

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL UNITED METHODIST CHURCH  
120 Potter Road, Wesley Chapel, NC 28110  
December 21, 2011 – 7:00 P. M.

The Village Council 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 and Ormiston

**Absent:** Council Member Hess

**Others Present:**

Village Clerk/Finance Officer: Cheryl Bennett

Planning/Zoning Administrator: Joshua Langen

Concerned citizens: Butch and Becky Plyler, Carol Mullis, Julie Brown

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

Brotton made a motion to adopt the agenda; Bradford seconded the motion.

The motion passed unanimously.

It was noted that Council member Hess was out of town on business.

3. PARKS AND REC DISCUSSION AND POSSIBLE DECISIONS

- UPDATE ON NEGOTIATIONS ON DOGWOOD ACRES PROPERTY
- REVIEW OF NEXT STEPS INCLUDING PARTF AND DEPARTMENT OF WATER RESOURCES GRANTS, USE OF CONSULTANTS, ETC.
- CONSIDER AND POSSIBLE VOTE ON ANY MATTERS RELATED TO THE ABOVE

Bradford reported that Hess came to an agreement with the owners of Dogwood Acres to purchase it in two parcels, the first being 16.5 acres purchased for \$750,000 with a \$25,000 earnest money deposit due by the finalized agreement on December 30, 2010 and to be closed on by February 28, 2011. We have an option on the second parcel of six acres for \$300,000 which expires September 30, 2011, contingent on receiving the PARTF grant. There is a tenant in the house who will remain until June 30, 2011; the Village will have access to the house with notice to the tenant for planning purposes. Bradford noted we will have to subdivide the

properties. Mayor Horvath inquired as to what would be needed in that process; Langen said we would need a surveyor to draw the final plan, a sketch plan is optional, and we would file the plan with the County. Later we would need to consolidate the parcels.

Bradford said she spoke with three surveyors, to do a boundary and topographical survey as well as what is needed for the subdivision. Lawrence & Associates said they could do it by the first week of January and it would be \$3,400 for the boundary; ALTA requirements add \$800 and the topographic survey would be \$6,000 for a total of \$10,200. Langen said he didn't feel buying the property triggered paved driveways and parking nor utilities, it would fall under the CUP. Ormiston asked why the second parcel was contingent on just a \$55,000 PARTF grant, since spending money on engineers and surveyors would require us to need at least \$100,000 in grant funds. Bradford said she also spoke to Hess about that, but that PARTF would either grant all funds requested or none. Mayor Horvath said attorney Sistrunk is working on the final purchase agreement to include things like title insurance. Bennett asked if there was any deposit from the tenants that we could acquire, since it is easier to take money out of a deposit than go after it later. The PARTF representative suggested an appraisal with and without the house. Mayor Horvath noted one way to get firm costs on possible repairs to the house would be to get contractor bids; we wouldn't necessarily have to do all repairs if it was too costly.

Ormiston made a motion to accept the terms and have attorney Sistrunk move forward with the contract. Bradford seconded the motion.

The motion passed unanimously.

Bradford said the PARTF waiver process involves a letter to John Poole at the State; it would be for the entire property and is good for 18 months which covers two years of PARTF grants. Typically it takes a few days. Brotton made a motion to proceed with the waiver process; Ormiston seconded the motion.

The motion passed unanimously.

Bradford prepared a standard exemption resolution to exempt ourselves from the provisions of NC GS 143-64.31 and noted that the attorney suggested we add language to make the exemption broader than just for the PARTF grant but also for conversion to public use. Bradford made a motion to approve Resolution 2010-09, as amended, and incorporated herein. Brotton seconded the motion.

The motion passed unanimously.

**Resolution 2010-09**  
**Resolution for Exemption from the Provisions of G.S. 143-64.31**  
**Regarding Contracting Professional Services**  
**Wesley Chapel, North Carolina**

WHEREAS G.S. 143-64.31 requires the initial selection of firms to perform architectural, engineering, and surveying services without regard to fee; and

WHEREAS G.S. 143-64.32 allows municipalities to exempt themselves from the provisions of 143-64.31 if such professional fees are less than \$30,000; and

WHEREAS the Village of Wesley Chapel proposes to enter into one or more contracts for such services for work on the Village's PARTF grant application and other expenses to convert the land to public use for Dogwood Park; and

WHEREAS professional fees for these services will be less than \$30,000;

NOW, THEREFORE, THE WESLEY CHAPEL VILLAGE COUNCIL  
RESOLVES:

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31 for the reasons stated in this resolution.

Section 2. This resolution shall be effective upon passage.

Adopted this 21st day of December, 2010.

ATTEST

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Cheryl Bennett, Clerk to the Board

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Brad Horvath, Mayor

Bradford reported that Haden Stanziale's prices haven't changed significantly since last year. Part of the reason that Parks and Rec wanted to stay with them is because they have expertise to get grants and they were pleased with the last grant application and their relationship with them. Bradford spoke with a PARTF rep who said you would definitely want a professionally done park layout. Last year Parks and Rec met with ten firms in one night and brought forward Haden Stanziale; Council interviewed and approved them. Ormiston noted we should use the same process as with the Town Hall Building Committee and be uniform. Bradford noted we need a public meeting; Haden Stanziale could present two park scenarios. She received differing feedback on whether we need to put just the land or land and development in our grant request. Our representative Vonda said from the PARTF perspective we could just do a grant for land acquisition. Jon Wood said we could go either way. Bradford was concerned that Marvin is also doing a land acquisition request, and also developing the land would set us apart. We could consider starting to do a grant request for development too, and if time is a constraint just do a grant request for the land. Ormiston suggested Haden Stanziale do a total site plan for us and then a separate plan for the PARTF grant with just selected amenities. Mayor Horvath noted the rough numbers on the park development from Parks and Rec are more than one million from the Village plus a \$500,000 grant. Bradford recommended we contract Haden Stanziale to do a

final site plan and master plan and do a grant request for the land acquisition and development. Haden Stanziale's price quotes are:

Task 1 Site Inventory and Analysis (Environmental Review) (PARTF item #11) \$2,550;

Task 2: Preliminary Master Planning (2-3 concepts) \$3,075;

Task 3: Site Plan and Master Plan for the Park (PARTF items #6, 7 18) \$5,500;

and Task 4: PARTF Grant Assistance \$6,000;

Total Labor not to exceed \$17,125, and Reimbursable expenses \$1,500.

Bradford made a motion to contract with Haden Stanziale for their services on the grant application up to \$18,000; Ormiston seconded the motion.

The motion passed unanimously.

Bradford will contact Skidmore for a quote on the surveying services, as they came in as low bid for the Town Hall. Brotton made a motion to approve up to \$8,000 for a certified boundary and topographic survey of the two parcels, and get three written quotes. Bradford seconded the motion.

The motion passed unanimously.

Bradford reported there is a water based recreation grant, but it doesn't have a waiver process and we can't use it for the land acquisition because we will be getting the land before the grant is awarded. There is a dismal outlook for winter grants, but better funding in the summer. She will look at the Clean Water Trust Fund grants, their deadline is February 1, 2011.

She has a call in to the Adopt a Trail grant people to transfer the grant to Dogwood Acres; there is another grant with a deadline of February 28, 2011 with a maximum award of \$5,000.

We will still retain our place in line for the Community Fishing Program grant; they will come out and investigate the best spot for a pier and look at the pond depths.

The last page of our Parks Master Plan recommends Page Price Park; it was suggested we change our Parks Master Plan at a public meeting.

Bradford made a motion to hold a special meeting on January 10, 2011 at 6:30 pm at Wesley Chapel United Methodist Church at 120 Potter Road for the park.

Brotton seconded the motion.

The motion passed unanimously.

#### 4. UPDATE ON WESLEY CHAPEL VOLUNTEER FIRE DEPARTMENT / PROVIDENCE FIRE DEPARTMENT DISCUSSIONS

Mayor Horvath and Ormiston attended the meeting with Weddington and the fire departments. Weddington plans to give \$200,000 to the Providence fire department this year. The two fire departments are working together on the best options. Butch Plyler said they have steering committees working on this.

#### 5. UPDATE ON MEETINGS OF NEW COUNTY MANAGER WITH UNION COUNTY MAYORS

Mayor Horvath met with the new County manager Cynthia Coto last week and they had a good conversation on ways we can work together for the best.

6. OTHER BUSINESS

Bradford thanked everyone for their patience on Parks and Rec business. Julie Brown reported she talked to Carolina Courts, and they have not made a final location decision. They have been approached by Matthews, Stallings and Indian Trail, but said they would be glad to hear from Wesley Chapel. Ormiston and Bradford suggested the owner speak to Aston Properties regarding their open land. Mayor Horvath said it is a business decision for them to make, but he will speak with them. Carol Mullis asked Julie Brown if she was trying to push this as another use for our six acres, and Julie said yes. Bradford asked who is talking to Carolina Courts; Julie said town managers, mayors and councils. Ormiston noted the other towns have vacant commercial parcels, and there are differences between Wesley Chapel and those towns.

7. COUNCIL COMMENTS

Mayor Horvath noted Winding Creek had submitted petitions for annexation; Demere residents have also expressed interest.

8. CLOSED SESSION PER NC GS 143-318.11(a)(6) TO CONSIDER CONDITIONS OF APPOINTMENT OF PRESENT EMPLOYEES

Brotton made a motion to go into closed session per NC GS 143-318.11(a)(6) to discuss conditions of appointment of present employees. Ormiston seconded the motion.

The motion passed unanimously.

Year end bonuses for staff were discussed, as well as the salary and performance of the Planning and Zoning Administrator.

Bradford made a motion to come out of closed session; Brotton seconded the motion.

The motion passed unanimously.

9. ANY DECISIONS ARISING OUT OF CLOSED SESSION

Ormiston made a motion to approve Christmas/year-end bonuses to staff in the amount of \$75 each to Joshua Langen and Cheryl Bennett and \$25 to Nancy Schneeberger. Bradford seconded the motion.

The motion passed unanimously.

Brotton made a motion to approve a \$1,000 annual salary increase for Joshua Langen effective January 1, 2011 pursuant to the Mayor and Council's proposal on improved performance back in May/June 2010. Bradford seconded the motion.

The motion passed unanimously.

The Mayor will conduct a formal review process with Langen, hopefully before the next Council meeting.

10. ADJOURNMENT

2010.12.21 minutes

Bradford made a motion to adjourn; Brotton seconded the motion.  
The motion passed unanimously.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath