

2012.04.17 minutes

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL UNITED METHODIST CHURCH
120 Potter Road, Wesley Chapel, NC 28110
April 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

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

Plyler made a motion to approve the agenda; Ormiston seconded the motion.
The motion passed unanimously.

3. SAFETY UPDATE – OFFICER MAINERO

Officer Mainero reported preventative patrols have increased, and he has had a couple of arrests. Sundays have been the busiest day and he is trying to schedule seven to eight weekend shift days. There is a type of handheld radar called lidar that is very precise, we will try to pursue a grant to purchase one. He will be getting a new vehicle in a few months. Explorer boot camp is held for five days in the summer, he was given Butch Plyler's number to see if they can use the room at the fire station. Council member Becky Plyler gave the Deputy a list of data the Safety Committee would like to obtain if possible. Deputy Mainero is also following up on recent break-ins; the detectives have a large case load.

4. REVIEW AND POSSIBLE APPROVAL OF COMMITTEE CHARTERS

Park and Rec Committee's charter was just received, so it will be reviewed at the next meeting. A change was made to their charter on page 3 to re-word who has the authority to spend funds. The date on page 7 was corrected to 2011. On page 11 the waiting list of citizens who are interested in serving on the committee will be reviewed by the Committee regularly.

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The Youth Council Committee charter was discussed. Member terms are one year, but they may re-apply for a new term. Ormiston made a motion to approve the Youth Council Committee charter with the addition that they may serve multiple terms. Brotton seconded the motion. Ormiston rescinded the motion. Ormiston amended the original motion to add a change in wording on page three, that the Committee will contribute ideas for youth activities. Brotton seconded the amended motion.

The motion passed unanimously.

5. TOWN HALL COMMITTEE UPDATE

- Status of Access Road Agreement with Aston Properties/Village Commons
- Timeline for Next Steps

Brotton reported he had gone back and forth with our attorney and Aston's; Aston has agreed to all the committee provisions. Our attorney had a couple of issues which Brotton took to Aston. First issue was to pre-approve the general access points and identify them in the design plans. Second is the issue of access during construction; Aston is preparing a declaration of easements amendment. For access through the shopping center, Aston has an Operating and Easement Agreement (OEA) which they use with Target, but we can't become party to it because it requires payment of common area expenses on a pro-rata basis. Aston said they would not police access through the shopping center. Brotton outlined the options: one is to not go with Aston, and go with Blackstone to do the drive; second is to use the access point we already have, and we are then limited to their restrictions on the road; or third to claim eminent domain. Mayor Horvath noted we won't generate much traffic, and we will produce business for the stores. Ormiston noted having a business owner there who was opposed to the town hall location is a red flag; we cannot be landlocked; we could do a cutoff from their road. Brotton said his opinion is we should move forward with the Aston agreement and he felt it would be cheaper. We will find out what it would cost to join the OEA. The overall project benefits citizens and provides what they asked for.

Aston suggested executing an amended declaration along with the road agreement, and it should be ready tomorrow. Ormiston requested Brotton ask Aston if they knew if anyone had any concerns on it. Mayor Horvath asked Council if Aston's amended declarations are in accordance with the Agreement, does he have authority to execute the agreement. Plyler made a motion that if Mayor Horvath, Brotton and attorney Sistrunk see no material changes and agree on the amended declaration, then it be approved. Ormiston said she did not want to vote on something she had not seen. Plyler amended the motion to include that Council receive a copy of the agreement and declaration. Plyler withdrew the motion. Plyler made a motion that we get copies of the old and new declaration of easements, and if all Council members approve it, the Mayor is authorized to sign it. Ormiston seconded the motion.

The motion passed unanimously.

Brotton said the information on the road tie-ins will help the architect move along. Brotton prepared a spreadsheet on town hall costs, there is a summary tab and invoices tab. The third tab is a full breakout on Fuller's cost.

6. PARKS AND REC COMMITTEE UPDATE

Ormiston noted we had to order more gravel for the unpaved trail, we budgeted it at four feet wide and four inches deep, but the bobcat bucket is five feet wide. We had to order \$1,021.53 more gravel, which put us over budget. Ormiston made a motion to approve the additional pit gravel purchase of \$1,021.53 from Blue Max. Brotton seconded the motion.

The motion passed unanimously.

Ormiston reported the trail is done for all intensive purposes; we had forty-two volunteers out last weekend. We will submit for reimbursement on the AAT grant and they will then come out and inspect it.

Ormiston spoke with the State contact on the pier grant.

Parks and Rec put together a detailed budget request for next year; they based it on the park being open six months starting in January. The best case is the park opens in November; the worst case is it opens in May.

Residents who have property backing up to the park wanted to know if they can put up gates in their fences; Ormiston didn't think we could regulate the gates. Council unanimously agreed that this was not within our purview to regulate.

7. FESTIVAL COMMITTEE UPDATE / POSSIBLE VOLUNTEERS OR ALTERNATIVE DISCUSSION

Rosoff has not heard back from anyone on the festival. We will try to reach out for volunteers by putting a blurb in the paper and posting on the website and through the Sunshine List. Other options were briefly considered, such as a spring festival and a paid coordinator.

8. REVIEW AND POSSIBLE APPROVAL OF REVISED PURCHASING POLICIES

Bennett provided the revised document. Ormiston made a motion to approve the revised Purchasing Policies document incorporated herein, Plyler seconded the motion.

The motion passed unanimously.

Purchasing Policies (Revised April 17, 2012)

Village of Wesley Chapel Council members and employees shall present to the Council for prior approval for any single purchases for goods and services expected to exceed five hundred dollars (\$500). This limit shall also apply to purchases of goods and services of lesser amounts when the sum of several purchases needed or necessary to complete a single project is \$500 or more. This limit shall also apply to contracts or similar commitments where the agreed upon amount will exceed \$500 in a fiscal year.

For any expenditures in excess of \$1,000 three bids should be obtained and presented to Council. Purchase orders should be approved by the Finance Officer for any expenditures over \$1,000 and the Finance Officer will pre-audit the expenditure to ensure there is an

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appropriation for the expenditure, and sufficient funds remain in the account to pay the obligation.

Council shall by motion approve the vendor, amount and any other terms of the purchase including quantity and what line item the funds are coming from.

Contracts – an authorized representative of the Village must sign all contracts executed on behalf of the Village. Specifically, the Mayor Council Member must sign for the contract to be valid. Prior to signing, the authorized representative must determine that the contract has been reviewed by the attorney, approved by Council, and that the Finance Officer has signed to verify that funds are available in the budget. The authorized representative should verify that all terms and conditions including rates, dates the service or goods are to be provided, payment terms, an insurance certificate and any other essential information is in place, and that the vendor holds a current Village privilege license if applicable. Upon execution of the contract by all parties, a copy must be placed on file with the Village Clerk and Finance Officer.

Exceptions to Prior Approval of Purchases by the Village Council

1. When an emergency repair or replacement is necessary to maintain the safety of the public or to protect the asset of the village from further damage every effort shall be made to make the emergency repair as soon as possible. In that case a report and full explanation of the nature of the emergency must be presented to the council at the next regular meeting.
2. Expenditures applicable to contracts where the payments represent the predetermined contract amounts such as landscaping, sheriff deputy and any other similar contracts. However this **exception does not** apply to goods or services not covered within the terms of the contract that is in effect at the time. Any costs that exceed the existing contract are considered to be over and above the contract and must be approved by the Council as any other purchase of goods or services.
3. Payments for utility bills, election fees, insurance, postage, engineering fees (not related to a capital project), training and dues as specified in the budget

9. REVIEW ADVANCE PRIORITIES AND FURTHER RANK IN ORDER OF IMPORTANCE / FEASIBILITY

This item was tabled until the next meeting.

10. REVIEW ORDINANCE PRIORITIZATION LIST AND ESTABLISH RANK

This item was tabled until the next meeting.

11. UPDATE ON VILLAGE SEAL

Mayor Horvath heard from the artist that the seal was almost done, and he expects to see it by the end of April.

12. DISCUSS AND POSSIBLY SET SPECIAL MEETING FOR 2012-2013 BUDGET REVIEW

Brotton made a motion to cancel the regular May 22, 2012 Council meeting, and to hold a special Council meeting on May 15, 2012 at 7 pm at Wesley Chapel United Methodist Church to review the CIP budget and to discuss the 2012-2013 annual budget. Ormiston seconded the motion.

The motion passed unanimously.

13. CLOSED SESSION TO CONSIDER QUALIFICATIONS AND CONDITIONS OF INITIAL EMPLOYMENT OF PROSPECTIVE EMPLOYEE NC GS 143-318.11(A)(6)

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

The motion passed unanimously.

Council considered the qualifications of the applicants for the administrative assistant/grant research position. The top three applicants were ranked.

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

The motion passed unanimously.

15. DECISION ON OFFER TO PROSPECTIVE EMPLOYEE (Items 14 and 15 were discussed in reverse order).

Ormiston made a motion to offer the administrative assistant / grant writer position first to Melody Graham, if she doesn't accept, offer it to Kathleen Jones; if she doesn't accept, to offer it to Christopher L'Orange. Brotton seconded the motion.

The motion passed unanimously.

14. CONFIRM HOURS, ESTABLISH SALARY AND MAKE BUDGET TRANSFER FOR ADMINISTRATIVE ASSISTANT / GRANT WRITER POSITION

Brotton made a motion that the position will be for twelve to sixteen hours per week, and the offer will be at the rate of \$15 per hour to Melody Graham and Christopher L'Orange, and at \$13.50 per hour to Kathleen Jones. Rosoff seconded the motion.

The motion passed unanimously.

Ormiston made a motion to do a budget amendment to transfer \$800 from seminars with \$600 moved to the Administrative Assistant salary line item and \$200 moved to the payroll tax line item. Brotton seconded the motion.

The motion passed unanimously.

Bennett will send emails to the people we interviewed. Mayor Horvath will extend the offer; Melody Graham's references have already been checked, so we would have to confirm references with the other two applicants.

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16. ADJOURNMENT

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

The motion passed unanimously.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath