



**TOWN OF WEDDINGTON  
REGULAR TOWN COUNCIL MEETING  
MONDAY, JANUARY 9, 2023 – 7:00 P.M.  
WEDDINGTON TOWN HALL  
1924 WEDDINGTON ROAD WEDDINGTON, NC 28104  
AGENDA \*AMENDED\***

1. Call to Order
2. Pledge of Allegiance
3. Determination of Quorum
4. Additions, Deletions and/or Adoption of the Agenda
5. Conflict of Interest Statement: *In accordance with the state government ethics act, it is the duty of every Council member to avoid conflicts of interest. Does any Council member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*
6. Mayor/Councilmember Reports
7. Pre-Application Presentation from Kristen Trulear for Family Group Home at 6424 Antioch Court
8. Public Comments
9. Public Safety Report
10. Consent Agenda
  - A. Approval of December 12, 2022 Town Council Meeting Minutes
11. Old Business
  - A. Discussion and Possible Consideration of Ordinance 2023-01 to amend Section 5-1 of the Charter of the Town of Weddington to change the form of government from Mayor-Council form of government to Council-Manager form of government
12. New Business
  - \* A. *Appointment of Designated Voting Delegate for the North Carolina League of Municipalities Proposed Legislative Goals and Discussion of Proposed Legislative Goals.*
13. Updates from Town Planner and Town Administrator
14. Code Enforcement Report
15. Update from Finance Officer and Tax Collector
16. Transportation Report
17. Council Comments
18. Adjournment



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MINUTES  
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**1. Call to Order**

Mayor Horn called the meeting to order at 7:00 p.m.

**2. Pledge of Allegiance**

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, Brannon Howie, and Jeff Perryman.

Staff Present: Town Administrator/Clerk Karen Dewey, Planner Robert Tefft, Finance Officer Leslie Gaylord, Admin Assistant/Deputy Clerk Debbie Coram, Town Attorney Kevin Bringewatt.

Visitors: Walton Hogan, Steve Fellmeth, Eileen Fellmeth, Gayle Butler, Mike Smith, Bill Deter, Danny Ellis, Anne Ellis, Shelly Thompson, Clayton Jones, Jack Plyler, Mike Morse, Joyce Plyler, Tom Smith, Rusty Setzer, Tracy Stone, David Petree, Christopher Neve

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

Mayor Horn asked to amend the agenda to include Item 12.A. Appointment of Designated Voting Delegate for The North Carolina League of Municipalities Proposed Legislative Goals and Discussion of Proposed Legislative Goals.

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

**Vote:** The motion passed with a unanimous vote.

- 5. Conflict of Interest Statement:** *In accordance with the state government ethics act, it is the duty of every Council member to avoid conflicts of interest. Does any Council member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*

Ms. Dewey read the Conflict of Interest Statement. No Councilmembers had a conflict of interest.

**6. Mayor/Councilmember Reports**

Councilmember Howie gave no report but will miss the February 20<sup>th</sup> work session.

Mayor Pro Tem Propst had no report.

Councilmember Perryman reported that the January WUMA meeting will be held in Mineral Springs on January 26<sup>th</sup> and the delegates will be discussing the NCDOT cost overrun issue and County Commissioner Richard Helms will be attending the meeting to discuss water and sewer. Councilmember Perryman also reported that he sat in on a phone call between staff and the comprehensive plan folks. He also met with Ms. Joyce Plyler and had a good conversation

Councilmember Pruitt had no report.

Mayor Horn reported that today is Law Enforcement Appreciation Day and he stated his appreciation of all the efforts of the Union County Sheriff's Office on the behalf of Weddington.

## **7. Pre-Application Presentation from Kristen Trulear for Family Group Home at 6424 Antioch Court**

Ms. Trulear made a pre-application presentation for a group home at 6424 Antioch Court. She stated that she is the property owner at 6424 Antioch Court, and she will be submitting a conditional zoning application to establish a group home. Ms. Trulear introduced her family and stated that her mother has been starting to show signs of needing help and has been diagnosed with mild dementia and a stroke. This proposal would be to provide daily living assistance to individuals needing it. This is smaller scale than typical residential assisted living. This proposal is not a nursing home nor a skilled nursing facility. There will be caregivers present 24 hours a day, 7 days a week, but no residents will require round the clock medical care. This proposal is intended for that stage of life when a person is still independent but needs assistance with daily living.

Councilmember Howie asked if the typical resident would be a driver. Ms. Trulear responded no. Ms. Howie asked how many providers would be in the home at a time. Ms. Trulear responded that 1 provider to 5 residents is the typical ratio.

Councilmember Pruitt asked if there was a target age or specific limitation/diagnosis. Ms. Trulear responded that there is nothing from the state that specifically limits age and the home can cater to specific needs. Mayor Horn clarified that council would be approving this use for the property and asked if one of the conditions could be age restrictions. Mr. Bringewatt responded that the age range for the property use can be a condition and must be mutually agreed upon by the council and the applicant.

Councilmember Perryman asked if it would require another conditional zoning application process to revert the property back to R40. Mr. Bringewatt responded that details can be made a part of the conditions or development standards.

Council agreed that they would be willing to hear more about the proposal. Councilmember Pruitt stated that she had a small hesitation in regard to the possibility of property changing owners.

## **8. Public Comments**

Clayton Jones 5147 Panhandle Circle: Mr. Jones commented that the first week of the trash collection went smoothly in his neighborhood. He expressed his hope that the costs stay down. He also commented on the proposed change in form of government. He stated that he doesn't have a position, but his concern is that it will become a significant line item in the budget. Mr. Jones thanked the Council for the trash contract.

Tom Smith 1840 Tangle Briar Court: Mr. Smith stated that the new trash service is good, and he is glad the council didn't pick Waste Connections as they haven't picked up the old cans yet. He commented on the pre-application presentation that he hopes the applicant has spoken with neighbors and that the proposal will

comply with covenants. Mr. Smith also commented on the form of government consideration. He believes if it isn't broke, don't fix it. He has looked at it both ways and he understands having a manager between the council and the staff. He hopes it doesn't break the budget and he has seen in other municipalities that it is difficult to recruit and retain town managers.

David Pitre 6116 Greystone Drive: Mr. Pitre asked why Council is considering a change in the form of government if it isn't broken. He stated that he doesn't see an advantage one way or the other.

Christopher Neve 110 Chasestone Court: Mr. Neve commented that he is curious about having a town manager. He stated that with a manager there is more distance between voters and officials and the manager can appoint people. He stated that his concern is that he wouldn't want somebody in a position to make big decisions in towns.

Bill Deter 401 Havenchase Drive: Mr. Deter commented that he sent an email with kudos on the trash transition to Ms. Dewey and he commented on the presentation by Ms. Trulear that she should check with the neighbors and the neighborhood covenants.

## **9. Public Safety Report**

Deputy Kropp reported on the fire in Weddington Acres subdivision. It was 2-million-dollar house near completion of construction. Three kids were arrested for arson. He asked that residents talk to kids about who they're hanging out with. Also, the UCSO has seen an increase in mailbox thefts. Checks are being stolen out of mailboxes and scrubbed and forged. He stated that residents should drop checks for mailing in USPS mailboxes. The thieves are using mobile deposits which makes it difficult to track.

Deputy Kropp finished his report asking that residents be kind and show patience to the Active Waste workers. The drivers can only go so fast.

## **10. Consent Agenda**

### **A. Approval of December 12, 2022 Town Council Meeting Minutes**

**Motion:** Councilmember Perryman made a motion to approve the December 12, 2022 Town Council Regular Meeting minutes.

**Vote:** The motion passed with a unanimous vote.

## **11. Old Business**

### **A. Discussion and Possible Consideration of Ordinance 2023-01 to amend Section 5-1 of the Charter of the Town of Weddington to change the form of government from Mayor-Council form of government to Council-Manager form of government**

Mayor Horn gave background on the agenda item. Upon taking office, he asked if the charter had ever been reviewed and if the current form of government is the best for the town. The UNC School of Government came twice to give presentations in public meetings about the differences in the forms and which might be best for the town. The discussion centered on the staff reporting policies and the services the town provides to residents. Changing the form right now is nothing more than a change in title and will set the position up for the future.

Councilmember Perryman stated that at the first retreat, Council reviewed the town charter. The presentations from the UNC School of Government gave an expert opinion on what form would be best for Weddington. What stuck out the most was the benefit to the employees having only one boss. In the current form, employees don't have just one person to report to. Councilmember Perryman stated that he fully

understands the concerns related to the change. All voters should have concern over things that they don't have a say in, but appointing a manager doesn't give the authority that will put distance between voters and officials. Councilmember Perryman also pointed out the Ms. Nelson from the School of Government made the point that the form of government makes advertised jobs more attractive. The better, more experienced candidates are more likely to apply for a job that reports to a manager. He stated that the current administrator has the same duties a town manager does, and he believes the title should go with the job being done. Councilmember Perryman stated that this is being proactive for the town.

Mayor Pro Tem Propst reviewed a timeline of the discussion of the form of government had by the council. At the April work session, Kim Nelson from the UNC School of Government gave a presentation on the difference in the forms of government. Council discussed options in June and July and in both monthly newsletters, articles and frequently asked questions were sent to residents. The Council discussed the option to change in November. In December a public hearing was held, and Council discussed further and information was put on the town website. To address Mr. Neve's comment, the Council creates and passes the budget, the manager cannot create a new position to fill, this will not create tax increases. This change will just be changing one person's title. The Council will continue to make all legislative decisions. Council sets policy, the manager executes policy.

Councilmember Howie stated that the Council hires the manager and the manager does what the Council directs. When the town had the interim planner, he had to deal with a lot of different bosses instead of just one.

Ms. Dewey stated that the options were given in the staff report: leave the charter as-is, act on an ordinance to implement an amendment to the charter, or approve with pending referendum.

- Motion:** Councilmember Pruitt made a motion to approve Ordinance 2023-01 to amend Section 5-1 of the Charter of the Town of Weddington to change the form of government from Mayor-Council to Council-Manager form of government.
- 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, breaking the tie vote and the motion passes with 3 votes in favor and 2 votes opposed.

## 12. New Business

### A. Appointment of designated voting delegate for NCLM proposed legislative goals and discussion of proposed legislative goals

Council discussed the NC League of Municipalities 16 proposed legislative goals and appointing Mayor Horn as voting delegate.

- Motion:** Mayor Pro Tem Propst made a motion to appoint Mayor Horn as a voting delegate for the NC League of Municipalities
- Vote:** The motion passed with a unanimous vote.

Mayor Horn asked Council to review the 16 goals and to give him a list of their top ten.

1. Adequate & permanent funding streams for local infrastructure
2. Expand broadband access

3. Expand state transportation funding
4. Expand local Economic Development incentives
5. Expand water and sewer incentives
6. Enhance Law Enforcement training and support
7. Provide state assistance for local audits
8. Revise contracting laws to better protect public entities from effects of inflation
9. Make voluntary annexations easier to initiate
10. Provide revenue options beyond property tax.
11. Provide authority to municipal water systems to recoup costs of clean up from polluters.
12. Expand federal and state resources for affordable housing.
13. Revitalize vacant and abandoned properties with enhanced legal tools and funding.
14. Extend deadlines for completion of federal infrastructure projects.
15. Support integrated and multi-modal transportation solutions.
16. Increase state funding for public transportation operations.

### **13. Updates from Town Planner and Town Administrator**

Mr. Tefft gave a planning update. The Cambridge project on a portion of the Weddington Green site includes a school for 1700 students and about 40,000 square feet of commercial. Traffic Impact Analysis scoping meeting was held December 2, 2022 and they will be making a pre-application presentation at the February 13, Regular Town Council meeting. The Hunt property off Ennis Road has been inquired for a 12-lot conventional subdivision on 19 acres currently zoned R-CD.

Ms. Dewey gave the update. The solid waste contract kicked off last week. Staff has received varying feedback from residents. Active Waste Staff has been responsive in helping work out the issues that have arisen from container delivery to acting as a resource to help get previous companies' containers picked up.

### **14. Code Enforcement Report**

Staff met with code enforcement and an updated report is in the packet.

### **15. Update from Finance Officer and Tax Collector**

Ms. Gaylord gave an update: budget and tax reports are in the packet. The auditor Ann Craven will be presenting the audit at the February Regular Council meeting. Staff is working through trash billing issues. Delinquencies and fines will not be charged on trash bills until the end of February.

### **16. Transportation Report**

Mayor Horn reported that there was no CRTPO meeting in December. The main topic getting the most attention right now is the receipt of an unsolicited bid to widen I-77 from the SC state line into Charlotte. The cost to just evaluate the feasibility is \$1 million. Due to the federal transportation bill NC will have an additional \$700 million. Mayor Horn reviewed the sales tax structure that will be putting more money into road construction and maintenance over the next 3 years.

### **17. Council Comments**



Councilmember Perryman: Thank you everybody for being here tonight. It's always good to see you all here. One last word about WUMA-if you'd like a chance to speak to county commissioner Richard Helms, he will be attending the WUMA meeting in Mineral Springs on January 26<sup>th</sup>.

Councilmember Pruitt: Thank you guys for coming out tonight.

Mayor Pro Tem Propst: Happy New Year. Thanks for coming out. If you all want to know what's really going on, get involved, go to the town website, come out to meetings.

Councilmember Howie: Thank you to everyone who had a part in tonight. And when you pay for your trash bill, don't put it in the mailbox!

Mayor Horn: Next Thursday the 19<sup>th</sup> is Coffee with the Mayor. No agenda, just an informal opportunity to have a conversation. I also invite members of the Council to attend. You can use the drop box outside town hall to pay for your taxes or your trash bill.

#### 18. Adjournment

**Motion:** Councilmember Perryman made a motion to adjourn the January 9, 2023 Regular Town Council Meeting at 8:26 p.m.

**Vote:** The motion passed with a unanimous vote.

Approved: February 13, 2023

  
D. Craig Horn, Mayor

  
Karen Dewey, Town Administrator/Clerk



**An Ordinance Amending the Charter of the Town of Weddington  
to Change Form of Government to Council-Manager  
O-2023-01**

Whereas, NCGS§ 160A-101(9) requires that the Town operate as a Mayor-Council or a Council-Manager form of government;

Whereas, Council unanimously approved a resolution of intent to consider an ordinance to change the form of government from Mayor-Council to Council-Manager; and

Whereas, Council conducted a public hearing regarding these Charter changes on December 12, 2022 after due notice published thereof not less than 10 days prior to such public hearing

Now therefore be it ordained by the Weddington Town Council that:

Section 1. Pursuant to NCGS § 160A-101 and 160A-102, the Weddington Town Council may adopt an ordinance to amend the Town Charter to implement any of the optional forms set out in NCGS §160A-101; and

Section 2. The Town Council hereby amends Section 5-1 of the Town Charter to change the form of government. This section will now read: "The Town of Weddington operates under the Council-Manager form of government as provided in Part 2 of Article 7 of Chapter 160A of the General Statutes, as amended".

Section 3. Pursuant to NCGS §160A-102, the Town Clerk shall cause a notice to be duly published in The Charlotte Observer stating that an ordinance amending the Town Charter to change the form of government to Council-Manager has been adopted.

*Adopted and effective January 9, 2023*

*Karen Dewey, Town Administrator/Clerk*

  
*D. Craig Horn, Mayor*