

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY MAY 9, 2022 – 7:00 P.M.
WEDDINGTON HIGH SCHOOL AUDITORIUM
4901 WEDDINGTON ROAD WEDDINGTON, NC 28104
AGENDA
AMENDED AT MEETING

Prayer- Reverend Dr. Haven O. Anderson, Marvin AME Zion Church

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 Safety Report~~ *Public Comments*
7. Consent Agenda
 - A. April 11, 2022 Town Council Regular Meeting Minutes
 - B. April 12, 2022 Town Council Work Session Meeting Minutes
 - C. Appoint Robert Tefft as Zoning Administrator and Erosion and Sediment Control Administrator
 - D. Call for Public Hearings on June 13, 2022 at 7:00 p.m. at Weddington Town Hall to receive comment on:
 1. Proposed Fiscal Year 2022-2023 Budget and set the tax rate.
 2. Conditional Zoning Amendment for Weddington Glen Residential Conservation Subdivision
8. Old Business
 - A. Discussion and Possible Consideration of Conditional Rezoning Application for mixed use development-Weddington Green
 - B. Discussion of Preliminary FY 2022-2023 Budget
9. New Business
 - A. Discussion and Consideration of Preliminary and Final Plats for Hemby Place Subdivision
10. Update from Town Planner
11. Code Enforcement Report
12. Update from Finance Officer and Tax Collector
13. Transportation Report
- ** 14. ~~Public Comments~~ *Public Safety Report*
15. Council Comments
16. Adjournment

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MINUTES
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1. Open the Meeting

Mayor Horn called the meeting to order at 7:02 p.m.

2. Pledge of Allegiance

The Council led the Pledge of Allegiance

3. Determination of Quorum

Quorum was determined with all Councilmembers present: Mayor Craig Horn, Mayor Pro Tem Janice Propst, Councilmembers Anne Pruitt, Jeff Perryman, and Brannon Howie

Staff: Town Administrator/Clerk Karen Dewey, Interim Planner Leamon Brice, Planner Robert Tefft, Finance Officer Leslie Gaylord, Administrative Assistant Debbie Coram, Town Attorney Karen Wolter

Visitors: attendance attached for the record.

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

Mayor Horn requested item number 6. *Public Safety Report* and item number 14. *Public Comments* be switched.

Motion: Mayor Pro Tem Propst made a motion to amend the agenda as presented.

Vote: The motion passed with a unanimous vote.

5. Mayor/Councilmember Reports

Councilmember Perryman reported that the April WUMA meeting had Jim Joyce from the UNC School of Government give a good presentation on extra-territorial jurisdiction (ETJ). He stated that ETJ is permitted according to the North Carolina General Statutes for up to 1 mile for municipalities with up to 10,000 residents and up to 2 miles for municipalities between 10,000 and 25,000 residents. The towns of Monroe and Wingate both have ETJ in Union County. The next WUMA meeting is the 4th Thursday of May at 4:00 p.m. in Mineral Springs.

Mayor Horn reported that the Weddington High School Marching Band is participating in Pearl Harbor Day this year in Hawaii and are raising money for the trip. It's a great opportunity for the kids and reflects well on the high school as well as the town. Coffee with the Mayor will be Wednesday, May 18th from 5 to 7 p.m. at Town Hall.

6. Public Comments

With the possible consideration of the rezoning application on the agenda, Mayor Horn asked Tom Waters, the applicant to review the plan changes presented during the earlier work session.

Mr. Waters reviewed the changes:

Playground area with safety fence

Restroom facility in park

1-mile greenway trail system

Reduction in commercial space from 137,600 sq.ft to 117,600 sq.ft. (parking spaces left the same)

Decrease in residential density to 158 homes

Townhomes changed to single family detached homes

Mainstreet courtyard

Alley fed 2 car garages

8 ½ acre park

Mr. Jenest stated that after the earlier meeting, the linear park would be revised to about 100 feet in width with the removal of one of the homes in order to get the park edges closer to Weddington Road.

Walt Hogan: 5009 Laurel Grove-Mr. Hogan wants more details about the project standards. He did not agree with the potential cost to the citizens.

Neeraj Singh-720 Farmer Mill Lane: Mr. Singh spoke against the density, commercial establishments, private roads, and the pedestrian crosswalk through the roundabout.

Bill Deter-401 Havenchase Drive: Mr. Deter disputed Councilmember Perryman's claim on the RCD density. He listed the standards for this project that would have to be made conditions to meet the UDO.

Rob Dow-6712 Weddington Matthews Road: Mr. Dow stated that it would be helpful to know what will happen if this project gets approved. Will Mr. Waters develop it or will he sell it? The conditions for this rezoning will be with the property.

Bill Cathey-6734 Tree Hill: Mr. Cathey asked where the sewer would be pumped to and what the homeowners' dues would be.

Chris Drost-1203 Delaney Drive: Mr. Drost stated that not one question had been asked about the wetlands study and what the results of that were.

Jackie Groome-3016 Twelve Mile Creek: Ms. Groome stated that she's not against change, she would just like to see that a majority of the citizens approve of it.

Joyce Plyler-1046 Bromley Drive: Ms. Plyler commented on email chains between council, planning board, and the developer that gave the impressions that the developer was being coached on how to get approval.

Dorothy Cooper-113 Chasestone Court: Ms. Cooper is a 25-year resident opposed to the development.

Kim Topalian-130 Bluebird Lane: Ms. Topalian stated that the proposal is scary and will set a precedent. She asked about an EPA study done and the creek's upkeep. She commented that the developer had unpaid judgements and civil actions filed against him.

Jack Plyler-1015 Estate Lane: Mr. Plyler commented on an ethics complaint he filed last month. He stated that commercial and parking square footage shouldn't be included when computing the yield plan. He commented on the Board of County Commissioners denial of the sewer pump station for this project.

Kelly Myers-9033 Pine Laurel Drive: Mr. Myers commented that the process is confusing and asked why traffic studies are being done on things that may or may not happen. He asked why this project is still being discussed with the denial of the sewer pump station.

Michael Luedtke-401 Amanda Drive: Mr. Luedtke asked how an educated decision can be made if the council doesn't know what is going to happen. He asked the Council to listen to the residents that put them in office.

Chris Martin-stated his opposition to the project and his disappointment in how it was presented to the town.

Kelly Luedtke-401 Amanda Drive: commented that her family came here for 1-acre lots. She expressed concern over school traffic, possible crime, and security issues

Allan Bartolucci-918 Osprey Lane: commented on the opposition to project.

Bill Turnblum Providence Woods South: commented on Mr. Waters

John: Aeroplantation: Commented on the density and sewer pump station and stated his opposition to the project.

Cathy Killough-5012 Longview Ct: stated her concern that this project will depreciate property values.

Ken Taylor-462 Cottonfield Circle: commented that Weddington should stay residential and doesn't need commercial

Frank Trammell-433 Landsbury Drive: commented that he moved to Weddington for the large lots and he doesn't see any reason for this development.

7. Consent Agenda

- A. April 11, 2022 Town Council Regular Meeting Minutes
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- D. Call for Public Hearings on June 13, 2022 at 7:00 p.m. at Weddington Town Hall to receive comment on:
 1. Proposed Fiscal Year 2022-2023 Budget and set the tax rate.
 2. Conditional Zoning Amendment for Weddington Glen Residential Conservation Subdivision

Motion: Councilmember Perryman made a motion to approve the Consent Agenda as presented.

Vote: The motion passed with a unanimous vote.

8. Old Business

A. Discussion and Possible Consideration of Conditional Rezoning Application for mixed use development-Weddington Green

No further discussion. Ms. Wolter gave options to the Council for action.

Motion: Mayor Pro Tem Propst made a motion to refer the Conditional Rezoning Application for a mixed-use development back to the Planning Board for further study

Vote: The motion passed with a 2-2 vote.
Mayor Pro Tem Propst and Councilmember Pruitt voted in favor of the motion.
Councilmembers Howie and Perryman voted against the motion.
Mayor Horn voted in favor of the motion.

Councilmember Perryman stated that he hasn't seen enough changes to send this application back to the Planning Board.

Mayor Horn called for a recess at 8:10 p.m.

Mayor Horn called the meeting back to order at 8:17 p.m.

Mayor Horn asked the crowd to quiet down and let the Council deliberate. Councilmember Perryman asked for discussion among the Council. He stated that his vote at this time would be against the rezoning because of the park. He believes that from the beginning the park has been promoted as the Town Park. He thinks it doesn't meet what it should.

Councilmember Pruitt: had a good work session earlier got some clarification that satisfied questions. If the project goes back to the Planning Board, the development standards get nailed down.

Councilmember Howie: expressed concern over the carriage houses inviting unwanted interactions into community and the brewery as a drinking destination is incongruent with the family-oriented community.

Mayor Pro Tem Propst: agreed with Councilmember Pruitt. A lot of positive aspects of the plan and it meets the Goals of the Land Use Plan. She asked Councilmember Perryman to clarify why the park is an issue for him. Councilmember Perryman responded that he feels it's a subdivision with a park rather than a town park with houses around it.

Councilmember Pruitt commented that she would have like to have received emails and seen attempts at collaboration to bring something positive to Weddington. She stated her disappointment with the lack of cooperation to make this opportunity something that would be great for Weddington. She expressed the importance of working together to move forward. She stated that the sum of what each individual can bring to the Town, collectively, will be so much greater than any one individual.

Motion: Councilmember Perryman made a motion to reconsider the previous motion to refer the Conditional Rezoning Application back to the Planning Board for further study.

Vote: The motion passed 3-1
Councilmembers Perryman, Howie, and Pruitt in favor
Mayor Pro Tem Propst opposed

Motion: Councilmember Perryman made a motion to deny the conditional rezoning application for a mixed-use development-Weddington Green.

Vote: The motion passed 2-2
Councilmembers Perryman and Howie voted in favor of the motion
Mayor Pro Tem Propst and Councilmember Pruitt voted against the motion.
Mayor Horn voted in favor of the motion.

Mayor Horn called a recess at 8:30 p.m.

Mayor Horn called the meeting back to order at 8:35 p.m.

B. Discussion of Preliminary FY 2022-2023 Budget

Ms. Gaylord presented the preliminary budget for the Fiscal Year 2022-2023. The public hearing for the budget will be held at the June 13, 2022 Regular Town Council meeting. The proposed budget with the 4.8 cent tax rate can be found on the website. The American Rescue Plan Funds are kept separate with the SCIF funds as they are not part of the general fund. Staff proposes to use the funds for the Deputies contract and internal salaries.

Mayor Horn asked to clarify the anticipated revenues for FY 2022-2023 doesn't include the ARPA or SCIF funds. Ms. Gaylord confirmed. Mayor Horn asked if the proposed used of those funds included in the budget. Ms. Gaylord The line item budget is available online.

Mayor Horn asked if there is a reason the uses for the ARPA funds isn't included. Ms. Gaylord responded that the project ordinances haven't been completed yet, until those are done, it is just a proposed spending. Mayor Horn asked if staff was clear on the directions for use of the monies. Ms. Gaylord responded that the rules are not straight forward. It's easier and less bureaucratic to spend on internal expenditures like the deputy contract and town salaries.

9. New Business

A. Discussion and Consideration of Preliminary and Final Plats for Hemby Place Subdivision

Mr. Brice presented the staff report. Toll Bothers submitted a preliminary plat and final plat application for 35 lots on 43.16 acres located at the southeast corner of Hemby and Providence Road. The sketch plan was approved by Planning Board on January 28, 2019 with requirements for a left turn lane on Hemby Road into subdivision, a right turn deceleration lane on Hemby Road, more information on traffic projections for Hemby Road and Providence Road to be included in the preliminary plat to help decide whether an access to Providence Road should be required. Additionally, they requested an assessment of the feasibility of saving old growth trees outside the building pads on lots to be included in the preliminary plat. The Planning Board reviewed the plats at the April meeting and recommended approval. The Plats are in conformance with the sketch plan and the Weddington Zoning and Subdivision Ordinance therefore staff recommends approval

- Motion:** Councilmember Perryman made a motion to approve the preliminary and final plats for Hemby Place Subdivision.
- Vote:** The motion passed with a unanimous vote.

10. Update from Town Planner

Mr. Brice presented an update: Weddington Glen has applied for a conditional zoning amendment to remove the existing home from plat. It still meets all criteria for a conservation subdivision. Beechwood held a community meeting in April and the amendment will come before the Planning Board at their May meeting.

Bell Mar is getting a final plat in order. Their process will follow the UDO standards, so the final plat will be approved by staff.

11. Code Enforcement Report

No discussion.

12. Update from Finance Officer and Tax Collector

Ms. Gaylord gave the update: the monthly financial reports are in the packet. The first ARPA report has been filed, using some of the funds to pay for staff salaries. The June report will have a budget amendment to show those funds used for this fiscal year.

13. Transportation Report

14. Public Safety Report

Officer Kropp gave the public safety report, he has an update in the newsletter. Council thanked him for monitoring the roads.

15. Council Comments

Mayor Pro Tem Propst: Leamon, thank you so much for all you've done for this community and all the support you've given us over the past year. I appreciate you. We're going to miss you. And thank you to the staff for all you do for this town. It's much appreciated. It's been a very tumultuous time and you've put a lot of hours into all this and I deeply appreciate it. Thank you to my councilmembers for your persistence in getting the end results you wanted, and I thank you for your efforts for our community.

Councilmember Howie: I just echo Janice.

Councilmember Pruitt: Leamon, thank you, much appreciated. I enjoy your friendship and also your work and your work ethic.

Councilmember Perryman: Leamon, thank you for the work you've done for the town. It was certainly beyond what I think you initially thought. You are a professional and I appreciate all the time you put up with my meetings and my questions. I appreciate it very much. I echo that to our attorney, Karen Wolter and to Karen Dewey. Again, as I've said before, we have the best town staff in the state. Leslie, Kim, and everybody. You are awesome.

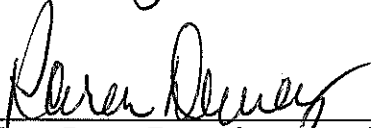
Mayor Horn: Thank you all very much. It's been a tough couple of months, putting it mildly I appreciate the diligence this Council has put forth and doing their homework and really thinking this thing through and all things we do through. I greatly appreciate it. I appreciate Leamon, for your efforts and that you hung in there with us. We learned a lot from you, and I hope we don't leave you too scarred up. With sincere heartfelt appreciation, we wish you Godspeed and look forward to you coming back to visit. With that said, we welcome you Robert to the Town of Weddington. My guess is that this project we've dealt with tonight we will see a lot more of those because Weddington is a great place to be. I appreciate all those who stuck around this evening.

16. Adjournment

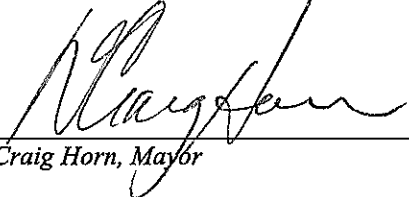
Motion: Mayor Pro Tem Propst made a motion to adjourn the May 9, 2022 Regular Town Council Meeting at 8:48 p.m.

Vote: The motion passed with a unanimous vote.

Approved: June 13, 2022



Karen Dewey, Town Administrator/Clerk



Craig Horn, Mayor

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