

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL UNITED METHODIST CHURCH
120 Potter Road, Wesley Chapel, NC 28110
November 12, 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; Attorney George Sistrunk (arrived at item 5.a.)

The 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 gave the invocation.

2. PUBLIC COMMENTS – none.

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

Additions to the agenda included 5.f. Discuss Mission Statement; 6.g. Testing lab for land and concrete work; 7.e. Approve Eagle Scout project; 8.b. Safety Committee Question; and 12.b. Youth Council Committee Resignation. Council Member Plyler made a motion to approve the agenda with these additions; Mayor Pro-tem Ormiston seconded the motion.

The motion passed unanimously.

4. APPROVE MINUTES FOR COUNCIL MEETINGS OCTOBER 8, 2012, OCTOBER 16, 2012 AND SPECIAL MEETING OCTOBER 20, 2012

Council Member Rosoff asked for the total cost amount on the town hall; this will be added to the next agenda. A correction was made to the October 20, 2012 minutes noting “It was asked” if we can keep a portion of the dirt for our property. Council Member Brotton made a motion to approve the October 8, 2012, October 16, 2012 and October 20, 2012 minutes. Council Member Rosoff seconded the motion.

The motion passed unanimously.

5. STAFF REPORTS

a. Review and approve October 31, 2012 financial reports

Finance Officer Bennett presented the October reports. Council Member Plyler made a motion to accept the October 31, 2012 financial reports; Council Member Brotton seconded the motion.

The motion passed unanimously.

Balance Sheet, October 31, 2012

ASSETS

Current Assets

Checking/Savings

| | |
|----------------------------------|---------------------|
| Fifth Third Bank Checking | 36,360.29 |
| Fifth Third Bank Money Market | 852,234.00 |
| Citizens South CD Bldg. 01.03.13 | 249,310.26 |
| BB&T Money Market | 824,232.49 |
| Petty Cash Fund | <u>50.00</u> |
| Total Checking/Savings | 1,962,187.04 |
| Misc. Fees Receivable | <u>125.00</u> |
| Total Accounts Receivable | 125.00 |

Other Current Assets

| | |
|---|-----------------|
| Prepaid Exp. | 850.00 |
| Property Tax Rec. | 2,981.00 |
| Allow. for Doubtful Accounts | -1,077.00 |
| Sales Taxes to be Received | <u>1,301.14</u> |
| Total Sales Taxes to be Received | 1,301.14 |

Total Current Assets 1,966,367.18

Fixed Assets

| | |
|-----------------------|-------------------|
| Land | 729,029.00 |
| House at Dogwood Park | 411,169.00 |
| Dogwood Park CIP | 66,580.00 |
| Town Hall- CIP | 64,744.00 |
| Office Equipment | 8,749.00 |
| Accumulated Deprec. | <u>-26,994.98</u> |

Total Fixed Assets 1,253,276.02

TOTAL ASSETS 3,219,643.20

LIABILITIES & FUND BALANCE

Liabilities

Other Current Liabilities

| | |
|--|------------------|
| Escrow from Developers | 45,076.00 |
| Deferred Revenue | <u>1,904.20</u> |
| Total Other Current Liabilities | <u>46,980.20</u> |
| Total Current Liabilities | <u>46,980.20</u> |

Fund Balance

| | |
|--------------------------------|--------------|
| Fund Bal. inv. in Fixed Assets | 1,253,276.02 |
| Fund Balance Assigned for NNO | 313.40 |

| | |
|---|-----------------------------------|
| Fund Bal. non-spendable | 66,632.75 |
| Fund Bal. Committed for CIP | 1,671,424.42 |
| Fund Balance | -1,420,134.86 |
| Excess of Rev. over Exp. | <u>1,601,151.27</u> |
| Total Fund Balance | <u>3,172,663.00</u> |
| TOTAL LIABILITIES & FUND BALANCE | <u><u>3,219,643.20</u></u> |

Budget Report, October 2012

| | <u>Oct 12</u> | <u>Jul - Oct 12</u> | <u>Budget</u> | <u>% of Budget</u> |
|--|---------------|---------------------|---------------|--------------------|
| General Fund | | | | |
| Revenues | | | | |
| Appropriated Fund Balance | 156,500.00 | 353,699.00 | 353,699.00 | 100.0% |
| Fees and Licenses | | | | |
| Newsletter/Deputy Sponsor | 0.00 | 0.00 | 10,000.00 | 0.0% |
| National Night Out | 0.00 | 60.00 | 100.00 | 60.0% |
| Cable Franchise (from Time Warn | 0.00 | 4,112.00 | 12,000.00 | 34.27% |
| Engineering Fees Reimbursement | 0.00 | 0.00 | 5,000.00 | 0.0% |
| Zoning Permit | 725.00 | 3,135.00 | 6,000.00 | 52.25% |
| Privilege Licenses | 1,618.00 | 26,467.08 | 26,000.00 | 101.8% |
| Privilege licenses late fees | 5.00 | 65.21 | 0.00 | 100.0% |
| Annexation Exp Reimbursed | 0.00 | 0.00 | 200.00 | 0.0% |
| Misc. Fees | <u>0.10</u> | <u>79.10</u> | <u>200.00</u> | <u>39.55%</u> |
| Total Fees and Licenses | 2,348.10 | 33,918.39 | 59,500.00 | 57.01% |
| Interest Earned | 175.57 | 1,001.45 | 2,500.00 | 40.06% |
| Property Tax Income | | | | |
| Current Year Property Tax | 3,444.19 | 10,016.28 | 139,244.00 | 7.19% |
| Delinquent Taxes | 54.15 | 316.18 | 600.00 | 52.7% |
| Interest/Ad Fee on Taxes | 7.69 | 36.48 | 350.00 | 10.42% |
| Utility Ad Valorem | 0.00 | 0.00 | 1,404.00 | 0.0% |
| Vehicle Registration | 669.27 | 2,522.00 | 8,971.00 | 28.11% |
| Prior Year Motor Vehicle Tax | 35.71 | 282.43 | 0.00 | 100.0% |
| Late List fees on taxes | <u>5.52</u> | <u>19.50</u> | <u>0.00</u> | <u>100.0%</u> |
| Total Property Tax Income | 4,216.53 | 13,192.87 | 150,569.00 | 8.76% |
| Revenue Sharing | | | | |
| Alcoholic Beverage Tax | 0.00 | 0.00 | 28,000.00 | 0.0% |
| Video Programming(State Cable) | 0.00 | 4,632.67 | 95,000.00 | 4.88% |
| Excise Tax (Piped Natural Gas) | 0.00 | -219.00 | 16,000.00 | -1.37% |

| | | | | |
|-------------------------------------|-------------------|-------------------|-------------------|---------------|
| Franchise Tax (Electric Power) | 0.00 | 3,045.00 | 170,000.00 | 1.79% |
| Sales & Use Taxes | 3,225.20 | 4,202.83 | 34,000.00 | 12.36% |
| Telecommunications Tax | 0.00 | 39.00 | 12,000.00 | 0.33% |
| Total Revenue Sharing | 3,225.20 | 11,700.50 | 355,000.00 | 3.3% |
| Total Revenues | 166,465.40 | 413,512.21 | 921,268.00 | 44.89% |
| Gross Profit | 166,465.40 | 413,512.21 | 921,268.00 | 44.89% |
| Expense | | | | |
| Transfer to CIP | 156,500.00 | 342,700.00 | 342,700.00 | 100.0% |
| Operating Expenditures | | | | |
| Contingency | 0.00 | 0.00 | 32,850.00 | 0.0% |
| Advertising - Clerk | 0.00 | 141.78 | 500.00 | 28.36% |
| Annexation Expense | 0.00 | 0.00 | 300.00 | 0.0% |
| Annual Retreat | 0.00 | 0.00 | 1,800.00 | 0.0% |
| Bank Charges | 43.03 | 190.62 | 500.00 | 38.12% |
| Books & Literature | 0.00 | 0.00 | 300.00 | 0.0% |
| Dues and Subscriptions | 0.00 | 8,528.00 | 12,500.00 | 68.22% |
| Election Expense | 0.00 | 1,360.50 | 2,000.00 | 68.03% |
| Electronic Commun.- Tel.website | 244.24 | 1,473.74 | 3,600.00 | 40.94% |
| Insurance - Liability | 0.00 | 9,993.19 | 10,000.00 | 99.93% |
| Insurance - Workmen's Comp | 0.00 | 535.68 | 600.00 | 89.28% |
| Land Maintenance | 0.00 | 0.00 | 1,000.00 | 0.0% |
| Town office Maint. | 119.85 | 314.70 | 900.00 | 34.97% |
| Misc. town office | 117.82 | 176.49 | 600.00 | 29.42% |
| Newsletter | 0.00 | 0.00 | 3,000.00 | 0.0% |
| Office Equipment | 0.00 | 0.00 | 1,200.00 | 0.0% |
| Office Expense | 449.09 | 598.37 | 2,400.00 | 24.93% |
| Postage and Delivery | 52.75 | 118.75 | 2,200.00 | 5.4% |
| Rent | 1,400.00 | 5,600.00 | 16,800.00 | 33.33% |
| Seminars | 0.00 | 0.00 | 2,525.00 | 0.0% |
| Tax Collection Fee | 63.30 | 194.69 | 2,500.00 | 7.79% |
| Travel & Entertainment | 127.40 | 627.07 | 5,240.00 | 11.97% |
| Utilities- Temp. Town Hall | 124.11 | 663.85 | 2,400.00 | 27.66% |
| Youth Council Committee | 0.00 | 70.54 | 1,100.00 | 6.41% |
| Total Operating Expenditures | 2,741.59 | 30,587.97 | 106,815.00 | 28.64% |
| Gen. Govt. Salaries | | | | |
| Admin. Assistant | 630.00 | 2,433.75 | 10,920.00 | 22.29% |
| Allowance for Salary Adjustment | 0.00 | 0.00 | 3,927.00 | 0.0% |
| Mayor | 0.00 | 1,200.00 | 4,800.00 | 25.0% |
| Mayor Pro-tem | 0.00 | 750.00 | 3,000.00 | 25.0% |

| | | | | |
|--|----------|-----------|------------|---------|
| Council Salary | 0.00 | 1,800.00 | 7,200.00 | 25.0% |
| Clerk Salary | 3,461.12 | 14,074.32 | 49,288.00 | 28.56% |
| Finance Officer Salary | 848.08 | 3,392.32 | 11,025.00 | 30.77% |
| Payroll Taxes | 736.69 | 3,098.20 | 11,000.00 | 28.17% |
| Payroll exp - Unemployment | 0.00 | 0.00 | 1,000.00 | 0.0% |
| Fringe Benefits - Insurance | 1,298.24 | 5,192.96 | 15,600.00 | 33.29% |
| Fringe Benefits - Retirement | 573.18 | 2,308.36 | 7,700.00 | 29.98% |
| Total Gen. Govt. Salaries | 7,547.31 | 34,249.91 | 125,460.00 | 27.3% |
| Planning & Zoning | | | | |
| P/Z Admin. Salary | 4,120.00 | 17,480.00 | 53,635.00 | 32.59% |
| Planning & Zoning Board Salary | 672.00 | 672.00 | 4,032.00 | 16.67% |
| Advertising | 54.72 | 154.22 | 500.00 | 30.84% |
| P/Z Office Expense | 248.80 | 507.95 | 500.00 | 101.59% |
| P/Z Seminars | 0.00 | 299.00 | 1,150.00 | 26.0% |
| P/Z Travel | 402.40 | 1,072.48 | 2,950.00 | 36.36% |
| P/Z Dues,Subscriptions | 0.00 | 360.00 | 360.00 | 100.0% |
| Total Planning & Zoning | 5,497.92 | 20,545.65 | 63,127.00 | 32.55% |
| Professional Fees | | | | |
| Audit Fees | 0.00 | 0.00 | 5,750.00 | 0.0% |
| Engr. Consulting | 1,325.00 | 8,134.85 | 10,000.00 | 81.35% |
| Legal Fees | 340.00 | 4,334.16 | 20,000.00 | 21.67% |
| Total Professional Fees | 1,665.00 | 12,469.01 | 35,750.00 | 34.88% |
| Capital Outlay | 0.00 | 0.00 | 110,000.00 | 0.0% |
| Public Services / Safety | | | | |
| Mat. & Supplies Public Safety | 0.00 | 176.74 | 800.00 | 22.09% |
| Law Enforcement Services | 0.00 | 38,693.50 | 77,387.00 | 50.0% |
| Total Public Services / Safety | 0.00 | 38,870.24 | 78,187.00 | 49.71% |
| Parks & Recreation | | | | |
| Parks & Recreation Personal Ser | | | | |
| Park Maintenance Worker | 0.00 | 0.00 | 2,520.00 | 0.0% |
| P & R Payroll Tax | 0.00 | 0.00 | 181.00 | 0.0% |
| P&R Insur. Workers Comp | 0.00 | 0.00 | 100.00 | 0.0% |
| P&R Prof Fee - Deputies | 0.00 | 0.00 | 450.00 | 0.0% |
| P&R Prof Fees - Engr Fees | 0.00 | 0.00 | 11,200.00 | 0.0% |
| Total Parks & Recreation Personal Ser | 0.00 | 0.00 | 14,451.00 | 0.0% |
| Parks & Rec Supplies & Material | | | | |
| Janitorial Supplies | 0.00 | 0.00 | 600.00 | 0.0% |
| Events Supplies | 0.00 | 0.00 | 1,500.00 | 0.0% |

| | | | | |
|--|-------------------|-------------------|-------------------|---------------|
| Office Expense | 0.00 | 0.00 | 0.00 | 0.0% |
| Stocking of Fish | 0.00 | 0.00 | 3,000.00 | 0.0% |
| Pesticide Supplies | 0.00 | 0.00 | 300.00 | 0.0% |
| Other Supplies and Materials | 0.00 | 2.88 | 360.00 | 0.8% |
| Total Parks & Rec Supplies & Material | 0.00 | 2.88 | 5,760.00 | 0.05% |
| Parks & Recreation Services | | | | |
| Dues & Subscriptions | 0.00 | 0.00 | 0.00 | 0.0% |
| Insurance- liability | 0.00 | 2,000.00 | 2,000.00 | 100.0% |
| Event Services | 0.00 | 0.00 | 1,000.00 | 0.0% |
| Maintenance/Grounds | 0.00 | 250.00 | 4,000.00 | 6.25% |
| Tree Removal Services | 0.00 | 2,000.00 | 2,000.00 | 100.0% |
| Pest Control | 0.00 | 0.00 | 1,000.00 | 0.0% |
| Postage | 0.00 | 0.00 | 500.00 | 0.0% |
| Printing | 0.00 | 0.00 | 500.00 | 0.0% |
| Repairs to Structures | 0.00 | 0.00 | 300.00 | 0.0% |
| Security | 0.00 | 0.00 | 0.00 | 0.0% |
| Trash Collection | 0.00 | 0.00 | 138.00 | 0.0% |
| Sanitation Contract (restrooms) | 0.00 | 0.00 | 2,340.00 | 0.0% |
| Elec. Communication | 0.00 | 0.00 | 840.00 | 0.0% |
| Water/Sewer | 6.00 | 24.00 | 1,200.00 | 2.0% |
| Utilities-Elec.,Gas | 20.07 | 85.70 | 6,300.00 | 1.36% |
| Total Parks & Recreation Services | 26.07 | 4,359.70 | 22,118.00 | 19.71% |
| P&R Capital Outlay | | | | |
| Structure Improvements | 0.00 | 0.00 | 7,200.00 | 0.0% |
| Other Improvements | 0.00 | 0.00 | 150.00 | 0.0% |
| Tools/Equipment | 0.00 | 0.00 | 4,200.00 | 0.0% |
| Furnishings | 0.00 | 0.00 | 700.00 | 0.0% |
| Redbox Program | 0.00 | 0.00 | 950.00 | 0.0% |
| Miscellaneous Capital Outlay | 0.00 | 0.00 | 3,700.00 | 0.0% |
| Total P&R Capital Outlay | 0.00 | 0.00 | 16,900.00 | 0.0% |
| Total Parks & Recreation | 26.07 | 4,362.58 | 59,229.00 | 7.37% |
| Total Expense | 173,977.89 | 483,785.36 | 921,268.00 | 52.51% |
| Net General Fund | -7,512.49 | -70,273.15 | 0.00 | 100.0% |
| Capital Projects Fund | | | | |
| Capital Projects Fund Income | | | | |
| PARTF Grant | 0.00 | 387,975.74 | 500,000.00 | 77.6% |

| | | | | |
|--|-------------------|---------------------|---------------------|---------------|
| Adopt A Trail Grant | 0.00 | 5,000.00 | 5,000.00 | 100.0% |
| Water Based Resource Grant-Park | 0.00 | 95,079.21 | 100,000.00 | 95.08% |
| Transfer from General Fund | | | | |
| Appropriated for Dogwood Park | 0.00 | 1,000,000.00 | 1,000,000.00 | 100.0% |
| Appropriated for Town Hall | 156,500.00 | 1,442,700.00 | 1,442,700.00 | 100.0% |
| Total Transfer from General Fund | <u>156,500.00</u> | <u>2,442,700.00</u> | <u>2,442,700.00</u> | <u>100.0%</u> |
| Total Capital Projects Fund Income | 156,500.00 | 2,930,754.95 | 3,047,700.00 | 96.16% |
| Other Expense | | | | |
| Capital Projects | | | | |
| Dogwood Park Capital Outlay | | | | |
| Land Acquisition | 0.00 | 673,271.00 | 680,000.00 | 99.01% |
| House | 0.00 | 411,419.00 | 412,000.00 | 99.86% |
| Site preparation | 0.00 | 0.00 | 35,000.00 | 0.0% |
| Utilities | 0.00 | 780.00 | 15,000.00 | 5.2% |
| Preliminary Planning | 0.00 | 15,526.67 | 15,527.00 | 100.0% |
| Design/Constr Mgt,etc. | 2,741.31 | 51,058.58 | 69,050.00 | 73.94% |
| Grassing | 0.00 | 0.00 | 5,850.00 | 0.0% |
| Parking lot & drive | 0.00 | 0.00 | 87,170.00 | 0.0% |
| Rest room renovation | 0.00 | 0.00 | 30,000.00 | 0.0% |
| Site Furnishings-gate,signs,etc | 0.00 | 277.77 | 7,000.00 | 3.97% |
| Boardwalk | 0.00 | 0.00 | 31,000.00 | 0.0% |
| Accessible routes | 0.00 | 0.00 | 21,000.00 | 0.0% |
| Paved Walking Trail | 0.00 | 0.00 | 54,000.00 | 0.0% |
| Unpaved trail | 0.00 | 9,888.04 | 14,210.00 | 69.59% |
| Multipurpose Field | 0.00 | 0.00 | 30,000.00 | 0.0% |
| Amphitheater/Stage/Outdoor Clas | 0.00 | 0.00 | 35,000.00 | 0.0% |
| Fishing Pier | 0.00 | 0.00 | 25,000.00 | 0.0% |
| Other Expense | 157.50 | 552.50 | 18,931.00 | 2.92% |
| Contingency | 0.00 | 0.00 | 19,262.00 | 0.0% |
| Total Dogwood Park Capital Outlay | <u>2,898.81</u> | <u>1,162,773.56</u> | <u>1,605,000.00</u> | <u>72.45%</u> |
| Town Hall Capital Outlay | <u>1,105.21</u> | <u>96,556.97</u> | <u>1,442,700.00</u> | <u>6.69%</u> |
| Total Capital Projects | <u>4,004.02</u> | <u>1,259,330.53</u> | <u>3,047,700.00</u> | <u>41.32%</u> |
| Total Capital Projects Fund Expense | <u>4,004.02</u> | <u>1,259,330.53</u> | <u>3,047,700.00</u> | <u>41.32%</u> |
| Net Capital Projects Fund | <u>152,495.98</u> | <u>1,671,424.42</u> | <u>0.00</u> | <u>100.0%</u> |
| Net Excess of Rev. over Exp. | <u>144,983.49</u> | <u>1,601,151.27</u> | <u>0.00</u> | <u>100.0%</u> |

b. Review monthly planning and zoning report

Planning and Zoning Administrator Langen reported he issued 19 permits in the last month; one was a commercial up fit for Piedmont Eye Care. Bonds have been reissued for Wesley Chase roads, and their NC DOT road acceptance forms submitted to DOT. Bonds are being reissued for Kings Grant Road; they said they hand delivered them, but we did not receive them, and they said there would be a fee for reissue. The burden is on them to prove that we received them. Road acceptance forms have been submitted for Kings Grant Road; there was a typo error and they were then re-submitted. The report was corrected to show Article 5 Zoning Ordinance amendments were approved by Council October 8, 2012. Planning Board is working on yard definitions, accessory use setbacks, and fee-in-lieu guidelines. The zoning permit for town hall will be issued tomorrow; the park is not yet ready as the engineer is waiting on the architect who is waiting on the State approval. Mayor Pro-tem Ormiston questioned that; Langen will check with the architect tomorrow.

Mayor Pro-tem Ormiston asked about the sidewalk inventory; Langen said he has a map color coded and showing radiuses from schools; it will come to Council at the next meeting. Council Member Plyler asked if there is grant money to fund sidewalks. Mayor Horvath said this is to get prepared for any funds available for "shovel ready" projects. Mayor Pro-tem Ormiston also asked Langen to prioritize the top ten segments and explain why he chose them.

Mayor Pro-tem Ormiston asked about the Rea Road project; Mayor Horvath said he got a letter Friday. The Rea Road extension is funded in 2017; widening Highway 84 to Waxhaw Indian Trail Road is not funded yet. There is an upcoming meeting in Raleigh which should give more information.

c. Review monthly zoning violations report

The only open violation is at 124 Mollie Irene Drive; Langen sent a letter but got no reply; he drove out and didn't see anyone so he will go out again. There are a couple of open issues. Langen is working on the Kiker property flooding; he got DOT to go out but they said unless the road is being washed out they won't look at it. Langen got photos from Mr. Kiker of the road flooding and cracking and sent it to the DOT supervisor. He spoke to the builder regarding the next door lot; and told him the details of the flooding problems. According to the engineer and attorney we cannot withhold a building permit. The other issue is on Underwood Road; Langen met with the builder at Wesley Chase today; a silt fence on a private lot is allowing water to bypass; they will get an estimate to remove the silt fence.

d. Request from US Infrastructure for renewal of contract

US Infrastructure proposed an increase in rates; the rate for Bonnie Fisher would be \$145 per hour. She is familiar with our ordinances and has copies of past work done for us. Mayor Pro-tem Ormiston asked staff to get some rates form other companies, and asked if we can use junior members for some savings.

e. Update from attorney on JDH land donation

Sistrunk said he got the original release deed from JDH signed by the lender. He is waiting on a memorandum of release from Lowes' Foods (actually now Harris Teeter). We also have \$125 owed us by the JDH shopping center for engineering fees; Langen will send them a letter.

f. Discuss mission statement

This came from Melody Graham; many grants ask for a mission statement. Council members will send input to the clerk, and this will be discussed at the next meeting. Mayor Horvath asked that Graham also keep a database of grants that we don't apply for because you must be a non-profit.

6. TOWN HALL BUILDING COMMITTEE UPDATE

a. Update on shared road construction

Council Member Brotton reported that Aston has started road construction. We would like to get results of the roll test and depths of road testing.

b. Update on construction access discussion with Morlando Construction and Aston Properties

Aston agreed to let Morlando use the new road without the final cap for construction; Morlando's concern was about it being pervious; so they are using a special binder that is less pervious. The Village and Morlando are responsible if the road is damaged, so no vehicles can sit on the road, they can just drive through.

c. Recommendation and possible approval of Village point of contact and construction lead for Morlando and Fuller

Council Member Brotton reported that the lines of communication will be from Council to the architect to the general contractor (and reverse). The Town Hall Building Committee recommended Brotton be the point of contact and Vice Chair Butch Plyler be the back-up. There will be monthly meetings and a preliminary timeline has been presented. In between Council meetings someone needs to have authority to approve changes. Morlando stressed no one is allowed on the site for safety reasons. Superintendent David Glass said you may make an appointment to come on-site.

d. Discussion and possible approval of construction expense approval authority during construction

See above.

e. Village Hall build timeline

The timeline shows the town hall finished by August 8, 2013. We are waiting on the zoning permit, the storm water was approved by our engineer, and we are waiting on a sewer permit from the State.

f. Discuss Fuller contract expiration in February 2013 and possible alternatives

We are waiting to hear back from Fuller on this, he has not had this situation occur before.

g. Testing lab – land and concrete

Council Member Brotton reported we need independent testing, and the committee recommended ECS as they were the low bid.

Mayor Pro-tem Ormiston expressed concern on any additional amounts being spent on this project; she felt re-bidding might have brought a lower cost, and was not in favor of any additional costs without full discussion; Council Member Rosoff agreed.

Council Member Brotton said there will also be decisions on colors, and carpets, and the recommendation of the committee could be taken with Brotton having veto power if the decision was out of line. He agreed we don't want to go up in cost. The first decision is the bottom layer of stone; the second will be on the brick. Mayor Pro-tem Ormiston said she was okay with the Committee and Brotton making the color choices, but if it entails dollar changes, we should call a special meeting.

We need a Resolution to exempt on the engineering testing services, and to obtain builders' risk insurance. The pre-construction meeting was held with the Committee, architect and builder. The performance and payment bonds and insurance information was obtained, and will be inserted in the contract, and copies mailed to the builder and architect.

7. PARKS AND REC COMMITTEE UPDATE

a. Update on Dogwood house renovation design contract

Mayor Pro-tem Ormiston reported that the old set of quotes was at \$10,400, \$11,200 and \$14,000, but after sending out new quotes lower prices were obtained. The low bid is Troy Luttmann at \$10,000. The other two kept their prices the same; one just gave a verbal quote. Attorney Sistrunk approved the process, and we will check that we have an RFQ exemption resolution for this design work; he suggested we might want to consider a broad resolution to exempt ourselves on both projects. We also need a pre-audit certificate on the contract. Council Member Brotton made a motion to approve Resolution 2012-12 to exempt ourselves from the RFQ process for engineering and design services for Dogwood Park and for the clerk to draw up the Resolution. Mayor Pro-tem Ormiston seconded the motion.

The motion passed unanimously.

Resolution 2012-12
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 at Dogwood Park; and

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

NOW, THEREFORE, THE WESLEY CHAPEL VILLAGE COUNCIL RESOLVES:

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 12th day of November, 2012.

ATTEST

Cheryl Bennett, Village Clerk

Brad Horvath, Mayor

Mayor Pro-tem Ormiston made a motion to contract with Troy Luttman Architecture, Inc. for \$10,000 for the design work on the Dogwood house. Council Member Brotton seconded the motion.

The motion passed unanimously.

- b. Update on pier installation with NC Wildlife and possible adjustments / alternatives in PARTF accounting process

Mayor Pro-tem Ormiston reported the pier is complete and the ADA ramp installed; she asked the deputy to do extra patrols of the park. We had funds budgeted for the pier, and now will have to get an amendment from PARTF to move the funds. Parks and Rec Chair Lepke suggested it be put to the amphitheater. Finance Officer Bennett will ask PARTF if we can move the funds after the bids are received but before construction begins.

- c. Review of Dogwood Park volunteer day on Sunday, November 11

Mayor Horvath and Mayor Pro-tem Ormiston were at the volunteer day and reported the approximately 20 volunteers made a lot of progress.

- d. Update of the park amenities construction bidding process

Carr Mumford from Wirth and Associates reported that the Division of Water Quality will be issuing the permit; now we are waiting on the building permit. The advertisement for bids will be in the paper this week, and November 29th is the pre-bid meeting. Bids are due December 13th and hopefully the notice to proceed will be issued December 21st, with a groundbreaking ceremony January 18th. Mayor Pro-tem Ormiston asked if we can award the bid without all the permits; Mayor Horvath noted we are not really building a building; Council consensus was to go ahead with the bid before all permits are issued.

- e. Approval of Eagle Scout project

Christopher Buckner made a proposal to build fourteen fishing stations at the lake, with a log seat and numbered sign at each. Council Member Brotton made a motion for the Mayor to approve this project; Council Member Plyler seconded the motion.

The motion passed unanimously.

8. A. YOUTH COUNCIL COMMITTEE NOVEMBER 15, 2012 MEETING WITH REP. CRAIG HORN; AND APPOINTMENT OF MEMBER TO COMMITTEE

Mayor Pro-tem Ormiston reported the meeting was advertised to the fifth grades, middle schools and high schools. Mayor Horvath appointed Julia Lubinecky to the Youth Council Committee.

8. B. SAFETY COMMITTEE QUESTION

Council Member Plyler noted that the deputy is working with the Explorers and this time is part of the time the town is paying for. Mayor Pro-tem Ormiston said it was her understanding that work with the Explorers would be on a volunteer basis when we originally contracted for a deputy. Mayor Horvath will talk to the deputy.

9. DISCUSSION ON ABC RELATED ISSUES

- a. Consider request for referendum to allow sales of fortified wines
- b. Consider request for referendum to allow sales of malt beverages by the glass at other than hotels, motels, and restaurants

Mayor Horvath reported he received a general email from 201 Central asking us to look into this. Council Member Rosoff said it would be nice if they put in a restaurant; Council Member Plyler

agreed. Mayor Pro-tem Ormiston asked if this should go through the Planning Board, and commented that we shouldn't do this for one specific use. Council Member Brotton said the previous ABC referendums had been done for a specific use. Council Member Plyler said this could open the door for bars without restaurants, and she was totally against it. Mayor Horvath said we can ask ABC if we can expand the rule with some limits; Administrator Bennett said she called ABC but they did not call back. Council Member Brotton said he asked ABC for a definition of kitchen, and they don't have one. He also asked who keeps track of the percentage rules on restaurants; Mayor Horvath said ABC does, and locations could lose their liquor license if they don't comply.

10. CONSIDER REQUEST FOR A TEEN CURFEW ORDINANCE

Council Member Brotton was in favor of this; Council Member Plyler was not. Administrator Bennett checked with the deputy and he didn't feel it was a problem. Mayor Pro-tem Ormiston and Council Member Rosoff were not in favor of this ordinance.

11. UPDATE ON THE VILLAGE'S REQUEST TO HAVE 35 MPH SPEED LIMITS EXPANDED ON WAXHAW-INDIAN TRAIL ROAD

Mayor Horvath reported there is supposed to be a meeting at DOT, but he hadn't received an invite yet.

12A. CONSIDER PLANNING BOARD RESIGNATIONS AND APPOINTMENTS

Mayor Horvath accepted the resignation of Ashley Mock, Planning Board alternate. We have a request for appointment, and the applicant will be invited to the next meeting.

12. B. YOUTH COUNCIL COMMITTEE RESIGNATION

Mayor Horvath accepted the resignation of Alyssa Mitarotondo who resigned due to a new job. The Committee will be electing a new chair.

13. REVIEW OF TOWN HOLIDAYS – POSSIBLE CHANGE FROM VETERANS DAY TO PRESIDENTS DAY

Veteran's Day has fallen on a day that Council holds a meeting the past two years; also there is no holiday between January 1st and Memorial Day, so Administrator Bennett suggested we change the official employee holiday from Veteran's Day to President's Day. Mayor Pro-tem Ormiston made a motion to change the holiday from Veteran's Day to President's Day. Council Member Rosoff seconded the motion.

The motion passed unanimously.

14. ANNOUNCEMENT OF CREATION OF OFFICIAL VILLAGE FACEBOOK PAGE

Mayor Pro Tem Ormiston created an official Village Facebook page, and noted there are several other pages for Village of Wesley Chapel, North Carolina. On the Village website, the banner pictures are locked in; Mayor Pro-tem Ormiston suggested we look at a new website in April/May.

15. CONSIDER APPROVAL OF ORDINANCE 2012-15 DECLARING SPEED LIMIT MODIFICATIONS IN WESLEY SPRINGS SUBDIVISION

Council Member Brotton said DOT wouldn't let Potters Trace change their speed limit. Mayor Pro-tem Ormiston made a motion to approve the speed limit modification; Council Member Plyler seconded the motion. It was asked if the HOA in Wesley Springs agreed with this change. Council Member Plyler rescinded her second. Mayor Pro-tem Ormiston rescinded her motion. Administrator Bennett was directed to contact DOT and ask them how to initiate speed limit changes, and find out who initiated this change.

16. OTHER BUSINESS

Mayor Pro-tem Ormiston thanked everyone who participated in the presentation to the third grade classes at Wesley Chapel Elementary School on local government. The classes sent a banner expressing their thanks.

Mayor Horvath reported Union County funded and hired a transportation planner, who started November 5, 2012. He noted the transportation board hasn't met in months.

Administrator Bennett reported on the procedures to apply for a village loan. This is referred to as an installment purchase, the state committee meets the first Tuesday of the month, and the application must be completed four weeks before. You must adopt a Resolution of Finding, hold a public hearing and advertise ten days before. You need an affidavit and minutes of the public hearing. You need a copy of the engineer's certification on the construction bids, and letters regarding any permits. You should meet with them before construction bids. An RFP must be issued to the banks and the banks hold the rate for only 45 days. They stressed we should be in contact with them if we plan to do this.

17. COUNCIL COMMENTS - none

18. ADJOURNMENT

Mayor Pro-tem Ormiston made a motion to adjourn; Council Member Brotton seconded the motion.

The motion passed unanimously.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath