirement for 30 psi. Those areas were one of the reasons as well as looking to the future why we are recommending a Weddington storage tank. In addition to the modeling and in response to some customer concerns about low pressures at their houses, the Union County Public Works installed pressure data loggers at various locations to confirm whether there really was an issue of low pressure. This is the result of a couple of days of testing. The red horizontal line represents the State's requirement of 30 psi static pressure. There were several readings in the Rose Hill area that the pressures dropped below that 30 psi requirement and even close to 15 psi. Why is that a concern? From a homeowner's standpoint – you need a certain amount of pressure to operate your fixtures - toilets and shower. If you have a two-story building it is going to be even a bigger difference. A lot of these measurements were taken out of hydrants where you would have an additional head loss by the time you get into the house. If pressure gets below 0 it can pull a vacuum and creates a concern with public health. That is the reason there is a State requirement and the desire to provide that level of service to meet those requirements. This is the results of another data logging that was done at the Chestnut area. Any responsible utility has to make plans for the future and serve their customers. Even though things have slowed down a lot compared to the mid 2000s growth we continue to have people want to move to North Carolina. Projections were made to look at what would happen when the max day demand would be 25 mgd. The areas shown in pink are the areas of low pressure. This is a situation that is not sustainable for the County and one of the reasons why they are recommending putting an elevated storage tank in the Weddington area.

Councilmember McKee - Which areas for low pressure are you talking about?

Mr. D'Adamo - Everything in the pink. This is probably five to ten years from now. We are faced with low pressures now and are predicting more. More water is being drawn out of the pipes to meet customer demand and that creates hydraulic issues.

Councilmember McKee – Right now there is no building. We do not know how long that will go. It could be further out than ten years.

Mr. Gosicki – Five to ten years is based upon the 2.5 % growth rate that we anticipate for the next 10 to 15 years.

Mr. D'Adamo – These are based on 25 mgd max day demand. No date is associated with this drawing. It is when that demand has to be met.

Councilmember Thomisser – I am having trouble differentiating between the pink area and the lighter pink area. Is there a difference?

Mr. D'Adamo – This large area here which I am calling the pink area is the area predicted for low pressure. Inside of here as you saw on the previous map is an area that is a Weddington area that

overlaps. The area in white is Union County. This whole area is outside of Weddington but in the future will have low pressure areas as well as this area.

Mayor Pro Tem Barry – We are not just looking at the Town of Weddington but the Village of Marvin and up into Stallings.

Mr. D'Adamo – That is correct. The proposed tank is located south of Rea Road and west of Providence Road and is referred to as the Hemby property. That black circle is the approximate location as it relates to the three parcels. The parcel size is 8.2 acres with a disturbed area of 1.5 acres. Because we are building a tank with a concrete base we are adding some new impervious area which is a little less than ½ acre. There is a chain link fence that surrounds a portion of the property where the tank is and the area inside that fence is 2 ½ acres. The flood plain is 635 feet. The tank finished floor elevation is 688 feet and maximum tank water level is 873 feet mean sea level with the top of the tank approximately 883 feet. The tank base diameter – that is really the concrete foundation and not the steel tank is 52 feet and the bowl diameter where the water sits is 86 feet in diameter.

Councilmember McKee – Would you explain the 100-year flood elevation?

Mr. D'Adamo – It is established based on certain elevations in certain regions. It is based on the occurrence of a 100-year flood and that is the elevation that the water would reach. When we look at utilities obviously we do not want to build in the 100-year floodplain. We certainly do not want to have moving parts or electrical equipment in that area. That is a requirement that you have set up in your Zoning Ordinance to identify the floodplain and whether any proposed structures are in the floodplain. We are not in the floodplain. This is an aerial photograph showing the tank and these circles represent different distances from the tank. The closest one is 500 feet. This gives a real context to the aerial and the surrounding homes in the area. The project has access off of Providence Road with a 20-foot wide gravel entrance road that has four parking spaces. This is the tank in this area and this larger circle is the clearing area that is required by the people that construct these types of tanks. There is a stream in the back. As mentioned previously in public hearings, our goal was to move it as far back as we could and try to take advantage as much as we could of the natural tree buffers that are there. There are wetlands back there so we could only push it so far back. We had to meet certain buffer requirements and we start getting into soils that are less desirable for putting a foundation on a large structure like this. We have a chain link fence that goes around the site. As mentioned there is a stormwater dry pond here. The dry pond is designed to meet Weddington's requirements and it provides some nutrient removal. This is the yard piping plan. There is a 24-inch water line on Providence Road. We come off of that with two 18-inch water lines. One is a fill line and one is a drain line. A question was asked about contamination. We are dealing with potable water. This is water that you drink. This water has been treated to meet safe drinking water requirements. It is disinfected. This overflow structure is designed to chlorinate any water if it were to overflow into the tank which is a requirement of the State.

Councilmember McKee – I know the water comes from Waxhaw – does it go up one pipe and goes up to Stallings and then comes back down another pipe to service this area here?

Mr. D'Adamo – It is an integrated piping network that has a lot of loops. There are larger sized mains that are main contributors to the flow that comes over from the pump station but there are smaller ones that also branch off. It is not just one pipeline.

Councilmember McKee – The service right now is from the Stallings water tank.

Mr. D'Adamo – Pump stations and water tanks provide the water flow and pressure.

Councilmember McKee – All the homes in Weddington that are on County water - does it come from Stallings or from the branch offs that you described?

Mr. D'Adamo – It comes from both. Pump stations operate and fill the line and fill the tank but while they are filling the tank people are withdrawing water from those water mains as well.

Councilmember McKee – That is from the pump station doing its pumping and when the tank is full they quit pumping.

Mr. D'Adamo – The line is still pressurized so when people start to use the water the tank level drops and that lowers pressure in those lines as well. If you have a fire that is a much larger flow that is withdrawn. It is a pressurized system feeding off of a tank.

Councilmember McKee – But some of it does come from the tank in Stallings and comes back down this way. Why does the Rose Hill area that is closer to Stallings have low pressure and I have busting the pipes pressure and I am near that area?

Mr. D'Adamo – A lot of it is based on elevation. I do not know what elevation your house is. The things that remove pressure from the system are what we call dynamic and static head. Static is really the difference in elevation from the water source from where you take out. The dynamic is water flowing through the pipelines with a certain amount of friction associated with that. That removes head as well.

Councilmember McKee – So Rose Hill is a higher elevation.

Mr. D'Adamo – Yes they are.

Councilmember McKee – For that area that is having low pressure it is because of their elevation and it cannot get up to them?

Mr. D'Adamo – That is a big part of the problem. At the Planning Board meeting we received comments on the landscaping plan. Originally we had some landscaping inside this fence further off of Providence Road and then landscaping on the side. There was a request to move landscaping closer to Providence Road. We now show four different species. There are two species of pine and there are two types of evergreen shrub. They are from Weddington's list of approved landscaping species. The vegetation at the front of the site is a mix of Virginia Pine, Lacebark Pine, Evergreen Euonymus and Glossy Privet.

Councilmember McKee – Are these mature plantings?

Mr. D'Adamo – These will be a reasonable size but they will have to continue to grow. We were asked to generate a landscape rendering. These will be mature trees. These are not trees that will be planted day one. These trees typically run depending on what species you get from 12 to 20 foot. They can grow a foot a year then. We took some photos of some locations around the site to give a view of what it may look like. The tank site is here and there are four picture locations. *Mr. D'Adamo discussed the different picture locations showing the tank.*

Mayor Pro Tem Barry – How far back is the fence from Providence Road?

Mr. D'Adamo – I am guessing 400 feet.

Mayor Pro Tem Barry – The entire balance of this property that is not fenced in would just be left open?

Mr. D'Adamo – Yes. Approximately 2.5 acres is inside the fenced area and approximately 5 acres outside.

Mayor Pro Tem Barry – What is the intent of Public Works for the balance of that property?

Mr. Goscicki – There is no plan for that property for anything else.

Councilmember McKee – The last time that we went through this process I looked at designer water tanks. Have you ever considered that other than these standard tanks?

Mr. D'Adamo – We did not. We looked at three different styles. This style is called the spheroid. We did not look at a designer type of a tank.

Councilmember Thomisser – Reading the narrative for the conditional zoning permit application at the bottom of the page it says the need for the proposed Weddington elevated water storage tank was identified in the County's 2005 Water Master Plan. Going back six years, Union County was the fastest growing county in North Carolina and there was a lot of building going on in 2006 and 2007 and then the bottom fell out in 2008 and 2009. We have a tremendous amount of inventory of houses in Weddington currently. Most recently I found out that one of the premier builders has foreclosed on six of his lots in the Highgate Subdivision and four of his lots in Bromley. I know that you are trying to establish a need for the water tank but I have difficulty understanding your basing your need for it on a Master Plan in 2005 when growth was unbelievable and growth now is practically down to nothing.

Mr. Goscicki – The 2005 Water Master Plan which identified the need for this tank initially indicated that the tank needed to be constructed almost 1 ½ years ago and be online. It is because of the slowed down growth that we are not in a much more serious issue right now. We are in the process of updating the new Master Plan. It is not finished but we have taken it to the point where our current Master Planning Consultant has validated the need for a storage tank in this area. Our growth rate at that time in 2005, 2006 and 2007 was seeing 5 to 7% growth. We are still seeing in the utility system 1 ½% growth last year. We are anticipating 3% growth next year. There is still activity. There is a huge inventory of lots out there with water and sewer in front of them.

Councilmember Thomisser – Is the growth in Weddington or is it somewhere in the County?

Mr. Goscicki – Yes in Weddington - I just moved in. They are selling a house a month in my community.

Councilmember Thomisser- How long does it take to build a water tank?

Mr. D'Adamo – Typical the period of construction would be nine months to one year.

Mayor Pro Tem Barry – Give me some idea of the impact of that water tower if we were to construct a full service YMCA and library project in the Town of Weddington right now.

Mr. Goscicki – Part of the problem that we have right now in some of the residential communities is we are seeing low pressure to existing customers. As more development is put on the system that would make that problem worse. If we put on high end users, that makes it even worse. If we put on high end users that build multi-story facilities, there will be challenges depending on where that facility might be. If it is sitting on high ground with a multi-story facility it would still be challenging.

Mayor Pro Tem Barry – Public facilities are required to have sprinkler and irrigation systems installed. What kind of pressure is required to have a sprinkler system for a multi-story facility?

Mr. D'Adamo – Probably 60 to 70 psi.

Mayor Pro Tem Barry – In the Rose Hill Subdivision your maps shows approximately 25 psi at times.

Mayor Anderson – I want to clarify for the record that the Town of Weddington does not operate its own public works department. We are dependent on the County for both our water and sewer. For water and sewer facilities we are relying upon the County to integrate into their system. Our Land Use Plan and ordinances say that. Our Land Use ordinances state that all new subdivisions that are built are to be hooked on to County water. We have had discussions in our prior meetings regarding the difference between supply and distribution. You have already addressed the supply issue. This tank will enable us to pump into our homes.

Mr. D'Adamo – That is correct.

Mayor Pro Tem Barry – It does not add users.

Mr. Goscicki – Correct. It does not add users. It is just a pressure issue.

Councilmember Thomisser – The water is coming up Providence Road in a 24-inch water main.

Mr. Goscicki – Correct.

Councilmember Thomisser – Have you measured the water pressure in that pipe at the intersection of Providence Road and New Town Road?

Mr. Goscicki – Not that I am aware of.

Mr. D'Adamo – The tank fills up and shuts off at a certain elevation. They are designed with an overflow. There is a pipeline that goes right outside the tank to a concrete structure. This is potable water and it has to be disinfected. The concrete structure is there to remove the chlorine. If it ever overflows then it would flow through that structure, the chlorine taken out and then go to the stream.

Attorney Ligon Bundy – I am the County Attorney. I appreciate the opportunity to address your concerns on this issue. As I understood your staff report, there is a legal basis for you to allow the construction of this tower. The Planning Board has already given a favorable recommendation. I am not going to speak to the details of this proposal. I want to talk about the policy decision that you have to make. I think it is a discretionary and legislative decision on your part as to whether you should allow the construction of this water tower. It is a stated purpose as set forth in your Subdivision Ordinance to require new subdivisions to be tied into the Union County system. Section 46-78 basically says for major subdivisions the developer must connect to the county lines to provide water service and fire protection for the subdivision. This is a policy decision that you made a long time before Union County came to you with this proposal to put in this tank. This policy for the Town of Weddington says if you are building a new subdivision you are to connect it to the County water system if it is within a certain distance of existing lines. I think there is a misconception that this proposal is to take care of new development that comes to Weddington. That is not necessarily true. Even existing residents of Weddington want water when it is available. I want to cite to you four examples of that. We have four subdivisions that we are aware of in Weddington which recently tied into the Union County water system. One of them is Wellington Woods I, which tied into the County water system on October 19, 2009 and added 32 existing homes to the water system. Another one is Wellington Woods II and III which went active on March 2, 2011 which added an additional 40 existing residences to the Union County water system. Another

subdivision is Greylyn which went active on June 15, 2011, only a couple of months ago. It added 35 new existing residences in Weddington to the Union County water system. The last one is Lake Providence which went active on April 28, 2011 and added 18 existing residences to the Union County water system. This is a total of 125 new customers to the Union County water system. These were homes that were already built probably coming off of wells. This is not just talking about new growth and new people moving into Weddington. This is talking about serving your existing residences. I might add that the Town of Weddington obviously agreed with adding these residences because the Town contributed \$20,000 to the infrastructure improvements necessary for Wellington Woods II and III. Your Subdivision Ordinances require that new residences be added into the system, you have already thrown in \$20,000 yourselves to add existing residences to the system so you obviously believe that this system is needed in Weddington.

Mayor Pro Tem Barry – I am the past treasurer for Lake Providence. We do not have County water. We contacted Union County about getting County water and could not.

It was advised that it was Lake Providence East instead of Lake Providence.

Councilmember McKee – For Wellington Woods II and III, my understanding is those types of plans have been done away with in Union County.

Mr. Goscicki – The County had a program in place called the Self-Help program that required local communities to give so much money, the County contributed through the general fund a certain amount of money and the utility contributed a certain amount of money. That program is not being funded this year. The Board has asked us to come back and develop an alternative to that program. There is direction from our Board to come back with a structure for the program that would allow for communities that want to connect to the system an economical way to do that. We are still working on those scenarios. I think it will be different on how we will structure that with cost sharing, etc.

Councilmember McKee – There are some developments like the one like Wellington Woods that could not even drink the water out of their well. They hauled in bottled water. My question is if there are other developments that are on wells that have similar circumstances like Wellington Woods had, would they fit into this new program?

Mr. Goscicki – That is the intent of the program is to come up with a methodology that makes it affordable and equitable to the property owner. One development paid this much and another paid this much. The County paid the same amount but the residents markedly different depending on how the geometry worked out for your water lines. We are trying to come up with something equitable and not get penalized if you are a lower density to a dense development.

Councilmember Thomisser – In order to maintain total transparency on the issue, the example that you gave with the Town giving \$20,000 for water hookup - I believe there was \$12,000 in the budget that we were carrying year to year and we were not using it. We were approached by the Homeowners Association President and they decided to put some of their money into the costs and since we had the \$12,000 we were carrying from year-to-year for water, we had an opportunity to use it. The Town Council decided to utilize that and added an additional \$8,000.

Attorney Bundy – The only point that I am trying to make is your policies, Subdivision Ordinance and your actions recognize that public works is a good thing and provides a service to the existing residences of Weddington. The numbers I read to you were 125 new customers in the Union County water system in the Town of Weddington. You have every reason to believe that this will continue in the future. We are not just talking about new houses being built; we are talking about people in this room. We believe about

1/3 of the existing residences in the Town of Weddington are provided water service by the Union County water system. I would remind the board the last time this matter came before you on the proposed water tank across the street from the Town Hall it came before you in a slightly different posture. It was an application for a conditional use permit. We had to make Findings of Fact. The majority of the board who heard the evidence and voted found as a fact that the proposed water tower was a public necessity. It was voted down because you found that it was not in harmony with the surrounding neighborhood. You are already on record deciding that it was a public necessity. I would contend to you that it seems inconsistent for the Town to promote the use of a public water system in Weddington through its Subdivision Ordinance and through your actions and then not assist the County in upgrading the system in making it a first class sound system to deal with the pressure issues. The County came in and installed the first lines and started providing service to Weddington in the 1980s. We went through the process of trying to find a willing seller because we do not want to condemn a piece of property. We especially did not want to condemn a piece of property, take title to it and then find out we could not put a water tank on it. It was important for us to find a willing seller that we could contract to purchase contingent upon the approval of the water tower. There was a procedure for doing that. One of the persons that was contracted to sell the property to us is here tonight. She is not going to speak. We obtained an option to contract to buy the property contingent upon permission to put the water tank there. When we came before you before on the site across the street, there was a very vocal group of folks. I will contend to you that it is a small group compared to the population of Weddington. You told us that you recognized the need for a tower and to go find another place. We have done that. We are back here tonight asking permission to put in a tower. If you reject this site, we will have to come before you with another site. Because nobody wants a water tower near their property and I can appreciate that. It has to go somewhere. I am not going to tell you that it is pretty. The thing is I would contend to you if you put it in you will notice it a lot for a few days then it will start to fade in the background.

Mr. Bundy referred to a picture on the screen of the tower. He stated, "You have to have power, water and sewer. The infrastructure has to go somewhere. In this picture you see a water tower. You know what you do not see in the picture is the telephone pole and power lines. You do not notice it in the picture because it is a fact of everyday life. In the next picture you hardly see the tower because of the screening. You did not even notice the power lines. When you are driving down the road and see a water tank, you do not say that is an ugly water tank – you probably do not even notice it. It is a part of everyday modern art. I would argue that if you authorize this, that in a few months you would not even notice it. It is just a part of everyday life. I would contend for the purposes of public health and general welfare of the community, the statute says that we need it here in Weddington. You should allow this use and not exclude a public service that would provide for the public health and safety."

Councilmember Thomisser – I am trying to understand this issue. You seemed to have concentrated on water hookup; however at the work session with Director Goscicki, I specifically asked him the question do we have a water problem or do we have a pressure problem. Mr. Goscicki said we have a pressure problem.

Attorney Ligon – That is correct and the pressure problem will get worse as more people go on line. This is needed to provide pressure. You have pressure problems now. We would not be doing this to promote people to tap into the system. People are going to tap into the system whether we promote it or not. The demand on the system will increase and as demand increases the water pressure problems will get worse.

Councilmember Thomisser – Is the water coming from the Stallings water tower to service the subdivisions you discussed earlier?

Attorney Ligon – It comes from the Union County water system. We do not have a Weddington system, a Stallings system and a Waxhaw system. We have a Union County water system and it is all integrated and everyone shares the same system.

Councilmember Thomisser – That location Wellington Woods I, II and III - is that water coming from the Stallings water tank?

Mr. Goscicki – Water distribution is not as simple. We have a pipeline network and in that network is the Stallings tank, Indian Trail tank and it would be this tank. Those tanks help maintain and equalize pressure in the system. The pipeline runs through Weddington so people are pulling off those lines and those tanks have to stabilize and maintain the pressure in that system. Without the tanks you get areas of low pressure like we have here.

Mayor Pro Tem Barry – As I understand from the earlier presentation from your engineers, it is really like a spider web underground that is all connected together and you are going to shoot out the different spots in your system to put water towers in place. This is not to add volume for your system because you are addressing that through the water system through Anson County and the one from Lancaster County. This is to stabilize pressure as more and more users attach to the system through the County's allocation process.

Mr. Goscicki – That is correct.

Mayor Pro Tem Barry – It is not lost on me that the County's Attorney is here helping us to understand what our requirements are under our ordinance. It is troublesome to me that the County did not come to the Town to discuss the location of a tower, after the failure of the County to get their water tower approved a year or so ago and with the knowledge that we changed our process from a CUP to CZ (legislative process).

Attorney Bundy – The County several years ago did a study. The location of where we want to put the tower is based on several factors.

Mayor Pro Tem Barry – There are eight sites. We have all seen the map. We changed our zoning in Weddington to allow us to interact with petitioners about the use of their property. The first conversation I had with Union County about this property was at the public involvement meeting standing in the heat on Providence Road. Why did the County not ask the Town Council to meet with them in an effort to find the best location for the water tower?

Attorney Bundy – This is the only site that we located that has a willing seller at this time.

Councilmember McKee – According to the study done by HDR – this site was not on the original study. The Reid Dairy Site is Number 5. It is my understanding this present site and that site were the two sites in consideration and the County Commissioners voted for this site because one of the commissioners used to be on the Board of Education and there was going to be a fight with the school board to put the water tower on that location.

Mr. Goscicki – We had met with the School Board Facilities Planning Committee which includes several of their board members. They were not supportive of selling the property to Union County for a water tower on an elementary school site. It is owned by the Union County School Board.

Mayor Anderson – For further clarification, bond money was used to purchase that. They have all types of legal requirements on that property.

Councilmember Thomisser discussed the original sites. I believe the Rea View Elementary site was part of the original five.

Mr. D'Adamo – The original study which was almost four years ago now mentioned eight sites and then we reduced that number to five or six.

Councilmember Thomisser – HDR Engineering recommended the Pittenger property because it had the highest elevation.

Mr. D'Adamo – It had the highest elevation that is correct. We also stated the County should also approach other property owners simultaneously because the other sites were acceptable also.

Councilmember McKee – The plan to discuss further hook-ups is that going to have public hearings?

Mr. Goscicki – We have not even had workshops with our board and it is only at the staff level. That process should be done with our water and sewer line extension policy. That policy we are starting to shape now in the form of an ordinance. As part of an ordinance we would be required to have a public hearing on that.

Councilmember McKee – I think that the Town of Weddington should be notified of the public hearing. There are a lot of neighborhoods in Weddington where the wells are going bad. I think it is a very important issue and we should be acknowledged on how that plan will work so we can inform our citizens.

Councilmember Thomisser – I want to go back to the original five sites. It was interesting to me that most of the votes of the County Commission go 3 – 2 but this was a unanimous vote not to put it at the elementary school site. My question is the fact that you had to run 3,450 feet of 24-inch pipe to hook up to Providence Road – did that have anything to do with your decision?

Attorney Bundy – There was never an official vote of the County Commissioners to object to the school site.

Mr. D'Adamo – There was a vote on the Cox Road site. The instruction to public works was to take that money you are going to spend on that additional water line and see if you can find another site.

Attorney Bundy – This question of site came up during the public informational period concerning this proposal and many of the people in this room were present at that meeting. There was discussion at that meeting of the County's original proposal to put the tank across the street from the Town Hall. There were a number of people who obviously were not involved in that decision and felt that is where the tank ought to be across the street from Town Hall. Wherever we come to you with a proposal to put a tank there is going to be a discussion where there is a better site. We cannot make all these people happy. You cannot make all these people happy either. It has to go somewhere. There is always going to be opposition and discussion. It takes about 1 to 1½ years to tie the property up negotiating with the property owner, doing the engineering and paperwork to come to you with a proposal.

Councilmember Thomisser – In the application for this water tower, one of the points you made was that the proposed tank would increase fire flow capability which is critical in protecting property and life. It is my understanding that the fire departments have 3,000 gallon tanker trucks that carry water and when they get to a fire they have an inflatable pool that they dump the water into and then they go and get more

water. You mentioned fire flow capability. Can you explain to us what you mean by that? Is that the volume of water coming out of the hydrant and the pressure or both?

Mr. Goscicki – It is both. As a Weddington resident, I would much rather have that firefighter hook up to a hydrant across from my house than to deploy a tank and rubber raft, fill it up and refill it if he is putting out a fire at my house.

Councilmember Thomisser – There must be a method to measure this pressure and fire flow coming out of the hydrant. Have you measured it in the Town of Weddington? Do you have any statistics to show us there is the need for a water tower based on fire flow?

Mr. Goscicki – If you have pressure problems under 30 psi that is not sufficient to fight a fire. I think the fire chiefs and the firefighters could speak to that question a lot better than I can. We do routinely check our hydrants and work with the local fire departments around the county. We do flow and pressure testing when we do that. I could not give you a number right now. I would refer to the fire chief on that.

Councilmember Thomisser – A former fire chief for the Providence VFD requested that the fire hydrants be tested for fire flow and pressure and he told me that he was denied by the County because they did not have any money.

Mr. Goscicki – My water superintendent is a fire chief here in Union County. He is very in tune to the fire issues of this County and we work very cooperatively with the fire departments.

Councilmember Thomisser – You have no statistics to show decreased fire flow out of the fire hydrants.

Mr. Goscicki – I have nothing here for you tonight regarding fire flow.

The Town Council took a small break.

Mr. Ken Evans - I am the Vice President of Providence VFD. In May of this year, in off peak hours we tested 113 hydrants which are in our district – 110 of the 113 had a pressure of 50 psi. One had a pressure of 48 psi and two were dry which are on Providence Road close to the County line.

Councilmember Thomisser – What does that mean relative to the fire department? Is that normal or high?

Mr. Evans – 50 psi is our minimum requirement for pressure in a hydrant.

Mr. Will Sanberg – You do not necessarily just need pressure; it is a volume issue also. We flow test the hydrant. While we are running the hydrant fully open we check the static pressure. We check the pressure inside the hydrant while it is being flowed - 50 psi is a pretty weak hydrant. I also work for the City of Charlotte – I just had a 120 psi hydrant. I am a paid staff member of the Providence VFD.

Mayor Anderson – All of the hydrants were substandard.

Mr. Evans – They are not substandard - that is the minimum. As he was saying 70, 80, 90, 110 psi is better but these are minimum. One was below minimum at 48 psi and we had two dry ones.

Mr. Sanberg – We were checking those during the day when people were not using the system. Unfortunately we cannot plan when we are going to need to draw off of the system.

Councilmember McKee – So if they were done during the early morning they would be lower.

Mr. Evans – It depends also if the pumps are running. This is only a snapshot.

Mr. Sanberg – What Mr. Thomisser described earlier is what we call a drop tank. The drop tank is what we call a Plan B. If there are no hydrants to supply a fire truck with water, they carry a small amount of water in the tank. We have what we call a tanker truck which can carry around 3,000 gallons of water. That is in the event we cannot find a hydrant – we carry our own water. The first arriving company that pulls up to the fire establishes their own water supply, they are going to draw the water off the truck that they carry with them until another company or another truck can lay a supply line to lay on the street to the closest hydrant. That is Plan A of the attack. That is our best situation in the event there is an emergency. A lot of places in our response area do not have the infrastructure or hydrants present so we have to bring our own equipment. We have to bring a drop tank. That is not our go to method. It is an old technology. It works. It is a lot safer for us as firemen being in an ideal environment to have an established water supply through a municipal water system.

Councilmember Thomisser – When there is a fire both Providence and Wesley Chapel respond to it?

They answered that was correct.

Councilmember Thomisser – In addition to the water that you are bringing, we also have the water that Wesley Chapel brings also.

Mr. Sanburg – Every engine company has the water that they bring.

Councilmember Thomisser – We have approximately 73 subdivisions in Weddington that are on wells. We have 11-13 subdivisions that have county water so those subdivisions would have fire hydrants. The majority of Weddington does not have fire hydrants.

Chief Joshua Dye – The problem that we run into is unless we have a pond or pool we still depend on those hydrants to fill our trucks - 3,000 gallons of water takes a long time to fill that truck up if the pressure is not there. We go to Waxhaw where the pressure is really bad it may take our 3,000 gallon tanker 5 to 6 minutes to fill up.

My name is Barbara Harrison. I live at 2001 Belle Forest Court. I want to present to the Town Clerk 28 signatures from people in Stratford on Providence that have asked me to speak on their behalf – *signatures are attached to the minutes as an exhibit*. The reality is that no one wants a water tower. I heard at the Planning Board Meeting “well it has to go somewhere”. I heard that again today. Implied but not stated “Thank God it isn’t by my home or subdivision”. In fact, Mr. Goscicki, who lives in Weddington stated at the public work session on July 20 that he would not want a water tower across from where he lives. The reality is this is not about water but about water pressure. In the UCPW 2008-2012 Capital Improvement Plan Project Review on their website the following is a direct quote: This project has been identified as infrastructure needs in the 2005 Water Master Plan Update. This project will enhance the ability of the County's water distribution system to maintain water pressure during peak summer demands. I did not hear them state this before. I thought this was all the time but apparently it is just spring and summer. This is not about water allocations or infrastructure. On Page 35 of Weddington’s Land Use plan it states: Infrastructure includes adequate means for access and mobility, water and sewer service, and storm water systems. There are water main lines on Providence Road, Highway 84, Weddington-Matthews Road, Hemby Road, Beulah Church, Waxhaw-Indian Trail Road and Marvin-Weddington Road. These water lines deliver water to 16 out of 73 subdivisions in Weddington. Mr. Goscicki stated at the public work session on July 20 that there are approximately 1,000 customers in Weddington and 40,000 total for Union County. When further questioned about the 1,000 customers, the

number does include water meters for irrigation systems. In Stratford on Providence, we have six meters dedicated for our irrigation systems for our common grounds. For the past several months, I have spent a good portion of every day researching water towers. In fact, I have taken pictures of water towers in three states and from an airplane. So when I hear you say that I am not going to notice that water tower I certainly am. I realize that in order to convince this Council to vote no, it won't be because this proposed water tower will be in the middle of a residential area. It won't be because the Council has received almost 100 emails giving the Council some very salient points on why the proposed site is not a good idea. It has to be based on the process and procedures put in place to grant the proposed Conditional Zoning Application. "A statement analyzing the reasonableness of the proposed rezoning shall be prepared for each application for a rezoning to a conditional district." Typically a Conditional Zoning must also be consistent with the Land Use Plan, Zoning Ordinance and any other adopted plans. Town Planner Cook told me that we do not really have any other adopted plans. Council, you will be asked to state that the proposed CZ Application either meets or not meets the reasonableness and consistency of the Land Use Plan, Zoning Ordinance and any other adopted plans. There is not much that I can say about the Zoning Ordinance. We can argue about essential service but I am not going to go there. I am not aware of any other adopted plans so I will concentrate on the Land Use Plan. On Page 10 of the Land Use Plan, "Local leaders are aware of the fact that the Town cannot prohibit new growth from occurring, thus, a primary community goal is to maintain the Town's character as new growth occurs. New growth must occur within a framework which is in keeping with the existing community character and which avoids negative social, economic and environmental effects on the town." On Page 14 of the Land Use Plan under **PLAN FOR APPROPRIATE AND COMPATIBLE LAND USES:** Adopt land use regulations that protect and maintain the Town's open space, unique character and overall quality of life. In all I found references to the unique character of Weddington on Pages 6, 7, 12, 13, 15, 16, 17, 18, 21, 22, 27, 29, 36 and 49. I don't think a 198-foot water tower in the middle of a residential area meets the criteria intended in the Land Use Plan for unique character. Council, you will be asked to state that the proposed CZ Application either meets or not meets the reasonableness and consistency of the Land Use Plan, Zoning Ordinance and any other adopted plans. On Page 16 of the Land Use Plan, it states "To preserve open space and scenic views, while providing opportunities for low-density development." The construction of this water tower is in direct conflict with these goals. That was also stated in January of 2010. In March 2007, Union County Public Works first presented Town Council with a synopsis of its search for a parcel for a water tower in our Town. According to the County's own report, the site search was guided by a number of factors including quoting here, 'surrounding environment – the County desires to locate the new tank where the tank's impact on the surrounding aesthetics is minimized.' Apparently those statements no longer mean anything. The placement of the water tower in the middle of a residential area will have a tremendous negative impact on the aesthetics of our Town. Because of its height and size of its tank, you are going to be able to see this tower for miles. It not only affects Weddington but the surrounding homes in Marvin. On Page 17, it states "Ensure that development is consistent with the Town's quality and aesthetic values, thereby preserving and enhancing property values." The water tower will have the opposite effect detracting and reducing the values of surrounding properties. Ask any realtor about the effect a water tower has on the ability to sell a property. Last January there was a realtor who was considered an expert witness that answered a lot of questions about property values. I don't think that anyone could possibly believe that the property values for the surrounding subdivisions, homes and land in the southern portion of Weddington will not negatively be affected. In these diminished economic times, it is a buyers market, why further devalue someone's property? Stratford on Providence is the 2nd highest taxed subdivision in Weddington. Will we and the surrounding subdivisions, single-home owners and land owners be given a tax break because our values are going to be diminished? Council, you will be asked to state that the proposed CZ Application either meets or not meets the reasonableness and consistency of the Land Use Plan, Zoning Ordinance and any other adopted plans. On Page 21 of the Land Use Plan has the following paragraph: **Community Design and Image Policies:** The overriding objective of the policy guidelines set forth in this section is to protect and promote the health, safety, and welfare of the citizens, and future citizens of the Town.

Policy 1: Encourage the preservation of older homes and structures in the community to preserve a sense of history

Policy 2: Support the adaptive reuse of historic structures in the community.

Policy 5: Give the highest priority for beautification efforts and corridor design to major thoroughfares and key entryways.

Policy 10: Continue to support the Weddington Historic Preservation Commission's efforts to preserve historically significant structures and sites.

The Howard House which is located across from the First Baptist Church of Weddington is the oldest home in Weddington. It has been estimated that it was built in 1865. This home may not have been identified by Union County Historical but neither is the Weddington United Methodist Church's cemetery. That was taken into consideration the last time the tower was brought up.

No matter what you do to the major thoroughfares or key entryways, (if you vote yes for a Water Tower) there will always be a 198 foot tower, with a big tank and flashing lights announcing "you have made it to Weddington".

The following quotes are from Pages 29 and 48 of the Land Use Plan:

The Role of Planning - Land use planning is designed to provide strategic guidelines for the future growth and development of a community. Land use decisions made by a community are fundamental. They shape the community's very character—what it is like to walk through, what it is like to drive through, who lives in it, what kind of jobs and businesses exist in it, how well the natural environment survives and whether it is an attractive or ugly place. Because land development patterns affect property taxes and the level of public services, land use planning decisions are closely tied to the fiscal health of the community.

Historical Preservation

The Weddington area has deep historical roots. Weddington faces challenges due to evolving suburban sprawl development. New development within the fast growing community has superimposed land uses onto what had been vacant undeveloped land. One point that will provide stability, as well as a sense of tradition, is the existence of historic sites throughout the planning area. As Weddington continues its pattern of new residential and non-residential development, it will be important for the Town to see that these important references to the past are preserved.

COMMUNITY DESIGN AND IDENTIFICATION

Appearance is an issue that affects all aspects of physical planning, as well as a community's environment. All too often the visual environment has been neglected in American communities. Many communities throughout America are virtually indistinguishable today, containing numerous architecturally similar structures, flashing lights, large signs, strip commercial development, etc. Many communities today are realizing, with the support of court decisions, that they must take an active role not only in promoting, but in regulating for an improved visual appearance.

Council, you will be asked to state that the proposed CZ Application either meets or not meets the reasonableness and consistency of the Land Use Plan, Zoning Ordinance and any other adopted plans. The water tower does not serve all of Weddington. It doesn't serve 80% of Weddington, in fact, it serves a small percentage. Mr. Goscicki stated that there was a "band-aid" solution for the community with low water pressure but he did not want to implement it. Since this issue has been going on since 2007, it seems a "band-aid" solution could have been put in place for a lot less money than what has been presently spent. This would then allow UCPW to find a solution and site that would not violate the Land Use Plan. Tonight the community and Council are at a crossroads; you can take measures to avoid the negative visual elements suffered by most urban areas or we can be just another town with no more

distinction and not such a nice place to live. If you say yes – when will UCPW come back and say we need another water tower or maybe this time we will need a public sewer system. Please vote no to the proposed site for the water tower, it does not meet the Land Use Plan in the areas of character, aesthetics, property values and historic preservation. And lastly, I have heard that the Council would give UCPW money to fund a better solution; however, on Page 37 of the Land Use Plan it states “The Town of Weddington relies on Union County Public Works for the provision of public water and sewer services. The Town will not be involved in funding, operating, or maintaining a public water and/or sewer system.”

Ms. Kim Graybill – I live in the Rose Hill Subdivision. First of all I want to say that this is not a question of new construction. There are existing homeowners that have no water pressure. Thank you firemen - we appreciate you. I am glad that we are not one of the two dry fire hydrants out there and my house caught on fire tonight. That is unbelievable to me. We have no water pressure. We built in 2009. I love Union County. This is my church. But we have no water pressure. I think Rose Hill is six to seven years old. This is not new construction. This is existing homes that have no water pressure. My neighbors have four children and they cannot take showers in the morning because they have no water pressure. My husband has very thick hair - I do not. I do not know how he gets the soap out of his hair in the morning. It is not just peak pressure times; it is all day long. I am a stay at home mom. Sometimes I cannot run the dishwasher because I have no water. My husband went to the other meeting at the fire station about a year ago. He came back and said the response was to build a well. Do you understand that as a new homeowner you have to use Union County water? You do not have an option. We built a well. We cannot tie it into our house - it is against the rules. I do not know who made those rules. They are ridiculous. We can water our grass but we cannot tie into our home for the water pressure. We still have no water pressure. Wells are very expensive. Not everyone can afford to build a well. We actually gave up some things to build a well and now we still do not have water pressure. This has to be dealt with and as long as we fight amongst ourselves instead of trying to find a solution we are going to keep fighting and there is not going to be a solution. There needs to be a solution because I would not want to be that home that has that dry fire hydrant next to my home when my house catches on fire.

Councilmember McKee – How many homes are in Rose Hill?

Ms. Graybill – We have 42 lots and there are 37 homes.

Mr. David Osmolski - I live on Cottonfield Circle underneath the proposed new moon. We spent three hours discussing the need for increased water pressure. There is no question that we need increased water pressure. I would appreciate your understanding that the issue is not whether we need or do not need a water tower. The question is where to put the water tower. The place to put the water tower is where it has the least impact. As the County Attorney pointed out, it does not matter where you put it - it will make someone angry. You look for the area that will impact the fewest people. Tonight the area discussed impacts a lot of people. It is not really the right place for it. We need a water tower and additional pressure. I do not care how difficult it is to fund it or to find a willing seller. You can condemn property, you have done it before.

Citizen (Name not audible) – I live in Rose Hill as well. Apparently we are in agreement that we need water pressure. I have tested the water pressure at my house over the last two years. Many times the pressure dipped below 20 psi. There are times, not as many but it dropped as low as 10 psi. That is totally unacceptable - 30 psi is an average high for Rose Hill. I know some of the questions from the Councilmembers seem to doubt whether or not there is a water pressure problem in that particular area. For someone that lives in that area - that is the case. I do not know what kind of legal ramifications would result from the fire department not having the adequate water supply and that be a factor in a house burning down. I think it is something that should be considered and looked at in this decision. I have learned a lot about the character of Weddington. It is a beautiful area. I love it here. I have heard about

property values being degraded with a tower being there. I did see the big high tension power lines when I drove by that property and wondered why someone would be concerned with the tower when I saw that. Can you imagine what the property values for a house that does not have adequate water pressure would be?

Mr. Craig Hurt – I live at Cottonfield Circle. I do not speak for the HOA but I am on the board. *Mr. Hurt presented pictures of how the tower would look from his property – pictures attached as an exhibit.* It is obvious we need water pressure and I am sorry for the people in Rose Hill. My suggestion is to put the solution near them and address the problem where it is. I do not want a 16 story building in my backyard. I am 800 feet away from that tower. My property values are going to suffer from it. It will be tough to sell my house with that in my backyard. I want you to understand my feelings as a taxpayer. It is hard for me to believe that in this economy it is difficult to find a willing seller. I think some property needs to be relooked at. Thank you for the fire department for showing up. I know that they have needs. From our standpoint we do not have fire hydrants, we have nothing. I do not want this to be us against them. There has to be a better solution for my house and my neighborhood.

Mr. Matt Sharon – I live off of Beulah Church Road. I love Weddington. I have to give it to the first speaker tonight. She did a wonderful job of speaking about the Land Use Plan and really laying out a clear story. The unique character of Weddington started to change a few years back when there was a lot more development going on here in Weddington. We heard earlier there was a large inventory of homes that we have in Weddington that are not occupied yet. When they become occupied this problem is going to get even worse. We have water pressure issues just down the road from here. It is coming like a wave on top of this. We are going to have a severe problem. Then the unique character of Weddington will be low water pressure homes and low pressure hydrants. We need to do something and we need to do it soon.

Mr. Boris Dunn – I am strongly opposed to the tower for reasons that have been stated and restated. The reason of property values was discussed. The thing that bothers me now is that we have not heard that there is a way to improve pressure that involves a ground storage tank and pumping facilities. These facilities are more complex in design but nevertheless they could be achieved at a higher cost. We need to really rethink and should consider that as an alternative. Maybe another site in the past that was objected to or not considered certainly could be considered for a ground storage tank with a pumping facility. This facility could be designed with the proper noise abatement and proper vegetation and trees.

Mayor Anderson – We did call for a special work session regarding discussing the ground level storage tank option. We have to hear this application tonight. We could not cross over to the ground storage discussion.

Attorney Fox – You are correct, the applicant did submit an application. It is the applicant's right and has an application before this board and is proceeding with the application that was submitted.

Mayor Anderson – When I spoke to the President of the Homeowners Association for Stratford on Providence, I did not get any support for the ground storage tanks.

Ms. Josee Lemmetti - When you mentioned that you spoke to the HOA regarding the ground storage tanks, you did not get much support because it was my understanding that you expected Stratford to pay for a lot of the costs.

Dr. Chris Phelps – I live in Stratford on Providence. I just moved into Stratford two weeks ago from Hunter Oaks. One of the things that my wife and I always talked about in our neighborhood battle against Wal-Mart was that we wished we lived in Weddington because they have this image and would protect us

from something like the Wal-Mart coming near our neighborhood. You can image our surprise and disappointment with the water tower being proposed across from our house. As a local business owner I have four dental offices around the area and I know something about the business of decisions. This is really a business decision. The board is putting pressure on them to make an economical decision. We need to get water pressure to these people. We do not want to spend money for the band-aid solution that will get you water in two months. There is a solution ready. They do not want to spend the money. I think the anger is displaced on where it should go. They are looking for the cheapest, most economical solution possible. The higher up we build the water tower the more we can cheat and use gravity to add more pressure to our system the less our costs are going to be. The County Attorney said that you are not going to please everybody. There is a solution right now that you can put it on the same site by telling the board to get their checkbook out to pay an extra \$1.5 million dollars and put it underground. Spend the money now to fix the problems in the short term and spend a little extra money to fix it in the long term. I definitely agree that it is coming. For safety issues I did a little Google and You Tube search on water towers. I saw 15 different videos posted in the last year of water towers throughout the country where someone either fell off it, died, got seriously injured or a kid was injured trying to vandalize it. There were even people falling into the water tower. The majority of the people that were injured or killed were the ones doing routine maintenance. In my mind the question is not is someone going to get seriously injured or killed but when and how many. I have serious safety concerns with the tower. In North Carolina there is actually a course on water tower rescue. It is a three-day course. Some of the fatalities are service men that are trying to save people that are trying to do something crazy on the water tower.

Mayor Anderson – I find it hard to believe that people are going to be able to climb up this particular design.

Mr. Goscicki – It is hard for me to reference the statistics that were discussed. Any utility operation has some transient safety issues with it. Safety is a primary concern. This is not the type of tank that you can climb up the outside and fall down. There is an internal access that the door is locked and bolted.

Councilmember Thomisser – I believe over the past year there was a water tower in the United States that was shot at with a rifle. Also it is my understanding on April 7, 2011 a water tower in Florida collapsed and two people were killed.

Mr. Goscicki – That was a ground storage tank and not an elevated storage tank. From what I read there was operator error in what they were doing. I keep hearing the term underground storage tank. There is no underground storage tank that is being proposed or would be proposed. We are talking about a ground level storage tank which would be a 30 to 40 foot tall structure, 80 feet in diameter. You would still have the size of the structure you are just not putting it in the air.

Mayor Pro Tem Barry – It is like the petroleum tanks that you see up at the airport.

Mayor Anderson – You and I have had long discussions about this. I have always been an advocate of ground storage tanks because it is the ugly factor that we are trying to take care of and I think that would be the solution. At your last presentation at the work session you explained why it was not just a substitute but you have to isolate off certain parts of the system.

Mr. Goscicki – Water distribution in a county this size is not a simple straightforward process. Within Union County right now, we operate five different zones depending on the elevation. All of our system is based on elevated water storage tanks. The concept that was discussed earlier is you have this network and you maintain the pressure in these pressure zones and these elevated tanks. That is your equalizing point. That is how you keep your pressure balanced by putting water up in that tank and that acts to equalize the pressure in that system. To change part of the system and say from this corner of

Weddington we will no longer use an elevated tank we are going to use a ground storage tank it is more complicated. You literally have to re-plumb the system because now you are not floating off of this elevation. You are on the ground and you need to put a pump station at the tank. Right now we pump up to that tank and the pump station we use is down at the Waxhaw-Marvin area. We pump up to this tank and we have to maintain that elevation. To put a ground storage tank we have to put a pump station at that ground storage tank because what you are doing now is you are pumping into that tank. Now you need to pump out of it to maintain pressure. It is a different pressure than your other zones so you have to isolate it from the other zones. You are putting in a pump station, new piping, pressure reducing valves and that is why it gets more complicated and more expensive and that is where the additional \$1.5 million comes in with that solution.

Councilmember McKee – What would be the timeframe for building from this day forward? What do you have to do to move forward?

Mr. Goscicki – We are not ready to build tomorrow but we are pretty close.

Mr. D'Adamo – Your requirements to meet this conditional zoning takes us to about 85% designed so there would be some things that would have to be approved. There is another month in design work and fixing what your engineer commented. At that point we would go through a bidding process which takes two or three months and then about a nine month construction period.

Councilmember McKee - The people in the pink area - we are talking about a period of 18 months. Is there not anything you can do for them in the meantime?

Mr. D'Adamo – Operationally we can optimize the pump station the best we can to try to get the pressure up as high as we can.

Councilmember McKee – Is that not being done now?

Mr. D'Adamo – The pressure is just not good now.

Mr. Lee Grice – I live on Cottonfield Circle. It is about the same view from my house. I know that everyone needs water and it is a horrible situation with the water pressure. That corner down at Providence Road and Rea Road if that tower goes up you are going to turn that corner to a commercial zone. No one is going to build a subdivision in there across from a water tower. You are taking the Grahams' land. They have been in this community for years. No one is going to build a subdivision that backs up to that water tower. That corner is done. From now to eternity that would be commercial at that area. The land just cannot sit there.

Mr. Johnie Flint – I live on Cottonfield Circle. This is wrong what you are doing to the people on the south part of Weddington asking us to sacrifice the value of our home so that someone can take a shower in the northern part of the Town. The way technology is today there has to be a solution. You can do better than putting this water tower in these individuals' back yard. This does not hold with the surrounding neighborhoods. The reason I moved to Weddington was it was a small town, village type of environment, limited commercial zoning and I always thought there was no way individuals of Weddington would let something this distasteful as the water tower to be placed in the town limits. I am appalled of putting this water tower inside the city limits or at least put a ground tower where trees could cover most of it. You are sticking another moon in Craig and Lee's back yard. It is wrong. I urge you to not let this take place. It will have such a negative impact on so many residents so a few people can take a shower. We do not have fire hydrants. We took that risk. We have no issues with our wells. Make them go back and use different technology, get another engineer - there has got to be another solution.

Ms. Valerie Kohen – I live on Cottonfield Circle. I do not want to take water away from anyone. I would ask that they respect my property values. No one is going to want to buy a house in Providence Acres. You are going to diminish the property values more than they have already. Weddington is unique. Everybody that spoke tonight speaks about the unique character of Weddington. We thought it was a safe haven and protection from the other things going on. You guys have done a really good job of protecting the town center and allowing the access road behind for Harris Teeter. I am asking you to give the same consideration down the road. Providence Road is a major thoroughfare to get to Weddington. They are going to get to Weddington and say, “This is Weddington.” It is ridiculous that you are going to let that mushroom represent Weddington and be a landmark for Weddington. I hope that you do not allow this to happen. You would not want it in your backyard. I do not want it my backyard. I do not want it in Weddington’s front yard either.

Ms. Ginger Edgeworth – I live on Cottonfield Circle. I mentioned to Mayor Anderson that I have been on line to look for Union County Water Towers. I ended up at Union, New Jersey where the tallest water tower in the world is located. It is 212 feet - 14 feet taller than this proposed tower. Jordan has 60+ petitions from our neighborhood. One neighbor said to me that I am not opposed to the water tower. I am opposed to the height. I am not opposed to the water or water pressure. I am not opposed to anybody having the utilities that they need. I have great water through my well. Rose Hill needs them. Mr. Goscicki after the workshop the other week said, “I would love to see more commercial development in Weddington, there is not near enough.” That is what he is going to get if we put in a 198 foot tower. At the bottom of his notes it says that the height of this tower is subject to change. It could be taller. Put it at ground level. I agree with Mayor Anderson. Spend the extra money, put in the pumps that are needed to pump the water to Rose Hill but do not devalue my property to increase the value of Rose Hill’s property. It is not right. There are other alternatives. There is a better solution to this 198 feet plus tower that I will never forget Ligon Bundy. It will be there every day in my face. It will not go away.

Mr. Chuck Kohen – I live on Cottonfield Circle. I listened to the lady earlier that had the well drilled saying she was not allowed to use the well. Why? Is the whole reason for this is that we are looking for more utility customers?

Mr. Gary Palmer – I live in Stratford on Providence. We do need water. We need water pressure. Sardis Road Park at the corner of Sardis Road and Highway 51 - they have a ground level tank. There is a little community park which I helped design years ago. You cannot even see that tank and is probably only 75 feet from Sardis Road. I do not know the volume or capacity of that tank.

Mayor Anderson – Since we are missing a Councilmember tonight, I am going to ask the Council to entertain a motion to recess this hearing.

The crowd yelled no.

The Council took a brief recess.

Councilmember McKee moved to close the public hearing. All were in favor, with votes recorded as follows:

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

Item No. 8. Approval of Minutes.

A. July 11, 2011 Special Town Council Meeting. Councilmember McKee moved to approve the July 11, 2011 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry

NAYS: None

B. July 20, 2011 Special Town Council Meeting. Councilmember McKee moved to approve the July 2, 2011 Special Town Council Meeting minutes. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, McKee and Mayor Pro Tem Barry

NAYS: None

Item No. 9. Public Comment. Mr. Jeff Perryman – As we all know the Providence VFD is facing many challenges right now. This is an opportunity for our citizens and the leadership of our Town. The challenges that we are looking at include the fact that a large portion of Weddington does not benefit currently from 24/7 staffed EMT coverage that the Providence VFD currently provides. This service is currently only provided for those citizens who reside in District I. The station is out of code compliance to allow fire fighters to sleep overnight and the entire facility is in need of upgrades and repair. We as citizens have the voice in this and to maintain and control the fire and emergency services that we want. How can we reach some solutions on this issue? To start I would propose change from a fire fee district to a fire tax district and also in conjunction with that expand the current district to increase the revenue base for the fire department. Also make sure that all residents are paying the same amount or the same type of fees for their services. We need to help the fire department stabilize their financial issues and by doing these two things we can accomplish that. The fire district can be expanded in one of two ways. We can ask the County Commissioners to support an expansion of the districts or we can work with the State and County to create a municipal fire district which would give the Town taxing authority and control of the service boundaries and also allow the citizens more control and voice in the quality of service that we would receive. Recently the merger talks between Wesley Chapel VFD and Providence VFD were suspended indefinitely. I do not believe a merger would be a solution to solve the financial problems that currently face the department or would be in the best serving interest of the citizens of the Town and provide the services that we want. Fire and emergency services for the Town of Weddington should be decided and controlled by the citizens.

Mr. Ken Evans – I have a letter of request from the Board of Directors from the Providence VFD. The Providence VFD requests that the Weddington Town Council immediately send a letter to the Union County Board of Commissioners requesting the Providence VFD's fire fee district be changed to a fire tax district effective July 1, 2012. This continues the necessity of moving toward resolving the funding issues with the Providence VFD. At a meeting that some of you attended a comment was made that a fire tax for Providence was a no brainer; however, we have had two meetings and the fire tax has still not been on the agenda.

Mr. Walker Davidson - On July 25th the Town of Weddington sent a letter to the UCBOCC asking the County Commission to: "Do whatever is necessary to redraw the fire district lines to expand the district for the PVFD. This action is a precursor to a future request to convert PVFD from a fee district to a tax district." In other words, the Town's first priority is to move the lines and the second priority is to change to a fire tax district. Each one of these changes will allow PVFD to collect more revenue directly from the citizens that it serves. However, there are those in the county who do not want the lines moved, but they are not opposed to the change to a fire tax district. On July 27th the Village of Wesley Chapel sent a letter to the UCBOCC stating that it opposes moving the lines. On August 4th the WCVFD sent a letter to the UCBOCC stating that it is opposed to moving the lines. It will be difficult to move the lines and we will keep working on that part. But in the meantime I don't see any reason not to move forward with

the fire tax district. The only concern I have heard in moving to a fire tax district without moving the lines is the fear of a large tax increase to those who live in the Providence district. I am not sure this should be a concern to the Town Council. After all, the fire fee increased this year and I have not heard anyone blame the Town Council. The county will allow at most a 5 cent rate. I would like to see Providence charge no more than what the WCVFD charges next year. According to Jack Parks if Providence had a 2.2 cent tax rate it would collect an additional \$40,000 in revenue. That is moving in the right direction. It is my understanding that the PVFD will ask the County Commission for a fire tax district at next week's County Commission meeting. Here is what I am asking for tonight. I would like for the Town Council to pass a motion tonight to request that the County Commission move forward with the process to change Providence to a fire tax district.

Ms. Judy Johnston – Our Town has almost 10,000 residents and it has greater needs than ever before and it has greater expectations for leadership. I along with many in the community have asked for you to work with us as residents of this Town to improve and protect our homes and families. I am here tonight and the community is here tonight and we will continue to be here month after month until solutions are implemented. You have the power to resolve the issues and the sooner that is done all of us can move on to other things. I would like to go over the benefits of creating a municipal fire district not to be confused with a municipal fire department. A municipal fire district benefits include the Town gains control of the fire services for the entire municipality. All three fire departments remain independent. Providence VFD would be designated as a primary fire department. Wesley Chapel VFD and Stallings VFD would negotiate and contract with the Town to continue to cover areas that need their service from a public safety standpoint. Providence VFD would be considered the first responder for the entire town with Wesley Chapel VFD and Stallings VFD as assisting departments. Why does this make sense? Because the Providence VFD is almost 99% inside the Town limits while Wesley Chapel VFD and Stallings extend far outside of the Town. The Town would have the authority to determine the fire boundaries working with the Department of Insurance to make sure that Providence's primary boundaries are within the five mile radius. The Town would set the fire tax rate for the entire Town which provides an equitable rate for all of Weddington. With Providence as a first responder for the entire town the entire town benefits from 24/7 staffed EMT coverage. Currently only Providence VFD District has this benefit. I might add that Wesley Chapel VFD is paying more for your fire protection right now and receiving less in your quality of service. It allows the Town to make changes in vital services as future needs require and it provides a long term goal for a use of some of the Town reserves. Currently there is no long term vision or plan for those reserves. Change is coming and you must do your job in the interest of public safety. Doing nothing or postponing decisions is not in the interest of public safety. A municipal fire district is the best solution for the Town, for residents and for the Providence VFD. We need you to engage and work towards resolution. I request that you have a vision for the future of our Town and put your names on the historic step for the Town.

Item No. 10. Consent Agenda.

A. Call for Public Hearing to Review and Consider Emergency Gate and Entrance Gate Text Amendment (Public Hearing to be held September 12, 2011 at 7:00 p.m. at the Weddington Town Hall). The Town Council received a copy of the proposed text amendments. Councilmember McKee moved to call for a public hearing to review and consider emergency gate and entrance gate text amendment. The public hearing is to be held September 12, 2011 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

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

B. Call for Public Hearing to Review and Consider Conditional Use Permit (CUP) to Conditional Zoning (CZ) Changes in the Weddington Code of Ordinances (Public Hearing to be held

September 12, 2011 at 7:00 p.m. at the Weddington Town Hall). The Town Council received a copy of the proposed text amendments. Councilmember McKee moved to call for a public hearing to review and consider conditional use permit to conditional zoning changes in the Weddington Code of Ordinances. The public hearing is to be held September 12, 2011 at 7:00 p.m. at the Weddington Town Hall. All were in favor, with votes recorded as follows:

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

C. Consideration of Proposal for Professional Engineering Services for Proposed Street Improvements for Stratford Hall, Bonner Oaks and The Meadows Subdivisions. The Town Council received a copy of the proposal for professional engineering services for proposed street improvements for Stratford Hall, Bonner Oaks and The Meadows Subdivisions.

Scope of Work

Task #1 – Field Inspection and Bid Package	-	\$6,115.00
Task #2 – Construction Administration and Inspection	-	\$8,650.00
Expenses Allowance	-	\$250.00
Total Not-To-Exceed Fee	-	\$15,015.00

Item No. 11. Consideration of Public Hearing.

A. Consideration of Union County Water Tower Conditional Zoning Application. Councilmember Thomisser - I move that we not approve the Union County Water Tower conditional zoning application for the following reasons. The document that you are looking at is a list of the subdivisions that have water. I personally talked to residents in each one of these subdivisions and not a single one said that they had a water pressure issue. I introduced myself and I asked if the water pressure is too low. They said “no”. I asked if it was too high. They said “no”. I also would like to point out that we have had some discussion from some folks here tonight about Rose Hill. If you look on this list Stratford Hall is at the corner of Tilley Morris Road and Weddington-Matthews Road. It is directly across the street from Rose Hill and I talked to a resident in there and he said that he had no problems. As far as Rose Hill is concerned that is an individual problem that I feel Union County Public Works needs to address but not spend 4.5 million dollars for a water tower where everybody on this list that has water has indicated to me that there is not a water pressure problem. If you will look on Page 17 of the Land Use Plan Policy 5 states: Ensure that development is consistent with the Town’s quality and aesthetic values, thereby preserving and enhancing property values. I do not think there is anything aesthetic about an 18 story water tower and I do not believe that it will have a positive impact on property values. I believe that it has a negative impact on property values. On Page 21 **Community Design and Image Goals, Goal 1 says to** maintain and enhance the Town’s aesthetic qualities and physical character. Again I do not believe a water tower will enhance the aesthetic values in the Town of Weddington. The overriding objective of the policy guidelines set forth in this section is to protect and promote the health, safety, and welfare of the citizens, and future citizens of the Town. Another policy states the following: Encourage the preservation of older homes and structures in the community to preserve a sense of history. I believe we had a speaker here tonight that said across the street from the proposed water tower is the oldest house in Weddington built in 1865. On Page 10 the Weddington Land Use Plan states, “New growth must occur within a framework which is in keeping with the existing community character and which avoids negative social, economic and environmental effects on the town.” Goal 3 on Page 16 states: To preserve open space and scenic views, while providing opportunities for low-density development. I believe the gentleman here showed a picture tonight of the view from his back yard. On Page 32 - According to the Union County Health Department, the Weddington area has an adequate supply of good quality ground water. I believe that Mr. Goscicki said earlier that we do not have a water problem we have a water pressure problem. The handout I just gave you lists 16 neighborhoods that do not have a water pressure

problem. I believe that is almost every neighborhood with the exception of Rose Hill. Council, if we are not going to follow our Land Use Plan we might as well throw it in the trash can. In your black book the last page under Section 5 - Conditional Zoning District decisions shall take into account applicable adopted Land Use Plans and adopted land use policies and all ordinances. I believe this water tower will have a health and safety negative effect on the First Baptist Church as a preschool program is very close to this water tower and our Union County Board of Commissioners and former school board member came out in the newspapers and said that they did not want to put the water tower on the Rea View Elementary School because she was very concerned with the water tower breaking and drowning all of the kids. But it is okay to put the water tower next to the First Baptist Church. I do not see any difference. This site was never one of HDR's original five sites and the water tower belongs in a commercial and industrial area and it does not belong in the town limits of Weddington.

Councilmember McKee – Jordan, did the Planning Board consider the Land Use Plan in their decision?

Town Planner Cook – They did.

Councilmember McKee – And their conclusion was that this was in the guidelines of the Land Use Plan?

Town Planner Cook – They considered both the Land Use Plan and the Zoning Ordinance and their recommendation is that it did comply with both.

Councilmember McKee – Do you recall the conversation as far as that it was well within the means of the Land Use Plan?

Town Planner Cook – No, they did not have a conversation based on that. Their decision or their recommendations on a conditional zoning were still based on the same criteria that the Town Council would vote on.

Mayor Anderson – As I understood your motion you are against it because you do not feel that it is needed, the ugly factor, it does not preserve the original value of the property that is diagonal from the site which is also owned by the seller of this property, it may be dangerous to the children and you believe it to be out of compliance with the Land Use Plan. Does that summarize your position?

Councilmember Thomisser – That is correct.

Mayor Pro Tem Barry – This is a tough issue. Everybody wants to turn on a faucet and have water come out but no one wants to put this in their backyard. I was reminded this weekend of when I was working on election night and the person who I ran against said do not forget you got 684 votes, now you represent 11,000 people. That is people who have water like me on a well and those in Rose Hill who do not and those on South Providence Road that do not want a water tower in your front yard. Every neighborhood in Union County does not want a water tower in their front yard but everybody who is required to be on the public utility wants the water to come on. On Page 35 of the Land Use Plan it states: In order to maintain a high quality of life for residents in residential areas the Town needs to ensure that public facilities and infrastructure is available to serve them in a convenient and functional manner. Infrastructure includes adequate means of mobility, water and sewer service and stormwater systems.

Councilmember Thomisser – Mr. Goscicki said that we do not have a water problem, we have a water pressure problem. What you just read does not state water pressure it states water and I put in front of you 16 neighborhoods that have water and do not complain about their water pressure.

Mayor Anderson – You say that it is out of compliance with the Land Use Plan and the Land Use Plan is a guideline. Your fellow Councilmember just cited another area in the Plan that contradicts you. How do you reconcile this with our ordinances that Jordan read to us that we require County hookup?

Councilmember Thomisser – You and Mayor Pro Tem Barry are talking about water. Mr. Goscicki said that they are here tonight because of water pressure and the need for the water tower is because of water pressure.

Mayor Pro Tem Barry – Infrastructure states adequate it is not just water it is also pressure. The Town of Weddington relies on Union County Public Works for water and sewer services. As a stated desire, when you and I campaigned, was the development of a library structure and YMCA, which would put substantial demand on the system and as discussed they could not adequately support those items.

Councilmember Thomisser- I asked Mr. Goscicki if we had a water pressure problem at the intersection of New Town Road and Providence Road. He said he had not tested it or that we do not have a problem.

Mr. Goscicki – I believe you asked if we had data from a pressure recorder at that location. I told you that I was not aware of whether we do or not.

Councilmember Thomisser – We do not have a water pressure problem in that area.

Councilmember McKee – The Town allocated \$20,000 for Wellington Woods to help them hook on to County water. I know someone that lives in that neighborhood who told me how bad their well water is and has been for years. We found out that the plan from Mr. Goscicki will not be used anymore. Tonight I got inspired by his comments about they are going to have another plan that should be more user friendly and he is going to make sure that the Town of Weddington would be apprised of the process and the standards. If 80% of Weddington is on wells, eventually these neighborhoods on well water will want to hook onto public water.

Councilmember Thomisser – You cannot vote on something that might happen in the future. Mr. Goscicki may have the policy changed but he does not have any specific dates or decision. The only thing that we have to go on here tonight is whether we want to approve this elevated storage tank. We have listened for almost four hours. I submit that 16 neighborhoods do not have a water pressure problem.

Councilmember McKee – Also stated from the Providence VFD that they had tested all of the fire hydrants in their area and they are only meeting minimum standards. I do not know if that is acceptable if your house is on fire.

Councilmember Thomisser – I do understand that you need pressure for the fire hydrants. Eighty percent of Weddington is not on water - it is on wells. We have two fire departments that respond to every fire with the possibility of mutual aid from another fire department. They carry their own water. Mr. Evans pointed out that one of the low hydrants is at the entrance of Highgate and I live very close to the entrance of Highgate and I have to put a pressure reducing value on my house because the pressure was 157 psi. I do not understand why there would be low pressure at the entrance of Highgate and yet four or five houses down we have enough pressure to bust the pumps. My pipes that go to my house have busted.

Mayor Anderson – I believe Mr. Evans said it was a dry hydrant.

Mayor Pro Tem Barry – I would like to make a substitute motion to approve the water tower for Western Union County on Providence Road and to set aside all of the unused property and for County Attorney

Ligon Bundy to work out the details so that the property could be allocated and titled over to the Town of Weddington to be used for a park/open space.

Mayor Anderson – I would like to ask for a friendly amendment to make a condition of approval that the tower height not to exceed 60 feet therefore making it a ground tank which solves the problem.

Mayor Anderson gave the gavel to Councilmember McKee so that she could participate in the debate.

Mayor Anderson – It seems to me that I think people accept that we need water now and in the future. I think I am the only person in this room that volunteered to have a water tower close to their home. I thought I could put it on the farm somewhere out of everyone's problems but I was not able to do that because of the restriction on the land by the Catawba Lands Conservancy. It seems to me that we have the technology and engineering that we can solve the problem that everyone is talking about. They said they wanted water they just do not want to look at it. Let's accept this site. Let them move on. There will be extra money. I am quite certain we can work that out with the County. If we cannot then they can come back to us. I am asking for a friendly amendment to accept a water storage facility on this site with a height restriction not greater than 60 feet and I like the condition about the park.

Mayor Pro Tem Barry – I do not accept the friendly amendment.

Councilmember Thomisser – A ground level storage tank is considered an update and it would cost \$1.6 million more. Who is going to pay for that?

Mayor Anderson – I am not sure. He did not accept my amendment so it does not matter.

The vote on the substitute motion is as follows:

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

Attorney Fox – The approval of the substitute motion carried with the finding that the approval of this tower is consistent with the Town's Land Use Plans.

Item No. 12. Old Business.

A. Update on 2011 Weddstock Festival. The Town Council received the following Weddstock Update:

WEDDSTOCK UPDATE

This year it will be an all day music fun festival with lots to do for everyone! The day kicks off at 7 a.m. with a 1 mile fun run, 5k and 50 yard Durango "boot" Dash. Followed by the Cowboy Breakfast on the farm along with horse shoe games, cow call contest, learn how to lasso and more!

The main stage kicks off at 10am with a wide variety of rock, country, and fantastic bands. Bring your chairs and blanket to spend the day.

The Kids Corral includes the bungee jump, climbing wall, wide array of crafts, and tons of fun! Hop on the free wagon rides to take you to more fun. Kids can catch a fish in the pond, meet new friends at the petting zoo, ride a pony and learn how to milk a cow in the milking barn! Later that day The Teen Stage will run from 7pm till 11pm with music, DJ, photo booth and water gun battle.

You can stop by the vintage car and tractor show, or try your aim in the paint ball area!

There will be lots of food choices at the chuck wagon food circle and beverages at the “Pistol Saloon” proudly named after the resident goat!

We have sponsorship through 4 radio stations – The End 106.5, Lite 102.9, The Beat 96.1 and Kat Kountry 96.9 providing on-air and on-site promotion. Other promotional options include Twitter and Facebook. Sponsors have many opportunities to participate including on-site booths, banners, print ads and even have your logo painted on a real cow!

Have a wonderful day with your family and help local needy families too. All proceeds benefit Kids First of the Carolinas!

Many local charities and the local schools will also benefit from the event:

The R2R, race to resurface the high school track, will benefit the Cross Country Team.

The Paintball Club run by Officer Louie Rodriguez, the High School Resource Officer is doing the entire paint ball experience and his club will benefit.

The Middle School Cheerleaders will perform and sell snow cones and ice pops to benefit their squads.

The “droplets” group from Elevation Church, which is youth group, will do all the parking and most of the proceeds will go to help them build a well in Africa.

Threads of Hope will sell their bracelets made overseas.

Local Girl Scout troops and a French Club will benefit from the pancake breakfast.

Offers to participate have been extended to every business in Weddington Corners.

The Town Council also received two flyers announcing Weddstock and the Cowboy Breakfast to be held on August 20, 2011.

Item No. 13. New Business.

A. Update on Merger Discussions Between Wesley Chapel VFD and Providence VFD – Providence VFD Vice President Ken Evans. The Town Council received a copy of the following letter signed by Jack Parks, President of Providence VFD and Butch Plyler, President of the Wesley Chapel VFD:

July 20, 2011

Re: Merger of Providence VFD and Wesley Chapel VFD

The Steering Committees for Providence VFD and Wesley Chapel VFD have decided, based on recent actions by the Town Council of Weddington and a movement by Weddington citizens to consider alternative options for Providence VFD, that all merger discussions will be indefinitely suspended.

The Town Council received a letter from Frank Pippin, CPA dated August 8, 2011 discussing the services that they provide to PVFD and a letter dated July 18, 2011 to the Providence VFD from Wells Fargo regarding that they were unable to approve their credit request at this time.

Mr. Ken Evans – I would like to discuss two letters with the Town Council. The first letter is from Wells Fargo. Providence VFD applied for a loan for \$450,000 to do the renovations and obviously with a lack of cash flow to support such a loan they turned us down. There is also a letter from our CPA on how they conduct our business. In that letter it states the following: “All payments are received or deposited into an account with BB&T. We do not receive subsidized payments from Union County at our office. The County deposits funds directly to the operating account at BB&T. When deposits are made we receive an email from the County in the amount of the deposit and then they are created in a quick post transaction. Accounts payable is paid by check from the operating account. Checks from our office require a double signature before mailing except funding for payroll account which is automatic. We receive payroll data from the fire department which is prepared biweekly. We prepare payroll filings and various tax deposits. Reconciliations are completed monthly. We send reports to the Board monthly. We prepare the annual tax filing.”

Mr. Evans - I faxed a copy of the above letter regarding the merger to Commissioner Jerry Simpson. The letter outlined reasons for terminating the merger talks between Providence and Wesley Chapel. It is our desire that the BOC look in favor of moving the fire lines for Providence VFD. By moving the fire lines Providence will become a financially independent fire department.

Mayor Pro Tem Barry – So the Board of Directors with Wesley Chapel sent a letter to the Board of Commissioners that they supported your desire to move the fire district lines.

Mr. Evans – No, that is not what I am saying. They support the letter indefinitely suspending the merger talks. It is Providence’s hope and desire to move the fire district lines.

Councilmember Thomisser – I was surprised to read the newspaper to hear that talks were suspended between Providence VFD and Wesley Chapel VFD. Why were the talks suspended?

Mr. Evans – In that article that you read one of the remarks by Jack Parks was there were too many balls in the air. Under those circumstances it was felt that there was no sense in continuing the merger talks because we felt that they would have no results because everything else was being suggested. We were being pulled in too many different directions.

Councilmember Thomisser - I heard that the Providence VFD put a list of demands on the Wesley Chapel VFD such as in order to execute a merger that both boards would have to be dissolved and five members of the Providence VFD and five members of Wesley Chapel would constitute the new board. I also heard that if the merger was completed that the name on the door would still be Providence VFD. Wesley Chapel VFD covers 80% of Weddington and they have 44 volunteers.

Mayor Anderson – I do not think Mr. Evans, even though he is on the Steering Committee, can speak for the Board of Wesley Chapel. Why he is here tonight to say is that they have sent a letter. As we have heard many times from all parties our Council cannot force a merger. He has brought to us a letter from the Steering Committee that they are no longer talking about a merger. There is no legislation that we can pass to change that.

Councilmember Thomisser – The point that I was trying to make was that unrealistic demands were being made.

Mayor Anderson – We are not here to place blame on either department.

Councilmember McKee - The letter states that they called off the merger. He is asking questions of why it was stopped.

Mayor Anderson – They stopped talking about the merger until things get settled. When Mayor Pro Tem Barry made that motion I asked him does that mean we are not going to talk about the merger any more. He said, “No, that we wanted both going simultaneously.” I was confused by that. The next day I talked to one of the Board members of Wesley Chapel and he was confused by that and the paper reported that the merger was off. I think that it is a confusing issue. The public and the people involved and certainly I did not get it. I do not want to sit here at this late hour trying to place blame on one party or the other. Facts remain that we have received a letter stating that they are no longer discussing the merger and I think we need to bring this up at our work session.

Mayor Pro Tem Barry – I think the concern that Councilmember Thomisser is driving at is the motion that was made and passed said to move with all due speed with the merger. It was my expectation that it would drive you closer together understanding the financial impact. I think there is some frustration about that. I understand where you are today.

Councilmember Thomisser – Mr. Evans is on the agenda tonight and I am trying to address this subject.

Mayor Anderson – I understand that. I am just suggesting to you that because it is so complex and so many balls in the air and so many personalities involved that you may be served better to discuss it at the work session.

Councilmember Thomisser – Union County spent \$75,000 on a fire study. I am curious why your board feels differently than what was suggested in the study. This ties into the question I asked earlier as to why talks were suspended.

Mr. Evans – I believe it says in there that it is a suggestion that Providence and Wesley Chapel merge. There was a suggestion in there that Stallings and Baker merge also. It was a suggestion and not a recommendation. There was nothing in there that said that the fire lines cannot be moved. By the request of this Town Council, we entered into merger talks with Wesley Chapel. I believe that they began in February. I believe that we had three or four merger discussions up until June. We had one scheduled for this week but it has been cancelled.

Councilmember Thomisser – I took the liberty of going into the records and on September 10, 2007 when you were on the Weddington Town Council you were quoted as saying, “It is my intent that the Town Council support a resolution for Providence VFD to acquire a fire tax district and to move the fire lines. We have been discussing this for the last two years and I have not seen any progress in this area.” This Town Council Meeting was September 10, 2007 so you are saying that this goes back to 2005 and there was no progress then and you were on the Town Council. What has changed if you could not get it done in 2005 and you could not get it done in 2007? What information do you now have?

Mr. Evans – The Council has changed. What the Council did 18 months ago is request that we have 24/7 service.

Councilmember McKee – That is not true.

Mr. Evans – We provide 24/7 coverage and now the Council is saying that they do not want it anymore. That is what has changed. We were riding a Cadillac and now you are asking us to drive a Ford.

Councilmember Thomisser – The paper that you are looking at is a document from the Providence VFD Board of Directors. I want to address the statement that Mr. Evans just made about overnight coverage. That document is dated November 2009.

Mayor Pro Tem Barry – In the interest of the hour - I think I know where you are going. You and I addressed the issue on the phone. In the Long Range Plan adopted November 2009 right before we were elected there was a comment in there that says we need to go and talk to the Town Council about overnight coverage but we recognize that our facilities are not in compliance. The concern that this Council has tonight is that request was made of the Town Council in January 2010 knowing that your facility was not in compliance.

Councilmember Thomisser read the actual language from the Long Range Plan. He stated, “Basically the facility back in 2009 your board knew that it was not in compliance for people to be sleeping there and yet your board came in front of this Town Council 18 months ago and requested overnight staffing knowing full well that you were not in compliance and I want to know why you misled this Town Council.”

Mr. Evans – I was not there when this was written in 2009; however I will address it. This end of Union County is becoming highly populated. There is a need and a necessity for not only Providence VFD but also Wesley Chapel VFD to provide 24/7 service. Whether or not Wesley Chapel has to do it today or tomorrow we do not know but in the next 5 to 10 years this end of the County because of its population is going to require 24/7 service and this document basically addresses that issue as a future concern.

Councilmember Thomisser – I do not have a problem with that. Eighteen months ago you knew your fire station could not sleep people overnight and yet your board came to this Town Council and requested overnight staffing.

Mr. Evans – The question has been asked and the question has been answered.

Councilmember Thomisser – I have stated on several occasions that it is the responsibility of your board to go in front of the Union County Fire Commission and plead your case and it is the responsibility of your board to go before the Board of Commissioners.

B. Presentation on Estimates for Modular Buildings with Sprinkler System for Providence VFD – Providence VFD Board Vice President Ken Evans. The Town Council received copies of two quotes for modular buildings with sprinkler systems.

28’ x 64’ Modular Building with Sprinkler System	-	\$133,700
24’ x 56’ Modular Building with Sprinkler System	-	\$91,900

Councilmember McKee moved to put this item on the work session when the date is set. All were in favor, with votes recorded as follows:

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

C. Discussion of Scheduling a Work Session to Discuss Options for Future Fire Service in the Town – Mayor Nancy Anderson. Staff was directed to schedule a work session to discuss options for future fire service in the Town. Mayor Anderson asked that the Council explore the possibility of a municipal fire district in this process.

D. Consideration of Bid Proposals for Landscaping Maintenance of Medians and Shoulders on Highway 84, Highway 16 and Rea Road – Councilmember Jerry McKee. Councilmember McKee

moved to recommend A to Z Farms to do the landscaping maintenance of the medians and shoulders on specific roads in the Town. All were in favor, with votes recorded as follows:

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

A to Z Farms	\$21,450
Twin Sparrows	\$20,400
Daryl's Lawn Care	\$31,056

1. Cut grass along shoulders 10' – 15' behind sidewalks and medians as marked on attached map. Grass will be cut as needed or as deemed necessary to maintain a high degree of curb appeal. Grass will be cut bi-weekly during the accepted normal growth period except when weather dictates otherwise.
2. Edge all curbs, sidewalks, and medians as needed during the growing season. Normally, once monthly edging will suffice to maintain a manicured appearance.
3. Weedeating around tree beds, signs, and along banks will be done after each mowing.
4. Clean all grass and debris from walkways, curbs, driveways, and/or streets after mowing and edging operations.
5. Police grounds to remove trash, limbs, litter prior to mowing. (There will be an extra charge for labor time of any excessive littering.)
6. Weeds in joints of concrete and beds around trees will be treated with herbicides.
7. Maintenance of Mulched beds, trees and shrubs are NOT included in this contract.
8. During the fall season, leaves will be blown from the grassed areas and removed from the maintained ground area.
9. During winter months, grounds will be policed periodically for trash and debris. Paved areas will also be blown clear.
10. Remove all dead plants and trees under 6" in diameter within the primary maintenance area. All contract tree removal will occur between November 1 and March 30, unless otherwise jointly agreed.
11. Perform work in a professional manner and minimize the inconvenience to management and/or resident.
12. Provide adequate supervision of employees to insure complete and satisfactory performance.
13. Groundskeeper will have periodic communications with management and/or resident to maintain satisfactory for both parties.

Item No. 14. Closed Session. Mayor Pro Tem Barry moved to go into Closed Session pursuant to G.S. 143-318.11 (a) (5) - To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. All were in favor, with votes recorded as follows:

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

Item No. 15. Consideration of Authorizing The Moser Group, Inc. to Proceed to Task 2 - Site Acquisition and Development Services. Mr. Dennis Taylor discussed the following information with the Town Council regarding Task 2 - Technical Evaluation of Site Groupings

Upon completion of Task 1 and written authorization to proceed from the Town, the Team will begin a technical evaluation of the site groupings to provide the Town with an objective review and recommendation of the best site available for the defined development. During this phase of the project the Team will:

- Review Surrounding Land Use
- Investigate Physical Site Attributes
- Evaluate Off-Site Considerations
- Investigate Environmental Considerations

Task 2 Schedule: 12 weeks from completion of Task 1 and authorization by Town

Task 2 Budget: \$10,000 for the first site group
\$8,500 for each additional site grouping

Mayor Pro Tem Barry moved to proceed to Task 2 on Parcel A and to continue with negotiations. All were in favor, with votes recorded as follows:

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

The following items were taken as information and not discussed due to the lateness of the hour.

Item No. 16. Update from Town Planner. The Town Council received 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 begin roadwork this week and will complete all work by the end of August 2011.
- Work on the NC 84 Weddington-Matthews Road Dual Lane Roundabout has begun. NCDOT will have engineers, surveyors, geologists, and others gathering data for the next several months.
- The Town Council will hold a Public Hearing on September 12th to consider text for Emergency Gates and Entrance Gates.
- The Town Council will also hold a Public Hearing on September 12th to consider text to replace the term Conditional Use Permit (CUP) with Conditional Zoning (CZ) where applicable.
- The Planning Board approved the Weddstock Temporary Use Permit at their June 27th meeting. Weddstock is scheduled to take place on Saturday, August 20th from 8:00am to 11:00pm on The Hunter Farm.
- Staff has received an inquiry for a stand-alone or walk-up ATM machine in the Weddington Corners parking lot. This project may be on a future Planning Board agenda.
- Staff has received a land use amendment application from Jim Spittle at 6874 Weddington-Matthews Road. This application should be on the August 22nd Planning Board agenda.
- The following text amendments may be on the August 22nd Planning Board agenda for discussion:
 - Farmers Market definition and development standards-the Planning Board and Parks & Recreation Committee will hold a joint meeting on August 22nd to discuss the farmers market concept and text.

Item No. 17. Update from Town Administrator/Clerk. The Town Council received 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.

Update on Streetscape Project

- Ornamental Post & Panel is in the process of rebuilding the stone portion of the light poles. The street light at Town Hall has been redone.
- The Downtown Core Committee has made a recommendation on the location of two of the monuments for the Downtown area. Those recommendations will be on your September agenda for consideration.
- Buzz Bizzell is working on a banner concept for the upcoming Christmas/Holiday season.
- Buzz Bizzell has also developed a Weddington Town Limits sign that is being considered by the Downtown Committee.
- Mr. Bizzell has designed a new Weddington Town Hall sign which will be on the September Town Council agenda for review and consideration.

Once a contractor has been selected for the mowing of the medians and shoulders for Providence Road, Weddington Road and Rea Road, we will work with NCDOT on a Municipal Agreement for reimbursement for some of the mowing costs.

I have included Code Supplement No. 6 in your packet. Please update your Code of Ordinances or staff will assist you.

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 2011 NCLM Annual Conference will be held October 22 through October 25 at the Raleigh Convention Center. Please let me know by September 12 if you are interested in attending.

New chairs have been ordered for the upstairs conference room and should be delivered next week.

Work on the next Town newsletter will begin in the next two weeks.

WCWAA – Attorney Fox will provide an update by memo on this issue.

IPADS – There was a question as to whether the purchase of the Ipads should wait until November. Please let me know if you would like to proceed now or wait until November or December.

Upcoming Dates:

August 10	-	Auditors will be at Town Hall
August 10 – 12	-	Amy attending conference in New Bern
August 22	-	Parks and Recreation Advisory Board Meeting
August 22	-	Planning Board Meeting
September 5	-	Town Hall Closed for Labor Day

Item No. 18. Public Safety Report.

Weddington Deputies – 368 Calls

Providence VFD – July 2011

Union Fire Calls	19
Union EMS Calls	5
Mecklenburg Fire Calls	3
Mecklenburg EMS	1
Total Calls:	28

Training Hours for the Month 105

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

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

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

B. Tax Collector's Report.

Monthly Report – July 2011

Transactions	
Pay Interest and Penalties	\$(108.13)
Adjust Under \$5.00	\$(1.02)
Advertising Costs	\$503.50
Interest Charges	\$103.34
Taxes Collected:	
2010	\$(969.74)
As of July 31, 2011; the following taxes remain Outstanding:	
2002	\$82.07
2003	\$196.11
2004	\$159.59
2005	\$291.65
2006	\$180.70
2007	\$308.39
2008	\$2,945.33
2009	\$4,591.57
2010	\$14,391.99
Total Outstanding:	\$23,147.40

Item No. 20. Transportation Report. There was no report at this time due to the lateness of the hour.

Item No. 21. Council Comments. The Town Council received information regarding the Union Symphony Society, Inc. and an invitation to Farm-City Celebration to be held September 22, 2011 at 6:30 p.m.

Item No. 22. Adjournment. Mayor Pro Tem Barry moved to adjourn the August 8, 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 12:27 a.m.

Nancy D. Anderson, Mayor

Amy S. McCollum, Town Clerk