

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL UNITED METHODIST CHURCH  
120 Potter Road, Wesley Chapel, NC 28110  
February 21, 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, Julie Brown, John Lepke, Daniel McNally, and several other citizens

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

Added as Item 4B was “Safety Committee” and Item 9B. “Terms of Committee Members”. Plyler made a motion to approve the agenda with these changes; Brotton seconded the motion.

The motion passed unanimously.

3. TOWN HALL BUILDING COMMITTEE UPDATE

Brotton reported he spoke to Karen Partee at Aston today; their timeline from start to finish would be two months for the construction part of the roadway. She is waiting for their engineer to come back to firm up the dates. They were okay with the budget change to \$100,000. They would like to keep the current cut-in for construction traffic for now. Ms. Partee had a concern on curb repair, for example should our garbage service cause damage to the curb, the repair should be our responsibility. This Thursday is a Committee meeting and the architect is bringing the contractor for AV, etc. services.

Rosoff asked for a budget breakout on the town hall. Brotton will get the architect’s fee breakdown.

4A. PARKS AND REC COMMITTEE UPDATE

- Dogwood Park CUP

Gary Wirth from Wirth & Associates was present to go over the plans for the park. He noted it showed the total development of the park, not just the Phase I improvements. Since the Village is the applicant, the CUP application will go to Planning Board for informal review and to Board of Adjustment for approval. Wirth said the driveway will be widened, and 48 parking spaces created plus 50 overflow in the grassy area; there will be an amphitheater, trails, mountain bike trails in a later phase as well as playgrounds and a dog park. Ormiston asked if we have what Langen needs for the traffic plan. Langen said he might need traffic counts but it won't trigger a Traffic Impact Analysis. Ormiston said she was referring to our code, like fire access. Langen said since it is a private drive, there aren't any standards. Wirth said he will look at the standards to be sure a fire truck can get through.

Ormiston asked about the 18 light poles; if we decide to only go with 12 later, will that be an issue. Langen said now is the time to specify what you will do. Wirth said the lighting is for safe ingress and egress, there is zero spillover to adjacent properties. He noted for special functions we will have to get temporary use permits and hire deputies to assist citizens crossing Highway 84 to extra parking area. Plyler asked if we have a written agreement with Southbrook Church for parking. Ormiston and Rosoff said we have it in e-mail.

Ormiston asked if we are committing to a dog park. Langen said yes, everything on this plan should be done, unless there is a phasing plan that says you will do it later on. Plyler said if we find we need more space for kids' playgrounds, do we have to do the dog park? Mayor Horvath said it says future, and we haven't made any decisions on it yet. Mr. Wirth said the dog park was on the list of desired amenities, they tried to put both mountain bike trails and dog park on the plan so we can do it without having to come back through the CUP process. There is still flexibility to come back and amend the plan. Langen asked what the notation "optional" meant. Wirth said they can change the fence label to "future". Ormiston said the fence is optional based on funding, the committee decided to wait and see if funds are available, also there is enough vegetation to create a boundary and provide screening. Wirth said most parks don't provide fencing, the adjacent owner can put up a fence; some already have and may even be on our property. Langen said the question on changes to the CUP would be whether it alters the basic relationship of the park to the adjacent owners, and it will vary by owner. Rosoff suggested we label the fence "future". Wirth asked what if a feature comes in over budget and we delay or don't put it in; Langen said taking something out reduces traffic and would just require an administrative letter. Langen said there is a good faith contract between the town and public. Discussion was held on the semantics, and the label "proposed" will be removed, and "future" will be kept. Carol Mullis asked how we will handle neighbor fences on our property. Mayor Horvath said it is a zoning violation and we can address it going forward. Ormiston said the Committee can decide if they want to give notice to the property owner; the issue of squatters' rights was brought up.

Wirth said there are two ADA parking spaces and an ADA route to the amphitheater. He said he hasn't gone to DENR on the dam yet, but should have the

necessary survey work results tomorrow. Langen suggested the fence be tied to the mountain bike trail. Ormiston asked if Langen had everything he needed to bring the CUP to the BOA. Langen said he was not sure yet. Ormiston suggested taking off the fence; Brotton and Plyler agreed. Rosoff asked if we could just label it "future". Ormiston said the landscape plan may suffice for the neighbors' concerns. Langen said he will present the CUP but not give a professional opinion on it. Mayor Horvath said one of us needs to be present to respond when the BOA reviews the CUP. He suggested we might do a fence in the future, depending on funding. Consensus was to leave the fence off and take out the word "proposed" on feature labels. Langen said he anticipates an administrative amendment that he would sign off on for future minor changes. Mayor Horvath will represent Council at the BOA hearing.

Wirth said per the County we have to have permanent restrooms, and can't use the septic system. He will do more research on it. It would be better to put the infrastructure in now.

Langen said the portions of trails that are labeled ten feet wide are because he thought they were sharing bike and pedestrians, you could say all trails are eight feet now, and only require ten feet wide when you add bike trails. Ten feet wide is appropriate for the boardwalk.

Ormiston said the Parks and Rec Committee asked if there were any funds left over from the park allocation, could they do an engineering study of the house, and made a motion to do so. Rosoff seconded the motion. Brotton said we should do this anyway. Wirth said the house would have to come up to "public use" standards. Plyler said we can't use the second floor, you could figure out what it would cost to do a new structure that meets your needs, and have less repair and maintenance costs.

The motion passed unanimously.

Brotton made a motion to move forward with the CUP as amended and send it to the Board of Adjustment. Ormiston seconded the motion.

The motion passed unanimously.

Ormiston noted there is a volunteer day on March 17, 2012 from 10 am to 4 pm to take down the chicken coop, fill holes, and take down damaged trees.

A five minute recess was held.

#### 4B. SAFETY COMMITTEE

Plyler asked if we can put a request for volunteers for National Night Out (NNO) on the website, also for volunteers for Parks and Rec. The consensus was yes. She also asked if we can sell hotdogs at NNO; Bennett said yes she had talked to the Health Department and as a non-profit we can do that for two days per month. Bennett was asked to ask the attorney if we can use the Sunshine List to solicit volunteers. Plyler asked if we can give funds raised at an event to a charity. Bennett said if we solicit funds for the purpose of an event, we have to use the funds for that event. Plyler asked if there is a line item for the Safety Committee: Bennett said it is combined with the deputy under "Public Safety". She said the Safety Committee felt left out on the hiring of the deputy. Ormiston said an email went to the Safety Committee to let them know about the deputy and they were

invited to his introduction at the Council meeting. Ormiston noted the Village did not conduct the hiring of the deputy and that process is managed completely by the Union County Sheriff's Office. Plyler said the report they received from the Sheriff's department does not provide the info they would like to see such as what the deputy investigated, how many burglaries occurred, etc. Mayor Horvath suggested they define what they want to receive, and let the deputy know. It was noted that Sheriff Cathey spoke with Bennett and agreement was made on the amount charged for the month of December (1/12<sup>th</sup> the annual cost for a deputy).

#### 5. ASTON CUP DISCUSSION

Langen said a zoning verification letter was sent to Parker Poe, and it states the vesting period ended; provisions in print go with the property, if not in print such as temporary signage, it is gone. He said the phasing was not clear, so it is not enforced. Mayor Horvath said the language in the CUP order doesn't match with our ordinance. The letter was requested and sent.

#### 6. DISCUSSION ON PRIVILEGE LICENSES

Bennett reported Sistrunk reviewed the enforcement letter and made some changes to it. He noted we would need to send a notice of deficiency before any enforcement efforts.

Plyler said Waxhaw had Robin Lewis review their privilege license area and felt it was well worth it. Bennett said she and Schneeberger went to Waxhaw when they had a public meeting over their privilege license fee schedule changes and had gotten a lot of information from them. We also used the model privilege license ordinance from the business license book.

We will proceed with letters.

#### 7. DISCUSSION ON ADVANCE AGENDA ITEMS

- Friday Night – Committee Recognition, Recap of 2011 Advance and Accomplishments
- Saturday AM (With Planning Board) – Status of Communication Between Planning Board and Council, Downtown Resolution, Walkability
- Saturday PM – Goals and Objectives for 2012 Based on Citizen Comments Friday Night and Planning Board Discussion Saturday Morning; Review Current Contractual Support (Engineering, Fiscal Audit, Legal)

Friday night the focus will be on town identity, including signage, social media, and schools; we will have the town hall and park renditions on an easel. We will add to the Saturday morning schedule aging in place, and sidewalk plan. (Brotton got information on the Safe Routes to Schools program, a five foot wide sidewalk costs \$11 per linear foot, or \$290,000 per mile; curbs are \$15 per linear foot; we might want a committee to develop a plan and priorities). We will add to the Saturday afternoon schedule the CIP.

Plyler suggested we might need someone in our office to search for grants. Mayor Horvath noted we talked about that for roads after another town got a \$600,000

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grant. The Western Union County Mayors' Coalition talked about jointly funding a position with the County, but the County tabled it. Ormiston noted grants came up in Parks and Rec and in the Youth Council Committee. Plyler said Stallings got a sidewalk grant.

8. ACCEPT RESIGNATION FROM FESTIVAL COMMITTEE

Mayor Horvath accepted Diana Bowler's resignation from the Fall Heritage Festival Committee.

9. A. REVIEW DOCUMENT ON COMMITTEE CHAIR AND LIASION RESPONSIBILITIES AND ROLES

Mayor Horvath received the input from the last council meeting and will send out a new draft.

9. B. TERMS OF COMMITTEE MEMBERS

Ormiston noted the charters for the committees are due in April. If we have terms for one committee, should it apply to others? Members could reapply for new terms and have staggered terms. The Committees can suggest appropriate terms for their committee. Should we have terms for chairs of committees? Ad hoc committees don't need terms for members. For the Festival it makes sense to have one year terms.

10. OTHER BUSINESS

Flooding occurred on Adelaide Place in Wesley Oaks, it is a County platted subdivision, and Langen is looking into it.

11. COUNCIL COMMENTS - none

12. ADJOURNMENT

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

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath