

VILLAGE OF WESLEY CHAPEL  
COUNCIL WORK SESSION MEETING MINUTES  
February 16, 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

Attorney: George Sistrunk (arrived late)

Concerned citizens: Ray Davis, Carol Mullis, John Lepke, Butch & Becky Plyler, Sandi Bush, Nancy Schneeberger, Chauncey Bowers

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  
Item 4 became Item 4A; Item 4B. "APPOINT REPRESENTATIVE TO NEW COMMITTEE DISCUSSED WITH WAXHAW" was added, Item 6 became Item 6A; Item 6B "CLOSED SESSION PER NC GS 143-318.11(a) (3) ATTORNEY CLIENT PRIVILEGE REGARDING the Village of Wesley Chapel v. Wesley Chapel Volunteer Fire Department" was added; Item 6C "MOTION ON ANY DECISIONS ARISING OUT OF CLOSED SESSION" was added; Item 12 became Item 12A; Item 12B "ACCEPTING RESIGNATION FROM PARKS AND REC" was added; Item 12C "APPOINT ELAINE ROSOFF AS PARKS AND REC ALTERNATE" was added; Item 12D "QUICK UPDATE ON PARKS AND REC" was added; Item 13A "GOOGLE OPPORTUNITY" was added; Item 13B "REPORT AND DISCUSSION ON FLOODING" was added; and items 13-16 were re-numbered to 14-17.

Ormiston made a motion to adopt the agenda with these changes; Bradford seconded the motion.

The motion passed unanimously.

3. CONGRATULATION ON ACHIEVEMENT OF EAGLE SCOUT RANK BY AUSTIN McDOW CURETON

Mayor Horvath read the letter of congratulation he sent to Austin McDow Cureton upon his achievement of the rank of Eagle Scout. Austin is a member of Troop 20 and received his award on February 8, 2010.

4A. COMMITTEE PROGRESS UPDATES – PRESENTATIONS AND QUESTIONS (Downtown, Ordinance Review, Pars and Rec, and Safety Committees)

Todd Hess presented the Downtown Committee's report that showed they were 90% done with their Resolution that will be presented to council; they also plan to conduct a public forum on a Village Center in April 2010. The Committee has discussed the purpose, goals, amenities and objectives of a town hall. They will recommend changes to the Zoning Ordinance and develop a baseline architectural plan for the Village Center. Hess will e-mail the definition of a town hall to Council members. Hess said after the next meeting they will be in a position to take recommended changes to the Ordinance Review Committee.

Sonya Pierce was not able to attend to present the Ordinance Review Committee's information; they are reviewing the Zoning Ordinance to recommend updates and implement suggestions from the Master Plan Survey and other ordinance research as directed by Council. They completed work on conditional uses; are currently working on definitions and signs; and will be working on off-street parking & loading, zoning districts, general provisions, zoning district regulations, non-conforming uses, and zoning administration. Sandi Bush noted there is still some confusion on roles and responsibilities between them and Planning Board. Ormiston requested she take back to them what the Downtown Committee is working on and make it a priority. Bradford noted there are some inconsistencies in definitions, and some with parking.

Parks and Rec was represented by John Lepke; they conducted a survey to determine and prioritize parks and recreation interests, established a parks and recreation master plan, and prepared detailed design and estimates for the approved project, Page Price Park. Future work will include proposing policies/practices that encourage protection of our environment, safety, recycling, support of local businesses and education, prepare and manage Page Price Park capital/construction project execution as approved by Council, prepare and manage annual P&R expense budgets, develop P&R programming, and develop and promote P&R partnership opportunities. Bennett noted that budget requests are needed in the spring for the budget cycle. Ormiston noted two other grant applications were submitted.

Safety Committee was represented by Chauncey Bowers who lives in Blackstone. He did statistical work on utilization of public services; he showed calls for 2009 include 2500 from the County Sheriff; 269 for the fire department, and 205 for County EMS. Average response time was: Sheriff 5 minutes, fire 5 minutes 40 seconds, and EMS 10 minutes 42 seconds. After taking out those with an average response time less than one minute he developed median response times of Sheriff 9:20; Fire 5:25 and EMS 11:04 minutes. These include non-emergency calls. The national standard goal is Sheriff 8 minutes, Fire 10 minutes and EMS 8 minutes. He noted there is usually a dual response of fire and EMS. Mayor Horvath noted

we are trying to pull Neighborhood Watch programs together as they are fairly autonomous, and it might be good to participate in National Night Out. A numbering system for homes would be useful, and they are looking at possible grants; a page might also be added to the website for safety. Their budget item is to prepare educational materials. Bradford asked about trending analysis; Bowers noted that was difficult because on April 22, 2008 the Sheriff changed their data system. Discussion of our village boundaries and whether all calls were for Wesley Chapel residents was held; also Wesley Chapel is covered by three different fire departments. Brotton discussed the threshold at when a new deputy is added; Bowers said they look at response times, population and level of criminal activity.

The Welcome Committee is presently a committee of one; Nancy Schneeberger said they have packages put together with goodies from businesses, and the Wesley Chapel history book. It is difficult to find out when new residents move in.

**4B. APPOINT REPRESENTATIVE TO NEW COMMITTEE DISCUSSED WITH WAXHAW**

Ormiston reported Erin Kirkpatrick a Waxhaw Commissioner had contacted her with the idea of starting a regional economic development initiative committee, including Marvin, Weddington, Wesley Chapel and Waxhaw. They will meet monthly. Langen volunteered to attend for Wesley Chapel.

**5. PROCESS FOR TIMING AND RECEIPT OF FUTURE COMMITTEE UPDATES**

Ormiston requested the committees attend and present updates every other month this year, and quarterly thereafter. She noted they can see and hear what the other committees are working on. The Committee representative will come to the Council meeting. A comments section for changes can be added to the written template.

**6A. EMERGENCY MANAGEMENT DISCUSSION: RESOLUTION 2007-24**

Mayor Horvath reviewed Resolution 2007-24 which sets the chain of command in case of a state of emergency in Wesley Chapel.

**6B. CLOSED SESSION PER NC GS 143-318.11(a) (3) ATTORNEY CLIENT PRIVILEGE REGARDING the Village of Wesley Chapel v. Wesley Chapel Volunteer Fire Department.**

Hess made a motion to go into closed session NC GS 143-318.11(a) (3) -attorney client privilege regarding the Village of Wesley Chapel v. Wesley Chapel Volunteer Fire Department. Bradford seconded the motion.

The motion passed unanimously.

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6C. MOTION ON ANY DECISIONS ARISING OUT OF CLOSED SESSION

Mayor Horvath noted we had received some counterproposals from the Fire Department's attorney. Our attorney will provide their attorney with our latest counteroffer. He noted that Council is doing all that is possible to move this forward. He apologized to those who waited through the closed session, but said he could not make any further announcement until the attorneys communicated.

7. CONSIDER APPROVAL OF RENEWAL OF CONTRACT FOR ENGINEERING SERVICES WITH US INFRASTRUCTURE OF CAROLINA, INC.

Our engineers, US Infrastructure of Carolina, Inc., submitted an update to their contract from May 21, 2007; the fees have gone up for most categories. The project manager will now be billed at \$140 per hour, up from \$125 per hour. Bradford made a motion to approve the contract renewal; Ormiston seconded the motion.

The motion passed unanimously.

8. CONSIDER APPROVAL OF INTERLOCAL AGREEMENT FOR CAROLINA THREAD TRAIL PLANNING GRANT

The Interlocal Agreement is between the County and all the participating towns to share the costs of the ten per cent match for the planning grant provided by the Carolina Thread Trail. Wesley Chapel's share is \$158. Brotton made a motion to approve the Interlocal Agreement; Ormiston seconded the motion.

The motion passed unanimously.

9. DISCUSS PREPARATION AND ARTICLES FOR SPRING 2010 NEWSLETTER

Ormiston suggested we include the following in the newsletter: new businesses, list of committee dates and position openings, introduction of new council members, council priorities from the Advance, budget overview, park progress, a Who's Who page, information on design of a seal, announce the Downtown Committee forum which might be combined with a Neighborhood Watch open house, announce a 5k benefit run in Wesley Oaks, rank of capital priorities, a town hall survey on where and with what amenities. Bradford offered to help with editing and proofing. Carol Mullis expressed concern over more surveys; she felt the Master Plan survey showed support for a town hall on the six acres.

10. FRAMEWORK FOR CAPITAL IMPROVEMENT BUDGET DISCUSSION DURING ADVANCE

Figures on Page Price Park, and the cost for a deputy will be brought to the Advance. Mayor Horvath noted he is looking at information on the proposed town hall size and costs. Ormiston suggested we have an excel spreadsheet to use; Hess noted that capital projects will also affect expense budgets.

11. DISCUSSION OF PROPOSED SUBDIVISION ORDINANCE AMENDMENT FOR SECTION 411 HOMEOWNERS' ASSOCIATION REQUIRED; POSSIBLE CALL FOR PUBLIC HEARING ON MARCH 8, 2010 AT 7 PM AT WESLEY CHAPEL UNITED METHODIST CHURCH  
Since the attorney expressed concern over these amendments; they will be brought back to the Planning Board.

12A. COG AWARD FOR LARTP WORK

Langen reported the towns involved in the LARTP received an award; our glass engraved award is at the town office.

12B. ACCEPTING RESIGNATION FROM PARKS AND REC

Karen Cohen's resignation as an alternate on the Parks and Rec Committee was accepted.

12C. APPOINT ELAINE ROSOFF AS PARKS AND REC ALTERNATE

Elaine Rosoff was appointed as the new alternate on the Parks and Rec Committee.

12D. QUICK UPDATE ON PARKS AND REC

Bradford reported on March 18 we will get an update from DENR on the dam. It is a little too early to apply for the Lowes grant. She will contact the owner so we can visit the house on the 1.7 acres during the Advance. Langen will contact Aston to see when the six acres will be usable. Bradford gave an update on the Houston House; we can ignore it, take scrap wood out of it, take it apart and reconstruct it at some future time, or move the house at an estimated \$20,000 to \$30,000. Julie Brown has secured the house. The Church wants a plan from us by the end of March. Neither the Waxhaw Museum nor the Union County Historical Society has funds available for the Houston House. There is not access to the National Historical Society grants, but we could apply for it to be put on their Register. Parks and Rec would like to use it as an historical classroom. Hess asked about the restoration process. Bradford said we hope to have fundraisers for that. Julie Brown believes the wood is worth \$50,000. Taking it apart would disqualify it from the Registry. A contact at the National Historical Society said it is okay to move it, but it needs to be oriented to the road in the same way it was. It was asked how it fits in with the parks and rec survey; it was suggested to be an outdoor classroom and fits in with the rural heritage priority. The church wants it moved by the end of May. The Parks and Rec committee would like to look at Dogwood Acres, and also pursue pedestrian connectivity. Council will try to visit Dogwood Acres at the Advance also.

13A. GOOGLE OPPORTUNITY

Google is looking at an experimental ultra-high speed broadband network in one or more trial locations to make Internet access better and faster. Mayor Horvath noted he also forwarded the information to Commissioner Tracy Kuehler. After

some discussion Hess volunteered to fill out the application for Wesley Chapel also.

13B. REPORT AND DISCUSSION ON FLOODING

Langen reported that our engineer said the water is not coming from Indian Trail, and DOT will come out for an assessment. Our engineer suggested it appears Wesley Woods is causing bank erosion. Ormiston requested Langen update the owner on the progress.

14. CONSIDER APPROVAL OF CHANGE TO COUNCIL RULES OF PROCEDURE – (RULE 32) DUE TO ADOPTION OF COMMITTEE POLICY

There are references in Proposed Rule 32 to the ETJ area. This item was tabled until we get the area of consideration approved, and we will check the Committee Policy for ETJ references.

15. OTHER BUSINESS

Bradford reported Paul Frost from Stallings contacted her, and liked our Ethics Policy; he is free to draw from it. The Essentials of Government class has been rescheduled to March 19 and 20. Bennett will see if Hess can get in that session. Mayor Horvath reported the Union County Transportation Advisory Board will have an organizational meeting on February 25 at 6:30 pm, and then meet March 11 before the MUMPO meeting. Bradford noted she will give an update on parks and rec to the Optimist Club at their meeting a week from Thursday.

16. COUNCIL COMMENTS- none

17. ADJOURNMENT

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

The motion was approved unanimously.

The meeting was adjourned.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath