

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
December 13, 2010 – 7:00 P. M.

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

Present: Mayor Horvath, Mayor Pro-tem Bradford; Council Members Brotton, Hess and Ormiston

Others Present:

Village Clerk/Finance Officer: Cheryl Bennett

Planning/Zoning Administrator: Joshua Langen

Village Attorney: George Sistrunk

Concerned citizens: Carol Mullis, Ray Davis, John Lepke, Julie Brown, Dean Sandbo

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

1. PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Horvath led the Pledge of Allegiance and Mayor Pro-tem Bradford gave the invocation.

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

Items added: “NEWSLETTER SPONSORS”, “POSSIBLE VOTE ON PARK“, and “CLOSED SESSION PER NC GS 143.318.11(A) (5) TO ESTABLISH OR INSTRUCT THE STAFF OR AGENT CONCERNING THE POSITION TO BE TAKEN IN NEGOTIATING THE PRICE AND OTHER MATERIAL TERMS OF A PROPOSED CONTRACT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 121 LESTER DAVIS ROAD, WESLEY CHAPEL, NC”.

Brotton made a motion to adopt the agenda with those additions; Ormiston seconded the motion.

The motion passed unanimously.

3. INFORMAL PUBLIC COMMENTS

Dean Sandbo, owner of the Chick-FilA asked Council to consider the implications of the property at the shopping center to have a venue to draw people in. He suggested an amphitheater or park similar to that at Blakeney or Stonecrest; he noted the festival had been a good event. He asked about possibilities like Carolina Courts or a movie theater or WCWAA playing fields. Mayor Horvath noted we would be looking at the downtown plan starting in January, and that at Blakeney the venue is provided by the shopping center owners. The Town Hall will be built on the six acres but will only take up about two acres, and the rest of the land will be available for other uses. Mayor Horvath offered to talk with Mr.

Sandbo and the Aston owners. Hess said we need to be more proactive with the four corners.

- 4. APPROVE MINUTES FOR:
 - Council Meeting November 8, 2010
 - Council Meeting November 29, 2010

Corrections were made to the last page of the November 29, 2010 minutes; to show the Safety Committee would do a presentation on crime statistics, and that Hess is opposed to spending taxpayer money on name badges. Brotton made a motion to approve the Council Meeting minutes from November 8, 2010 and November 29, 2010 with the above corrections. Ormiston seconded the motion.

The motion passed unanimously.

5. STAFF REPORTS

- a. Review and approve the Village Financial Reports dated November 30, 2010, submitted by Cheryl Bennett, Finance Officer

Bennett reported November revenues are \$34,570, and expenditures are \$18,300. Our cash balance is \$2,200,344. Hess asked what the \$47.18 check to Business Card was for; Bennett said it was the credit card bill and she would check on it. Brotton made a motion to approve the November financial reports; Bradford seconded the motion.

The motion passed unanimously.

November 2010 Budget Report

	<u>Nov 10</u>	<u>Jul - Nov 10</u>	<u>Budget</u>	<u>% of Budget</u>
Revenues				
Appropriated Fund Balance				
Fund Bal. Res. for Parks & Rec.	0.00	0.00	20,000.00	0.0%
Fund Bal.- Des. for Town Hall	<u>0.00</u>	<u>0.00</u>	<u>20,000.00</u>	<u>0.0%</u>
Total Appropriated Fund Balance	0.00	0.00	40,000.00	0.0%
Fees and Licenses				
Payment for Streets	0.00	50,000.00	50,000.00	100.0%
National Night Out-raffle,cont	0.00	369.00	0.00	100.0%
Contribution for parks and rec	0.00	0.00	0.00	0.0%
Fall Festival donations	0.00	7,635.00	6,000.00	127.25%
Cable Franchise (from Time Warn	2,905.00	5,914.00	13,200.00	44.8%
Engineering Fees Reimbursement	0.00	645.00	10,000.00	6.45%
Zoning Permit	846.50	2,506.50	7,000.00	35.81%
Privilege Licenses	333.00	22,974.05	24,000.00	95.73%

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Annexation Exp Reimbursed	0.00	0.00	180.00	0.0%
Misc. Fees	<u>38.00</u>	<u>39.80</u>	<u>140.00</u>	<u>28.43%</u>
Total Fees and Licenses	4,122.50	90,083.35	110,520.00	81.51%
Interest Earned	908.32	8,271.83	14,000.00	59.09%
Property Tax Income				
Current Year Property Tax	25,489.87	32,765.16	135,274.00	24.22%
Delinquent Taxes	494.46	1,551.77	1,200.00	129.31%
Interest/Ad Fee on Taxes	159.61	233.15	294.00	79.3%
Utility Ad Valorem	0.00	0.00	1,000.00	0.0%
Vehicle Registration	<u>640.16</u>	<u>2,687.91</u>	<u>7,962.00</u>	<u>33.76%</u>
Total Property Tax Income	26,784.10	37,237.99	145,730.00	25.55%
Revenue Sharing				
Alcoholic Beverage Tax	0.00	0.00	25,000.00	0.0%
Cable (from State)	0.00	793.21	80,000.00	0.99%
Excise Tax (Piped Natural Gas)	0.00	-494.00	16,000.00	-3.09%
Franchise Tax (Electric Power)	0.00	2,981.00	140,000.00	2.13%
Sales & Use Taxes	2,755.44	5,961.10	32,000.00	18.63%
Telecommunications Tax	<u>0.00</u>	<u>-49.00</u>	<u>13,000.00</u>	<u>-0.38%</u>
Total Revenue Sharing	2,755.44	9,192.31	306,000.00	3.0%
Total Revenues	34,570.36	144,785.48	616,250.00	23.5%
Expense				
Park Project				
Professional Fees	<u>0.00</u>	<u>0.00</u>	<u>20,000.00</u>	<u>0.0%</u>
Total Park Project	0.00	0.00	20,000.00	0.0%
Town Hall Building Project				
Professional Services	<u>2,492.60</u>	<u>2,492.60</u>	<u>20,000.00</u>	<u>12.46%</u>
Total Town Hall Building Project	2,492.60	2,492.60	20,000.00	12.46%
Operating Expenditures				
Bank Charges	22.36	151.25	600.00	25.21%
Contingency	0.00	0.00	24,000.00	0.0%
Advertising - Clerk	0.00	24.88	1,000.00	2.49%
Annexation Expense	0.00	0.00	800.00	0.0%
Annual Retreat	0.00	0.00	2,000.00	0.0%
Books & Literature	0.00	29.00	400.00	7.25%
Dues and Subscriptions	0.00	6,975.00	12,000.00	58.13%
Election Expense	0.00	1,268.75	9,200.00	13.79%

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Electronic Commun (Tele/RR)	222.21	1,571.83	4,000.00	39.3%
Insurance - Liability	0.00	9,323.50	9,421.00	98.97%
Insurance - Workmen's Comp	0.00	500.00	600.00	83.33%
Land Maintenance	0.00	0.00	3,000.00	0.0%
Town office Maint.	75.00	422.45	985.00	42.89%
Misc town office	0.00	48.95	1,700.00	2.88%
Newsletter	0.00	0.00	1,200.00	0.0%
Office Expense	9.62	500.71	4,000.00	12.52%
Postage and Delivery	0.00	1,232.00	1,300.00	94.77%
Rent	1,400.00	6,900.00	20,000.00	34.5%
Seminars	0.00	345.00	1,500.00	23.0%
Tax Collection Fee	90.22	246.77	2,620.00	9.42%
Travel & Entertainment	134.49	1,255.32	2,500.00	50.21%
Utilities- Temp. Town Hall	115.09	849.48	3,000.00	28.32%
Welcome Committee	0.00	0.00	1,000.00	0.0%
Total Operating Expenditures	<u>2,068.99</u>	<u>31,644.89</u>	<u>106,826.00</u>	<u>29.62%</u>
Gen. Govt. Salaries				
Admin. Assistant	450.00	2,047.50	4,680.00	43.75%
Allowance for Salary Adjustment	0.00	0.00	5,984.00	0.0%
Mayor	0.00	1,200.00	4,800.00	25.0%
Mayor Protem	0.00	750.00	3,000.00	25.0%
Council Salary	0.00	1,800.00	7,200.00	25.0%
Clerk Salary	3,325.00	17,006.25	46,800.00	36.34%
Finance Officer Salary	807.70	4,038.50	10,500.00	38.46%
Payroll Taxes	650.70	3,686.46	10,938.00	33.7%
Payroll exp - Unemployment	0.00	0.00	1,000.00	0.0%
Fringe Benefits - Insurance	1,292.24	4,519.20	15,648.00	28.88%
Fringe Benefits - Retirement	516.38	2,848.92	6,942.00	41.04%
Total Gen. Govt. Salaries	<u>7,042.02</u>	<u>37,896.83</u>	<u>117,492.00</u>	<u>32.26%</u>
Planning & Zoning				
P/Z Seminars	0.00	199.00	900.00	22.11%
P/Z Travel	113.00	733.05	900.00	81.45%
P/Z Dues,Subscriptions	0.00	350.00	800.00	43.75%
Administration (COG)	0.00	0.00	2,000.00	0.0%
P/Z Admin. Salary	3,923.08	20,581.82	51,000.00	40.36%
Planning & Zoning Board Salary	0.00	756.00	4,032.00	18.75%
Advertising	0.00	94.52	2,000.00	4.73%
P/Z Office Expense	0.00	129.55	1,200.00	10.8%
Planning/Zoning Expense	0.00	0.00	1,000.00	0.0%
Total Planning & Zoning	<u>4,036.08</u>	<u>22,843.94</u>	<u>63,832.00</u>	<u>35.79%</u>

Professional Fees				
Department of Transportation	0.00	50,000.00	50,000.00	100.0%
Codification	0.00	0.00	30,000.00	0.0%
Audit Fees	0.00	0.00	3,500.00	0.0%
Engr. Consulting	210.00	1,080.00	12,000.00	9.0%
Legal Fees	1,688.03	6,368.03	48,000.00	13.27%
Security	0.00	0.00	1,000.00	0.0%
Total Professional Fees	1,898.03	57,448.03	144,500.00	39.76%
Parks & Recreation				
Materials & Supplies	0.00	0.00	3,500.00	0.0%
Maintenance/Grounds	0.00	0.00	3,575.00	0.0%
Events	262.00	6,805.35	9,000.00	75.62%
Insurance	0.00	0.00	2,000.00	0.0%
Office Expense	0.00	0.00	1,250.00	0.0%
Professional Fees	0.00	23,075.00	22,675.00	101.76%
Dues & Subscriptions	500.00	500.00	1,000.00	50.0%
Total Parks & Recreation	762.00	30,380.35	43,000.00	70.65%
Public Safety	0.00	369.76	37,600.00	0.98%
Capital Outlay				
Reserve for Capital Outlay	0.00	0.00	55,000.00	0.0%
Computer Equip.	0.00	0.00	5,000.00	0.0%
Furniture & Equipment	0.00	0.00	2,000.00	0.0%
Software	0.00	0.00	1,000.00	0.0%
Total Capital Outlay	0.00	0.00	63,000.00	0.0%
Total Expense	18,299.72	183,076.40	616,250.00	29.71%
Net Ordinary Income	16,270.64	-38,290.92	0.00	100.0%
Excess of Revenues over Exp.	16,270.64	-38,290.92	0.00	100.0%

November 2010 Balance Sheet

ASSETS

Checking/Savings

Target Gift Card for NNO	204.80
Fifth Third Bank Checking	34,102.64
Fifth Third Bank Money Market	1,102,814.72
Citizens South CD Bldg 12.3.10	242,743.49
BB&T CD 10.23.2011-.4%	318,192.58
BB&T CD 04.21.11. .568	502,235.40

Petty Cash Fund	50.00
Total Checking/Savings	<u>2,200,343.63</u>
Accounts Receivable	
Misc. Fees Receivable	<u>282.50</u>
Other Current Assets	
Prepaid Exp.	850.00
Property Tax Rec.	5,173.00
Allow. for Doubtful Accounts	-1,451.00
Sales Taxes to be Received	
Total Sales Taxes to be Received	<u>747.13</u>
Total Other Current Assets	<u>5,319.13</u>
Total Current Assets	2,205,945.26
Fixed Assets	
Land	55,757.91
Office Equipment	13,569.26
Accumulated Deprec.	<u>-13,569.26</u>
Total Fixed Assets	<u>55,757.91</u>
TOTAL ASSETS	<u><u>2,261,703.17</u></u>
LIABILITIES & FUND BALANCE	
Other Current Liabilities	
Escrow from Developers	45,076.00
Deferred Revenue	3,722.20
Payroll Liabilities	<u>0.67</u>
Total Other Current Liabilities	48,798.87
Fund Balance	
Fund Bal. inv. in Fixed Assets	55,757.91
Fund Balance	1,788,450.74
Reserved for Parks & Recreation	164,243.08
Unres., Designated for Town Hall	242,743.49
Excess of Rev. over Exp.	<u>-38,290.92</u>
Total Fund Balance	<u>2,212,904.30</u>
TOTAL LIABILITIES & FUND BALANCE	<u><u>2,261,703.17</u></u>

c. Presentation of Planning and Zoning Report by Joshua Langen, In October/November 24 permits were issued – ten were for signs. Langen reported he is working on the following text amendments: definition ambiguities,

retention of existing vegetation, traffic management standards, marginal access, and grass height.

6. PUBLIC HEARING ON CHANGES TO ZONING ORDINANCE FOR:
 - A. ADD ARTICLE 15 – PLANNING BOARD
 - B. CHANGES TO ARTICLE 5 TABLE OF USES FOR RECREATION FACILITIES
 - C. CHANGES TO ARTICLE 2 DEFINITIONS FOR: RECREATION / PARK RELATED DEFINITIONS; BUILDING HEIGHT; SIGNS; AND AGRICULTURAL PLANT PRODUCTS
 - D. CHANGES TO ARTICLE 9.1.9 OFF-STREET PARKING FOR RECREATION USES
 - E. RE-WRITE OF ARTICLE 8 SIGNS
 - F. CHANGES TO ARTICLE 4.7.3 TEMPORARY USES

Mayor Pro-tem Bradford made a motion to open the Public Hearing; Brotton seconded the motion.

The motion passed unanimously.

There being no public speakers, the Mayor closed the public comments portion of the Public Hearing.

The proposed text changes were discussed.

Hess requested “not already adopted by Council” be added to Article 15.2(4).

Proposed changes to Article 2 for recreation uses: Hess recommended the sentence about included uses in the definition for Passive Recreation be deleted, and a sentence added that “This does not include commercial activities or sporting events or require permanent structures to be built.” “Permanent structures” will be added to the definition of Recreation Facility, Indoor, and a sentence added on what the use does not include. The sentence on what structures may be included will be deleted. “Recreation Facility, Outdoor” will also have the sentence on allowable uses deleted, and a sentence added on what uses are not allowed. Langen will make the changes to these definitions and bring them back to Council.

Proposed Building Height definition: Building Height will be capitalized throughout; also Hess requested that in the first paragraph “above and beyond” be replaced with “greater than”.

Proposed Article 2 Signs: to be consistent with the other ordinance definitions, the sub-sections will be changed to lower case letters. Hess requested changes to the definition of Sign exclusions: to read “political subdivision thereof; a work of art that is not identified with a product, business or organization; scoreboards located on athletic fields; or religious symbols.” Hess will provide Langen with the IRS Code section that defines official religions.

Proposed Article 2 Definition of Agricultural Plant Products: Ormiston noted the NAICS codes will be changing in 2012, so a sentence will be added as to what date the codes are effective as of. Code 111920 Cotton Farming will be deleted.

Proposed Article 9.1.9 Off-Street Parking: Ormiston asked how the number of parking spaces would be calculated; what would be included in area used for amusement or assembly but not containing fixed seats. Langen noted it would be

computed differently by different people. A phrase, “or every nine square feet used for assembly without fixed seats” will be added. Ormiston asked about computing parking if an amphitheater were planned. Langen noted the alternative is to provide a professional traffic engineer study. Langen will re-work this section. Bradford asked how something like a twice a year event will be handled. Langen said a certain percent would have to be paved parking, and the rest would be unpaved parking. The difficulty of determining required parking for a park use was discussed.

Proposed Article 8 Signs: An addition was made for Section 8.3 L. “Internal Shopping Center Signs” and the square footage will be limited. Section 8.5 “Temporary Signs” – Banners, Pennants and Temporary signs will be limited to less than square feet, and the limit will be four times per *calendar* year. Langen noted the definition refers to what signs are visible to adjacent roadways, but for example Chick-FilA is not located on a roadway; should they be allowed more signs because they are not visible from the roadway? Langen said in-line properties, like TCBY are considered as part of the greater property. “Inflatable signs” will also be once per *calendar* year. Section 8.5 E. – “may” will be changed to “requires”. Bradford noted the size of banners for the festival was not adequate to be easily visible. Hess will send other suggested changes on this section to Langen. Ormiston asked if temporary uses of 45 days should be consistent with temporary signs which have a permit length of 30 days. Langen will work on re-writing this Section.

Proposed Section 4.7.3 “Temporary Structures and Uses” – “not prohibited by the Firearms Ordinance” will be added after turkey shoot. In the sign section, “for the duration of the use, as specified in an approved application” will be added. The use will be limited to three times per calendar year. Langen will make sure there is a definition in the ordinance for “turkey shoot”.

7. CONSIDER APPROVAL OF CHANGES TO ZONING ORDINANCE

Hess made a motion to approve the text amendments to Article 15, Article 2 – Agricultural Plant Products and Building Height, Article 4.7.3, and Article 5 Table of Uses, as amended above. Ormiston seconded the motion.

The motion passed unanimously.

The amendments are as follows:

ARTICLE 15

PLANNING BOARD

Section 15.1 Establishment

The Wesley Chapel Planning Board, having been created by the Wesley Chapel Village Council, shall be hereafter referred to as the “Planning Board”. The Planning Board shall be considered a “public body” and is subject to all rules and regulations for public bodies contained in North Carolina’s Open Meetings regulations.

The primary objective of the Planning Board is to develop and maintain a continuing, cooperative planning program to benefit the residents of the Village of Wesley Chapel.

Section 15.2 Planning Board Powers and Duties

The Planning Board may perform the following duties:

- (1) Make studies of the area within its jurisdiction and surrounding areas and provide supporting research and documentation;
- (2) Determine objectives to be sought in the development of the study area, in accordance with any applicable officially adopted plan;
- (3) Prepare and adopt plans for achieving these objectives and provide written recommendations for Village Council with supporting research and documentation;
- (4) Develop and recommend policies, ordinances, administrative procedures, and other means, not already adopted by Council, for carrying out plans in a coordinated and efficient manner, with supporting research and documentation.
- (5) Advise the council concerning the use and amendment of means for carrying out plans;
- (6) Exercise any functions in the administration and enforcement of various means for carrying out plans that the council may direct;
- (7) Provide recommendations regarding vested rights, in accordance with Section 10.8.3;
- (8) Provide recommendations regarding conditional uses, in accordance with Section 6.1.3.d;
- (9) Provide recommendations regarding zoning text and map amendments, in accordance with Sections 12.1.4, 12.1.5 and 12.1.6;
- (10) Review and comment on subdivision plats;
- (11) Perform any other related duties that the council may direct.

Section 15.3 Direct, Substantial, and Readily Identifiable Financial Impact

A city council member shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. Members of appointed boards providing advice to the city council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is

reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. Members shall also abide by the Village of Wesley Chapel Ethics Policy for Officials.

Section 15.4 Rules of Procedure

All meetings and hearings shall be open to the public and shall be conducted in accordance with the procedure set forth in these regulations and supplemental Planning Board rules of procedure adopted by the Village Council. Meetings shall have an item for public comment. Such rules of procedures may be amended by the Village Council at any time. The rules of procedure shall be kept on file at the offices of the Zoning Administrator and the Village Clerk, and shall be made available to the public at any meeting of the Planning Board.

Section 15.5 Staff

The Zoning Administrator shall serve as staff to the Planning Board and shall provide technical assistance to the Planning Board as requested.

Article 2 Definitions:

Agricultural Plant Products.

Goods or products produced from industries classified within the following “NAICS”, North American Industrial Classification System, codes, as set forth in the 2007 NAICS Manual published by the United States of America, Executive Office of the President, Office of Management and Budget. Goods produced in other NAICS codes shall not be considered Agricultural Plant Products for purposes of this ordinance.

111110 Soybean Farming

111120 Oilseed (except Soybean) Farming

111130 Dry Pea and Bean Farming

111140 Wheat Farming

111150 Corn Farming

111160 Rice Farming

111191 Oilseed and Grain Combination Farming

111199 All Other Grain Farming

111211 Potato Farming

111219 Other Vegetable (except Potato) and Melon Farming

111310 Orange Groves

111320 Citrus (except Orange) Groves

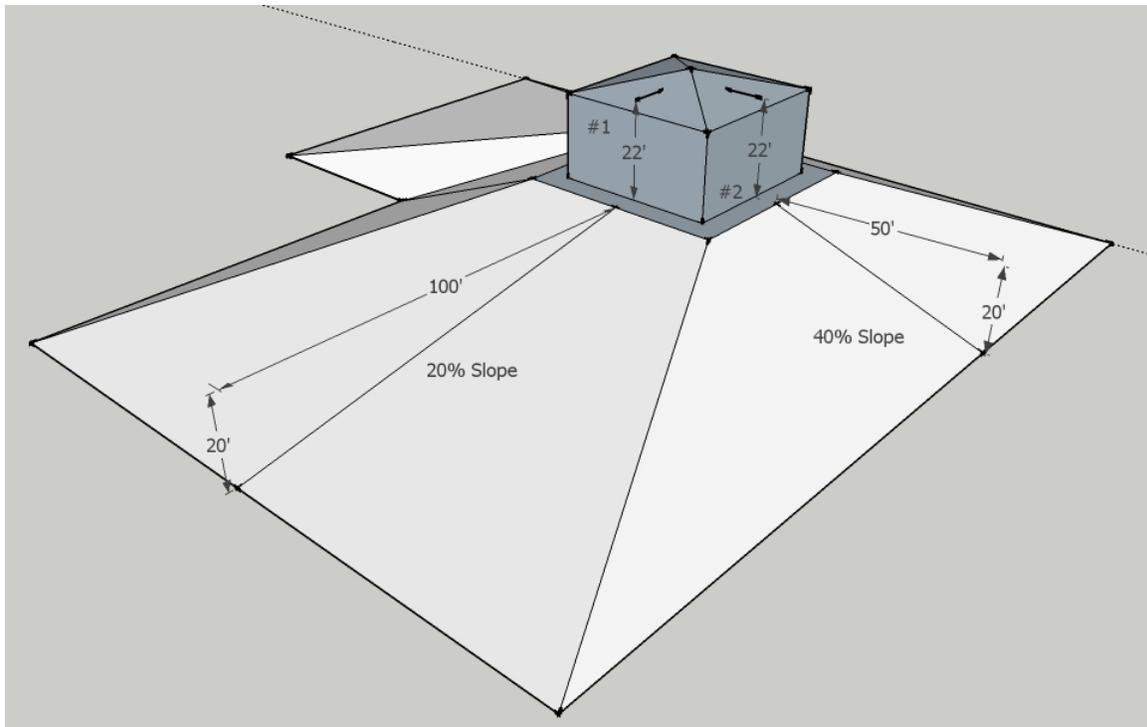
111331 Apple Orchards

111332 Grape Vineyards

111333 Strawberry Farming
111334 Berry (except Strawberry) Farming
111335 Tree Nut Farming
111336 Fruit and Tree Nut Combination Farming
111339 Other Noncitrus Fruit Farming
111411 Mushroom Production
111419 Other Food Crops Grown Under Cover
111421 Nursery and Tree Production
111422 Floriculture Production
~~111920 Cotton Farming~~
111930 Sugarcane Farming
111940 Hay Farming
111991 Sugar Beet Farming
111992 Peanut Farming
111998 All Other Miscellaneous Crop Farming
113210 Forest Nurseries and Gathering of Forest Products
115113 Crop Harvesting, Primarily by Machine
115114 Postharvest Crop Activities (except Cotton Ginning)

Building Height.

The vertical distance of each façade shall be measured as the distance from the lowest point of the finished grade along the front of the building of the façade to the highest point of a flat roof, or to the deck line of a mansard roof, or to the mean height level between eaves and ridges uppermost point for gable, hip, round or arch-type roof, and or to the ridge for gambrel roofs, or to a point on the roof directly above the highest wall of a shed or saltbox roof, or eave of a butterfly roof. For non-residential buildings not used for agricultural purposes, Building Height shall include any additional distance greater than a twenty percent (20%) downward slope of the land, as measured perpendicular from the lowest point of the finished grade of the facade to the nearest neighboring property line. The greatest combined vertical façade distance shall be considered the Building Height.



Non-Residential example:

Building Height for Façade #1 = 22' from ground plane of façade to halfway between eaves and top of roof. No extra height is added because 20' of elevation over 100' feet is only a 20% slope.

Building Height for Façade #2 = 22' plus any extra feet above and beyond the 20% slope on that side. A 20% slope for 50' of property would be 10' of elevation. As that side of the building has 20' of elevation, any elevation beyond 10' (in this case 10' extra feet) would be added to the Building Height. Therefore the Building Height is 22' plus 10', which equals 32'.

As 32' is greater than 22', 32' would be the overall building height.

Section 4.7 Temporary Structures and Uses

Temporary structures and uses, when in compliance with all applicable provisions of this Ordinance and all other ordinances of the Village of Wesley Chapel, shall be approved by the Zoning Administrator who shall issue a permit for such approval. The following temporary structures and uses shall be permitted:

- 4.7.3** Turkey shoots not prohibited by the Firearms Ordinance, sales of Christmas trees agricultural plant products (as defined in Article 2), 4-H shows, and charitable uses of a limited nature and for a limited time may be allowed, but shall be specifically permitted. No vehicles may remain on the property overnight and no trailers shall be used for storage or other purposes other than the delivery of product. One (1) On-Premises sign, limited to twelve (12) square feet and not in

violation of Section 8.4, shall be permitted for the duration of the use, as specified in an approved application. Parking, ingress and egress shall be adequate and not represent a safety hazard. The use shall not disturb neighboring properties with respect to noise, vibration, lighting or odor. Each such permit shall be issued for a period of time as determined by the Zoning Administrator, but not to exceed forty-five (45) days without the specific approval of the Village Council. A waiting period of forty five (45) days shall be required between temporary permit applications by the same applicant for similar uses. A Temporary use permit shall not be issued for any single property more than three (3) times per calendar year. Temporary use permits shall not be approved and can be revoked should the Zoning Administrator determine the required criteria have not been met, or no acceptable remedy proposed/implemented, at any point during the application or operation of the temporary use.

ARTICLE 5 TABLE OF USES

Change “Recreation Centers and Sports Centers, Indoor, Public Private or Non-Profit (e.g., YMCA, Boys club, Firing Range, etc.) to;
Recreation Facility, Indoor

Allow **Recreation Facility, Indoor** as Conditional Use, “C” in R-80, B-1, B-2, L-1 and O-I.

Change “Recreational Facilities, Outdoor (Parks, Playgrounds,) to;
Recreation Facility, Outdoor

Allow **Recreation Facility, Outdoor** as Conditional Use, “C” in R-80, R-60, RA-40, R-40, RA-20, R-20, B-1, B-2, L-1 and O-I.

Ormiston asked if we should re-instate the Ordinance Review Committee. The Clerk will send out the definition of the Committee to Council.
A five minute recess was held.

8. A VILLAGE BUDGET DISCUSSION INCLUDING PROJECT FINANCING AND DISCRETIONARY VS. NON-DISCRETIONARY EXPENSES

Bennett reported she spoke with Diane Kelly at the Local Government Commission who said our benchmark would be to keep 70% of expenditures in fund balance. She also suggested we adopt a reimbursement resolution in case costs come in higher than expected, it would allow you to get financing if needed. Towns can not get a line of credit. Installment financing can only be done if you have collateral, such as a town hall. If you were to go to the LGC for installment financing it would take about two months. We will set up a budget amendment for the \$1.6 M CIP funds committed for year one in a Capital Project Fund.

Bennett noted when we enter a contract and if it is for more than what is allocated

in the year, we have to set up the entire contract amount. She also noted that we may get grants, but will have some cash flow time until we get reimbursed from the grant.

Mayor Horvath noted there is a policy in place that expenditures over \$500 can not be done without Council approval.

Bennett will go through the budget and identify where we have funds available due to conservative budgeting of revenues and expenditures.

8. B NEWSLETTER SPONSORS

Ormiston noted the orthodontists Hull & Coleman are willing to be the sole sponsor for our next newsletter, and will donate up to \$2,000. A budget amendment will be done for this. Although we did not budget for postage and printing, we would like to do a mailed out newsletter to ensure everyone receives it. Bennett has contact information for a couple neighborhoods, and is working on more; however we still won't have a way to distribute it to people not in neighborhoods.

9. TOWN HALL BUILDING COMMITTEE UPDATE

Brotton reported the architect interviews were cancelled. We got input from Charlotte, Fayetteville, and Albemarle on the architect selection process. We came up with eight qualifications and a point scale, and will re-evaluate all 29 architects. The members of the Committee will respond by December 17, 2010 and will interview the top six architects. One of our committee members Gary Reader has had recent health problems.

10. A PARK AND REC COMMITTEE UPDATE INCLUDING REVIEW OF NOVEMBER 29, 2010 PRESENTATION ON TOP RANKED PARCELS FOR PARK

The price for site 20, owned by Mickey Miller is \$1.836 million; it includes a 5,000 square foot house. Mayor Horvath spoke to Dennis Moser, agent for parcel 1A, and he would consider about \$25,000 per acre; they would like consideration of increased density options for their property across the street. Bradford asked Larry Davis about sewer easements; you can't plant trees on them, and they might get dug up; non paved trails are okay. Duke Energy has an easement under the high tension lines, you should be prepared to have the land torn up, and fences are okay. They don't object to a parking lot under the lines as long as there are 15 mph barriers around the towers.

Council came to a consensus that site 20 would no longer be considered.

Bradford reported she spoke with John Underwood at NC DOT and he said a left turn lane was likely on site 1A; site 6 at Lester Davis would probably not require roadway improvements; and site 8 Page Price would require a left turn lane.

Hess asked if we want to support a house or not. Mayor Horvath said one of the sites being considered is at the south end of the Village, one is at the north end, and the others are closer to the Village center. Bradford noted the Carolina Thread Trail proposed a north south route, and might bring potential grants.

After some discussion Council came to a consensus to eliminate Page Price Park as a potential site.

Bradford noted site 6 is closer to the center of town, and it is important to preserve green space in the center of the Village. It has a lake and no required turn lane. It is suitable for large events. Site 1A does not have a pond and has power lines through it. It is a large property and would require a turn lane. It has a nice wooded section and would be close to the Carolina Thread Trail.

Brotton noted Dogwood Acres has potential connectivity to the downtown. Site 1A has Thread Trail prospects, and you don't have to deal with the house. Traffic nearby is faster and the hill impacts visibility. From a traffic standpoint Dogwood is favored, until it is soccer season; and on Sundays there is church traffic.

Hess said he is opposed to denser housing throughout the community; Mayor Horvath said years ago we were approached regarding mixed uses at Beulah Church and Potter.

Ormiston noted Dogwood Acres' asking price is \$1.1 Million, and is over the million allocated; how would we make it fit. Mayor Horvath said one possibility is we could purchase 15 acres, and let them keep the frontage on Hwy. 84.

10. B POSSIBLE VOTE ON PARK

Bradford made a motion to purchase the site known as Dogwood Acres, as recommended by Parks and Rec, and move forward on the purchase and PARTF grants, to work out an agreement to purchase the fifteen acres with the intent to acquire the remaining acres contingent on funding. Hess seconded the motion.

The motion passed unanimously.

The PARTF deadline is January 31, 2011. Bradford asked if Council wanted to spend funds to analyze the house; Ormiston requested we wait until negotiations are completed. Bradford noted last year Haden Stanziale prepared the grant; did the environmental review, and attended the meetings. Jon Wood from Haden Stanziale gave her prices for various levels of work; it was decided to wait until the next meeting to decide on this. Bradford noted the park CUP would go to the Board of Adjustments. There is also a Water Management Resources grant with a January 1, 2011 deadline that could be used for land acquisition.

10.C CLOSED SESSION PER NC GS 143.318.11(A) (5) TO ESTABLISH OR INSTRUCT THE STAFF OR AGENT CONCERNING THE POSITION TO BE TAKEN IN NEGOTIATING THE PRICE AND OTHER MATERIAL TERMS OF A PROPOSED CONTRACT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 121 LESTER DAVIS ROAD, WESLEY CHAPEL, NC

Ormiston made a motion to go into closed session per NC GS 143.318.11(a) (5) to establish or instruct the staff or agent concerning the position to be taken in negotiating the price and other material terms of a proposed contract for the acquisition of real property located at 121 Lester Davis Road, Wesley Chapel, NC. Brotton seconded the motion.

The motion passed unanimously.

Minutes 12.13.2010

The rest of this page left blank for closed session minutes.

Bradford made a motion to leave closed session; Ormiston seconded the motion.
The motion passed unanimously.

11. ADOPT MEETING SCHEDULE FOR 2011

Brotton made a motion to approve the 2011 meeting schedule, incorporated herein. Ormiston seconded the motion.

The motion passed unanimously.

Village of Wesley Chapel 2011 Regular Meeting Schedule

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

Village Council (2nd Monday, 7 pm; Work Session third Tuesday 7 pm):

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

12. OTHER BUSINESS - none

13. COUNCIL COMMENTS - none

14. ADJOURNMENT

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

The motion was approved unanimously.

The meeting was adjourned.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath