

VILLAGE OF WESLEY CHAPEL
SPECIAL COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
February 18, 2015 – 7:00 P. M.

The Village Council of Wesley Chapel, North Carolina, met in the Town Hall at 6490 Weddington Road, Wesley Chapel, North Carolina.

Present: Mayor Horvath, Mayor Pro Tem Como, Council Members Kenary, Plyler and Rosoff

Others Present:

Clerk/Finance Officer Cheryl Bennett, Attorney George Sistrunk

Citizens who signed in: Carol Mullis, Sandra Fenn, James Mullis, Butch Plyler, Diana Bowler, Chuck Adams, Ronnie Plyler, Michele Plyler, John Lepke, Davey Plyler, William Rodriguez, Bill Gwinn, Doug Horne, Howard Brotton, Pat Utley, M. Morris, Mike Giaimo, Rory & Misty Wall, Kim Ormiston

Meeting was called to order at 7:00 PM and a quorum was present.

1. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Horvath led the Pledge of Allegiance and Council Member Rosoff gave the invocation.

2. PUBLIC COMMENTS

Diana Bowler had Council Member Plyler's campaign flyer from 2011 which said she would maintain the rural feel of Wesley Chapel while providing the conveniences and amenities citizens desire and make sound decisions when spending taxpayer money, and now she recently revealed she is on a list to de-annex while still serving and voting on Village matters. Ms. Bowler asked how many votes benefitted Council Member Plyler's personal agenda, and how many were made in the best interests of the citizens. She asked if it is better for her to resign from Council or to remove her name from the list and carry out her term. Typically when you become disenchanted with a town, you would move out of the town. For a Council member to put their name on a list to de-annex because they are disenchanted or have dollar signs in their eyes is not in the true interest of the community and is a violation of the promise to the citizens. She asked Council to consider the best interests of the citizens.

Bill Rodriguez questioned if Council Member Plyler made it known before the afternoon meeting she was planning to de-annex, did she make it known to the Mayor or Council Member the day of the meeting; if she did not say anything before or the day of the meeting otherwise it seems some undercover effort; if you are serving the community, you are part of the community. If you don't want to be part of the community, then how can you serve?

Bill Gwinn said Ms. Plyler is an elected Council member and she should stay until her term expires or she has the good luck to de-annex, it is not for a few disgruntled people to ask her to step down just because she has a different opinion. He stated you who govern want to dictate

rather than to use logic and good sense in matters that come before you; he saw his neighbor go through petty requests when she sold her land which resulted in more costs to her and less money netted for her retirement. He said he voted for Council Member Plyler and he does not want her to step down. The few meetings he has attended served to show him he saw council as dysfunctional and a poor representation of Wesley Chapel and its goals when it was founded.

Mayor Horvath asked the clerk to read two emails that were sent and requested to be read into the record.

The first was from Sondra Bradford.

I am very concerned that Councilwoman Plyler is pursuing de-annexation from the Village. Ms. Plyler, I ask of you two things. First, if you are determined to pursue this course of action, please consider resigning from your post on the council. It is neither logical nor proper that you make decisions on how to use tax-payer dollars if you are not planning on being a taxpayer yourself. Second, rather than pursuing this course, instead please remain in Wesley Chapel and abandon your attempts to de-annex. You have been involved in the Village for years. You know that working things out is a messy process, but it's worth the extra effort. Encourage others to stay a part of our Village too. All of us together, new residents and old, subdivisions and landowners, are part of this Village. It's our home. It is possible to work together. That route may be more time consuming and more difficult than asking a state representative for a "quick fix", but it is infinitely better. Thank you.

The second email was from William Dunster.

I have been a resident of Price Mill for 14 years of my 37 years in the Weddington/Wesley Chapel area. I feel that Mrs. Plyler has not acted in the best interest of the town of Wesley Chapel. As Council members they are to represent the residents and their wishes and not the purpose of the council member's own agenda. As I understand it she was one of the architects of the creation of the Town Of Wesley Chapel. She pushed for infrastructure to include a Town Hall and a new fire station. She was one of many who have voluntarily allowed their property to be annexed into the town. Now she has decided to serve her best interest and request a de annexation. She intends to walk away from the very community and restrictions she helped create and approve. I don't feel she has a place on our city council because she will care even less about the what's good for our community as she pursues her current agenda. If this de annexation is allowed to go through it will set a precedence that would cause great harm to our community and others in Union County. This also is a concern because she will no longer be a resident of Wesley Chapel and then would not have a right to make decisions on the behalf of the community. I have nothing personal against Mrs. Plyler but have a deep concern for the future and protection of our Town of Wesley Chapel. With that I am asking that Mrs. Plyler do the right thing and step down from our Council immediately. Thank you.

3.

4. **CALL FOR RESIGNATION OF COUNCIL MEMBER PLYLER:**

Mayor Pro Tem Como motioned to ask Becky Plyler to step down not because of personal reasons, but for conflict of interest reasons, from the Village Council. Council Member Rosoff seconded the motion. Mayor Pro Tem Como held up the ordinance book and stated these are the rules we go by when approving new subdivisions and other items. Becky helped make these rules the last few years. Now she wants to throw it out. You don't have the option to pick and

choose when enforcing the rules. This is not a personal attack, it is a conflict of interest, in his opinion.

Council Member Rosoff stated when we are elected to office we swear we will uphold the Constitution and laws of the U.S., N.C. and our own laws, and I think there is a conflict. We were not informed until she stated she was on a list in the meeting. I asked her why and she would not give an answer. This is not selling a house, this is saying I do not want to be part of this community.

Council Member Kenary concurred with what the previous two council members said. She added we do represent all the residents of Wesley Chapel and when you stand and speak at a Council meeting at the podium and say you want your land to become commercial, whose interest do you seek if not your own, and I do believe there is a conflict of interest here.

Mayor Horvath spoke: I have had a few disagreements with Becky across the last three years, as I have with other council members. Two wrongs don't make a right. Specifically the first wrong is those who feel that de-annexing from the Village is the only way to go and who have twisted truths to make it fit their desires. I understand in some instances I am willing to work to make sure things are done as correctly as possible, correctly being as Mike said, to this book. Those are our rules, which is what we live by. I am wholeheartedly against allowing de-annexation for the reasons stated. Asking for an elected official to resign, an action that council has no legislative authority to make happen, in my opinion only serves to divide us, the community that I and so many others have worked so hard to bring together. We have accomplished great things, this our first town hall and Dogwood Park which opened this past year. We have done a terrific thing when we work together. We had disagreements on both of those projects, and we will continue to have disagreements going forward. I understand the concerns of my fellow council members regarding the ability not to have a personal bias. The question becomes can that person continue to represent the best interest of the village residents, that is what we are elected to do. I am not the one who can answer that, no one here can, except Councilwoman Plyler. There have also been statements made about our committees and our boards, and not allowing anyone outside of Wesley Chapel to use this building, but on the other hand they want to get outside of Wesley Chapel, how does that jive with a lot of those comments you made Becky specifically about members of the community that are not residents of Wesley Chapel not using the facility. I am in favor of building a community. If we don't have a community, I don't care what this building looks like, what the park looks like, it doesn't matter. Because if you are going to pull up in a parking lot and throw stones at each other, what is the point? Given that Becky is still a resident and was elected by the residents of this community, having this meeting calling for her resignation is not in the best interest of this community, and I said this to Becky, Council has no legislative authority to remove an elected council person so why even ask; is there anything to be gained by it. What if de-annexation is granted for five years? What if some of the petitioners decide, I will stay. Maybe the Council will have considered something that will make them change their minds. We are talking about things, we have not moved as fast as some people would like and there are several people here who have been on the Council and on Planning Board and understand that things don't happen overnight. So does that mean a person shouldn't have any say for the next five years, the next one year, the next six months; she's still a member of the community. Unless there is a direct financial gain to be garnered by Becky, there

is no reason for her to recuse herself from future votes either. That is the rule. But I understand in each council member's mind and in mine as well, that depending on what the item is, some doubt may creep into our minds as to what the validity of the arguments being presented by Council Member Plyler because it will be like during the park's meetings, some people didn't want the park and some that did. Some wanted the town hall and others did not want the town hall. When people that did want the town hall were speaking I had to weigh what the people who did want the park were saying, and vice versa. Yes, I understand the discussion that if you do not want to be part of the village then why should you have a say in the spending of the taxpayer funds, but if you are part of the Village still and have paid your taxes... It is up to each council member to decide how valid other council member's points are regarding anything that we discuss. We do that all the time; that is why we have 2-2, 3-1 and 4-0 votes.

Council Member Rosoff said one of the reasons there was this call for resignation was there is no other way to censure, no way to say the other council members do not approve of what happened. I think if we had had some foreknowledge but there was something going on that we were not aware of, some hidden message and meetings going on, and that is not the way government should work. Jeannine and I did not know about the de-annexation until we received in our packet the notification that they had already applied to the state and none of those people came to our council and asked anything of us in four years. We can do a lot of things to our president, but we can't do anything to our elected official, only the citizens of this town can. So this is just a way to say we did not like what she did and we do not think it is in the best interest of the village, not constituents, the village; that's the entire entity of what we are, that's the rules, everything.

Council Member Kenary responded to the Mayor's comments on why this meeting was called; this was brought because citizens approached myself and others to call for this. This was not done from a personal perspective, it was done on behalf of other citizens. As you said, we are to represent all citizens, not just those who elected us, all of them.

Mayor Pro Tem Como added he had people come up to him on the street and call him on the phone, saying where do you stand on this, how did you let this happen, and will you ask for her to resign, and he replied fine, even if we can't come to a conclusion today, at least we have gone on record saying we oppose this and think it is a conflict of interest.

Council Member Plyler said she was very disappointed in Jeannine and Mike, make no bones about it, I didn't think you would stoop that low. I would never, never, never hurt you like you hurt me. I never would have done that, and to question how I would do to the people of Wesley Chapel, I've been here for years. My daddy was a mayor for years, my uncle was a mayor for years, my brother was on council for years, and Butch was involved for years. I have done nothing but have the best interests of this town in mind, and never will have anything but the best interest of this town in mind whether I am here or not. My husband inherited this land and they made a family business decision. I am not getting out of here, I will be here when you all are gone. Who knows? But they do not want their hands tied, and I don't want their hands tied. It takes two to sign a petition and mind you it took us forever to decide whether to sign on or not. To say we were planning this for months is not true. I did not even know there was a petition until Brad called me. Mike heard the conversation when Senator Tucker called Brad, and Brad

called me about it, and I said I had no idea because the reason he called me was some friends of ours had signed the petition and I guess he thought I knew that but my friends, I tell them I fight my own battles and don't you tell me anything because I can handle myself. I don't need anyone to stand up for me because I have done nothing wrong, I do not make bad decisions. I try to do what is in the best interests of all of you people. I don't have a special interest group, I don't have a couple of friends I support, I support this entire village, and I always have, and always will. You can take your vote but I do not intend to step down because I care about this Village and support you. I should be calling for some of your resignations if you want to know the truth about it.

Council Member Rosoff asked why she would do this; Council Member Plyler replied it is a business decision by my family. If we sell our land it will be a public record. I know what I can and can't do. I asked George at the last meeting and you can talk about something but you can't vote on it; yes I did go down to the podium; George said I could speak at the podium as a citizen. That did not have anything to do with my decision, it was a business decision by my family. If you people had been to the meetings, you would know what had happened, and if you had listened to these CD's you would learn more about what goes on in this Village. I have all your best interests at heart, I would never, never vote for anything in my personal interest and I would never gain anything that would be in my personal interest. I will not resign.

Mayor Pro Tem Como replied the book of rules that you helped create, what has changed in this book of rules that has made you decide to de-annex. Council Member Plyler replied we had a mayor at one time and Brad was on at that time and a little committee appointed so who knows what was changed at that time. Mayor Pro Tem Como asked what has changed recently in that book of rules that has made you want to de-annex. Council Member Plyler replied look at what we have been working on for the past three and a half years and how have we progressed. We have been working on senior living forever, conditional zoning is delay, delay, delay. We can't seem to get anything accomplished. I don't converse with these people, but they feel the same way as I do. You have to go to the planner first, then before planning board, and then it comes to us and they don't want to do something and then we have a meeting with them and see if we can change their opinions or change ours. We have one scheduled next Monday. Council Member Plyler repeated she represents all of the people, I don't have an agenda, my husband and family don't tell me what to do, and I am my own person.

Council Member Rosoff said the village has overwhelmingly supported one house per acre; is that what you don't like? Council Member Plyler said that is not why we are here. Council Member Rosoff said we have laws because we live together as a group. When we become a community it is based on more than that, the laws are there for when we disagree but the things that we come together for, we are supposed to care about our neighbors and I believe that de-annexation is not thinking about your neighbor, it's destroying the village. So how can you say you support the Village?

The motion passed 3-1, with Plyler voting nay.

Mayor Pro Tem Como said the motion passed and even though Becky is not willing to step down, it makes it easier for me to hold up my head and let the residents know we have at least asked for the resignation.

5. ADJOURNMENT

Mayor Pro Tem Como motioned to adjourn; Council Member Kenary seconded the motion.

The motion passed unanimously.

The meeting ended at approximately 7:44 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath