

Minutes 07.26.07
Approved 08.07.07

VILLAGE OF WESLEY CHAPEL
COUNCIL WORK SESSION MEETING
MINUTES
July 26, 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, and Pierce

Absent: Village Attorney George Sistrunk

Others Present:

Village Clerk/Finance Officer: Cheryl Bennett

Tax Collector: Nancy Schneeberger

Planning/Zoning Administrator: Justin Krieg

Planning Board: Ray Davis, Stephen Keeney, Shirley Wilson and Sondra Bradford

Concerned citizens: William and Dorothy Etheridge, Susan Keeney, Carol Mullis, Don Hughes, David Pope, Eddie MacEldowney, Alain Miatudila

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. ADDITIONS, DELETIONS, AND / OR ADOPTION OF AGENDA

Item 2.B. was added, "ANNOUNCE VACANCIES ON COMMITTEES AND BOARDS", Item 6 was changed to 6.B., Item 6.A. was added, "PLANNING REPORT", Item 13. was changed to 13.A., Item 13.B. was added, "UPDATE ON COUNTY LIBRARIES", Item 13.C. was added, "COUNCIL COMMENTS".

Horvath made a motion to approve the agenda with the above changes; Mullis seconded the motion.

The motion was approved unanimously.

2. B. ANNOUNCE VACANCIES ON COMMITTEES AND BOARDS

Mayor Clinton announced that the following vacancies exist: Safety Committee has an alternate position open, Master Plan Committee has one open position, Welcome Committee has two positions open, and the Board of Adjustment has two openings. These openings will be advertised on the website and in the Newsletter.

3. OATH OF OFFICE – VILLAGE CLERK CHERYL BENNETT

Since Bennett was last sworn in as Interim Clerk, but is remaining as the Clerk, she is being re-sworn in. Mayor Clinton administered the oath of office to Cheryl Bennett as Village Clerk.

4. OATH OF OFFICE – TAX COLLECTOR NANCY SCHNEEBERGER

Nancy Schneeberger started this week as our Tax Collector. Mayor Clinton administered the oath of office to Nancy Schneeberger as the Village Tax Collector.

5. PUBLIC HEARING ON CUP #07-01, ADDITION TO WESLEY CHAPEL ELEMENTARY SCHOOL.

Mayor Clinton opened the public hearing.

She swore in Don Hughes, Eddie MacEldowney, David Pope, and Justin Krieg as witnesses.

Don Hughes showed on the plans what was being added: an art classroom, double the size of the media center, a new kitchen, enlarge the dining room, and extend the traffic loop. Cars will be separated from buses; all cars will enter on Highway 84, and buses on Potter Road. From the front of the school, the classrooms will be on the left, the media center in the middle, and the art room on the right. They hope to get rid of the “learning cottages”.

Croffut asked what omitting the entrance on Potter Road will do to Highway 84 traffic.

Hughes replied that DOT did not require any changes to the roads.

Hughes noted they are adding stacking, almost doubling the capacity; Croffut asked if the traffic pattern would remain the same, with two lanes; Hughes replied yes, it will be two lanes, and not be two way traffic.

Mayor Clinton asked if two traffic directors will remain at the school: Hughes said the safety director is Jarrod McCraw, and it is his call. Hughes noted they can't do roadwork without NC DOT asking them to do so. Ed MacEldowney said they haven't gotten comments from them yet. Hughes said they don't have to get a driveway permit.

Hughes noted they are fencing off the courtyards for safety, but you can get out in an emergency.

Mayor Clinton asked about the landscaping at Price Mill. Hughes said they are adding Leland Cypress' and fencing the detention pond; they are putting tree protection around the remaining trees in the front. There is no detention pond now, David Pope said the pond will decrease the amount of water, MacEldowney said it will reduce the peak flow. Mullis asked about two people directing traffic; Croffut said it is one or none. Hughes said we should let the safety director know of any problems. Croffut asked if the entrance will be shut this year? Hughes said it is possible, until we get a contractor, there's no one to do so. MacEldowney said we need the loop in place first. Hughes said they are flexible, sooner is no big deal.

Mullis asked if they could move the road back to Chambwood. Hughes said they could look at it in the future, but they would have to cut a lot of trees. Mullis said the map doesn't show the Price Mill entrance; he avoids this area, and will it affect them, do they need to help them get in and out; he requested Don Hughes phone contact information. Hughes said they normally just work in front of the school.

Pierce asked if there was an estimate of the number of cars when the New Town Road School opens. Hughes said they didn't have to do a traffic study. Krieg noted the narrative shows 1142 students currently enrolled, and with the two new schools they

Minutes 07.26.07

Approved 08.07.07

estimate it will be down to 504. Hughes noted they had to cap the school at some grade levels. Pope said they will be removing 25 trailers, and three will remain.

Mayor Clinton swore in these witnesses: Carol Mullis, Bill Etheridge, Alain Miatudila, and Cheryl Bennett. Bill Etheridge said he and Alain live in the first two houses in Price Mill. The parking was gravel, now it is paved; the ditch fills up and fills up the pond with oily debris. The problem did not exist before. The mulch goes away with the flow. He asked what will happen to the ditch with the additional paving.

Hughes said collecting the water into the stormwater detention pond will slow down the flow. Etheridge said it will be a lake; and asked if it won't go to the fault line? He asked if the ditch will stay there, and MacEldowney said yes. Hughes said the pond will have a pipe, and retain water here. Etheridge asked where the water will out feed to, to the existing ditch. MacEldowney showed the swale. Etheridge asked if the pond will be adjacent to the fence. MacEldowney said there will be Leland cypress trees added. Etheridge asked the dimensions of the pond. MacEldowney said about 140 feet by 12-13 feet wide. Etheridge asked if all the flow from the paving will go into the pond? MacEldowney said yes, the vast majority will. Etheridge asked how long the water will stay there? MacEldowney said four to five days, depending on the rain. Etheridge asked if there will still be privacy fence? Hughes said if it is torn down it will be replaced. Etheridge said it will not be parking, just a loop? Hughes said it is designed to be driving.

Alain Miatudila looked at the drawings and elevations and said he felt some of the water flow will go in the pond and some elsewhere. Ed MacEldowney said the pipe is downsized and quite a bit higher. Hughes said in smaller storms we may not have as much water, and they will fence the pond. Miatudila said he is a civil engineer and he doesn't think it is the solution. MacEldowney said it is the standard practice; they are only required to correct for the additional runoff; they could add asphalt curb and break in curb and rip rap, those are things that they can do. Hughes said they don't have to do anything here, they decided they needed more stacking, so now they are doing the pond. Pierce asked about the Leland cypress; would it help to add ground cover?

MacEldowney said they will seed the area with grass. Hughes said he didn't think creeping junipers would help; when they put in the pond they can see if a short piece of curb will help put the water in the pond; it is difficult to see until you get out there. Hughes said they are trying to reduce but can't eliminate the drainage. It is too expensive to do pipe all the way to the pond.

Carol Mullis asked if the two new schools are on schedule to open, and will the decision for one traffic director be based on enrollment? Hughes said it will be decided by safety considerations. Extending the kitchen they are losing staff parking, there will still be some in back and adding some in front. Carol Mullis noted that in November they use the school as a voting precinct, and there will be a lot of people there, was the school board aware of this, and when will the traffic loop work be in process. Hughes said when they get the bids they also have a schedule; they will have to work something out. Pope said the cafeteria and media center work are after May 1. Hughes said they can't shut down the parking lot except in the summer. Carol Mullis asked if it would be done in phases. Hughes said it would be done in phases and all at once; they will build the kitchen, and still use the old kitchen.

Minutes 07.26.07

Approved 08.07.07

Krieg said he reviewed all the plans and CUP application, and all are in compliance with our ordinances. The town Engineer reviewed regarding stormwater. At the eastern side, there is a small area that will drain toward Potter Road; the engineer is out of town, and someone else looked at them, and they seem to be satisfied; he recommends a condition pending the Village Engineer's formal approval. The engineer concerns were on traffic and water. The pond is designed to catch the new water. There are now 20 Leland Cypress'; they are required to screen the parking areas, and more Leland Cypress' have been added. The Planning Board recommended black vinyl fence, and it is on the plans. Regarding traffic, the Planning Board noted the proximity to the intersection, and felt it wise to close it and not mix bus and car traffic, with the enrollment decreasing it should be okay.

Cheryl Bennett expressed concerns regarding the morning traffic; in getting out of Price Mill there is a stream of traffic heading toward the school, when someone is kind enough to let you out, you wait for the traffic light to turn red, but then the traffic director lets all the traffic out of the school heading west, and there is no chance to get out of Price Mill. Hughes said the safety director, Jarrod McCraw would be interested in this.

Hughes said they are getting bids Tuesday, on August 7 the School Board will review them, and on August 20 the Board of County Commissioners will review them.

There being no further comments or questions, Mayor Clinton closed the hearing.

6. A PLANNING REPORT

Krieg noted 16 permits were issued in June, and 10 in July so far. The Master Plan surveys are being recorded by UNCC, 650 were returned; preliminary results will be at the August 8 meeting. Phase II Village Commons construction is on schedule; final Target plans will be submitted at the end of August; no new tenants have presented plans. JDH Capital had final site plans approved for the medical office building along Waxhaw-Indian Trail Road. The Planning Board is continuing to work on revising the substation requirements in the ordinance and whether to split the categories for different utilities; they will meet with the electric companies to get a better feel for the electrical substation requirements. New Town Road Elementary School is nearing completion; and Krieg visited the site and found compliance with the CUP requirements. It was noted the sidewalks go to their property line. Krieg attended a meeting regarding porous pavement; Mullis asked the price difference, and Krieg said it is hard to tell, but perhaps 50% more; they can purchase less land. South Carolina uses it on I-77, and it works well. Horvath noted that Mark Ball from JDH Capital will be at our August 7 meeting.

6. B. DISCUSSION WITH PLANNING BOARD: SUBSTATIONS AND DEFINITION OF A "BAR".

The definition of a bar is on the agenda for the August Planning Board meeting, and they will also look at adult uses. Mullis noted he had talked to a property owner and there was interest in deed covenants on property. Krieg noted a lot of developers do that, but by law we have to have a place for adult uses, at present it is at Will Plyler and Waxhaw-Indian Trail Road. Mayor Clinton noted if a full joint session would be helpful, let's do

Minutes 07.26.07

Approved 08.07.07

that. Krieg said he had checked with a lot of planners, but most of the control seems to be through the ABC Commission.

7. **CONSIDER RESOLUTION 2007-15, REQUESTING THE INSTALLATION OF APPROPRIATE TRAFFIC CONTROL MEASURES AT THE INTERSECTION OF NEW TOWN ROAD AND CUTHBERTSON ROAD IN THE VILLAGE OF WESLEY CHAPEL**

Davis noted it is difficult for large trucks to go through the traffic circles.

Mullis made a motion to approve Resolution 2007-15, requesting the installation of appropriate traffic control measures at the intersection of New Town Road and Cuthbertson Road in the Village of Wesley Chapel. Pierce seconded the motion.

The motion was approved unanimously.

Resolution # 2007-15

RESOLUTION REQUESTING THE INSTALLATION OF APPROPRIATE TRAFFIC CONTROL MEASURES AT THE INTERSECTION OF NEW TOWN ROAD AND CUTHBERTSON ROAD IN THE VILLAGE OF WESLEY CHAPEL

WHEREAS, the Village Council members of Wesley Chapel are concerned for the safety, health and welfare of the citizens of the Village of Wesley Chapel as well as for those who visit our Village; and

WHEREAS, the Village Council members recognize that there will be a great increase in the amount of traffic at the aforementioned intersection, because of its proximity to the new school.

NOW THEREFORE BE IT RESOLVED, that the Village Council of the Village of Wesley Chapel requests that the North Carolina Department of Transportation assist the Village Council and residents and others traveling this street by adding appropriate traffic control measures at the intersection of New Town Road and Cuthbertson Road.

This the 26th day of July, 2007.

Tracey L. Clinton, Mayor

Cheryl Bennett, Village Clerk

8. CONSIDER RESOLUTION 2007-16, REQUESTING THE INSTALLATION OF APPROPRIATE TRAFFIC CONTROL MEASURES AT THE INTERSECTION OF NEW TOWN ROAD AND WAXHAW-INDIAN TRAIL ROAD IN THE VILLAGE OF WESLEY CHAPEL

Pierce made a motion to approve Resolution 2007-16, requesting the installation of appropriate traffic control measures at the intersection of New Town Road and Waxhaw-Indian Trail Road in the Village of Wesley Chapel. Horvath seconded the motion.

The motion was approved unanimously.

Resolution # 2007-16

RESOLUTION REQUESTING THE INSTALLATION OF APPROPRIATE TRAFFIC CONTROL MEASURES AT THE INTERSECTION OF NEW TOWN ROAD AND WAXHAW-INDIAN TRAIL ROAD IN THE VILLAGE OF WESLEY CHAPEL

WHEREAS, the Village Council members of Wesley Chapel are concerned for the safety, health and welfare of the citizens of the Village of Wesley Chapel as well as for those who visit our Village; and

WHEREAS, the Village Council members recognize that there will be a great increase in the amount of traffic at the aforementioned intersection, because of its proximity to New Town Road Elementary School.

NOW THEREFORE BE IT RESOLVED, that the Village Council of the Village of Wesley Chapel requests that the North Carolina Department of Transportation assist the Village Council and residents and others traveling this street by adding appropriate traffic control measures at the intersection of New Town Road and Waxhaw-Indian Trail Road.

This the 26th day of July, 2007.

Tracey L. Clinton, Mayor

Cheryl Bennett, Village Clerk

9. DISCUSS AND POSSIBLE VOTE ON CUP #07-01, ADDITION TO WESLEY CHAPEL ELEMENTARY SCHOOL.

The council went through the Findings of Fact for CUP #07-01. The votes are recorded as follows.

FINDINGS OF FACT		<u>YES</u>	<u>NO</u>
1.	The use will not materially endanger the public health or safety if located where proposed and developed according to plan.	<u>4</u>	<u>0</u>
2.	The use meets all required conditions and specification.	<u>4</u>	<u>0</u>
3.	The use will not substantially injure the value of adjoining or abutting property or the use is a public necessity.	<u>4</u>	<u>0</u>
4.	The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with this Ordinance and the Wesley Chapel Land Development Plan.	<u>4</u>	<u>0</u>
5.	That the use meets all other review criteria as set forth in the Zoning Ordinance and in particular, specific review criteria for certain applicable uses as set forth in Section 6.10 of the Zoning Ordinance.	<u>4</u>	<u>0</u>
6.	Any deviation from the terms of this Ordinance will Result in a project that is at least equal to or better than What would be accomplished under the strict application of this ordinance.	<u>4</u>	<u>0</u>
7.	Any deviation from the terms of this Ordinance will not adversely affect the right of other abutting or nearby property owners in any material manner.	<u>4</u>	<u>0</u>
8.	That the proposed use will be compatible with the general characteristics of the area with respect to the (a) location of structures, (b) the location, design, and screening of parking and service areas, and © the location, size and character of signs and streetscape.	<u>4</u>	<u>0</u>

9. That the proposed use will not create or seriously heighten the congestion on area thoroughfares.

4 0

The following conditions were placed on the CUP: Approval pending final approval by the Village Engineer; and a meeting will be held with the schools safety director and Price Mill and Council.

Croffut made a motion to approve CUP #07-01, Addition To Wesley Chapel Elementary School, with the above conditions. Horvath seconded the motion.

The motion was approved unanimously.

10. SELECTION OF NEWSLETTER NAME

The names that were submitted were The Cardinal, The Villager and The Village Voice. Pierce made a motion to name the newsletter The Villager. Croffut seconded the motion.

The motion was approved unanimously.

Gail Scott submitted the name, and Mayor Clinton will send her some free car wash tickets.

11. DISCUSSION OF NEWSLETTER TIMING AND CONTENT

Pierce reported the newsletter timeline is submission deadline July 31, 2007; Proof process August 6-24, and the mailing date will be August 30 or 31. Pierce will do an article on Liquor by the Drink Referendum; Kevin Flynn will do an article on Aston Phase II-IV Update; and Michelle Fairman will do an article on Support the Troops. There will be an introduction of new staff and board member. Announcements include: Master Plan survey Results Meeting on September 27, Committee Vacancies, Message Board at Village commons, Book club Startup, and the Village 10 Year Anniversary Celebration. Carol Mullis noted the location is the key on the Celebration; the newsletter will list Carol's name and e-mail. Ads will include State Farm and Spivey Insurance.

12. DISCUSS COUNCIL SPONSORING A FORUM FOR WESLEY CHAPEL CANDIDATES

The Mayor suggested a forum be held for the Wesley Chapel candidates. Pierce suggested the High School sponsor it, instead of Council. Horvath and Mullis agreed. Mineral Springs had a forum which the League of Women Voters sponsored. Council consensus was for the Mayor to go to the High School first to moderate the forum.

13. A UPDATE ON MASTER PLAN AND IMPORTANT DATES

They are putting together their stakeholders group. There is a meeting August 8, and a kickoff meeting on Wednesday August 27. September meetings are Wednesday

Minutes 07.26.07

Approved 08.07.07

September 12 and Thursday September 27 where the survey results will be presented (this meeting will be advertised).

13. B. UPDATE ON COUNTY LIBRARIES

Mayor Clinton and Pierce attended a meeting on the libraries called by Mayor Underwood of Waxhaw. They are basically stalled on fundraising for the Weddington library; they have \$1.5 million pledged. The 1999 library master plan showed 5 regions and one library in each region. The new plan shows super regional libraries, with one in the Cureton area; these would save on building and operating costs. Waxhaw is not happy, they want a Waxhaw library. No one seems to want the super regional concept. There will be 5 referendum questions, on libraries, parks and recreation, schools, community colleges and land conservation. Marty Smith the library director is going back to the Library Commission, and her priority was the Waxhaw area.

13. C. COUNCIL COMMENTS

Mullis reported the fire department went ahead and are building a new station; they are on a fast track.

13. ADJOURNMENT

Pierce made a motion to adjourn; Mullis seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 8:55 PM.

Respectfully submitted,

Cheryl Bennett, Interim Clerk

Mayor Tracey Clinton