

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL UNITED METHODIST CHURCH  
120 Potter Road, Wesley Chapel, NC 28110  
May 13, 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; Planning/Zoning Admin. Joshua Langen; Attorney George Sistrunk

**Citizens Present:** Carol Mullis, Sgt. Ben Baker, Tim Thomas (Merrick & Co.), Richard Haglemeyer

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

Items 10, 11, 13 and 14 were moved to be Items 8, 9, 10 and 11, and the other items will proceed in order. "Update on quotes for stump removal services" was removed from the Parks and Rec Committee Update. Mayor Pro Tem Ormiston made a motion to approve the agenda with these changes; Council Member Rosoff seconded the motion.

The motion passed unanimously.

4. APPROVE MINUTES FOR COUNCIL MEETINGS MARCH 19, 2013; APRIL 8, 2013; APRIL 12, 2013 SPECIAL MEETING; AND APRIL 16, 2013

On page 64 of the March 19, 2013 minutes "spot" was changed to "amphitheater". Council Member Plyler made a motion to approve the minutes for March 19, 2013, April 8, 2013, April 12, 2013 and April 16, 2013 with the above change. Mayor Pro Tem Ormiston seconded the motion.

The motion passed unanimously.

5. STAFF REPORTS

a. Review and approve April 2013 financial reports

Finance Officer Bennett presented the April reports. Council Member Plyler made a motion to accept the April 2013 financial reports; Mayor Pro Tem Ormiston seconded the motion.

The motion passed unanimously.

**April 2013 Balance Sheet**

**ASSETS**

**Checking/Savings**

Fifth Third Bank Checking	20,967.77
Fifth Third Bank Money Market	746,706.88
Park Sterling Bank CD 7.03.13	249,624.66
BB&T Money Market	824,710.79
Petty Cash Fund	50.00
<b>Total Checking/Savings</b>	1,842,060.10
<b>Accounts Receivable</b>	
Misc. Fees Receivable	1,645.29

**Other Current Assets**

Prepaid Exp.	1,225.00
Property Tax Rec.	2,981.00
Allow. for Doubtful Accounts	-1,077.00
Sales Taxes to be Received	884.01
<b>Total Sales Taxes to be Received</b>	884.01

**Total Current Assets** 1,847,718.40

**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.	-26,994.98
<b>Total Fixed Assets</b>	1,253,276.02

**TOTAL ASSETS** 3,100,994.42

**LIABILITIES & FUND BALANCE**

**Other Current Liabilities**

Retainage Payable - Town Hall	12,835.45
Escrow from Developers	45,076.00
Payroll Liabilities	2,457.02
UnearnedRev(Priv lic,cty MVtax	42.50
Next yr Prop Tax prepaid	10.50
Deferred Revenue	1,904.20
<b>Total Other Current Liabilities</b>	62,325.67

**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	1,389,663.73
Fund Balance	-1,138,374.17
Excess of Rev. over Exp.	<u>1,467,157.02</u>
Total Fund Balance	<u>3,038,668.75</u>
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u>3,100,994.42</u></b>

**April 2013 Budget Report**

	<u>Apr 13</u>	<u>Jul '12 - Apr 13</u>	<u>Budget</u>	<u>% of Budget</u>
<b>General Fund</b>				
<b>Revenues</b>				
Appropriated Fund Balance	0.00	353,699.00	353,699.00	100%
<b>Fees and Licenses</b>				
Newsletter/Deputy Sponsor	0.00	10,000.00	10,000.00	100%
National Night Out	0.00	60.00	100.00	60%
Cable Franchise (from Time Warn	4,178.00	12,367.00	12,000.00	103%
Engineering Fees Reimbursement	775.00	1,592.79	5,000.00	32%
Zoning Permit	650.00	7,145.00	6,000.00	119%
Privilege Licenses	229.50	27,221.87	26,000.00	105%
Privilege licenses late fees	0.00	145.06	0.00	100%
Annexation Exp Reimbursed	0.00	0.00	200.00	0%
Misc. Fees	<u>12.00</u>	<u>244.70</u>	<u>200.00</u>	<u>122%</u>
<b>Total Fees and Licenses</b>	<b>5,844.50</b>	<b>58,776.42</b>	<b>59,500.00</b>	<b>99%</b>
Interest Earned	166.46	2,458.13	2,500.00	98%
<b>Property Tax Income</b>				
Current Year Property Tax	877.05	142,876.84	139,244.00	103%
Delinquent Taxes	0.06	783.52	600.00	131%
Interest/Ad Fee on Taxes	36.31	234.15	350.00	67%
Utility Ad Valorem	0.00	1,990.66	1,404.00	142%
Vehicle Registration	877.43	7,856.67	8,971.00	88%
Prior Year Motor Vehicle Tax	21.36	362.51	0.00	100%
Late List fees on taxes	<u>1.70</u>	<u>47.10</u>	<u>0.00</u>	<u>100%</u>
<b>Total Property Tax Income</b>	<b>1,813.91</b>	<b>154,151.45</b>	<b>150,569.00</b>	<b>102%</b>
<b>Revenue Sharing</b>				
Alcoholic Beverage Tax	0.00	0.00	28,000.00	0%
Video Programming(State Cable)	0.00	51,603.54	95,000.00	54%
Excise Tax (Piped Natural Gas)	0.00	5,316.00	16,000.00	33%

Franchise Tax (Electric Power)	0.00	104,206.00	170,000.00	61%
Sales & Use Taxes	2,708.36	22,728.27	34,000.00	67%
Telecommunications Tax	0.00	5,672.40	12,000.00	47%
<b>Total Revenue Sharing</b>	<b>2,708.36</b>	<b>189,526.21</b>	<b>355,000.00</b>	<b>53%</b>
<b>Total Revenues</b>	<b>10,533.23</b>	<b>758,611.21</b>	<b>921,268.00</b>	<b>82%</b>
<b>Expense</b>				
Transfer to CIP	0.00	342,700.00	342,700.00	100%
<b>Operating Expenditures</b>				
Contingency	0.00	0.00	24,575.00	0%
Advertising - Clerk	0.00	196.50	500.00	39%
Annexation Expense	0.00	0.00	300.00	0%
Annual Retreat	657.41	1,592.41	1,800.00	88%
Bank Charges	45.80	489.62	500.00	98%
Books & Literature	0.00	0.00	300.00	0%
Dues and Subscriptions	0.00	8,528.00	12,500.00	68%
Election Expense	0.00	1,360.50	2,000.00	68%
Electronic Commun.- Tel.website	244.61	2,940.34	3,600.00	82%
Insurance - Liability	0.00	9,993.19	10,000.00	100%
Insurance - Workmen's Comp	0.00	535.68	600.00	89%
Land Maintenance	0.00	0.00	1,000.00	0%
Town office Maint.	154.55	785.01	900.00	87%
Misc. town office	0.00	354.77	600.00	59%
Newsletter	0.00	0.00	3,000.00	0%
Office Equipment	0.00	0.00	1,200.00	0%
Office Expense	557.22	1,616.98	2,400.00	67%
Postage and Delivery	0.00	257.50	2,200.00	12%
Rent	1,400.00	14,000.00	16,800.00	83%
Seminars	0.00	0.00	2,525.00	0%
Tax Collection Fee	27.44	2,309.62	2,500.00	92%
Travel & Entertainment	49.16	1,413.72	5,240.00	27%
Utilities- Temp. Town Hall	433.26	1,900.40	2,400.00	79%
Youth Council Committee	0.00	70.54	1,100.00	6%
<b>Total Operating Expenditures</b>	<b>3,569.45</b>	<b>48,344.78</b>	<b>98,540.00</b>	<b>49%</b>
<b>Gen. Govt. Salaries</b>				
Admin. Assistant	517.50	6,601.25	10,920.00	60%
Allowance for Salary Adjustment	0.00	0.00	3,927.00	0%
Mayor	0.00	3,600.00	4,800.00	75%
Mayor Pro-tem	0.00	2,250.00	3,000.00	75%

<b>Council Salary</b>	0.00	5,400.00	7,200.00	75%
<b>Clerk Salary</b>	3,501.68	37,122.48	49,288.00	75%
<b>Finance Officer Salary</b>	848.08	8,904.84	11,025.00	81%
<b>Payroll Taxes</b>	728.01	8,290.38	11,000.00	75%
<b>Payroll exp - Unemployment</b>	0.00	0.00	1,000.00	0%
<b>Fringe Benefits - Insurance</b>	1,298.24	12,982.40	15,600.00	83%
<b>Fringe Benefits - Retirement</b>	<u>1,158.32</u>	<u>6,080.01</u>	<u>7,700.00</u>	<u>79%</u>
<b>Total Gen. Govt. Salaries</b>	8,051.83	91,231.36	125,460.00	73%
<b>Planning &amp; Zoning</b>				
<b>P/Z Admin. Salary</b>	4,120.00	44,385.00	53,635.00	83%
<b>Planning &amp; Zoning Board Salary</b>	630.00	2,016.00	4,032.00	50%
<b>Advertising</b>	59.70	268.64	450.00	60%
<b>P/Z Office Expense</b>	0.00	535.16	550.00	97%
<b>P/Z Seminars</b>	0.00	339.00	1,150.00	29%
<b>P/Z Travel</b>	0.00	1,669.99	2,950.00	57%
<b>P/Z Dues,Subscriptions</b>	<u>0.00</u>	<u>360.00</u>	<u>360.00</u>	<u>100%</u>
<b>Total Planning &amp; Zoning</b>	4,809.70	49,573.79	63,127.00	79%
<b>Professional Fees</b>				
<b>Appraisal Fees</b>	0.00	0.00	275.00	0%
<b>Audit Fees</b>	0.00	5,750.00	5,750.00	100%
<b>Engr. Consulting</b>	195.00	11,861.39	18,000.00	66%
<b>Legal Fees</b>	<u>2,143.12</u>	<u>10,433.68</u>	<u>20,000.00</u>	<u>52%</u>
<b>Total Professional Fees</b>	2,338.12	28,045.07	44,025.00	64%
<b>Capital Outlay</b>	0.00	25,209.82	110,000.00	23%
<b>Public Services / Safety</b>				
<b>Mat. &amp; Supplies Public Safety</b>	0.00	176.74	800.00	22%
<b>Law Enforcement Services</b>	<u>19,346.75</u>	<u>77,387.00</u>	<u>77,387.00</u>	<u>100%</u>
<b>Total Public Services / Safety</b>	19,346.75	77,563.74	78,187.00	99%
<b>Parks &amp; Recreation</b>				
<b>Parks &amp; Recreation Personal Ser</b>				
<b>Park Maintenance Worker</b>	0.00	0.00	2,520.00	0%
<b>P &amp; R Payroll Tax</b>	0.00	0.00	181.00	0%
<b>P&amp;R Insur. Workers Comp</b>	0.00	0.00	100.00	0%
<b>P&amp;R Prof Fee - Deputies</b>	0.00	0.00	450.00	0%
<b>P&amp;R Prof Fees - Architect Fees</b>	<u>0.00</u>	<u>12,200.00</u>	<u>12,700.00</u>	<u>96%</u>
<b>Total Parks &amp; Recreation Personal Ser</b>	0.00	12,200.00	15,951.00	76%

**Parks & Rec Supplies & Material**

Food and Provisions	61.90	214.20	300.00	71%
Janitorial Supplies	0.00	0.00	600.00	0%
Events Supplies	0.00	0.00	574.00	0%
Office Expense	0.00	0.00	0.00	0%
Stocking of Fish	0.00	0.00	2,690.00	0%
Pesticide Supplies	0.00	0.00	510.00	0%
Other Supplies and Materials	5.48	465.08	460.00	101%
<b>Total Parks &amp; Rec Supplies &amp; Material</b>	<b>67.38</b>	<b>679.28</b>	<b>5,134.00</b>	<b>13%</b>
<b>Parks &amp; Recreation Services</b>				
Donation	0.00	626.00	626.00	100%
Advertising	0.00	54.72	100.00	55%
Dues & Subscriptions	0.00	0.00	0.00	0%
Insurance- liability	0.00	2,000.00	2,000.00	100%
Event Services	0.00	0.00	1,000.00	0%
Maintenance/Grounds	10.00	428.00	4,000.00	11%
Tree Removal Services	0.00	2,000.00	2,000.00	100%
Pest Control	0.00	0.00	1,000.00	0%
Postage	0.00	0.00	400.00	0%
Printing	0.00	0.00	500.00	0%
Repairs to Structures	0.00	0.00	300.00	0%
Security	0.00	0.00	0.00	0%
Trash Collection	0.00	0.00	138.00	0%
Sanitation Contract (restrooms)	0.00	0.00	840.00	0%
Elec. Communication	0.00	0.00	840.00	0%
Water/Sewer	6.00	60.00	1,200.00	5%
Utilities-Elec., Gas	42.95	401.36	6,300.00	6%
<b>Total Parks &amp; Recreation Services</b>	<b>58.95</b>	<b>5,570.08</b>	<b>21,244.00</b>	<b>26%</b>
<b>P&amp;R Capital Outlay</b>				
Structure Improvements	0.00	0.00	7,200.00	0%
Other Improvements	0.00	0.00	150.00	0%
Tools/Equipment	0.00	0.00	4,200.00	0%
Furnishings	0.00	0.00	700.00	0%
Redbox Program	0.00	0.00	950.00	0%
Miscellaneous Capital Outlay	0.00	0.00	3,700.00	0%
<b>Total P&amp;R Capital Outlay</b>	<b>0.00</b>	<b>0.00</b>	<b>16,900.00</b>	<b>0%</b>
<b>Total Parks &amp; Recreation</b>	<b>126.33</b>	<b>18,449.36</b>	<b>59,229.00</b>	<b>31%</b>
<b>Total Expense</b>	<b>38,242.18</b>	<b>681,117.92</b>	<b>921,268.00</b>	<b>74%</b>
<b>Net General Fund</b>	<b>-27,708.95</b>	<b>77,493.29</b>	<b>0.00</b>	<b>100%</b>

**Capital Projects Fund**

**Capital Projects Income**

<b>PARTF Grant</b>	0.00	387,975.74	500,000.00	78%
<b>Adopt A Trail Grant</b>	0.00	5,000.00	5,000.00	100%
<b>Water Based Resource Grant-Park</b>	0.00	100,000.00	100,000.00	100%
<b>Transfer from General Fund</b>				
<b>Appropriated for Dogwood Park</b>	0.00	1,000,000.00	1,000,000.00	100%
<b>Appropriated for Town Hall</b>	0.00	1,442,700.00	1,442,700.00	100%
<b>Total Transfer from General Fund</b>	<u>0.00</u>	<u>2,442,700.00</u>	<u>2,442,700.00</u>	<u>100%</u>
<b>Total Capital Projects Income</b>	0.00	2,935,675.74	3,047,700.00	96%

**Capital Projects Expense**

**Capital Projects**

**Dogwood Park Capital Outlay**

<b>Land Acquisition</b>	0.00	673,271.00	674,000.00	100%
<b>House</b>	0.00	411,419.00	412,000.00	100%
<b>Site preparation</b>	0.00	0.00	35,000.00	0%
<b>Utilities</b>	0.00	4,380.00	15,000.00	29%
<b>Preliminary Planning</b>	0.00	15,526.67	15,527.00	100%
<b>Design/Constr Mgt,etc.</b>	5,442.53	60,951.44	77,850.00	78%
<b>Grassing</b>	0.00	0.00	5,850.00	0%
<b>Parking lot &amp; drive</b>	0.00	0.00	87,170.00	0%
<b>Rest room renovation</b>	0.00	0.00	30,000.00	0%
<b>Site Furnishings-gate,signs,etc</b>	0.00	277.77	7,000.00	4%
<b>Boardwalk</b>	0.00	0.00	31,000.00	0%
<b>Accessible routes</b>	0.00	0.00	21,000.00	0%
<b>Paved Walking Trail</b>	0.00	0.00	54,000.00	0%
<b>Unpaved trail</b>	0.00	9,888.04	14,210.00	70%
<b>Multipurpose Field</b>	0.00	0.00	30,000.00	0%
<b>Amphitheater/Stage/Outdoor Clas</b>	0.00	0.00	35,000.00	0%
<b>Fishing Pier</b>	0.00	0.00	25,000.00	0%
<b>Legal Fees - DP</b>	70.00	1,085.00	2,000.00	54%
<b>Other Expense</b>	0.00	494.58	18,931.00	3%
<b>Contingency</b>	0.00	0.00	14,462.00	0%
<b>Total Dogwood Park Capital Outlay</b>	<u>5,512.53</u>	<u>1,177,293.50</u>	<u>1,605,000.00</u>	<u>73%</u>

**Town Hall Capital Outlay**

<b>TH Construction Contract</b>	102,218.82	256,045.64	1,242,351.00	21%
<b>TH Architect/Engineer</b>	0.00	92,204.89	102,020.00	90%
<b>TH In House Engineering</b>	0.00	1,200.00	1,200.00	100%
<b>TH Testing/Permit Fees</b>	0.00	10,587.41	15,000.00	71%

TH Telecom Sys/AV/Computers	0.00	0.00	33,930.00	0%
TH Insurance	0.00	1,374.00	1,374.00	100%
TH Legal Fees	192.50	4,132.50	5,000.00	83%
TH Furnishings	0.00	0.00	26,945.00	0%
TH Miscellaneous	0.00	3,174.07	14,880.00	21%
Town Hall Capital Outlay - Other	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>
<b>Total Town Hall Capital Outlay</b>	<u>102,411.32</u>	<u>368,718.51</u>	<u>1,442,700.00</u>	<u>26%</u>
<b>Total Capital Projects</b>	<u>107,923.85</u>	<u>1,546,012.01</u>	<u>3,047,700.00</u>	<u>51%</u>
<b>Total Other Expense</b>	<u>107,923.85</u>	<u>1,546,012.01</u>	<u>3,047,700.00</u>	<u>51%</u>
<b>Net Capital Projects</b>	<u>-107,923.85</u>	<u>1,389,663.73</u>	<u>0.00</u>	<u>100%</u>
<b>Net Excess of Rev. over Exp.</b>	<u><b>-135,632.80</b></u>	<u><b>1,467,157.02</b></u>	<u><b>0.00</b></u>	<u><b>100%</b></u>

Finance Officer Bennett presented a quote to purchase a computer for the administrative assistant. Council Member Plyler made a motion to approve the purchase of a Dell Latitude computer for \$999.30 plus tax of \$67.45, for a total of \$1,066.75. Council Member Brotton seconded the motion.

The motion passed unanimously.

The purchase is through a state contract; also since it is under \$1,000 three bids are not required.

b. Review monthly planning and zoning report

Planning and Zoning Administrator Langen reported he issued 16 permits in the last month, including an upfit permit for Allstate. Twelve Oaks roads are awaiting repairs and not yet accepted by DOT. He received a sketch plan from Shea Builders for a proposed 32 lot subdivision on Lester Davis Road. The NC Division of Emergency Management is still reviewing our flood damage prevention ordinance. Planning Board will consider amendments to the subdivision submittal checklist, fee-in-lieu and land dedication, and fireworks display provisions in May.

c. Review monthly zoning violations report

Langen spoke to the owner of the off-premise subdivision sign today at 208 Underwood Road, and the owner said he will tear down the sign tomorrow.

d. Update on 616 Underwood Road and Pilgrim Forest Drive flooding issues/DOT discussions

DOT advised the culvert at Underwood Road is the minimum size, 18 inches. The developer didn't build the house in Wesley Chase where the existing dam is; we will contact the homeowner and the dam might need some rocks added to build it up. The drainage channel at 616 Underwood Road could also use some improvement.

e. Consider calling for a public hearing on text amendment to Zoning Ordinance Article 8 for sandwich sign regulations

Planning and Zoning Administrator Langen reported Planning Board recommended striking sandwich signs; we can discuss this now or call for a Public Hearing and then discuss the

proposed language. Mayor Horvath said to him this is not friendly to businesses as discussed at the Advance. He noted Marvin and Weddington do not allow sandwich signs; Waxhaw does allow them. Langen said other towns have a wide variety of rules. Council Member Plyler presented a poster with many photos of sandwich signs in various locations. She didn't think the signs would impede a wheelchair at PostNet, and thought we should be friendlier to business and allow sandwich signs. Mayor Pro Tem Ormiston agreed we should allow sandwich signs and fix the text. Mayor Horvath said Langen will write text for Council and he will let Planning Board know. Langen will email to Council the text he proposed to Planning Board. Council Member Brotton said we should keep the walkway at least 48 inches wide for wheelchairs. Council Member Plyler asked if Harris Teeter can totally impede the walkway with the flowers they have out. Mayor Horvath said we don't have an ordinance against it.

f. Review and consider calling for a public hearing on Ordinance Regulating Record Keeping Requirements For Cash Converter Businesses, Pawnbrokers, Precious Metal Dealers And Secondary Metals Recyclers (requested by Union County Sheriff). Sgt. Ben Baker from Union County Sheriff's Office investigations was present and reported this streamlines and makes uniform the process to find stolen items. Council Member Plyler made a motion to approve Ordinance 2013-04, An Ordinance Regulating Recordkeeping Requirements For Cash Converter Businesses, Pawnbrokers, Precious Metals Dealers And Secondary Metals Recyclers, incorporated herein. Council Member Rosoff seconded the motion.

The motion passed unanimously.

**VILLAGE OF WESLEY CHAPEL, NORTH CAROLINA ORDINANCE 2013-04**  
**AN ORDINANCE REGULATING RECORDKEEPING REQUIREMENTS FOR CASH CONVERTER BUSINESSES,**  
**PAWNBROKERS, PRECIOUS METALS DEALERS AND SECONDARY METALS RECYCLERS**

WHEREAS, the Village of Wesley Chapel Council has determined that the making of pawn loans and the acquisition and disposition of tangible personal property by and through pawnbrokers, pawnshops, cash converters, recycled metals dealers and precious metals dealers affects the general economy of Wesley Chapel and the health, safety, and welfare of its citizens, and in recognition of these facts, the Village of Wesley Chapel Council adopts this ordinance for the purpose of preventing unlawful property transactions, particularly in stolen property; and

WHEREAS, the Village of Wesley Chapel Council also adopts this ordinance for the purpose of assisting the Union County Sheriff's Office with finding stolen property and apprehending persons guilty of theft and other related property crimes; and

WHEREAS, North Carolina General Statute § 66-397 authorizes municipalities to adopt by ordinance the provisions of Part 1 of Article 45 of Chapter 66 of the General Statutes and to adopt such other rules and regulations as the governing body deems appropriate for cash converters and pawnbrokers, provided that no county or city may regulate (1) Interest, fees, or recovery charges; (2) Hours of operation, unless such regulation applies to businesses, generally; (3) The nature of the business or type of pawn transaction; or (4) License fees in excess of rates set by the State; and

WHEREAS, N.C.G.S. § 66-391, N.C.G.S. § 66-392, N.C.G.S. § 66-410, N.C.G.S. § 66-422 all allow for the electronic transmission of records from pawnbrokers, cash converter businesses, precious metals dealers and secondary metals recyclers to local law enforcement agencies; and

2013.05.13 minutes

WHEREAS, no part of this ordinance is in conflict with any Part or statute in Chapter 66 of the North Carolina General Statutes;

NOW, THEREFORE, be it ordained by the Village of Wesley Chapel Council:

SECTION 1. Adoption of Part 1 of Article 45 of Chapter 66 of the General Statutes.

The provisions found in Part 1 of Article 45 of Chapter 66 of the North Carolina General Statutes are hereby adopted by this ordinance.

SECTION 2. Definitions.

- (a) "Cash converter" shall have the same meaning as defined in North Carolina General Statute § 66-387.
- (b) "Dealer" shall have the same meaning as defined in North Carolina General Statute § 66-406.
- (c) "Local law enforcement agency" shall have the same meaning as defined in North Carolina General Statute § 66-406.
- (d) "Pawnbroker" shall have the same meaning as defined in North Carolina General Statute § 66-387.
- (e) "Pawnshop" shall have the same meaning as defined in North Carolina General Statute § 66-387.
- (f) "Precious Metal" shall have the same meaning as defined in North Carolina General Statute § 66-406.
- (g) "Precious metals dealer" shall have the same meaning as the term "Dealer" as defined by North Carolina General Statute § 66-406.
- (h) "Secondary metals recycler" shall have the same meaning as defined in Chapter 66 of the North Carolina General Statutes. The exemptions found in North Carolina General Statute §66-427 shall also constitute exemptions to this ordinance's definition of the term "secondary metals recycler."

SECTION 3. Photographs or Video.

Every pawnbroker and every cash converter shall obtain a video or digital photograph of the seller or pledgor together with any property being delivered by the seller or pledgor. The video or photograph required by this section shall be of a quality that is sufficient to allow a person of ordinary faculties to identify the person recorded or photographed. The photograph or video shall be uploaded to the entity or electronic system designated by the Union County Sheriff's Office for receipt of the information on behalf of the Union County Sheriff's Office.

SECTION 4. Electronic transmittal of required records.

- A. Upon designation by the Union County Sheriff of an entity or an electronic system for receipt of the information on behalf of the Union County Sheriff's Office, every pawnbroker shall electronically input/upload and transmit the information that must be made available for the

Sheriff's inspection and pickup pursuant to N.C.G.S. §66-391. The input/upload and transmission shall be made to the entity or electronic system designated by the Union County Sheriff for receipt of the information on behalf of the Union County Sheriff's Office. The input/upload and transmission shall be made each regular workday.

- B. Upon designation by the Union County Sheriff of an entity or an electronic system for receipt of the information on behalf of the Union County Sheriff's Office, every cash converter shall electronically input/upload and transmit the information that must be made available for the Sheriff's inspection and pickup pursuant to N.C.G.S. §66-392. The input/upload and transmission shall be made to the entity designated or on an electronic system designated by the Union County Sheriff for receipt of the information on behalf of the Union County Sheriff's Office. The input/upload and transmission shall be made each regular workday.
- C. Upon designation by the Union County Sheriff of an entity or an electronic system for receipt of the information on behalf of the Union County Sheriff's Office, every precious metals dealer shall electronically input/upload and transmit the information that the precious metals dealer is required to file or report to the local law enforcement agency pursuant to N.C.G.S. §66-410. The input/upload and transmission shall be made to the entity designated or on an electronic system designated by the Union County Sheriff for receipt of the information on behalf of the Union County Sheriff's Office. The input/upload and transmission shall be made within 48 hours of every precious metal(s) transaction.
- D. Upon designation by the Union County Sheriff of an entity or an electronic system for receipt of the information on behalf of the Union County Sheriff's Office, every secondary metals recycler shall electronically input/upload and transmit the information that the secondary metals recycler is required to make available for pickup by the Sheriff pursuant to N.C.G.S. §66-422. The input/upload and transmission shall be made to the entity designated or on an electronic system designated by the Union County Sheriff for receipt of the information on behalf of the Union County Sheriff's Office. The input/upload and transmission shall be made each regular workday.

SECTION 5. ORDINANCE NOT MEANT TO SERVE AS A SUBSTITUTE FOR STATUTORY RECORDKEEPING, RETENTION, ETC. REQUIREMENTS.

Notwithstanding anything in this ordinance to the contrary, this ordinance and the resulting designation by the Sheriff of an entity or electronic system for the receipt of information shall not serve as substitutes for or in satisfaction of the recordkeeping, record retention, record disposal, receipt and ticketing requirements set forth in Chapter 66 of North Carolina General Statutes. Section 4 of this ordinance merely establishes how information is to be transferred to the Union County Sheriff's Office. Pawnbrokers, pawnshops, cash converters, secondary metals recyclers, and precious metals dealers are independently responsible for meeting all statutory requirements. Reliance on the entity or the electronic system designated by the Sheriff for fulfillment of any statutory requirement other than the electronic transfer of information to the Sheriff's Office is at the pawnbrokers', cash converters', precious metals dealers', and secondary metals recyclers' own risk.

SECTION 6. PENALTIES FOR VIOLATION.

Violation of any provisions of this ordinance shall subject the offender to one or more of the following enforcement actions. Each day that any violation continues after notification by the Sheriff of Union

County or his designee that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.

(a) Violations shall constitute a Class 3 misdemeanor pursuant to G.S. § 14-4, punishable by a fine of up to \$500.00 and imprisonment in the discretion of the court.

(b) Village of Wesley Chapel may apply for an appropriate equitable remedy from the General Court of Justice, including but not limited to mandatory and prohibitory injunctions and orders of abatement as allowed pursuant to G.S. § 160A-175.

SECTION 7. APPLICABILITY. The provisions of this ordinance shall apply within the corporate limits of Wesley Chapel, North Carolina.

SECTION 8. AUTHORITY. Whenever any provision of this ordinance refers to or cites a section, part, or chapter of the North Carolina General Statutes and that section is later amended or superseded, the ordinance shall be deemed amended to refer to the amended section, part, or chapter, or the section, part, or chapter that most nearly corresponds to the superseded section, part, or chapter.

SECTION 9. SEVERABILITY. If any provision of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance, it being the legislative intent that the provisions of this ordinance shall be severable and remain valid notwithstanding such a holding.

SECTION 10. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this \_\_13th\_\_ day of \_\_May\_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor Brad S. Horvath

Attest:

\_\_\_\_\_  
Village Clerk Cheryl Bennett

**6. CONSIDER APPROVAL OF CONTRACT WITH POST NET FOR USE OF VILLAGE SEAL ON VARIOUS ITEMS**

Attorney Sistrunk reported that a provision was added to report to the Village products in inventory each quarter. In Section 3.3 since the Village approves the products, the section prohibiting products that could be deemed offensive was deleted. Mayor Pro Tem Ormiston asked if we should have an intellectual products attorney inspect this; Sistrunk said this is governed by contract law so that was not necessary. Mayor Pro Tem Ormiston suggested the contract not renew automatically; preferring a one year contract. Section 3.3 does not give PostNet an exclusive right; it is a non-exclusive license. In Section 7.1, only if total ownership of PostNet is transferred can the contract be assigned. Since no schedules are attached to the

contract, references to them will be deleted. Referring to Section 6.2, PostNet can only say they have products with the Village seal. Council Member Plyler did not think a 20% royalty was enough. Attorney Sistrunk will get back to Todd Hess on the one year provision. We need to get the seal registered.

7. CONSIDER REQUEST FOR MODIFICATION FROM THE SUBDIVISION ORDINANCE FOR MODIFICATION TO SECTION 404.2C ON DIMENSIONAL STANDARDS FOR PANHANDLE LOTS AT 1323 CUTHBERTSON ROAD, WAXHAW, NC 28173

Langen reported a subdivision modification is allowed under Subdivision Ordinance Section 206. The request is for a modification to Section 404.2c that the length of the panhandle is allowed to exceed 200 feet, and that the panhandle area is used in calculating the minimum lot area. Tim Thomas, a land surveyor with Merrick & Co. said DOT restricts them to one driveway cut. Richard Haglemeyer was also present; he is a consultant to one of the owners. The panhandle lots are a funny shape; there is a restriction on the length; and the requirement that 40,000 square feet of buildable area not include the panhandle. The applicant thought that lowering the number of lots to six would make it worse since the houses would not be around the lake and might put houses closer to Cuthbertson Road.

Langen submitted his report into the record; incorporated herein.

TO: VILLAGE COUNCIL

SUBJECT: SM-13-01

DATE: 5/8/13

Staff has found that James Custom Homes, Inc. has submitted a petition for subdivision modification, SM-13-01, in order to modify the following regulations and allow for substitute development standards;

The petitioner requests a modification to Section 404.2c on the dimensional standards for panhandle lots.

- a. Petitioner requests that the length of the panhandle shall be allowed to exceed 200'. A shared private driveway suitable for fire truck access shall be provided within 200' of each structure.
- b. Petitioner requests that the "pan handle" area be used in calculating the minimum lot area requirement since it will be deeded fee simple to each lot.

Staff has considered the following findings;

- a) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his land, and

Staff has not found any special circumstance affecting said property, only that the acreage of the site is limited and the proposed layout is reliant upon modification of the ordinance. In addition, although surrounding properties could not be reasonably purchased and/or combined to create additional acreage for a layout compliant with the subdivision ordinance, an alternative layout could be proposed which would yield fewer lots. This would not deprive the applicant of

reasonable use of the property and the property can be used as a residence as well as other potential uses allowable in the R-40 zoning district.

b) That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner, and

Staff has found that the property can be used as a residence or other potential R-40 uses and can be subdivided for sale. The number of lots resulting from a subdivision within the existing regulations would most likely be smaller than the number of lots proposed, however, subdivision for sale would still be physically possible.

c) That the circumstances giving rise to the need for the modification are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this Ordinance, and

The subject property does have peculiar circumstances and is not generally characteristic of other parcels in Wesley Chapel. The property is surrounded on three sides by an existing subdivision with no possibility for connection. The property has a pond which limits the number of potential driveway configurations. The property is located along a road with a large number of curb-cuts in close proximity, limiting the number of potential driveway configurations.

d) That the granting of the modification will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated, and

Granting the modifications to the length of the panhandle on multiple lots and to the exclusion of panhandle acreage in lot area calculations would not be detrimental to the public health, safety and/or welfare to neighboring properties. The configuration of the land and the limited desire of NCDOT to grant multiple curb-cuts along this road would most likely result in a shared-drive configuration regardless of the number of lots proposed.

e) That the modification will not vary the provisions of the Village of Wesley Chapel Zoning Ordinance applicable to the property.

The proposed modifications would not vary the provisions of the Village of Wesley Chapel Zoning Ordinance applicable to the property.

As the proposed modifications CANNOT be considered to meet the above criteria, staff recommends DENIAL of the modification request.

Langen added that all properties are unique, and there might be another configuration; as staff, he took a conservative view. He said he liked the project, but couldn't recommend it.

As proposed the driveway does not touch all the lots; the applicant will have to change it so it touches lot 1. Langen said in the future if the road crumbles (it won't be built to DOT standards), and a lot puts in a gravel driveway, will a fire truck be able to navigate these ad hoc driveways.

The lots will have water and sewer. The longest panhandle length is more than 300 feet. The applicant said they can put in deed restrictions that owners cannot put in alternate driveways.

There will be an HOA. Lot sizes with panhandles are 41,000 square feet plus. Council Member Brotton asked if the configuration would require a right in and right out on Cuthbertson Road. Langen said you can't require stacking in the tapered part, it is a DOT question. Mayor Horvath said if DOT is saying only one access point, you could not put in a gravel driveway to Cuthbertson. Langen asked if a fire truck can navigate; the applicant said less than 200 feet is in the stub, so it shouldn't be a problem. A fire truck would probably stay at the "T", and just run hose. Attorney Sistrunk said you can make approval contingent on DOT and fire marshal approval and require the driveway touch lot 1. Langen said to allow the panhandle to be included in the calculation of lot size, you need to include a length of panhandle less than or equal to 400 feet from Cuthbertson Road. Attorney Sistrunk asked if the access points are at least 35 feet wide, the applicant replied yes.

Mayor Pro Tem Ormiston said other neighborhoods have ponds, there could be another layout. Mayor Horvath said the stickler is the term "reasonable".

The findings of fact at Section 206.3 were voted on.

- a) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his land, and

Vote was 3-1 with Ormiston voting nay. Rosoff noted all parcels are unique and aesthetics are important; you wouldn't want to have six houses in a row. Brotton said the special circumstance is you would take away one house. Plyler also noted the lake is a consideration, and another configuration might not be as safe.

- b) That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner, and

Vote was 4 yeas.

- c) That the circumstances giving rise to the need for the modification are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this Ordinance, and

Vote was 3-1 with Ormiston voting nay.

- d) That the granting of the modification will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated, and

Vote was 4 yeas.

- e) That the modification will not vary the provisions of the Village of Wesley Chapel Zoning Ordinance applicable to the property

Vote was 4 yeas.

Council Member Rosoff made a motion to approve the subdivision modification contingent on DOT and fire marshal approval and require the driveway touch lot 1, allow the panhandle area to be included in calculation of lot size, and that the length of the panhandle be less than or equal to 400 feet from Cuthbertson Road. Council Member Brotton seconded the motion.

The motion passed unanimously.

8. **CONSIDER APPROVAL OF SPONSORSHIP AND NAMING POLICY**

Mayor Pro Tem Ormiston reported she made changes in response to the attorney's comments. (Langen left at this time.) Mayor Pro Tem Ormiston motioned to approve the Sponsorship and Naming Policy with the change that recognition is in a Village mailing for one year, not all Village mailings, the Policy is incorporated herein. Council Member Brotton seconded the motion.

The motion passed unanimously.

## Village of Wesley Chapel Sponsorship and Naming Policy

*Adopted May 13, 2013*

### **I. INTRODUCTION AND PURPOSE**

In 2013, the Village of Wesley Chapel began construction on two major projects, the Village Town Hall and Dogwood Park. The Village Council understands the need to supplement its current and future projects through relationships with businesses, individuals, and organizations by means of sponsorships, grants and donations. For the purpose of project funding and with the state of the economy today, the Village seeks to create mutually beneficial relationships that will allow the Village to offer its citizens amenities, programs, facilities or structures through alternative sources that will allow us to accelerate our ability to provide these enhancements to the community. The sole purpose of this sponsorship program is to generate additional revenues for the Village and it is not intended to provide a public forum for communication and debate. The Village will operate its sponsorship program in a manner that maximizes revenue, while ensuring that the sponsorship materials displayed do not negatively affect the goodwill of citizens and visitors and do not diminish the reputation of the Village.

In addition to procuring this funding, the Village will work with its citizens to give back to the community by honoring its people, businesses, or organizations by means of recognition of amenities, facilities, or structures as outlined in the following naming policy. The Village of Wesley Chapel reserves all rights for approving acceptable sponsorships and names for public amenities, facilities or structures located on Village property. All sponsorship and naming requests must be consistent with our Village mission.

### **II. POLICY**

#### 1. Sponsorships vs. Donations

- A. The Village of Wesley Chapel recognizes that sponsorships are made when there is an expectation of a specific benefit in return. This benefit may be, but is not limited to, recognition in the form of advertising in newsletters, plaques, at Village events or naming rights. Sponsorships can be in the forms of services, funds, or in-kind gifts.
- B. Donations can be made to the Village in the form of services, funds, or gifts-in-kind, however there is no expectation or recognition or compensation, or restrictions on how this money or gift is to be used within the Village. Since donations can be used at the discretion

of the Council, there is no policy for donations. Donors, however, may be recognized in accordance with the sponsorship guidelines and this decision is at the discretion of the Council.

2. Sponsorships and Names must be in accordance with the following Sponsorship and Naming Guidelines.
3. Sponsorship and Naming agreements must be confirmed in writing via the Sponsorship/Naming Application before being accepted by the Village.
4. Sponsorships and Names must be consistent with the mission of the Village of Wesley Chapel.
5. Sponsorships or Names will not be accepted if they were to cause the Village any loss of authority or are not consistent with the Sponsorship/Naming Guidelines.
6. If a Sponsorship or Naming application is denied, it cannot be resubmitted for a minimum of five (5) years.
7. All Sponsorships and Names must be approved by the Village of Wesley Chapel Council.
8. The Village has the right to limit the number of facilities, structures, or sites to which Naming Rights can be applied.
9. The Village will not accept cash as a form of payment. Payment should be by check, wire, or other "traceable" method. The Village makes no representation as to whether any funds collected may be claimed as a tax deduction and any person making a contribution is advised to seek the advice of a tax professional as to the deductibility of their contribution.
10. The Town reserves the right to exercise full editorial control over the location, method, size, appearance and wording of any sponsorship messages.

### III. SPONSORSHIP / NAMING GUIDELINES AND CRITERIA

1. Businesses, individuals, and organizations are eligible for **Sponsorships** if they meet the following applicable criteria:
  - A. Supports the Village's mission.
  - B. Promotes positive and healthy images and messages in our community and for our children.
  - C. Provides sponsorships for the purpose of improving or enhancing the lives of the Village citizens.
  - D. Preserves cultural and historical features of our Village.
  - E. Sponsorships will relate to the intent of the Village owned property.
  - F. Obtain prior approval from the Village Council to use the Town's name, logo, slogans or other graphic representations in any messages.
  - G. All messages must be truthful. Statements, copy and illustrations should not be exaggerated, distorted or deceptive.
2. Businesses, individuals, and organizations are eligible to request **Naming Rights** if they meet the following applicable criteria:

- A. Represents a Wesley Chapel citizen (living or deceased), or person with significant ties to the Village who has made a considerable contribution in the form of a donation, time, or overall public service to the Village. Naming Rights of living individuals is typically limited for land/facilities/structures/ or amenities donated in entirety or at 100% of cost in one lump sum.
  - B. Represents a business or organization with ties to the Wesley Chapel community and that has made a considerable contribution to the Village in the form of a donation or significant sponsorship in excess of \$100,000 for 100% of the cost of the sponsorship.
  - C. Supports the application with a petition signed by a minimum of 1,000 Village homeowners for Naming Rights .
  - D. Ensures the requested name does not sound like, or duplicate, the name of another site/structure/facility/amenity within the Village or in surrounding municipalities as not to confuse the general public.
3. Sponsorships or Naming Rights will **not** be considered if:
- A. They violate local, state or federal laws (i.e. dumping hazardous waste, exploitation of child labor, etc), or that promote drugs, alcohol or tobacco.
  - B. A company's primary revenue is derived from the sale of alcohol, tobacco, firearms, or pornography.
  - C. They come from religious or political organizations.
  - D. They are regarded as an "adult" business or if they contain messages for products, services or entertainment directed to sexual stimulation.
  - E. They contain messages for products or services related to human reproduction or sexuality, including but not limited to contraceptive products or services, other products or services related to sexual hygiene, counseling with regard to pregnancy, abortion or other sexual matters.
  - F. They give the appearance that a product or service is endorsed by the Village of Wesley Chapel or if their sponsorship would create a conflict of interest or policy with the Village. The Town will not permit messages that explicitly or directly promote a local government other than the Village of Wesley Chapel.
  - G. A Naming request sounds like, or is a duplicate of another municipality's site, amenity, facility or structure.
  - H. The message disparages the Town or any other person or entity.
  - I. The messages include language, pictures, or other graphic representations that are unsuitable for exposure to persons of young age and immature judgment, or shall be derogatory of any person or group because of race, national origin, ethnic background, religion or gender.
  - J. The request does not meet the above stated criteria.

4. The Village Council and/ or Committees may take into consideration the following factors before deciding to enter into a sponsorship agreement. The outcome of these considerations may be cause for a sponsorship not to be accepted:
  - A. The timeliness or readiness of the individual, company, or organization to enter into a sponsorship agreement.
  - B. Any operating or maintenance costs associated with the sponsorship agreement.
  - C. The sponsor's record of responsible stewardship and past involvement in community projects.
  - D. Council must ask if the sponsorship is reasonably related to the project or purpose for which it is being given, and;
  - E. If the sponsorship will help generate more revenue and/or less cost to the Village than without it.

#### **IV. APPLICATION AND SELECTION PROCESS**

1. The Village Council is the governing body that may (1.) approve a list of predetermined sponsorship and naming rights opportunities, and (2.) approve all requested sponsorships and Naming Rights. The Village Council may also give authorization to any of its committees to approve a predetermined list of sponsorships.
2. The Village Council will seek recommendations from Village Committees for potential sponsorships and suggestions for amenities, programs, facilities, and structures to be sponsored.
3. Upon receipt of a Sponsorship / Naming Rights Application by the Village Clerk, the Village Council shall host one public hearing to announce all sponsorship requests over \$1,000, or two public hearings, no less than 25 days apart, for all Naming Rights requests.
4. The Village Council shall approve or deny the request at the Council's next regularly scheduled public meeting for sponsorship requests under \$1,000 or following the required public hearing(s) for all other sponsorships or Naming Rights requests.
5. During deliberation of the request, the Council may (1.) set terms for the requested Naming Rights based on the life expectancy of the structure/facility i.e. 20 years and/or (2.) determine if a plaque or some form of recognition should be placed at the location of the Named facility, structure, amenity or site or in another public area to honor the names of individuals who have Naming Rights and to highlight their contributions to the Village.
6. Approval or denial of the request will be confirmed with the applicant within 35 days of the application submission. No binding sponsorship or naming agreement shall exist unless and until a written agreement regarding such sponsorship or naming rights is entered into with the Village.

#### **V. SPONSORSHIP AND NAMING RIGHTS LEVELS AND BENEFITS**

The goal of the Village of Wesley Chapel is to yield similar benefit values for the various types of sponsorships. New sponsorship opportunities may be added to the current list of opportunities at any time. Likewise, some sponsorship opportunities are limited and once the maximum number of opportunities is met, these options may no longer be available. Where partial sponsorships are available, there may be no more than two sponsors of one facility/amenity/structure/ program.

**A. Title Sponsor**

A sponsorship agreement that allows for exclusive sponsorship rights for a limited-time event or program. Title sponsorships must be no less than equal to 100% of the expected operating costs. Expected operating costs are to be determined and discussed with the applicant before the application is submitted to Council for approval.

Benefits include:

- The business or organization's name may be incorporated into the title of the event or program.
- Recognition on all event/program advertisements (media and promotional materials) for the specific sponsored event.
- Recognition as Title Sponsor in one annual Village mailer.
- Recognition at the event/program as Title sponsor.
- Plaque Recognition on Village property.
- All Title Sponsors of \$10,000 or more will receive rights to be the Title Sponsor the following year for the same event if held again.
- Other possible negotiated benefits as agreed to on the sponsorship agreement application.

**B. Facility/Structure Sponsor - Minimum \$25,000 sponsorship**

A sponsorship agreement that includes a payment to the Village of no less than \$25,000 for the purpose of constructing, renovating, or purchasing a specific facility or structure.

Benefits Include:

- First rights to Naming Rights for sole sponsorships of facilities/structures costing over \$100,000.
- Plaque Recognition on Village property.
- Recognition as Facility/Structure Sponsor in one annual Village mailer.
- Other possible negotiated benefits as agreed to on the sponsorship agreement application.

**C. Amenity Sponsor (\$5,000+)**

*Gold Level Sponsorships (\$5,000+):* A sponsorship agreement that includes a payment to the Village for the entire (100%) cost of a specific amenity.

- Plaque Recognition on Village property and sponsored amenity.
- Recognition as Amenity Sponsor in one annual Village mailer.
- Other possible negotiated benefits as agreed to on the sponsorship agreement application.

*Silver Level Sponsorships (\$3,000-4,999):* A sponsorship agreement that includes a payment to the Village of for the entire (100%) cost of a specific amenity.

- Plaque Recognition on Village property.
- Recognition as Amenity Sponsor in in one annual Village mailer.

*Bronze Level Sponsorships (\$500-2,999):* A sponsorship agreement that includes payment to the Village for the entire (100%) cost a specific furnishing on Village owned property.

- Plaque Recognition on Village property.

#### **D. Site Sponsor**

A sponsorship agreement for the purpose of a time limited program or event at a specific site within the Village or surrounding municipalities.

- Recognition on all event/program advertisements (media and promotional materials) for the specific sponsored event.
- Recognition at the event/program as Site sponsor.
- Plaque Recognition on Village property.
- Other possible negotiated benefits as agreed to on the sponsorship agreement application.

#### **E. Event/Program Sponsor**

A sponsorship agreement that includes a payment to the Village, in part, to be applied to the overall operating expenses of a specific event or program to be used as the committee, organizers, or Council decides.

- Recognition on all event/program advertisements (media and promotional materials) for the specific sponsored event.
- Recognition at the event/program as Event/Program sponsor.
- Plaque Recognition on Village property.

All other sponsorships or donations less than \$500 may be recognized in an annual newsletter.

Naming Rights may be granted for facilities/structures or sites as predetermined as applicable by the Village Council and where the Naming Rights criteria has been met.

### **DEFINITIONS OF SPONSORSHIP TERMS**

**Advertising:** The direct sale of print or some other types of Village communication medium to provide access to a select target market. This may be separate from sponsorship of programs or facilities, i.e. space in flyers or newsletters.

2013.05.13 minutes

**Donations:** Funds or in-kind gifts that do not include any additional negotiated conditions in return and can be used at the discretion of the Village. Synonyms: Philanthropy, Patronage, Contribution.

**Exclusive Rights:** A company pays a premium or provides economic benefit in exchange for the right to be the sole advertised provider for an event or program, at the most competitive prices, of goods purchased by the Village or partnered project.

**In-Kind sponsorship:** Payment (full or partial) of sponsorship fees in goods or services rather than in funds.

**Sponsors:** Companies, individuals, or organizations who provide funds or in-kind donations designed to provide them with specific benefits or rights that directly and tangibly fulfill their marketing and communication objectives.

**Sponsorship:** A funds or in-kind fee made to the Village in return for specific benefits.

**Sponsorship Agreement:** An agreement created for sponsored requests between the individual, business, or organization and the Village of Wesley Chapel. This plan outlines the sponsorship being made to the Village and the benefits that will be received by the sponsor.

**Sponsorship Types:** There are five types of sponsorships: Title, Facility/Structure, Amenity, Site or Event/Program Sponsor.

**Title Sponsor:** A sponsorship agreement that allows for exclusive sponsorship rights for an event or program. The sponsor has its name incorporated into the name of the sponsored program or event.

## **Village of Wesley Chapel Sponsorship / Naming Rights Application**

Date: \_\_\_\_\_

### **Applicant Information**

Name of Organization/Business : \_\_\_\_\_

Contact Person: \_\_\_\_\_

Street Address: \_\_\_\_\_ City, State, Zip code: \_\_\_\_\_

Phone (Office/Home): \_\_\_\_\_ (Cell): \_\_\_\_\_

Email: \_\_\_\_\_

What type of sales generates revenue for your company / organization? \_\_\_\_\_

*Are you applying for a Sponsorship or Naming Rights? Please check only one box below and complete only that section.*

**Sponsorship Request**

*Please select one sponsorship level per application.*

**Sponsorship Levels:**

- Facility/Structure Sponsor                       Title Sponsor
- Site Sponsor     Event/Program Sponsor
- Amenity Sponsor

**Special requests or details:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I understand that the benefits I will receive for my sponsorship are in accordance with the Sponsorship Policy for my level of sponsorship selected above. Where applicable, any other negotiated benefits are as follows: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Applicant Signature and Date

\_\_\_\_\_  
Village Official Signature and Date

**Naming Rights Request**

Amenity/Program/Facility/Structure/Site of Naming to be considered: \_\_\_\_\_

\_\_\_\_\_

Name/Title to be recommended for consideration: \_\_\_\_\_

If named after a person, is this person  living or  deceased? Please check one box.

Is this a business or organization?  yes  no

Please state your justification for Naming the above stated amenity/program/facility/structure or site on the space provided. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_  
Applicant Signature and Date

\_\_\_\_\_  
Elected Official Signature and Date

9. CONSIDER COMMUNICATION INTERNSHIPS

Mayor Pro Tem Ormiston reported Communications were brought up at the Advance, and Administrator Bennett had an idea to create unpaid communication internships for current and former Youth Council Committee members for the summer. They can work with staff on our Facebook page, and on our newsletter, collect more email addresses, etc. Mayor Horvath asked for a basic job description to be written; Council consensus was to approve this idea.

10. CONSIDER APPROVAL OF MUNICIPAL SPEED LIMIT ORDINANCES FOR POTTER TRACE ROAD AND CIRCLE TRACE ROAD

Mayor Pro Tem Ormiston made a motion to approve Ordinance 2013-13, incorporated herein, Declaring Speed Limit Modifications in Potter Trace Subdivision; Council Member Brotton seconded the motion.

The motion passed unanimously.

**ORDINANCE 2013-03**

**DECLARING SPEED LIMIT MODIFICATIONS IN POTTER TRACE SUBDIVISION**

WHEREAS the State of North Carolina, Department of Transportation has declared the following speed limit modification; and

WHEREAS they have requested the Village of Wesley Chapel enact an ordinance declaring the following speed limit modification;

THEREFORE the Village of Wesley Chapel declares the following speed limit:

Car and Truck		
<u>Speed Limit</u>	<u>Route</u>	<u>Description</u>

2013.05.13 minutes

- 25 SR 3263 Potter Trace Road from SR 1162 (Potters Road South) eastward to a point .25 mile east of SR 1162, subdivision wide (Potter Trace Subdivision)
- 25 SR 3264 (Circle Trace Road) from a point .18 mile north of SR 3263 (Potter Trace Road) southward to a point .22 mile south of SR 3263, subdivision wide (Potter Trace Subdivision)

Approved this 13th day of May, 2013.

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Mayor Brad S. Horvath

Attest:

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Village Clerk Cheryl Bennett

11. NORTH CAROLINA DOMESTIC VIOLENCE PROCLAMATION 100 DAY  
Mayor Horvath reported that the Mothers On A Mission group worked on this and their goal was to get 100 Proclamations by June 15. Our proclamation is as follows.

*Office of the Mayor, Village of Wesley Chapel, North Carolina*



### *North Carolina Domestic Violence Proclamation 100 Day*

**WHEREAS**, the Village of Wesley Chapel is concerned about the issues of domestic and teen dating violence in the state of North Carolina, and,

**WHEREAS**, statistics show that on average, 3 women are murdered by their intimate partners every day, and,

**WHEREAS**, 95% – 97% of severe domestic violence occurs against women of all ages, races, religions and socioeconomic status, and,

**WHEREAS**, battering is the leading cause of injury or hospitalization for women, and

**WHEREAS**, the National Coalition Against Domestic Violence reports that more than 9 times as many women are murdered by a man they know than are killed by strangers, and,

**WHEREAS**, statistics show that our youth are enduring dating violence as early as age 13 and show that half of reported date rapes occur among teenagers, and,

**WHEREAS**, surveys show that only 33% of teenagers who are in an abusive relationship ever tells anyone, and,

**WHEREAS**, there were 63 domestic violence homicides in the state of North Carolina in the year 2012 and there has been 10 domestic violence homicides in North Carolina in 2013 as of March 15, 2013, and,

**WHEREAS**, sexual abuse is also a form of domestic violence, and,

**WHEREAS**, we believe that educating our communities on the issues of domestic and teen dating violence is imperative, and,

**WHEREAS**, Mothers On A Mission Domestic Violence Organization is dedicated to educating the state of North Carolina on the issue of Domestic and Teen Dating Violence, and,

**WHEREAS**, Mothers On A Mission has dedicated **Saturday June 15, 2013** to a statewide educational event on the issues of domestic and teen dating violence, and will set up radio and television interviews, and workshops across North Carolina.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Wesley Chapel of North Carolina, hereby officially proclaim **Saturday June 15, 2013 as**

***“North Carolina Domestic Violence Proclamation 100 Day”***

***IN WITNESS WHEREOF***, I have hereunto set my hand and caused to be affixed the Seal of the Village of Wesley Chapel, North Carolina this, the 6<sup>th</sup> day of May, 2013

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Mayor Brad Horvath

12. TOWN HALL BUILDING COMMITTEE UPDATE

a. Update on construction progress

Council Member Brotton said the shingles should be on in the next couple weeks, then brick and stone. There was a delay in signing off on the sewer due to the Aston pipe, and it should be taken care of soon. We need to get water to do brick and mortar work, and hope to install a temporary meter.

b. After business hours use of new town hall

Council Member Brotton said this came up during discussion of the security system, and the question was whether to have key fobs or a key and keypad. The cheaper route is key and keypad with 50 combinations at any time. Discussion was held. We also need a policy on uses of the town hall by outside groups, including food, fees, etc. Staff will work on this. Council Member Rosoff was not in favor of using keys. Council Member Brotton will check on costs of an external key pad and electromagnetic doors.

c. Other Town Hall matters, as necessary

Council Member Brotton said we are going with Wynncom for phone/data/ AV. He added that it is more expensive for Duke to do power poles for lighting the back of the town hall than for a change order to add floodlights. The timeline is to be finished the last week of October or first week of November. Planning has started for a grand opening ceremony, and they are looking at options for a live Christmas tree outside. Mayor Pro Tem Ormiston said the Optimist Club might sponsor a tree.

(Attorney Sistrunk left at this time.)

13. PARKS AND REC COMMITTEE UPDATE

a. Update on park bidding timeline

Mayor Pro Tem Ormiston said the pre-bid meeting was Friday and eight contractors attended.

b. Reminder of volunteer day on May 18, 2013 from 9 am to 2 pm at Dogwood Park

14. REVIEW AUDIT SERVICES PROPOSALS

Our current year audit cost is \$5,750. Proposals were received from Kendra Gengal, CPA at \$4,840 and Moyer Smith & Roller at \$6,355. Bennett checked references on both. Mayor Pro Tem Ormiston motioned to contract with Kendra Gengal, CPA for the fiscal year 2013 audit. Council Member Brotton seconded the motion.

The motion passed unanimously.

15. ASTON PROPERTIES COUNTER OFFER TO DISCUSS VILLAGE COMMONS PHASE II

Mayor Horvath said Karen Partee at Aston preferred if a couple of Council or Planning Board reps would like to get an update on the shopping center at the Aston office. Mayor Horvath will get potential dates.

16. DISCUSSION OF 55 AND OLDER HOUSING

Council Member Plyler said Council received an email from Monica Nguyen in favor of senior housing. Mayor Horvath said we have to change our ordinances before we can do this; it needs to move up on the ordinance prioritization list. Mayor Pro Tem Ormiston suggested Joshua Langen sit down with someone who handles this in a larger town. Council Member Brotton noted there are two issues; high density and age 55 plus housing.

17. OTHER BUSINESS

Mayor Horvath reported Bill Lee is interested in working on a newsletter.

18. COUNCIL COMMENTS

Mayor Pro Tem Ormiston asked Bennett to send out an email regarding committee openings and five openings on the Youth Council Committee after June. She noted Butch Plyler saved us about \$300 on the backpack sprayers and chemicals for Parks and Rec. Also Chick Fil A said no to a Youth Council Committee event, but Villa Mia said we could hold it near their restaurant.

2013.05.13 minutes

19. ADJOURNMENT

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

The motion passed unanimously.

The meeting ended at 9:38 pm.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath