

VILLAGE OF WESLEY CHAPEL
COUNCIL WORK SESSION MEETING MINUTES
May 18, 2010 – 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, Hess and Ormiston

Others Present:

Village Clerk/Finance Officer: Cheryl Bennett

Planning/Zoning Administrator: Joshua Langen

Concerned citizens: Carol & Jim Mullis, Becky & Butch Plyler, John Lepke, Stephen Keeney, John Barnard, John Ross, Gayla & Chuck Adams, Tracey Clinton, Ray Davis, Jeannine Kenary, Julie Brown, Marnie Holland

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 3B. "Flooding Update", Item 3C. "RUC Zoning", and Item 6B. "General Discussion of Meeting Length" were added. "Feasibility Study of House Upfit at Dogwood Acres" was added to Item 7. "WCWAA Proposal and Possible Survey" was added to Item 9. Bradford made a motion to adopt the agenda with these changes; Hess seconded the motion.

The motion passed unanimously.

3A. ORDINANCE REVIEW COMMITTEE UPDATE

Mayor Horvath reported that Sonya Pierce had resigned from the Committee; Sandi Bush is working out of town, and Tracey Clinton was willing to stay on the committee but couldn't lead it. At this point the committee is not meeting. Chuck Adams said the Planning Board was willing to step in.

3B. FLOODING UPDATE

Langen said DOT finished their study today. A twenty-four inch pipe is under the road, and they recommend a forty-two inch pipe, but don't feel justified in replacing it. Langen discussed it at length with John Springer at DOT; the Village could replace it if we fund it. Mayor Horvath said he would discuss the problem with Barry Moose from DOT.

3C. RUC ZONING

Langen provided a map of the annexed parcels; three parcels will be zoned R-40 and one R-20 since they are not in subdivisions; the rest are proposed for RUC zoning. Ormiston made a motion to proceed with the advertising of the Public Hearing. Bradford seconded the motion.

The motion passed unanimously.

4. DISCUSSION OF ENGINEERING RFP AND POSSIBLE AWARD OF CONTRACT

Hess said the S&ME and Haden Stanziale proposals didn't respond to everything in the RFP; also Haden Stanziale didn't provide examples of work done on dams. Both quoted DENR requirements only, but the RFP requested the liability issue also be addressed. Eagle Engineering quoted fees for the three tasks separately. Their task one at \$12,400 equates to S&ME's \$21,800 and Haden Stanziale's \$24,800. Hess asked John Ross from Eagle Engineering if there was an efficiency to do all three tasks. John Ross said yes, there would be a \$1,300 efficiency if they do a single draft and final report instead of a draft for each task. Hess confirmed if we just do part one it is \$12,400. The core borings fall under task two. Hess said S&ME indicated if you met DENR requirements you have met the liability issue which is not true, and they did not address sustainability and environmental issues. Ormiston said she had gone through all the proposals and thought they met the RFP but we are looking at an \$8,000 difference. Bradford said she asked S&ME about the emergency action plan and they said it would be an additional cost of \$500, but it was asked for in the RFP. Mayor Horvath said S&ME's deliverables were limited and deferred to Eagle. Bradford agreed Eagle understood what we wanted. It was noted that both S&ME and Eagle attended the pre-bid conference. Hess asked Ross if we drop the environmental and sustainability parts (task three) is there potential impact? Ross replied if you pull the slope stability analysis out of task three and put it in task two it would be \$2,900. We will know a lot more when we get into task two and know if task three is needed. Hess made a motion to award a contract (after attorney review) to Eagle Engineering for task one and two for \$21,300, with the option to go on to task three at \$6,700 if needed, for a total of \$28,000. Ormiston seconded the motion.

The motion passed unanimously.

Bradford noted we need forty-five day turnaround. The dam should be cleared, and the attorney wanted to talk to Eagle regarding the access agreement.

5. HAMPTON MEADOWS UPDATE; CONSIDER APPROVAL OF CONTRACTS WITH NC DOT AND WITH BOWIE MOTORS

Mayor Horvath went back to DOT and asked them to remove some sections; the attorney is writing a contract between Bowie Motors and the Village. This item will be ready for the next meeting.

6A. GENERAL DISCUSSION ON MEETING COMMUNICATION

Mayor Horvath apologized for the late start of the meeting the night when Chick Fil-A had their grand opening. In the future if any council members are delayed, please call the others to let us know. Bennett will send a directory to everyone with phone numbers.

6B. GENERAL DISCUSSION OF MEETING LENGTH

Mayor Horvath noted we have had some lengthy meetings, he proposed as we approach ten pm to create a stopping point. Meetings can be recessed if needed, but no additional items will be added. Council agreed.

7. PARKS AND REC UPDATE

-HISTORIC LANDMARK COMMISSION

-DAM UPDATE; ENGINEERING REVIEW, CLEARING OF BRUSH

-STRUCTURAL INSPECTION OF DOGWOOD ACRES HOUSE

-FEASIBILITY STUDY OF HOUSE UPFIT AT DOGWOOD ACRES

Bradford said Certified Local Government (CLG) status requires five members, a formal resolution (which the committee can come up with), formal rules of procedure and takes one year. Bradford noted she does not intend that this infringe on property rights. There would not be funds budgeted, but they might need small amounts for things like copies. Hess noted it will involve legal and clerical support. Mayor Horvath said in the grant it says a 50/50 match is required. Brotton asked who gives the final say on historic landmark status, Bradford said it would be Council, the committee is just advisory. Brotton asked who is certified, the local government or the committee. Bradford said it is the committee. Brotton said then you are creating a governmental body; Bradford said we would put it in the language that they would operate like our other committees. The proposed committee sheet was changed from "Pursue" CLG status, to "Research" CLG status, and developing the formal resolution, establish rules of procedure, and researching and establishing design guidelines was moved to sub-points underneath. Bennett asked how many members had to be residents; Bradford said she thought they all had to be residents. Bennett noted Susan Moore had property in the town but was not presently a resident. Bradford will check on it. When we get closer to CLG status we will address the residency question. Bradford made a motion to establish the Historic Landmarks Commission with the amended scope; Hess seconded the motion.

The motion passed unanimously.

Hess volunteered to be the Council liaison. Mayor Horvath appointed the five members: Julie Brown, Karl Schneeberger, Scott Farb, Susan Moore, and Patrick Harrell. Bradford will get their contact information to Bennett and she will contact them, get them ethics forms and set up the first meeting.

Bradford said Mark Britt did a structural inspection and identified four issues with the Dogwood Acres house, none indicated poor structure. The main item is item

four, there is an insufficient number of piers, the cost would be \$1,500 for a residential house. Hess said we also need footings. Bradford said even including gutters we could fix the problems for less than \$5,000. Mr. Britt was given a copy of the house inspection which he said was thorough.

A feasibility study by the architect was discussed; Bradford and Hess agreed the information was needed so we can compare the costs. Ormiston said we need to determine our spending priorities first; if we determine Dogwood Acres is too expensive then we don't need to spend the money on the feasibility study.

Discussion was held on the cost of the property versus the six acres we own. Brotton asked if the Johnston's are willing to go past the May 30 deadline; Bradford said yes. Jeannine Kenary asked if we got a town hall in a park like setting, then are you cutting Page Price Park; Page Price Park seems like a done deal, and all three projects are a lot of money. Bradford noted we are waiting for notification from the State on the PARTF grant; we can still keep the property for future use and not develop it. Ormiston said she read the PARTF grant, and there are some discrepancies, she noted the grant didn't include a turn lane, or utilities for the house. We are committed to spend \$280,700 per the grant. In January we approved a five year plan with \$400,000 to be spent in year one; she felt the numbers were not matching and incomplete. The numbers include grants that we have not received yet. Ormiston added a comment was made that we can't move forward with Dogwood Acres without a tax increase; year after year we have been allocating money for a town hall. Ormiston suggested we take a step back from the sense of urgency, we need to determine what we can afford that meets the needs of our citizens, but all the money should not go to parks. We need a town hall, and safety should be the first consideration. Bradford noted Dogwood Acres gives us the benefit of a town hall and preserves green space; it would be negligent not to look at the cost to upfit the house. Ormiston noted there is a lot of farmland, and other parcels will come available, we might wish we had waited. To say a town hall would cost \$1.4 million is high, and is not comparing apples to apples when you have 6,000 square feet at the six acres and 5,000 square feet at Dogwood Acres. Chuck Adams said after the May 3 and May 10 meetings a lot of citizens have concerns. They put out a petition, which says citizens do not want to buy Dogwood Acres or sell the six acres, they are in favor of building a town hall on the six acres and as funds allow put park like amenities in, they do want a deputy, we should scale down Page Price Park if the dam issues come out okay and we get the \$500,000 grant, and citizens do not want a tax increase. He has a cross section of residents and three hundred petitions coming. Adams said John Lepke's petition was inaccurate because the town hall is not next to Target, and won't require a tax increase. Julie Brown asked if we have water and sewer availability at the six acres; we don't know yet. Carol Mullis said at the Parks and Rec meeting Sondra Bradford said a governmental facility can't be on a park developed with a PARTF grant; Bradford said it is okay to have an office or an officer as long as it is not the prime use. At Dogwood Acres we would have to divide the land into two parcels, the house and the park. Hess and Bradford felt we need to find out how much the house upfit would cost. Ormiston disagreed, it would be a minimum of \$1.1 million for the land, and we are spending \$1 million

on Page Price Park, and she hadn't heard we would relinquish Page Price Park for Dogwood Acres. Bradford said the town hall would be about the same amount as Dogwood, so you can't complain about Page Price Park and Dogwood unless you complain about Page Price Park and a town hall. Discussion of the properties and costs continued. Bradford said the PARTF rep says you can get a second grant even if you have a first grant open, there may be more opportunity for future grants because less towns are interested in doing any projects due to the economy. Ormiston asked if there were any other offers out on Dogwood Acres. Bradford said she was not aware of any. Hess made a motion to spend \$6,500 on a feasibility study for upfitting the house, contingent on the owner keeping the land available to us until August 9, 2010. Bradford seconded the motion.

The vote was 2 yeas (Bradford and Hess), and two nays (Ormiston and Brotton). The Mayor voted yea; the motion passed 3-2.

8. UPDATE ON SAFETY

Ormiston said the Safety Committee met last Thursday, they will be hosting National Night Out (NNO) on Tuesday, August 3, 2010. A planning session will be held on June 15 at 7:30 pm here. Target is a national sponsor of NNO. Mr. Shaw from EMS will come to the September Safety Committee meeting to share his perspective on Wesley Chapel's needs. Ormiston talked to the Safety Committee regarding a deputy, in the end the majority of the Safety Committee agreed we need a deputy. Chauncey Bowers pulled additional statistics, Wesley Chapel has a 2.53 crime rate while Weddington who has three deputies has a 1.61 rate. Ormiston spoke to Aston and JDH about sharing the cost of a deputy, they asked for something in writing; she is asking for a two year commitment as the fire department will be open by then and we can then reassess. Hess said the Capital Improvement Plan (CIP) had a deputy in year two, will this require an earlier commitment? Hess said he was influenced by the fire station opening and that money spent on deputies reduces capital funding money. Ormiston said we need to make a decision at some point, every town touching us has a contract deputy, we also have restaurants serving alcohol. Council consensus was for Kim to proceed with a letter to the shopping center developers.

A five minute break was held.

9. DISCUSSION OF CAPITAL IMPROVEMENT PLAN

-WCWAA PROPOSAL

-POSSIBLE SURVEY

Ormiston said we need to have a deadline date for our CIP to be done. Hess agreed, and suggested August 9, 2010. Brotton noted it is a plan and can be revisited.

Bradford said she had a proposal from WCWAA and Optimist Club, that they temporarily lease or outright purchase our six acres. They would put down sod, but no permanent structures, and use the land for four soccer fields. They would have minimal lighting, a walking trail, and a large picnic shelter. They are willing to assume Wesley Chapel's park maintenance, and credit the cost of maintenance

toward the cost or rental. Wesley Chapel would have first priority for using the property. It would generate activity at the commercial center, and meets WCWAA space needs. Bradford said the Parks and Rec committee was in favor of it. Brotton asked if WCWAA and Optimist weren't separate entities? Julie Brown said Optimist Club owns some of the acreage on Highway 84, WCWAA bought some of the additional land. Ormiston said this made no sense since we just spent \$5500 for a feasibility study for the six acres; there are additional factors such as impact on neighbors and lighting, and this would not benefit the majority of the citizens. Chuck Adams suggested they buy the swim club land. Carol Mullis asked if Optimist Club members are aware of this, what about restrooms and water and sewer. Mullis said there is also some land adjacent to the WCWAA park available; the newspaper article said they didn't have money to correct their flooding issues. She felt this was an attempt to sabotage a town hall on the six acres. Hess said if we pursue Dogwood Acres, this might be one option. Butch Plyler said didn't Steele Dewey have the first option on the land? Mayor Horvath said we would talk to him among the first, but he doesn't have a first option; based on the value this is not an optimal property for Optimist. Ormiston asked who prepared this proposal as it was not signed; Bradford said she prepared it from her notes at a meeting she had with two WCWAA members and John Lepke where they walked the property. Ormiston asked if they were members of Optimist Club; Bradford said she was not sure on the credentials. They okayed her written sheet. She thought this might still be something we can do on a temporary basis if a town hall is delayed.

A possible survey either on our website or survey monkey was discussed, Hess had prepared three questions. The first question asked to identify the top spending priority from the options of town hall, parks and recreation, contract deputy, or none of the above. Question two would identify the preferred choice for a location for a town hall; the options given are the six acres, Dogwood Acres, or no town hall. The third question asked to identify the preferred choice for a parks and rec development; Page Price Park, Dogwood Acres, or no development. Ormiston suggested we add a question for a second choice on spending priorities. Bradford said she supported the survey, and we might want to include a paper option. Brotton said he liked the questions, but had concern on folks who don't have computers or who might send multiple computer responses. Mayor Horvath questioned how we would get everyone involved, we would want a written proposal to ensure it reaches everyone. Ormiston said we might set a goal of 1000 responses, and it would help council feel they are getting feedback. She volunteered to help tally the information. She noted we need a better way to reach residents for the future; we might use a return postcard or they could enter their response at the website. Bennett will check on the capabilities of our website to do a survey, and Mayor Horvath will put it on the agenda for a special meeting.

10. RECEIVE AND DISCUSS PROPOSED 2010/2011 BUDGET; CALL FOR PUBLIC HEARING

Bennett presented the proposed 2010/2011 budget, the tax rate remains at 1.65 cents and the total budget is \$520,250 which is an increase of 7.4% over the prior year. The office expense line items were combined into one account "Office Expense". Weekly hours for the clerk are up to thirty six. The required retirement contribution has gone up to 6.41%. A line item was added for codification. Bradford said the amounts for Parks and Recreation "Office Expense" and "Events" were reversed; they should be \$1,250 and \$3,000 respectively. An amount is included for a deputy for a half year. A reserve for capital outlay of \$55,000 is included.

Hess made a motion to call for a public hearing on the 2010/2011 budget for June 14, 2010 at 7 pm at Wesley Chapel United Methodist church; Ormiston seconded the motion.

The motion passed unanimously.

11. DISCUSSION OF PROCEDURE FOR COMMITTEE APPOINTMENTS

Mayor Horvath noted the Committee Policies had been distributed to Council; it is a good idea to send out names to be applicants' names to everyone on Council. The Finance Officer also needs the information to check whether they owe anything to the Village.

12. OTHER BUSINESS

Mayor Horvath said the architect, Troy Luttmann would like to meet with Council. Brotton made a motion to call for a special meeting to meet with the architect and discuss a survey at 7 pm on Tuesday May 25, 2010 at Wesley Chapel United Methodist Church. Ormiston seconded the motion.

The motion passed unanimously.

Mayor Horvath noted the MUMPO meeting is tomorrow night. Bradford said Parks and Rec would like to utilize facebook for information and for the festival. Hess said we might want an option so other people can't see the comments. Ormiston said if we use facebook, we should do it as a Village, not as a committee. Mayor Horvath said we wouldn't have control over the information. Brotton said we might have a quorum of a committee or board on-line at the same time. Bennett said she would look into the use of facebook for the Village.

13. COUNCIL COMMENTS- none

14. CLOSED SESSION PER NC GS 143-318.11(a)(6) TO DISCUSS INDIVIDUAL EMPLOYEE SALARIES

Bradford made a motion to go into closed session per NC GS 143-318.11(a)(6) to discuss individual employee salaries. Hess seconded the motion.

The motion passed unanimously.

Employee performance and salaries were discussed.

Ormiston made a motion to leave closed session; Brotton seconded the motion.

The motion passed unanimously.

15. POSSIBLE ACTION ON DECISIONS ARISING FROM CLOSED SESSION

Brotton made a motion to increase the hourly salary for the administrator/clerk from \$21.76 to \$25.00 effective July 1, 2010, and to increase the salary for the Finance Officer position from \$24.34 to \$25.00 also effective July 1, 2010. Ormiston seconded the motion.

The motion passed unanimously.

Brotton made a motion to increase the Planning/Zoning Administrator's salary by 2% from \$50,000 to \$51,000, effective July 1, 2010 with a performance re-review to be conducted in six months and a possible additional 2% increase given at that time should performance objectives discussed in the May review be sufficiently addressed. Bradford seconded the motion.

The motion passed unanimously.

16. ADJOURNMENT

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

The motion was approved unanimously.

The meeting was adjourned.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath