

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, AUGUST 9, 2021 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD WEDDINGTON, NC 28104
AGENDA *** amended at meeting***

1. Open the Meeting
2. Pledge of Allegiance
3. Determination of Quorum
4. Additions, Deletions and/or Adoption of the Agenda
5. Mayor/Councilmember Reports
6. Public Comments
7. Public Safety Report
8. Presentations from Solid Waste Bidding Companies
 - A. Waste Pro
 - B. Waste Connections
 - C. Active Waste
9. Consent Agenda
 - A. Approval of July 12, 2021 Regular Town Council Meeting Minutes
 - B. Appoint Karen Dewey as Deputy Finance Officer
 - C. Reduction in Performance Bond for Harlow's Crossing Phase 2
 - D. Approve P-2021-05 Proclamation for the National Day of Remembrance
 - E. Approval of FY 2021 Audit Contract with Ann Craven, CPA, PLLC for an amount not to exceed \$8500
10. Old Business
 - A. Discussion and Review of Solid Waste Bids and Attorney Review of Solid Waste Contract Terms
11. New Business
12. Update from Town Planner
13. Code Enforcement Report
14. Update from Finance Officer and Tax Collector
15. Transportation Report
16. Council Comments
17. Adjournment

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MINUTES
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1. Open the Meeting

Mayor Callis called the meeting to order at 7:01 p.m.

2. Pledge of Allegiance

Council led the Pledge of Allegiance.

3. Determination of Quorum

Quorum was determined with Mayor Elizabeth Callis, Mayor Pro Tem Janice Propst, Councilmembers Anne Pruitt and Jeff Perryman present. Councilmember Mike Smith was absent.

Staff Present: Interim Town Administrator Karen Dewey, Interim Planner Leamon Brice, Permit Administrator Janet Peirano, Town Attorneys Karen Wolter and Jennifer Nancarrow

Visitors: Walton Hogan, Mike Morse, Tony Prior, Bonnie Prior, Tony Silva, Don Martin, Heather Hamilton, John Yvars, Hayley Miller, Craig Horn, Bill Deter, Tracy Stone, Mary Monfort, David Monfort, Ted Goode, Chip Gingles, Mike McGann, Andrew Hofbauer, Pat Austin, Rob Wall

4. Additions, Deletions and/or Adoption of the Agenda

Staff requested to add Item 9.E. Approval of FY 2021 Audit Contract to the Consent Agenda.

Motion: Councilmember Perryman made a motion to adopt the agenda as amended.

Vote: The motion passed with a unanimous vote.

5. Mayor/Councilmember Reports

Councilmember Perryman reported that the July WUMA meeting was held in Wesley Chapel with all delegates in attendance. Representative David Willis attended via Zoom. The topic of discussion was the Air BnB/Short Term Rental legislation. The discussion will continue at the August meeting. Representative Willis was supportive in working with towns on legislation. The August meeting will be held on August 26 in Stallings at 4 p.m.

Mayor Callis reported that Union County Public Schools approved funding for a double stacking car rider lane at Weddington Elementary and that should help with car rider traffic on Twelve Mile Creek.

6. Public Comments

Tony Prior, 2241 Wedgewood Drive: Mr. Prior spoke in reference to the potential trash contract. He expressed support for the contract, but stated that he had some questions: How many houses will be serviced? Is the Town bound to accept the lowest bid? He expressed concern about the safety of Active Waste drivers with speeding and disregard for where they leave the waste carts. He expressed concern about the performance of the contractor after the contract is signed.

Tony Silva, 3133 Providence Woods: Mr. Silva expressed concern about the proposal. He doesn't currently pay for trash disposal and he asked if he was allowed to opt out and take care of his own service. He is concerned about the rates increasing and government take over

Haley Miller, 5031 Saddle Horn Trail: Ms. Miller spoke of her strong opposition to the Town contract. She stated that she is happy with her current provider and price. She appreciates the idea of freedom of choice and the flexibility to change providers. She stated that she moved to Weddington to escape government overreach.

7. Public Safety Report

Deputy Kropp gave the Public Safety Report: UCSO conducted a two-week Traffic Safety Campaign for the Town of Weddington. Targeted locations during this campaign were NC 84, NC 16, Rea Road, Matthews Weddington Road, Beulah Church Road, and Antioch Church Road. Preliminary numbers for the Traffic Safety Campaign: 156 Traffic Stops, 110 Citations, 3 Arrests.

Deputy Kropp thanked the Union County Sheriff's Office Safe Unit and the School Resource Officers that participated during this campaign.

Last week, Deputy Kropp responded to a call in reference to fraud involving an elderly female that lives in the Town of Weddington. She had received a scam phone call and proceeded to send two separate packages with \$10,000 in cash through two delivery services to a location outside the state of North Carolina. UCSO was able to stop both packages and retrieve the \$20,000 dollars and get it back into her bank account. Staff will attach a link to the FBI's Website regarding Scam Phone calls to the Weddington Town Hall Website. Residents are urged to contact the Union County Sheriff's Office if they have been a victim of fraud. Please don't send cash, gift cards, or allow remote access to home computers. If you have questions regarding a certain situation, please contact the UCSO out of the abundance of caution.

8. Presentations from Solid Waste Bidding Companies

A. Waste Pro

Ted Goode, Division Manager, reviewed Waste Pro specifics. He gave detail about the training program for the truck drivers. He emphasized safety as a priority. Also in attendance were Chip Gingles, Division Vice President, and Mike McGann, Regional Controller.

B. Waste Connections

Rob Wall, Division Vice President/District Manager; Pat Austin, Operations Manager; Andrew Hofbauer, District Controller were present. Mr. Hofbauer presented the company background. Waste Connections is the third largest solid waste hauler in North American. Safety is the company's number 1 core value.

C. Active Waste

Heather Hamilton, Sales Director and John Yvars, Municipal Specialist/Waste and Recycling Consultant. Ms. Hamilton stated that Active Waste is the largest privately owned waste and recycling company in the Charlotte Metropolitan area. Active Waste has a commitment to investing in the future with the most efficient, safest technology-electric trucks. She described plans for a new recycling facility. The Customer Service Staff is locally based, full-time, trained professionals.

9. Consent Agenda

- A. Approval of July 12, 2021 Regular Town Council Meeting Minutes**
- B. Appoint Karen Dewey as Deputy Finance Officer**
- C. Reduction in Performance Bond for Harlow's Crossing Phase 2**
- D. Approve P-2021-05 Proclamation for the National Day of Remembrance**
- E. Approval of FY 2021 Audit Contract with Ann R. Craven, CPA, LLC**

**

Motion: Mayor Pro Tem Propst made a motion to approve the Consent Agenda as amended.

Vote: The motion passed with a unanimous vote.

10. Old Business

- A. Discussion and Review of Solid Waste Bids and Attorney Review of Solid Waste Contract Terms**

Mayor Pro Tem Propst asked if there was a separate truck for glass recycling. Ms. Hamilton responded that there is a dedicated rear loader for glass recycling.

Councilmember Perryman asked what the average turnover of employees was. Each bidder responded that they would get back to Councilmember Perryman with the answer. Waste Pro added that they have a retention bonus for drivers. Waste Connection responded that they have a stable staff, there is turnover in the driver and helper positions. Active Waste responded that currently truck drivers and diesel mechanics are difficult to find right now.

Town Attorney Karen Wolter explained the basic material terms of the proposed contract that was included in the Request for Proposals. It is subject to negotiation at some level. Solid waste services contracts are not regulated by the General Statutes. The Town has flexibility and can work with bidders when negotiating a contract. The Town is not required to accept the lowest bidder. The Town will pick the winning bidder based on experience, personnel, adequate disposal facilities, and price and any other information provided. The initial term of the contract is 5 years with 2 options to extend 2 more years. There is a required surety bond and the bidder is required to have liability, environmental, and employment insurance. The selected contractor will post a performance bond of 1 year of the total contracted sum. That would be used when the contractor is unable to continue to perform contracted services. The Town will use the bond to replace the contractor. A breach of contract does not generally trigger access to the performance bond. That would be a breach of contract claim and the Town would hire a second contractor and the contractor that breached the contract would pay the difference. There is a specific list of damages in the RFP and they will be deducted from the monthly service rate.

Mayor Pro Tem Propst asked if the contractor could raise prices after the first year. Ms. Wolter explained that the contractor is entitled to ask for an indexed annual increase based on the Consumer Price Index and it would be capped at 3%. Fuel charges can also increase cost and will be capped as well.

Councilmember Pruitt thanked everyone that has sent in emails, replied to comments, showed up, and voiced opinions at the Town meetings about the Solid Waste & Recycling discussions. She appreciates everyone's thoughts. Councilmember Pruitt explained why the Town decided to research this: While brainstorming at the Council annual retreat, about "what can Weddington do for the citizens?" Solid Waste was considered. Being a small town, there are limited 'benefits' that can be provided on the Town budget. There isn't funding to build things like a library, big interactive parks, or greenway trails. Councilmember Pruitt stated that after searching "what can a municipality provide to their residents", she found that the League of Municipalities states that Municipalities are established to protect the citizens and provide residents of a particular area with urban type services. Examples are water, sewer, police, streets, transportation, recreation, garbage collection and recycling, land use planning, and fire protection. In Weddington, residents rely on Union County public works for water and sewer, NCDOT maintains the roadways, there isn't really a need for public transportation yet, the new park area is under construction, the Town contracts with the Union County Sheriff's Office and Wesley Chapel Volunteer Fire Department for public safety, and the new Unified Development Ordinance provides for land use planning. By having one contract, Solid Waste and Recycling can be offered cheaper to the residents of Weddington. The Town is not getting into the trash business, but by consolidating the service to just 1 company, there will be fewer trucks on the road, fewer cans out during the week, more leverage for complaints, and a lower cost than many are currently paying for similar services. Councilmember Pruitt reiterated that this is not big government, but rather using the power in numbers to provide Weddington residents a benefit that most already use weekly. She asked if the Town could make one thing better at a cost savings, why wouldn't we?

Councilmember Perryman asked Ms. Wolter how the contract can be terminated. Ms. Wolter replied that under the terms of the proposed contract, the Town has 2 options: 1 for convenience: with 6-month notice, the Town can opt out for any reason or no reason. Number 2 Default: If the provider fails to perform at expected service level, the Town has a right to terminate because the contractor is in default.

Councilmember Pruitt responded to a resident asking how the Town will know if service is poor. The contract will require robust reporting from the contractor monthly, or more often. Failure to report will be a breach of contract.

Councilmember Perryman stated that everybody is treating this as a serious topic. He is planning on setting up some question and answer sessions to get into details about what the Town is doing. The Town is not committed to anything until a contract is signed and the Council is not in a hurry. They are reading email responses and finding those in favor see the benefits of saving money, reducing the trucks and saving roads. Those not in favor of the contract are opposed to big government, don't use or need the service, and don't appreciate the choice being made for them. Councilmember Perryman affirmed that all points are valid, and the Council is trying to complete due diligence to do what is best for Weddington.

Mayor Callis stated that she has been in Weddington for most of her life. The Council is here to do a job for the greater good and are taking everything into consideration.

11. New Business

12. Update from Town Planner

Leamon Brice gave an update. The Town has received numerous inquiries about a number of parcels throughout Weddington but has not received any applications or plans.

13. Code Enforcement Report

14. Update from Finance Officer and Tax Collector

Financial statements in packets.

15. Transportation Report

Mayor Callis reported that right of way acquisition for the Tilley Morris roundabout was delayed because of the installation of a sidewalk by Union Day School. NCDOT reports that they are hoping to have right of way completed by October, utility relocation will take 3 to 4 months and construction should start in 2022 after Union Day School is finished for the summer. She also reported that CRTPO call for projects opened up and the Town will submit for discretionary funds for the Forest Lawn and Potter Road intersection.

16. Council Comments

Mayor Pro Tem Propst: Thank you everybody for coming out. Thank you to the vendors. I appreciate you coming here and your time. I think we've heard enough to know that if we choose one way or the other, we're doing the right thing for the community. We're doing our due diligence. To the residents I'd like to say I feel the same way that you do about small government. I've always believed in small government. I am a native of the Town of Weddington. I was here long before incorporation. Please know that we are listening. Please continue to engage with us, continue to ask questions. We aren't going to jump into something quickly, we are going to listen to what the residents say and figure out what the right thing to do is.

Councilmember Pruitt: Thank you for coming. When we have the question and answer sessions, we will put that out on the website and social media.

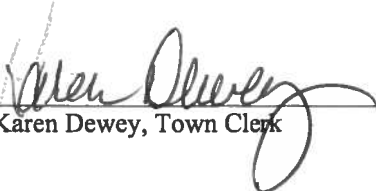
Councilmember Perryman: I appreciate all the citizens being here. It is nice when the residents come out to see what the local government is doing. The stuff that effects your life most is done at the local level. Thank you to the presenters. You did a great job and if you can get the staffing turnover numbers to me, I would really appreciate it. Last and most importantly, Officer Kropp, kudos to you and your guys. Type that up and let's get that on the town webpage and get the word out. There are so many levels of not right about guys taking advantage of the elderly like that. Thank you and kudos to you.

Mayor: Thank you to everyone for coming out. Just know that We are listening, and we are doing our due diligence. We don't want big government; we just want to do what is best for our town.

17. Adjournment

- Motion:** Councilmember Perryman made a motion to adjourn the August 9, 2021 Regular Town Council meeting at 8:44 p.m.
- Vote:** The motion passed with a unanimous vote.

Approved: September 13, 2021



Karen Dewey, Town Clerk



Elizabeth Callis, Mayor



**TOWN OF WEDDINGTON
PROCLAMATION
P-2021-05**

WHEREAS, on September 11, 2001, the American people endured the worst terrorist attack on U.S. soil in the nation's history with courage and heroism. In response to this tragedy, Americans across the country came together in a remarkable spirit of patriotism and unity and carried out countless acts of kindness, generosity, and compassion; and

WHEREAS, community organizations and family members of 9/11 victims began observing the anniversary of September 11th as a charitable service day to honor the memory of those who were lost and those who united in response to the tragedy, including the first responders and volunteers; and

WHEREAS, participating in service and remembrance activities on September 11th is a positive and respectful way to remember the lives of those lost, pay tribute to those who rose in service, and honor those who continue to serve our country today, including active duty and reserve soldiers and their families, veterans, and first responders:

NOW, THEREFORE, on behalf of the Town Council and the citizens of Weddington, I do hereby proclaim September 11, 2021 as

9/11 DAY OF SERVICE AND REMEMBRANCE

And encourage all to honor the lives of those lost through participation in community service and remembrance ceremonies on this day and throughout the year.

In Witness Whereof, I do hereby set my hand this 9th day of August 2021.


Elizabeth Callis, Mayor

Attest:


Karen Dewey, Town Clerk

