

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING  
MINUTES  
December 10, 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; Incoming Council Member Sondra Bradford

Others Present:

Village Clerk/Finance Officer: Cheryl Bennett

Planning/Zoning Administrator: Justin Krieg

Tax Collector: Nancy Schneeberger

Concerned citizens: Emily Clinton, Mark DiBiasio, Tom Clinton, Becky Plyler, Butch Plyler, Robert Nichols, Bryan Raughley, Carol Mullis, Ray Davis, Gayla and Chuck Adams, Shirley Wilson, Richard Davis, Elizabeth Cooke, Matt Coogan, Rick Becker, Janet Critz, Dr. Land

Absent: Village Attorney, George Sistrunk

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. PRESENT PLAQUE TO OUTGOING COUNCIL MEMBER MULLIS

Mayor Clinton presented a plaque to Jim Mullis thanking him for his years of service to the Village of Wesley Chapel, and personally thanked him for his contributions to the Village and for sharing his knowledge of Wesley Chapel.

3. OATH OF OFFICE FOR MAYOR AND NEW COUNCIL MEMBERS

Clerk Bennett administered the oath of office to Mayor Tracey Clinton. Mayor Clinton administered the oath of office to Council Member Brad Horvath and Council Member Sondra Bradford.

4. ELECT A MAYOR PRO TEMPORE

Pierce nominated Rick Croffut as Mayor Pro Tempore; Horvath seconded the motion.

The motion was approved unanimously.

5. INFORMAL PUBLIC COMMENTS

Richard Davis and Elizabeth Cooke from the Monroe Union Fraternal Order of Police lodge #19 described a law enforcement memorial they are planning for the Judicial Center in Monroe. It will be a 2.5 foot tall candle of grey granite that will have a blue fiber optic flame (5 inches tall, solar powered) that will shine 24 hours a day, 365 days a year. They hope to have it dedicated by May 16, 2008 for National Police Week. The cost is \$30,000; and Monroe has contributed \$2,500. They are asking for donations from each municipality and the County. They also asked we continue the Blue light project by putting a blue light in the window to show support for our law enforcement personnel.

Matt Coogan, who lives in Blackstone, noted it is difficult to turn right into Blackstone; people go around you, and a de-celeration lane is needed.

Rick Becker, Mayor of Mineral Springs, expressed congratulations to the new and old Council members. Janet Critz, Mineral Springs Council member also expressed her congratulations on the election, and hoped to work alongside Wesley Chapel to preserve the rural heritage, and applauded Wesley Chapel's efforts.

Dr. Land updated us on the shooting range; \$8,000 of dirt and timber has updated the backstop of the range. He noted it is fine to have an NRA inspector; but it doesn't matter, he still has the right to shoot.

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

Item 22 – "Motion to call for Closed Session per NC GS 143-318.11(a) (3) Attorney Client Privilege re: Wesley Chapel v. Union County, and Plyler, etc. v. Wesley Chapel lawsuits" was deleted from the agenda. Croffut made a motion to approve the agenda with this deletion; Bradford seconded the motion.

The motion was approved unanimously.

7. APPROVE MINUTES FOR:

Council Meeting November 12, 2007

Pierce made a motion to approve the minutes for the November 12, 2007 Council meeting. Horvath seconded the motion.

The motion was approved unanimously.

8. STAFF REPORTS

- a. Review and approve the Village Financial Reports dated November 30, 2007, submitted by Cheryl Bennett, Finance Officer (Attachment A).

The budget report shows year to date revenues are \$172,862 (43% of budget), and year to date expenditures are \$80,315 (20% of budget), for a year to date surplus of \$92,547.

- b. Tax Report Update dated November 30, 2007 prepared by Nancy Schneeberger (Attachment B)

The tax report shows 2007 tax receivable is \$29,877.69, and 1998-2006 taxes receivable are \$805.31.

- c. Request tax refunds for: First American: parcel 06-003-003A01 \$36.32, 06-003-003A02 \$47.59, 06-003-0010 \$9.32, 06-051-034 \$46.54, 09-402-125 \$18.39, 07-096-026A \$10.18, 09-402-110 \$16.04; total amount of refunds is \$184.38.

Since the agenda was prepared we had additional refunds due to County tax releases of:

Parcel 50098028, \$2.87 2007 Redwine; 50097734, \$5.13 Lindsey 2007; 50091745, \$4.62 Warrington 2007; 50070295 \$2.08 Birmingham 2006; and 50070295 \$1.89 Birmingham 2005; and an overpayment on Dec. 10 of \$30.17 from Canup parcel 06042020. Total refunds requested are \$231.14. Croffut made a motion to approve the \$231.14 in refunds as detailed above. Pierce seconded the motion.

The motion was approved unanimously.

- d. Monthly planning report, submitted by Justin Krieg, Planning and Zoning Administrator.

Krieg reported the final reports by the students working on the Master Plan will be presented on Thursday, Dec. 13 at UNCC. BB&T will be opening shortly at Village Commons. Krieg looked at the proposed land gift in Pilgrim Forest, and it appears to be suitable for future greenway connections or development; Council may want to look into maintenance or liability costs. The land has a sewer easement through it. The Town of Weddington Transportation Plan proposal will submit to MUMPO for funding in January. Krieg attended a quasi-judicial training session by COG on November 29. Questions were asked regarding a quiet time from the nuisance ordinance - trucks have been out at 5 to 6 am at the JDH shopping center, also curb cuts are right out to Waxhaw-Indian Trail Road; Krieg will check on both items.

9. SAFETY COMMITTEE UPDATE BY BRIAN RAUGHLEY,  
CHAIRMAN (Safety Committee Report is Attachment C).

Brian Raughley reported on the safety committee's work. During the second half of 2007 they looked at identifying options for upgrading law enforcement when the time comes; evaluating the feasibility of implementing a Neighborhood Watch Program, and preparing an addendum for the County Emergency Operations Plan with information recommended by the Homeland Security Director. Data shows crimes are decreasing or remaining consistent. There was a recent rash of car break-ins in Stonegate. The committee recommends we continue the current model of law enforcement delivery, and pursue organized Neighborhood Watch programs, and encourage the sheriff Department to establish a substation in Wesley Chapel. Bradford inquired as to what is the breakpoint where other communities decide to contract a deputy. The Safety Committee hopes to have a community forum for Neighborhood Watch groups to share information. They could have a portal to get crime data on-line, and neighborhood captains could report data.

Dr. Land commented it is expensive to contract deputies; and do they result in a drop in crime. Indian Trail has 6 deputies, and feel it has helped. Becky Plyler noted parents should make sure their kids are home at night.

10. CONSIDER APPROVAL OF RESOLUTION 2007-24  
ESTABLISHING CHAIN OF COMMAND FOR EMERGENCY  
MANAGEMENT

Mayor Clinton and Bennett met with Pat Beekman, Union County Director of Homeland Security, and he asked us to designate a chain of command in case of an emergency, which is what this Resolution does. Croffut made a motion to approve Resolution 2007-24, incorporated herein, Establishing Chain of Command for Emergency Management; Pierce seconded the motion.

The motion was approved unanimously.

RESOLUTION 2007-24  
VILLAGE OF WESLEY CHAPEL

RESOLUTION ESTABLISHING CHAIN OF COMMAND FOR EMERGENCY  
MANAGEMENT

**WHEREAS**, the Village of Wesley Chapel Council is aware of the possible occurrence of an emergency or major disaster; and

Minutes 12.10.07

Approved 01.14.08

**WHEREAS**, there could be a need for a “State of Emergency” to be declared in the event of a disaster; and

**WHEREAS**, the Village of Wesley Chapel Council desires to respond effectively to the actual occurrence of a disaster; and

**WHEREAS**, the Village of Wesley Chapel Council is aware of their responsibilities to plan ahead for emergency management as much as possible; and

**NOW, THEREFORE, BE IT RESOLVED** that the Village of Wesley Chapel establishes the following clear line of succession on who can declare a state of emergency and carry out appropriate provisions of state general statutes, as well as local ordinances in the case of, and relating to, emergencies;

1. Mayor
2. Mayor Pro Tem
3. Council members in order alphabetically by last name.

*Adopted this 10th<sup>st</sup> day of December, 2007.*

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Cheryl Bennett, Clerk

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Mayor Tracey Clinton

11. SET DATE FOR GUN RANGE INFORMATIONAL MEETING;  
CONSIDER APPROVAL OF FUNDS FOR INDEPENDENT SAFETY  
REVIEW OF GUN RANGE

Mayor Clinton reported they had an informal meeting at the shooting range, and they agreed not to shoot during routine school hours. She had thought the sheriff would bring an NRA safety person, but they didn't. It is all right for Krieg to take pictures at the range, just notify Dr. Land. Bradford asked if they were going to re-orient the range; Dr. Land said that was facetious; it is oriented 150 degrees away from the school, and parallel to Stonegate. Dr. Land had 23 loads of 16 tons of dirt brought in. It was suggested we have a local NRA person come in and inspect the range for safety. Pierce made a motion to spend up to \$700 out of the Professional fees –security line item. Bradford seconded the motion.

The motion was approved unanimously.

We will try to set a date at the work session.

12. CALL FOR A PUBLIC HEARING ON CUP 07-03 NEW TOWN  
ELEMENTARY TRAILERS

Pierce made a motion to call for a public hearing on CUP 2007-03 New Town Elementary Trailers on January 14, 2007 at 7 pm at Wesley Chapel

United Methodist Church, 120 Potter Road. Horvath seconded the motion.

The motion was approved unanimously.

13. CALL FOR A PUBLIC HEARING ON TEXTAMENDMENTS TO ZONING ORDINANCE FOR: LIQUOR BY THE DRINK, ELECTRIC AND GAS SUBSTATIONS; AND UNION COUNTY PUBLIC SCHOOLS STANDARDIZED DEVELOPMENT CRITERIA

Croffut made a motion to call for a public hearing on text amendments to the Zoning Ordinance for: Liquor by the drink, Electric and Gas Substations; and Union County Public Schools Standardized Development Criteria on January 14, 2007 at 7 pm at Wesley Chapel United Methodist Church, 120 Potter Road. Pierce seconded the motion.

The motion was approved unanimously.

14. UPDATE ON MIXED DRINK REFERENDUM

Horvath reported there is not a lot we can do on this subject. The ABC commission says there is no provision in the statutes to distribute revenues unless you have an ABC Board. There is an application from Harris Teeter to sell fortified wine; Marvin says not much of their alcoholic beverage revenue comes from fortified wine.

15. DISCUSS AND APPOINT LIASIONS TO MUMPO, CATAWBA LAND CONSERVANCY, COG, SCHOOL BOARD, ETC.

Rick Croffut is the liaison to the School Board; Sonya Pierce is the liaison to Union County Planning and Zoning. Mayor Clinton is the liaison to the Catawba Land Conservancy and Union County Advisory Board. Pierce made a motion to appoint Horvath as the MUMPO representative, and Bradford as the Centralina COG representative. Croffut seconded the motion.

The motion was approved unanimously.

16. ACCEPT SONDRA BRADFORD'S RESIGNATION FROM PLANNING BOARD

Croffut made a motion to accept Sondra Bradford's resignation from the Planning Board, effective today. Pierce seconded the motion.

The motion was approved unanimously.

17. DISCUSS TRAINING – ESSENTIALS OF MUNICIPAL GOVERNMENT JANUARY 8-10 IN CHARLOTTE; CLERK SCHOOL JANUARY 24-25 IN DURHAM

Bradford will attend the Essentials of Municipal Government class in Charlotte, January 8-10; Horvath is interested in attending also. Croffut and Pierce will check their schedules. The Clerk will attend Clerk school in Durham, January 24-25.

Minutes 12.10.07  
Approved 01.14.08

18. ADOPT 2008 MEETING SCHEDULE  
**Village of Wesley Chapel 2008 Regular Meeting Schedule**

All meetings are held at the Fellowship Hall of the Wesley Chapel United Methodist Church, 120 Potter Road South, Wesley Chapel, NC.

**Village Council (2<sup>nd</sup> Monday, 7 pm; Work Session third Tuesday 7 pm):**

January 14 and 22  
February 11 and 19  
March 10 and 18  
April 14 and 22  
May 12 and 20  
June 9 and 17  
July 14 and 22  
August 11 and 19  
September 8 and 16  
October 13 and 21  
November 10 and 18  
December 8 and 16

**Planning Board (4<sup>th</sup> Monday, 7 pm)**

January 28  
February 25  
March 24  
April 28  
May 26  
June 23  
July 28  
August 25  
September 22  
October 27  
November 24  
December 22

**Board of Adjustments (3<sup>rd</sup> Monday of last month of quarter, 7 pm)**

March 17  
June 16  
September 15  
December 15

Horvath made a motion to approve the 2008 meeting schedule; Pierce seconded the motion.

The motion was approved unanimously.

19. ANNOUNCEMENTS

a. DECEMBER 13 MASTER PLAN FINAL MEETING –  
STUDENT PRESENTATIONS AT 6:30 PM AT STORRS BUILDING  
AT UNCC

The class starts at 6:30, the presentations at 7:00 pm. Horvath, Croffut and Pierce may attend, so this will be posted. The Planning Board is encouraged to attend.

b. POSITION VACANCIES: PLANNING BOARD 1  
ALTERNATE; BOARD OF ADJUSTMENTS 2 ALTERNATES;  
SAFETY COMMITTEE 1 REGULAR AND 1 ALTERNATE

There is one change to the above openings; the Mayor is moving Dan Pressley from an alternate to a regular member, so the Safety Committee now needs two alternates. We need a letter of resignation from Dan Pressley from his alternate spot.

20. OTHER BUSINESS

The League gave a clock to Wesley Chapel in appreciation of our participation in their insurance program.

The newsletter will next come out in Spring 2008. The Hampton Meadows roads situation will be on the work session agenda. Chuck Adams requested the Advance not be on the basketball weekend.

21. COUNCIL COMMENTS

Pierce welcomed Bradford to Council.

22. Deleted from Agenda.

23. ADJOURNMENT

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

The motion was approved unanimously.

The meeting was adjourned at 8:35 pm.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Tracey Clinton