

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL UNITED METHODIST CHURCH  
120 Potter Road, Wesley Chapel, NC 28110  
March 19, 2013 – 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

**Citizens Present:** Carol Mullis, Tessie Morris, Stephen Keeney, Butch Plyler, Sondra Bradford, Julie Brown

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. ADDITIONS, DELETIONS, AND / OR ADOPTION OF AGENDA

Items were added to Parks and Rec – Present Girl Scout gold award project, update on house status, and update on amphitheater status. Mayor Pro Tem Ormiston made a motion to approve the agenda with these changes; Council Member Rosoff seconded the motion.

The motion passed unanimously.

3. UPDATE ON ASTON PROPERTIES VILLAGE COMMONS PHASE II BUILD-OUT

Mayor Horvath reported that Karen Partee couldn't attend, however the market is now focused on office space.

4. UPDATE ON FESTIVAL PLANS BEING HELD BY WESLEY CHAPEL FRIENDS OF PARK AND RECREATION AND ASTON PROPERTIES; CONSIDER FUNDING REQUEST IF REQUESTED

Sondra Bradford reported Wesley Chapel Friends of Parks (WCFOP) is partnering with Aston, NY Bagel, Southbrook Church and Crossroads Church. Friday evening April 26 there will be bands near Hickory Tavern from about 7 pm to 9:30 pm, and the Saturday April 27 festival will run from 10-4. Rain dates are May 10/11. They requested to borrow the festival games, which Council agreed to, and asked for \$626 to cover the insurance. Mayor Horvath said we can do this since they are a 501 (c) 3. Council Member Brotton said that is not a lot in comparison to the possible financial return for the park. Mayor Pro Tem Ormiston said at the last meeting \$2,000 was brought up which would be hard to agree to, but the last two festivals about broke even, and for \$626 we could not put on an event. Even if we get back \$1,000, we clear \$400. The people who drove our last festival are organizing this one. Council Member Rosoff agreed,

noting people missed the festival last year. Council Member Plyler wanted to ask the attorney about members of Parks and Rec also being on the WCFOP. She did not want to make a habit of giving funds to WCFOP unless we donate to other organizations. Mayor Pro Tem Ormiston said other groups haven't asked for funds; Council Member Plyler said they haven't because the policy is to not donate funds. She did not want to set a precedence. Council Member Brotton motioned to move \$626 from events to donations in the budget. Mayor Pro Tem Ormiston seconded the motion.

The motion passed unanimously.

Council Member Rosoff motioned to make the \$626 donation to WCFOP. Mayor Pro Tem Ormiston seconded the motion.

The motion passed unanimously.

Sondra Bradford said WCFOP fundraising will be through raffle baskets, in-kind donations, and they raised the price of vendor booths to \$25.

5. PRESENTATION ON FUND RAISING RECOGNITION IDEAS BY WESLEY CHAPEL FRIENDS OF PARKS AND RECREATION

Sondra Bradford said they suggested the \$500 plus donors would be recognized on plaques at Town Hall which they will provide. Donors of any amount would be recognized on the website, Facebook page, and in the newsletter. They are thinking of asking for \$30 per foot of trail. Mayor Pro Tem Ormiston said it was presented to the Parks and Rec Committee last night and they were okay with it. The plaque might be in a tree shape and if at some point they have a structure at the park, they could move it there.

Council Member Plyler asked if WCFOP posted financial reports. Sondra Bradford said they can provide that. Ms. Bradford says the WCFOP money stays here in the town; in the future they might partner with Indian Trail on a greenway. Council Member Plyler inquired if we had checked with our attorney on this. Mayor Horvath said we could take the donations. Mayor Pro Tem Ormiston noted she stressed at the Park and Rec meeting that anything they raise funds for should be approved by Council so it is not done in vain. Ms. Bradford reported they have a festival fund and a general fund and a potential trails fund. Mayor Pro Tem Ormiston said we need roughly \$50,000 for 2500 feet of trail. Tessie Morris asked if we have their proposal in writing. Council Member Plyler requested we see their financials occasionally. Ms. Bradford said she would email them to us. Council Member Brotton said he was okay with the trail but we should wait for the rest on the next agenda item.

6. CONSIDER VILLAGE GUIDELINES AROUND ACCEPTANCE OF FUNDING, POTENTIAL RESTRICTIONS AND ASSOCIATED NAMING CONVENTIONS FOR DONATIONS

Mayor Pro Tem Ormiston noted she had sent several links to Council members of other policies. Matthews requires 2% of the town sign a petition to name or rename an area or facility; she suggested 7%. They don't have a rule regarding naming something after a company. Several towns exclude naming after a tobacco, alcohol, firearms or adult uses company. Individual sponsorship plans for town hall, for the park, or for the two acres or any other property would include donations of things like farming equipment. Council Member Plyler suggested the policy be simple. Mayor Pro Tem Ormiston will bring a policy to Council in April. For donor recognition, we will recognize WCFOP and they will recognize their donors. Carol Mullis asked if we want a formal presentation from them. Mayor Horvath said this idea is a plaque. Council

Member Rosoff said a formal letter will go from WCFOP to Parks and Rec Committee and they will make a recommendation. Mayor Horvath asked if they can recognize donations at the festival on village property in some way. Council Member Plyler requested we see the attorney's input first. Ms. Bradford asked if Council was okay with them having donors sponsor a foot of trail. Mayor Pro Tem Ormiston, and Council Members Brotton and Rosoff by consensus agreed. Ms. Bradford asked if they can say they will recognize donors in some way on village property. Mayor Pro Tem Ormiston said any donation to the Village should be recognized, she was not sure we can recognize any donation to WCFOP, and we didn't do a newsletter this year, so she hesitated to say they would be recognized in a newsletter. Council Member Brotton said once we have a policy, then yes. Council Member Rosoff said yes. Mayor Pro Tem Ormiston said you might want to check with Charlotte on how they work with Friends of Parks.

7. READING OF PRIVILEGE LICENSE FEE SCHEDULE CHANGES AND POSSIBLE APPROVAL

This creates a new service fee category for privilege licenses, where less than \$30,000 in gross receipts the fee is \$15; from \$30,000 to 99,999 the fee is \$30, and for gross receipts over \$100,000 the fee is \$50. Council Member Plyler motioned to approve this fee schedule change, which should be helpful to citizens, and make it effective for the fiscal year 2013/14. Council Member Brotton seconded the motion.

The motion passed unanimously.

8. CONSIDER TOWN HALL BUILDING COMMITTEE RECOMMENDATION ON SEEDING AND STABILIZATION OF DISTURBED AREA AROUND TOWN HALL

Council Member Brotton brought a map of the location of this area, and said seed at three cents per square foot would cost \$1,774.05; he noted the land is also marked, and is pretty level. Mayor Horvath noted the land needs stabilizing. Council Member Rosoff made a motion to approve \$1774.05 from the general fund capital outlay line item for the seeding. Council Member Brotton seconded the motion.

The motion passed unanimously.

9. OTHER TOWN HALL BUILDING COMMITTEE UPDATES

Butch Plyler said Morlando is putting a nice sign up tomorrow, and Duke is putting in the electric. Administrator Bennett said she never received the easement document from Duke. The slab should be ready next week, and steel studs in April. Butch Plyler said they will be meeting with the County to see if we can leave the sewer line five feet above ground. We are catching Aston's water in a little basin, if we have to do something, they should help out. Council Member Brotton thanked Butch for his time in overseeing the project.

10. CONSIDER PARKS AND REC COMMITTEE RECOMMENDATION TO PURCHASE TWO BACK PACK BLOWERS AND WEED WHACKER FOR PARK / TRAIL MAINTENANCE

Mayor Pro Tem Ormiston motioned to approve the purchase of two tank sprayers and two containers of 2.5 gallons of Roundup for \$505.94. The motion was amended to move \$310 from stocking of fish to pesticides supplies for the purchase in Parks and Rec in the general fund.

Council Member Brotton asked why two, and where will they be kept? Mayor Pro Tem Ormiston said two people can use them, and they can be kept at Town Hall until the work day in April. Council Member Plyler asked is it frugal to have two; it was noted this is not blowers and weed whackers. Butch Plyler said he may have a source for these. Sondra Bradford said Lowes said WCFOP can purchase items at cost. Council Member Rosoff seconded the motion.

The motion passed unanimously.

#### 11. OTHER PARKS AND REC COMMITTEE UPDATES

##### A. Present Girl Scout Gold Award Project

Mayor Pro Tem Ormiston said the proposal is to build a reading nook at the entry to the community garden, using crushed brick, trees, and three benches that are currently on the property. They will purchase the supplies and materials. Council consensus was to approve it. Mayor Pro Tem Ormiston said John Lepke put together a list of Boy Scout and Girl Scout names, and they would like to get handwritten notes and letters to each of them.

##### B. Update on house status

Parks and Rec consensus was to leave the house as is; to add a railing to the front in a simple wood design and to tear down the deck in back with volunteer labor. There is a leak in the roof; Administrator Bennett asked how we found that since we are not allowed in the house. Parks and Rec suggested we fix the roof. Ms. Bradford said her roofer said he would repair it for free. Mayor Horvath said we would still need an insurance certificate. Council Member Plyler motioned that we be fiscally conservative and demolish the house now; estimates were around \$16,000. Mayor Pro Tem Ormiston said we don't have a formal quote. Council Member Brotton seconded the motion. Council Member Rosoff said she thought it a mistake to move that quickly and we should abide by Park and Rec's recommendation. She said we could estimate the costs to finish the house right now, we know what the town hall costs; for example, like Monticello, it was falling down, they were going to demolish it, somebody came in when they saw it and decided to save it. That is what Parks and Rec is asking for, an opportunity for citizens to come and see it and if citizens love the house, they should have the opportunity, since they own the house and the land. Council Member Plyler said she wants to see our two projects done nicely, and then we can plan a nice community center, she felt that is more fiscally responsible. We have to consider the whole house, not just the first floor. Council Member Brotton asked if we have exhausted all attempts to get prices. Mayor Horvath said yes, we got bids. Mayor Pro Tem Ormiston said they were just for the first floor and bathrooms, we would need structural changes to use the second floor and that wasn't bid out. It was way more than we thought it would be. Council Member Rosoff said Parks and Rec wants to see the park opened and then see the interest in the house. Council Member Brotton said he had mixed emotions, the house grew on him. Mayor Pro Tem Ormiston said she would like to wait until we get the park bids and revisit this in 45 days or so. We should check with the County building inspector regarding use of the deck and porch. Mayor Horvath said he went in the other direction, we haven't heard the inspectors say knock it down. Mayor Pro Tem Ormiston said Parks and Rec felt these are the absolute least measurers to safeguard it.

Plyler and Brotton voted yea; Rosoff and Ormiston voted nay.

Mayor Horvath voted nay, noting not yet; he would like to see the roof fixed for free, and make a decision with all information. The motion failed, 2-3.

Tessie Morris asked who would pay for a fence around the house; we didn't have enough funds for the first floor, but are now keeping it; she noted the property is owned by the Village, not by Parks and Rec. Sondra Bradford said WCFOP has people who would repair it, and buy the supplies. Ms. Bradford said if we get a community center going and some programming, it might excite people to expand it. Mayor Horvath noted we cannot use any part of the building; if you bring in construction equipment later on, it might damage the park infrastructure. Sondra Bradford said it makes more sense to spend \$300,000 and see how it goes and then if the community really is interested, then knock it down and do a \$1.5 million facility. Carol Mullis asked about the monthly operating expenses; Finance Office Bennett said water is \$6, electricity about \$50, and insurance \$1100 per year. Julie Brown said John Lepke suggested \$2,000 for the work, and WCFOP could handle that. She asked if it costs \$500,000 to renovate the house, and the town hall is 6, 0000 square feet, and went from \$1.25 to \$1.4 million, how logical is it to build a new community center for \$300,000. Mayor Horvath asked why she was going from 4,000 square feet in the house to 6,000 square feet. Julie Brown said Council is an elected body, and she suggested we go to a survey, noting government is for the people. Tessie Morris commented that we budgeted amounts for two projects, and as a taxpayer, please keep the budgets in mind.

C. Update on amphitheater status

Mayor Pro Tem Ormiston asked Parks and Rec's opinion on moving the amphitheater to the 6 acres; they felt it should stay as the focal point of the park. At some point down the road they support a gathering spot at Town Hall. Council Member Plyler said she wasn't thinking of taking it out of the park but hoped we would get a donated amphitheater at the town hall land.

12. REVIEW DRAFT OF LANGUAGE COVERING BOARD TRAINING REQUIREMENTS

Since Board of Adjustments is the body to change their own Rules of Procedure, Council cannot do this. Administrator Bennett queried other towns; some do not conduct training, and in one the attorney does training for new members or if statutes change. She asked local towns about joint training, and only Weddington was perhaps interested depending on the date. Bill Duston does board training for \$575 per board. Council Member Plyler asked if there is a legal requirement. Mayor Horvath will ask our attorney if he can train our board, and if there is a legal requirement.

13. BRIEF REVIEW OF VILLAGE ADVANCE

Mayor Horvath reported about 32 attended, we got lots of good input and had a good Saturday session with Planning Board. We got an inquiry from the Union County Weekly and he gave the reporter five of the high priority ideas, and stressed they may have fiscal strings. Mayor Pro Tem Ormiston said she thought it was very productive and that Bill Duston did a good job. The ideas included signs, land next to the town hall, the 2.5 acres for public safety, and sidewalks.

14. AUDIT AND LEGAL SERVICES

Council Member Plyler had RFPs from Marvin and Weddington, and preferred Marvin's. They asked for prices in sealed envelopes; first you see what they offer. Mayor Horvath said the attorney said you don't have to take the lowest bid. Council Member Plyler said it would be a good idea to do this since it's been a long time and we might get a new set of eyes. Mayor Pro

Tem Ormiston asked what the current contract says as far as what is included. Finance Officer Bennett said the State Treasurer has a format and approves the contract as well as invoices each year. Mayor Horvath said we should get copies of the current contract for Council. Finance Officer Bennett will revise the RFP. Carol Mullis asked what a risk management audit is. Mayor Horvath said you have a checklist, and pay someone from the outside to review procedures, and checks and balances. Tessie Morris said it is twofold; an outside auditor would audit the current auditor, and the other side is policies and procedures. Finance Officer Bennett said the auditor does go through peer audit procedures. Council Member Brotton said there is a process of diminishing returns. Finance Officer Bennett noted North Carolina has a lot of rules and controls through the State Treasurer on local government, that did not exist for example in Florida. Bennett will attend the next Safety Committee meeting.

15. COUNCIL COMMENTS

Mayor Horvath reported there is a MUMPO meeting tomorrow night. Per an email from the NCLM the house passed rules against regulating residential aesthetics. A letter came from Wesley Chapel Elementary School on their May 3 Spring Fling, asking if we want to donate a “mayor for a day”; Council concurred. Administrator Bennett reported the legislature is looking at criminalizing violations of open meetings law. Carol Mullis asked if there are pizzas at park volunteer days; there are.

13. ADJOURNMENT

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

The motion passed unanimously.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath