

VILLAGE OF WESLEY CHAPEL
COUNCIL WORK SESSION MEETING
MINUTES

May 21, 2007 – 7:00 P. M.

The Council of the Village of Wesley Chapel, North Carolina, met in the Fellowship Hall of the Wesley Chapel United Methodist Church at 120 Potter Road South, Wesley Chapel, North Carolina, with Mayor Tracey Clinton presiding.

Present: Mayor Clinton, Mayor Pro-tem Croffut, Council Members Horvath, Mullis, Pierce

Others Present:

Interim Village Clerk/Finance Officer: Cheryl Bennett

Planning/Zoning Administrator: Justin Krieg

Planning Board members: Ray Davis, Chuck Adams, and Shirley Wilson

Village Attorney: George Sistrunk

Concerned citizens

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

1. PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Clinton led the Pledge of Allegiance and Croffut gave the invocation.

2. ADDITIONS, DELETIONS, AND / OR ADOPTION OF AGENDA

Item 8 was changed to 8A, and Item 8B – “Discuss Liquor by the Drink” was added.

Pierce made a motion to approve the agenda with the above changes; Horvath seconded the motion.

The motion was approved unanimously.

3. DISCUSSION WITH PLANNING BOARD - Discuss Essential Services ordinances (substations)

Current setbacks require a couple of acres for a substation, and they must go through the CUP process. Krieg found a minimum size of 2,000 square feet for a substation itself, and current setbacks are 75 feet sides and back, and 200 feet in front. The question as to whether gas and electric substations should be lumped together. Regarding landscaping requirements, the Mayor suggested noise levels at the edges of the property should be the same as the background levels. The gas company is proposing zoning changes to Union County. There are four classes of essential services; these fall under class 2. The Planning Board will work on clarifying uses, setbacks (in relation to height), berms (close to structures, right of ways), noise and buffering.

Adams noted some people didn't receive surveys, and the deadline was too early. Citizens should still mail them in, the deadline has been extended. Adams also noted the State Employees Credit Union wanted to get two acres from JDH, but couldn't; they spent \$1 million for two acres in Waxhaw; we might want to sell our land, and get funds for building a town hall.

4. CONSIDER NEW CONTRACT WITH ENGINEER

The new contract was reviewed, most hourly rates increased by \$5. The Mayor added a note to make it effective July 1, 2007, (it had said for calendar year 2007). The billing rate for the project manager is \$125 per hour. Croffut made a motion to approve the contract with US Infrastructure of Carolina, Inc.; Pierce seconded the motion.

The motion was approved unanimously.

5. DISCUSS AND CONSIDER APPROVAL OF CHANGES TO ZONING ORDINANCE FOR CHANGES TO TABLE OF USES

Attorney Sistrunk researched, and said eliminating the automobile/race track as a use should not be a problem. The following changes were made to the Table of Uses:

1. Automobile/Motorcycle Race Track – Conditional Use will be removed from R-80 and B-1, this change eliminates the use from existing in any WC zoning district
2. Bus Charter Service – Conditional Use will be removed from R-80 and added to B-1 and B-2.
3. Carnivals, Circus, Festivals, Fairs – Conditional Use removed from R-80.
4. Greenhouses as Accessory Res. Use – Permitted by right added to R-20.
5. Horses as accessory use – Permitted by right with supplemental regulations added to RA-20 and R-20.
6. Horse stable – Conditional Use added to RA-20 and R-20.
7. Riding Academy – Conditional Use added to RA-20 and R-20.

Horvath made a motion to approve the above changes to the Table of Uses; Mullis seconded the motion.

The motion was approved unanimously.

6. DISCUSS AND CONSIDER APPROVAL OF TEXT AMENDMENTS TO ZONING ORDINANCE FOR ADDITION OF MENU BOARD LANGUAGE

Attorney Sistrunk noted we can't require the fast food businesses to participate in trash cleanup; we can require them to keep their property clean.

Council added that the maximum number of signs per restaurant are two; and that Menu board signs shall be located on the side of the building opposite the main thoroughfare and ultimately left to the discretion of the Zoning Administrator.

Mullis made a motion to approve the text amendments to the Zoning Ordinance for addition of menu board language with the above two changes. Pierce seconded the motion.

The motion was approved unanimously.

The language is as follows:

Zoning Ordinance

Section 2.2

Menu board for drive-through restaurant sign – a sign associated with drive-through windows, which must be internally illuminated, oriented toward drive-through traffic and indicates information that is essential for the efficient intake of orders from customers.

Section 8.11

Menu board for drive-through restaurant

1. The exterior maximum height is 60 inches (curb side height) or 72 inches (from drive surface). The maximum width is 80 inches. The internal portion for the menu is a maximum of 48 inches high by 72 inches wide, and can only be used for the sign panel.
2. The maximum number of signs is two per restaurant.
3. If a second sign is utilized, the exterior maximum height is 60 inches (curb side height) or 72 inches (from drive surface). The maximum width is 80 inches. The internal portion for the menu is a maximum of 48 inches high by 72 inches wide, and can only be used for the sign panel.
4. ~~All menu board signs shall be located at the side or rear of the principal building.~~ Menu board signs shall be located on the side of the building opposite the main thoroughfare and ultimately left to the discretion of the Zoning Administrator.
5. If two signs are erected, they must be at least 12 feet apart.
6. No additional signage may be placed on the menu board for drive-through restaurant sign.
7. Any sign must be located at least 15 feet from any property line.
8. The predominant color and material of the exterior of such signs should be the predominant color and material of the principal building.
9. If a speaker post is used, it must be of the same material used for the exterior of the sign.

6. DISCUSS PLANNING BOARD APPLICATIONS AND SET DATE FOR INTERVIEWS

We have two regular positions and one alternate opening. We have three applications so far; Sondra Bradford and John Troxell may be interested in applying. We will have the applicants come interview on June 19, 2007.

8A. DISCUSS INSURANCE COST QUOTES

We got price quotes from the League Insurance on increasing General Liability to \$2 million at a cost of \$500 (a \$250 increase); and Public Officials Liability would be \$5,300 for \$2 million (a \$1301 increase). Three million would be \$750 for General Liability, and \$6364 for Public Officials Liability. Pierce made a motion to increase both insurances to \$2 million; Croffut seconded the motion.

The motion was approved unanimously.

8B. DISCUSS LIQUOR BY THE DRINK

Horvath called David Owens at the School of Government, and noted we can have different classifications such as restaurants, and clubs. Current setbacks are 1,000 feet from a Church and 500 feet from a residence. Other towns have 1,000 feet for both, or 1,500 feet and 1,000 feet. We can more narrowly define a restaurant as far as revenues

from food or drink. We will have a public meeting on June 4, 2007 to discuss liquor by the drink. Croffut will have an ALE officer attend. Pierce made a motion to have a meeting on June 4, 2007, and get public input. Mullis seconded the motion.

The motion was approved unanimously.

9. CLOSED SESSION: MOTION TO CALL FOR CLOSED SESSION PER NC GS 143-318.11(a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment... of an employee or prospective employee

Pierce made a motion to have a closed session per NC GS 143-318.11(a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment... of an employee or prospective employee; Mullis seconded the motion.

The motion was approved unanimously.

Applications from five applicants for the tax collector were distributed to Council. Council directed the Clerk to have the applicants come in and do a practical exercise, and to proceed with interviews on June 19, 2007.

Pierce made a motion to leave closed session. Mullis seconded the motion.

The motion was approved unanimously.

10. ADJOURNMENT

Mullis made a motion to adjourn; Horvath seconded the motion.

The motion was approved unanimously.

Respectfully submitted,

Cheryl Bennett, Interim Clerk

Mayor Tracey Clinton