

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL UNITED METHODIST CHURCH
120 Potter Road, Wesley Chapel, NC 28110
January 17, 2012 – 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 Ormiston, Council Members Brotton, Plyler and Rosoff

Others Present:

Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Admin. Joshua Langen

Citizens: Carol Mullis, Josh Whitener

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 Ormiston said the invocation.

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

Item 8 “Downtown Resolution Discussion (Continued)” was tabled for now. Added to Item 4 was “CUP Process” and “Park Layout”; to Item 11 “Committee E-mail Lists”, “Committee Member Removals” and “Committee Participation”, and to Item 15 “Community Watch”. Brotton made a motion to approve the agenda with these changes; Ormiston seconded the motion.

The motion passed unanimously.

3. TOWN HALL COMMITTEE UPDATE

- Access Road/Borings Update
- Telecom, Security, A V Design Discussion

Brotton reported the Committee is waiting to hear from Aston if the borings are acceptable. Aston wants us to draft the access road agreement; Gary Reader offered us a boilerplate contract, and we will have George review it. A draft was provided. On item 9 we will be more specific and request the road be finished earlier than the opening of the town hall; Brotton will fill in the blanks, expand on item 9, and send it back to Council. Bennett requested we also specify that the median and turn lanes are Aston’s responsibility. Mayor Horvath noted we are not part of the Village Commons, just adjoining. The scope of work on the design of the A/V, telecom, security and wiring is greater than anticipated. Brotton will get a summary from John Fuller.

The address for the Town Hall was discussed; Bennett sent Karen Partee at Aston an e-mail in October 2010 requesting the numbers 6490-6498 be set aside for the

town hall property. Brotton will contact her. Council by consensus gave Brotton permission to meet with the planner and represent the town for the CUP. Discussion was held on whether town initiated CUP's need to go to the Planning Board for a public info session; it gives another chance for public vetting. Planning Board can make a recommendation; Board of Adjustment does not have to read it. The Park CUP will go to Planning Board in February and Board of Adjustment in March, and the Town Hall CUP will go to Planning Board in March and Board of Adjustment in April. The question was asked if you can bid out the town hall before the CUP; changes from the CUP might affect the bids and could cause a change order.

4. PARKS AND REC COMMITTEE UPDATE

- Recombining Two Dogwood Parcels Into One
- Dam Pipe Status
- PARTF Update
- CUP Process
- Park Layout

Ormiston noted we are re-combining the two parcels to eliminate setback problems. Per Langen we just need to spend \$500 to get a new survey from the surveyor who previously surveyed the property, he will sign off on it, and it will be recorded at the County. Since we need a Resolution to exempt ourselves from having to obtain bids on any survey work, a Resolution to do so was presented. Ormiston made a motion to approve Resolution 2012-02, Rosoff seconded the motion.

The motion passed unanimously

Resolution 2012-02
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 to recombine the two parcels into one at Dogwood Park; and

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

NOW, THEREFORE, THE WESLEY CHAPEL VILLAGE COUNCIL RESOLVES:

2012.01.17 minutes

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 17th day of January, 2012.

ATTEST

Cheryl Bennett, Village Clerk

Brad Horvath, Mayor

Ormiston made a motion to approve spending up to \$500 to R Joe Harris for survey work for the re-combination; Rosoff seconded the motion.

The motion passed unanimously.

Ormiston reported that beavers had put debris on the pipe in the pond, and someone put a cover on it, when TK Browne removed the cover the lake level dropped three to four feet. The cover was put back on for safety purposes and we will work with DENR to put a cage on top of the pipe. Brotton asked if the new depth of the water will cause problems with things like growth of algae, and survival of the fish.

Ormiston, Rosoff and Sondra Bradford met regarding the PARTF grant; Bradford submitted a request in late December for \$319,415.50 reimbursement from PARTF for the land purchase. In March we can submit for 50% of the costs for items going back to the start of the project, such as appraisals, surveys, etc. We might want to wait three weeks later if more expenses are coming in that we can ask for reimbursement on. The last \$50,000 we will not get reimbursed for until the project is done. Mayor Horvath asked about the timing – how soon can we expect reimbursement; Ormiston will call the PARTF rep to find out.

Ormiston reported that the architect moved the pier to make it more easily ADA accessible for the Community Fishing Grant and to fit with the paved trails better. She also said she spoke to a contact for the grant and the dam needs to be approved and cleared by DENR, due to the slope of the path we may need landing pads. They will send a biologist and engineer out to the site. The CUP process is on track to go to Council February 13, then to Planning Board in late February and to Board of Adjustment in March.

To obtain the last \$5,000 on the Water Based Resources Grant, we have to have the trail design finished; Bennett will check to see how long we have until this grant runs out. As an option, we understand Trailblazers will do work on the unpaved trail for free; we will check to see if the AAT grant is for the trail or design.

Volunteer days are scheduled for the third Saturday of March, April and May from 10 am to 4 pm. Council requested Bennett get about ten no trespassing signs (including some in Spanish if possible) because some people are going on the property to fish. Langen said there is a deep hole with doors covering the hole between the lake and house. Mayor Horvath will put up orange netting around it. Ormiston reported that about fifteen neighbors came to the Parks and Rec meeting,

and they requested a fence; some have dogs that will bite, and Gary Wirth also suggested it might be a good idea. However it will be an additional cost so the Committee will evaluate options to determine if funds are available or changes need to be made to projected expenditures to accommodate this option.

Four bathroom options were presented by Wirth, the committee preferred the standalone option with storage that could be locked at night, however the cost was high so they asked him if it could be done a little smaller for a lower cost. They are also looking at what the amphitheater will look like, and whether a prefab structure would be cheaper.

Plyler asked why there was a dog park shown in the plans near Highway 84. Rosoff said it is in the future plans, it was previously shown near Berkeley Pointe, but they need a flatter space and room to separate large and small dogs. Plyler asked if Council would have to approve this; they would, and it has not yet been voted on. Ormiston noted it is in a future phase.

Brotton asked who determined which yard is front, etc. Ormiston said where the entryway is, i.e. Lester Davis, would be the front yard. Langen said when a rectangular lot faces two roads, the smaller side is the front, and that is Highway 84. The fence can go in the setback. The rear setback is more stringent. We need better definitions to determine, front, back, side and rear yards.

Mayor Horvath requested they make sure they have the length of trails we had committed to in the grant. Ormiston said we are asking PARTF if we can change the width of the trail from ten feet to eight feet.

Mayor Horvath appointed John Balles as an alternate to the Parks and Rec Committee.

5. DISCUSSION ON DATES / LOCATION FOR ADVANCE

The Advance will be held on March 9 and 10; the Friday night dinner will either be at SPCC or the meeting room at CMC-Waxhaw. Bennett will take a look at the room, and compare prices. Larry Parks cannot facilitate the Advance, so Mayor Horvath offered to do so. Friday night he will facilitate and not offer input, on Saturday he will lead the meeting and participate.

6. DISCUSSION AND REVIEW OF CHANGES TO FEE SCHEDULE; SCHEDULE PUBLIC HEARING

Langen added an exception of no fees for temporary use permits and sign permits for non-profit or not-for-profit organizations; since a sign permit is basically an hour of work, he changed the fee to \$25. He separated temporary and permanent sign permits, and only the temporary sign permits are free to non-profits and not-for-profit organizations. Ormiston requested he group the fees in the top group alphabetically.

Ormiston made a motion to call for a public hearing on changes to the fee schedule on February 13, 2012 at 7 pm at Wesley Chapel United Methodist Church. Plyler seconded the motion.

The motion passed unanimously.

2012.01.17 minutes

7. UPDATE ON DEMERE HOA MEETING REGARDING VOLUNTARY ANNEXATION

Mayor Horvath reported there were about forty people at the meeting; some were in favor and some against annexation; they might want to annex later on.

8. DOWNTOWN RESOLUTION DISCUSSION (CONTINUED)

- Re-visit Key Parameters Already Discussed
- Discussion of Next Steps

This item was tabled earlier in the meeting.

9. REVIEW AND DISCUSS STAFF RESPONSIBILITIES / TIME ALLOCATION

Nancy Schneeberger, our administrative assistant scheduled her hours so that she would have sufficient time to issue the letters and privilege licenses, which is principally in the spring. At this time of year she just comes in a couple of hours a week because she is not real busy now. She also is now the tax collector for Marvin, which works well since her busy time of year there is in the fall/winter. Council asked if staff is busy and if there is any time for more tasks. We will make sure someone is present during posted business hours.

10. CONSIDER APPROVAL OF RESOLUTION 2012-01 DIRECTING THE CLERK TO INVESTIGATE PETITIONS RECEIVED UNDER GS 160A-58.1

Brotton made a motion to approve Resolution 2012.01 Directing The Clerk To Investigate Petitions Received Under GS 160A-58.1; Plyler seconded the motion. The motion passed unanimously.

RESOLUTION 2012-01 DIRECTING THE CLERK TO INVESTIGATE PETITIONS RECEIVED UNDER G.S. 160A-58.1

WHEREAS, petitions requesting annexation of lots in Winding Creek, Blackstone, and Estates at Wesley Oaks subdivisions were received on January 17, 2012 by the Village of Wesley Chapel Council; and

WHEREAS, G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the Village Clerk before further annexation proceedings may take place; and

WHEREAS, the Council of the Village of Wesley Chapel deems it advisable to proceed in response to this request for annexation:

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Wesley Chapel that:

The Village Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Council of the Village of Wesley Chapel the result of her investigation.

2012.01.17 minutes

Adopted this 17th day of January, 2012.

Mayor Brad Horvath

ATTEST:

Cheryl Bennett, Clerk

11A. DISCUSSION AND POSSIBLE APPROVAL OF A STANDARD FOR MINUTES

Items 11A and 12 had come up a couple of months ago and had been postponed due to lengthy meetings. We are required to do a summary of the meetings in the minutes. Council consensus was to stay with the style of minutes we have been doing.

11B. COMMITTEE E-MAIL LISTS

Ormiston asked if committee chairs send e-mails to residents, and they reply to all, is that breaking open meeting laws; Mayor Horvath replied no. Brotton and Rosoff did not see any harm in sending info out to residents. Mayor Horvath volunteered to work with the committee chairs on their roles and responsibilities. Brotton noted that if you are addressing a quorum of the committee, you should send a copy of the e-mail to the clerk.

11C. COMMITTEE MEMBER REMOVALS

Mayor Horvath removed Chauncey Bowers and Gary Reader from the Safety and Town Hall Building Committees, respectively, in accordance with our policy on non-residents as committee members. Gary Reader is aware of this, and Mayor Horvath will contact Chauncey Bowers.

11D. COMMITTEE PARTICIPATION

Planning Board's Rules of Procedure allows them to call for removal of a member who misses three consecutive meetings; we might need a similar rule for the Committees.

12. DISCUSSION OF POSSIBLE VILLAGE WEBSITE ENHANCEMENTS

There were no concerns over the website; if you have any suggestions let the Clerk know.

13. REVIEW REVISED COMMITTEE CHARTERS (BASED ON CHARTER FORMAT CHANGE PREVIOUSLY APPROVED)

Ormiston said the charters have not yet been done; but they are helpful because they provide direction, scope and goals. Mayor Horvath agreed; it also provides consistency. The charters should be completed by the April work session.

2012.01.17 minutes

14. REVIEW AND POSSIBLE APPROVAL OF POLICY ON VIEWING E-MAIL LISTS

Bennett noted this had been discussed previously, and this is the written policy as Council had discussed. Ormiston made a motion to approve the policy on viewing e-mail lists, incorporated herein. Rosoff seconded the motion.

The motion passed unanimously.

The Policy is:

Policy on Viewing E-mail Lists

Lists of e-mail subscribers, such as the Sunshine List, may be viewed upon request, but the public will not be provided a copy in writing.

15A. TOWN SEAL DISCUSSION

Mayor Horvath provided a rough draft of a seal using Chuck Adam's idea of having a picture in each petal of the dogwood flower which is the state flower. Ormiston asked to add "Established" and the full date of incorporation. Consensus was to get a graphic design rendering, make it more dimensional, add flags, and take out the gazebo.

15B. COMMUNITY WATCH

Ormiston reported that the chairman of the Weddington Safety Committee called her and they will have a community watch meeting on Monday January 30, 2012 with other local community watch members to improve western Union County communications.

16. OTHER BUSINESS

Mayor Horvath reported that he will be out of town for the next meeting; the Parks and Rec presentation was then moved to the February 21, 2012 meeting. The MUMPO meeting is tomorrow night; they will elect a chair and vice chair.

17. COUNCIL COMMENTS - none

18. ADJOURNMENT

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

The motion passed unanimously.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath