

VILLAGE OF WESLEY CHAPEL  
PUBLIC HEARING COUNCIL MEETING MINUTES  
WESLEY CHAPEL TOWN HALL  
6490 Weddington Road, Wesley Chapel, NC 28104  
February 13, 2017 – 6:30 PM

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

**Council Present:** Mayor Kapfhammer, Mayor Pro Tem Kenary, Council Member Como

**Council Absent:** Council Members Kaperonis and Rodriguez

**Others Present:** Attorney George Sistrunk (arrived late), Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Administrator Bill Duston

**Standing Items**

1. Call to Order, Pledge of Allegiance, Invocation

Mayor Kapfhammer led the Pledge of Allegiance and the invocation was given.

2. Public Hearing on Zoning Ordinance amendment for donation bins

The public hearing was opened. Bill Duston noted upon attorney review he suggested the use appear in the Table of Uses as blank, as well as adding the definition. There was a lot of discussion of the topic at Planning Board, but they recommended the use not be allowed. The public hearing was closed.

3. Public Hearing on Panhandling, Solicitation, Street Vending and Canvassing Ordinance

The public hearing was opened. Bill Duston noted John Ganus crafted the ordinance. Public comments were heard.

Diana Bowler recommended discarding this and just do an ordinance on panhandling. She felt the rest is a matter for homeowners and subdivisions, and asked how it would be administered.

John Souza, Planning Board Chair, reported Planning Board recommended approval, and suggested the County should pass an ordinance too.

John Ganus, our code enforcement officer was asked if we have problems this would address; Mr. Ganus said he did not know, he was just asked to draft this.

Mayor Pro Tem Kenary stated we adopted a non-solicitation ordinance that applied to businesses, and she had complaints in her neighborhood. This is also called a no hawking ordinance. The ordinance includes specific relief for non-profits. Enforcement would be by the police.

The public hearing was closed.

4. Public Hearing on Golf Cart Ordinance

The public hearing was opened, and public comments heard.

John Souza stated it was discussed at Planning Board, and they recommended in favor 2-1. They felt golf cart use was happening and offers a citizen freedom. The one opposed had safety concerns. They also suggested the county do an ordinance.

Brad Horvath suggested keeping in mind enforceability and how that will be done.

Diana Bowler said the golf carts are typically used for parade formation.

Mike Zielin said he was not sure this ordinance was necessary or enforceable, and he felt it was overreaching.

Christopher Russo was opposed to the ordinance, and said he moved here from NY to avoid overreaching laws. He said he has a golf cart, and this ordinance requires extra lights. He questioned if we would have to hire more deputies to enforce this.

Mayor Pro Tem Kenary noted if you are currently driving a golf cart on a public road, it is against the law and the golf cart could be seized. The ordinance is to allow golf carts on the road.

Council Member Como said if there is not a problem, why create one.

The public hearing was closed.

5. Public Hearing on Open Burning Ordinance

The public hearing was opened. Public comments were heard.

John Souza, Planning Board Chair, said the three members present at Planning Board felt this was not good for Wesley Chapel, it is taking away freedoms. Personally, he said he does burning in a safe manner.

Pam King said the ordinance is vague and leaves a gap regarding using the grills at the park since it requires a permit and Council approval. She suggested looking at Section 30 of Char-Mecklenburg park procedures.

Council Member Como stated he called the Wesley Chapel Fire Chief, Humane Society, and Sheriff's office, and all said there was no current problem, and he felt we did not need the ordinance.

Diana Bowler stated this is already enforced by the County Fire Marshal and this infringes on the public's right to determine how to dispose of trash. There are undue requirements and control regarding the park grills, and this would require a two week notice to Council, who only meets monthly. It does not say where to obtain a permit. The County refers to the State for burn permits and they don't have grill permits.

Christopher Russo said he was not against burning trash, but was against burning leaves.

The public hearing was closed.

6. Public Hearing on Animal Control Ordinance

The public hearing was opened. Public comments were heard.

John Souza, Planning Board Chair said the three member quorum of Planning Board recommended approval; and he recalled a tragedy in Waxhaw. He felt this would be a protection.

Diana Bowler said this ordinance is highly restrictive, a two acre lot owner might want 4-5 dogs to protect their property. The term “offensive” in the ordinance is highly objective. Items regarding outdoor cats don’t seem enforceable.

Council Member Como said the Humane Society did not think this a problem, they felt a problem was chaining animals and they recommend micro-chipping animals.

The public hearing was closed.

7. Adjournment

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

The motion passed unanimously.

The meeting ended at approximately 7:05 pm.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Dr. David Kapfhammer