

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
June 9, 2014 – 7:00 P. M.

The Village Council of Wesley Chapel, North Carolina, met in the Town Hall at 6490 Weddington Road, Wesley Chapel, North Carolina.

Present: Mayor Horvath, Mayor Pro Tem Como, Council Members Kenary, Plyler and Rosoff

Others Present:

Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Admin. Bill Duston; Attorney George Sistrunk

Citizens Present: Carol Mullis, Mildred Gwinn, Patricia Utley, Michael Giaimo
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 Council Member Plyler gave the invocation.

2. PUBLIC COMMENTS

Carol Mullis requested microphones be used.

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

An item was added for a bobcat rental. Council Member Plyler made a motion to approve the amended agenda; Council Member Rosoff seconded the motion.

The motion passed unanimously.

4. PUBLIC HEARING ON 2014-15 BUDGET

The public hearing was opened. Carol Mullis questioned Youth Council spending money on a 5K run, and a trip to Raleigh stating monies should benefit all people, not just a few. She said the Safety Committee funds were reduced from \$2200 to \$1600 and raises for staff were not warranted since she did not think they met their job description. Mayor Horvath noted staff raises have not been discussed.

Mildred Gwynn expressed concern on park expenses being 21% of the budget for on-going expenses, and including capital outlay they are 28% of budget. She questioned expenses for garbage cans, pet waste stations, and had concerns that the secluded park could be a location for drugs. She said the lights are on all night and an expense.

Mayor Horvath read an email from Chuck Adams; Mr. Adams asked Council to vote no on this budget. He questioned amounts for land maintenance expense, seasonal decorations; seminars; Youth Council Committee; admin. assistant, salary adjustments, clerk and finance salary, planning and zoning professional services, and legal fees. He also questioned amounts for Park and Rec expenditures including "other", a park maintenance worker, equipment rentals, monument sign / call box, structure imp. / demo pads for tables, Redbox, pet waste stations and park garbage cans.

Bill Lee sent an email suggesting we hire a full time zoning administrator.
The public hearing was closed.

Council Member Rosoff motioned to amend the agenda and add an item for mowing at the park;
Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

5. APPROVE MINUTES

Council Member Kenary motioned to approve the May 12, 2014 and May 20, 2014 Council meeting minutes. Council Member Rosoff seconded the motion.

The motion passed unanimously.

Council Member Rosoff motioned to approve the May 15, 2014 special Council meeting minutes. Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

The April 25/26, 2014 Advance minutes will be on the next agenda as one member had not seen them yet.

6. STAFF REPORTS – FINANCE REPORT

Finance Officer Bennett reported that she made a budget amendment during May in Parks and Rec to move \$300 from pesticides and \$300 from event supplies and \$600 to other supplies. Council Member Plyler motioned to approve the May finance reports; Council Member Kenary seconded the motion.

The motion passed unanimously.

May 31, 2014 Balance Sheet

ASSETS

Checking/Savings

Fifth Third Bank checking	52,245.53
Fifth Third Maxsaver	345,649.42
BB&T Money Market	355,437.70
Cash Change Fund	50.00

Total Checking/Savings 753,382.65

Total Accounts Receivable 2,897.85

Other Current Assets

Property Tax Rec.	2,722.00
Allow. for Doubtful Accounts	-1,067.00
Prepaid Exp.	180.00

Total Sales Taxes to be Received 18,188.11

Total Current Assets 776,303.61

Fixed Assets	
Land	813,423.00
Dogwood Park CIP	97,610.00
Town Hall- CIP	671,617.00
TH Driveway CIP	29,563.00
Office Equipment	8,749.00
Accumulated Deprec.	-7,727.98
Total Fixed Assets	1,613,234.02
TOTAL ASSETS	2,389,537.63
LIABILITIES & EQUITY	
Other Current Liabilities	
Due to Union County Schools	105.53
Retainage Payable - Town Hall	62,423.09
Retainage Pay. Dogwood Park	22,530.38
Escrow from Developers	45,076.00
Deferred Revenue	1,655.20
Next yr Prop Tax prepaid	1,564.50
Total Other Current Liabilities	133,354.70
Fund Balance	
Fund Bal. inv. in Fixed Assets	1,613,234.02
Fund Balance Assigned for NNO	313.40
Fund Bal. non-spendable	45,256.00
FB restricted by State Statute	21,514.00
Fund Bal. Committed for CIP	310,614.00
Fund Balance	-12,375.00
Reserved for Parks & Recreation	15,771.44
Excess of Rev. over Exp.	261,855.07
Total Fund Balance	2,256,182.93
TOTAL LIABILITIES & FUND BALANCE	2,389,537.63

Budget Report, May 2014

	<u>May 14</u>	<u>Jul '13 - May 14</u>	<u>YTD Budget</u>	<u>% of Budget</u>
General Fund				
Income				
Appropriated Fund Balance	0.00	176,400.00	176,400.00	100%
Contributions Income				
Restricted	<u>0.00</u>	<u>550.00</u>	<u>500.00</u>	<u>110%</u>
Total Contributions Income	0.00	550.00	500.00	110%

Property Tax Income				
Current Year Property Tax	189.81	145,945.95	145,015.00	101%
Utility Ad Valorem	0.00	1,897.01	1,600.00	119%
Vehicle Registration	1,127.34	12,048.84	9,465.00	127%
Delinquent Property Tax	112.02	486.73	800.00	61%
Prior Year Motor Vehicle Tax	0.00	541.85	200.00	271%
Interest/Ad Fee on Taxes	39.11	624.60	213.00	293%
Total Property Tax Income	1,468.28	161,544.98	157,293.00	103%
Fees and Licenses				
Privilege Licenses	133.55	22,803.89	27,000.00	84%
Cable Franchise (from Time Warn	3,505.00	14,975.00	16,000.00	94%
Zoning Permit	700.00	33,190.00	7,000.00	474%
Engineering Fees Reimbursement	-775.00	27,205.32	25,000.00	109%
Newsletter/Deputy Sponsor	0.00	0.00	0.00	0%
Annexation Exp Reimbursed	0.00	0.00	200.00	0%
Misc. Fees	30.00	1,626.34	200.00	813%
National Night Out	0.00	73.00	100.00	73%
Fall Festival	0.00	0.00	0.00	0%
Total Fees and Licenses	3,593.55	99,873.55	75,500.00	132%
Interest Earned	42.21	1,367.91	1,500.00	91%
Revenue Sharing				
Sales & Use Taxes	3,239.91	27,139.72	37,000.00	73%
Telecommunications Tax	0.00	5,291.00	10,500.00	50%
Video Programming(State Cable)	0.00	46,480.14	91,000.00	51%
Franchise Tax (Electric Power)	0.00	98,507.00	171,000.00	58%
Excise Tax (Piped Natural Gas)	0.00	7,247.00	16,000.00	45%
Alcoholic Beverage Tax	34,434.49	34,434.49	33,000.00	104%
Total Revenue Sharing	37,674.40	219,099.35	358,500.00	61%
Total Income	42,778.44	658,835.79	769,693.00	86%
Expense				
Transfer to CIP	0.00	0.00	0.00	0%
Total Operating Expenditures	3,188.34	62,426.18	99,119.00	63%
Total Gen. Govt. Salaries	6,654.72	87,260.55	132,208.00	66%
Total Planning & Zoning	4,212.08	55,286.05	79,468.00	70%
Total Professional Fees	2,770.00	49,408.82	60,900.00	81%
Capital Outlay	0.00	0.00	50,000.00	0%
Total Public Services / Safety	270.10	80,299.83	81,496.00	99%

Parks & Recreation				
Total P&R Personal Services	0.00	0.00	300.00	0%
Total P&R Supplies & Material	1,111.59	1,483.93	4,000.00	37%
Total P&R Services	<u>12.15</u>	<u>1,376.71</u>	<u>14,282.00</u>	<u>10%</u>
Total P&R Capital Outlay	<u>808.08</u>	<u>235,099.90</u>	<u>247,920.00</u>	<u>95%</u>
Total Parks & Recreation	<u>1,931.82</u>	<u>237,960.54</u>	<u>266,502.00</u>	<u>89%</u>
Total Expense	<u>19,027.06</u>	<u>572,641.97</u>	<u>769,693.00</u>	<u>74%</u>
Net General Fund	23,751.38	86,193.82	0.00	100%
Capital Projects Fund				
CIP Income				
PARTF Grant	0.00	450,000.00	500,000.00	90%
Adopt A Trail Grant	0.00	5,000.00	5,000.00	100%
Water Based Resource Grant-Park	0.00	100,000.00	100,000.00	100%
Transfer from General Fund				
Appropriated for Dogwood Park	0.00	1,207,600.00	1,207,600.00	100%
Appropriated for Town Hall	<u>0.00</u>	<u>1,442,700.00</u>	<u>1,442,700.00</u>	<u>100%</u>
Total Transfer from General Fund	<u>0.00</u>	<u>2,650,300.00</u>	<u>2,650,300.00</u>	<u>100%</u>
Total CIP Income	0.00	3,205,300.00	3,255,300.00	98%
CIP Expense				
Capital Projects				
Dogwood Park Capital Outlay				
Land Acquisition	0.00	673,271.00	673,271.00	100%
House	0.00	411,419.00	411,419.00	100%
Preliminary Planning	0.00	15,526.67	15,527.00	100%
Design/Constr Mgt,etc.	0.00	72,970.56	77,850.00	94%
Site preparation	9,562.51	228,129.33	238,500.00	96%
Grassing	10,220.00	10,220.00	51,100.00	20%
Parking lot & drive	52,695.91	52,695.91	114,574.00	46%
Boardwalk	3,776.80	34,297.54	36,953.00	93%
Accessible routes	0.00	20,519.48	20,600.00	100%
Paved Walking Trail	28,450.00	28,450.00	56,900.00	50%
Unpaved trail	0.00	9,888.04	9,888.00	100%
Amphitheater/Stage/Outdoor Clas	0.00	72,100.00	76,100.00	95%
Contingency	0.00	0.00	7,435.00	0%
Testing Fees	1,542.50	11,463.90	12,000.00	96%
Legal Fees - DP	245.00	4,270.00	4,396.00	97%
Utilities	0.00	4,380.00	4,380.00	100%
Fishing Pier	0.00	0.00	0.00	0%

Multipurpose Field	0.00	0.00	0.00	0%
Rest room renovation	0.00	0.00	0.00	0%
Site Furnishings-gate,signs,etc	0.00	277.77	278.00	100%
Other Expense	0.00	1,428.24	1,429.00	100%
Total Dogwood Park Capital Outlay	106,492.72	1,651,307.44	1,812,600.00	91%
Town Hall Capital Outlay				
TH Construction Contract	0.00	1,224,238.82	1,251,621.00	98%
TH Architect/Engineer	0.00	104,328.87	108,168.00	96%
TH In House Engineering	0.00	1,200.00	1,200.00	100%
TH Testing/Permit Fees	0.00	12,894.66	15,000.00	86%
TH Telecom Sys/AV/Computers	0.00	179.90	23,012.00	1%
TH Insurance	0.00	1,374.00	1,374.00	100%
TH Legal Fees	0.00	4,842.50	5,000.00	97%
TH Furnishings/Seasonal Dec.	400.00	25,683.49	28,945.00	89%
TH Miscellaneous	0.00	3,589.07	8,380.00	43%
Total Town Hall Capital Outlay	400.00	1,378,331.31	1,442,700.00	96%
Total Capital Projects	106,892.72	3,029,638.75	3,255,300.00	93%
Net CIP	-106,892.72	175,661.25	0.00	100%
Net Excess of rev. over exp.	-83,141.34	261,855.07	0.00	100%

7. STAFF REPORTS – APPROVE AUDIT CONTRACT FOR FYE 06.30.2014
Council Member Plyler motioned to approve the audit contract for the year ending June 30, 2014 with Kendra Gangal CPA for \$4900. Council Member Kenary seconded the motion.

The motion passed unanimously.

8. STAFF REPORTS – PLANNING/ZONING AND CODE ENFORCEMENT REPORTS
Bill Duston reported eleven permits issued in May. He reviewed draft text regarding street standards with DOT (they are in favor of a stronger road base) and the engineer. Another issue is limiting parking to one side of the street; DOT and the attorney said this is not illegal, but enforcement is another question. Mr. Duston met with the County Forester regarding our tree regulations; he commented not all twenty inch plus trees are worth saving, while some smaller ones worthy of preserving have no protection. It is easier to maintain tree save areas if they are on common area, and not on individual lots. The ten foot utility easement in the side and rear of lots also gets in the way of tree save areas. The Brookmeade subdivision preliminary plat (with roads narrower and maintained by DOT) was sent to Council from Planning Board without a recommendation. We need DOT and Union County Public Works approval letters; DENR is not

affected by the change in roads. Council Member Plyler said to let Council know if approval letters are slow to come in.

Mayor Horvath noted he received an email from the US Postal Service stating that all new subdivisions or commercial development must have cluster mailboxes; Mr. Duston confirmed this with the Post Office and it is not just Waxhaw, but all the Post Offices. The regulation was originally dated 2013 but a letter was just sent to us now.

Stormwater - the Durban Group still needs to make more improvements to their pond near McDonalds; the due date is June 26 after which a violation could be issued. Also we issued a bill to them for our engineer's time of \$775; they objected and we don't have written requirements that they pay it, so a credit was issued. In the future we will notify them before our engineer goes out. Aston made necessary improvements at the Harris Teeter pond, and a report is due June 2 on improvements to their other ponds. Mr. Duston and the engineer visited a homeowner in Champion Forest adjacent to Wesley Pond regarding runoff from the pond draining on his property.

A request from CRTPO was received to have Goldmine Road classified as a major thoroughfare. A public information meeting will be held at the June Planning Board meeting regarding a CUP request from Arborbrook Christian Academy to extend the mobile classroom which expired from a previous CUP. Also New Town Elementary School inquired about a CUP to construct an outdoor classroom.

In July Mr. Duston will give Council a summary of the Land Use Plan update from Planning Board. Council Member Plyler said planners we interviewed said you should have public meetings before considering changes in the Land Use Plan. Mayor Horvath said Planning Board already reviewed the Plan, and we will have discussion to see if we agree with their changes, and then go to the public and see what their comments are. Any property owners we are considering reclassifying will be invited.

Code enforcement – phone calls have been received about 5501 Berrywood Lane although staff was told the property owner was moving his business in early June. Mr. Duston will go take photos Thursday. Also when privilege license renewals are received for businesses in a home, he is contacting them with the home business rules. Complaints about 100 Wade Hampton Drive, 4224 Wesley Chapel Road and 4107 Wesley Chapel Road led to investigation but no violations were found. The last site is 1000 Woodhurst Circle; where a Notice of Violation was sent April 28, and a response from the homeowner received May 20. It was found not to be in violation. Council would like to see the zoning violations report in a larger format and to see the history of violations.

9. PRESENTATION BY MIKE GIAIMO ON D.I.A.L.O.G.

Mike Giaimo presented an overview of a program that is used to help an organization understand the dynamics within an organization. He said the town has a lot of talents, and we need to support each other for patron loyalty and growth. Organizations' strengths are greater than the sum of its parts. D.I.A.L.O.G. measures the perceptions of the people within the organization using Malcolm Baldrige National Quality Award criteria. The process is a twenty minute, 95 question assessment, done anonymously by participants including Council, boards, committees and staff. The summary report is 30 – 70 pages. He would create a personal log on for Wesley Chapel and participants would have a deadline. He would come back with the report and talk through the results. This was created for US Government and there are also industry specific versions.

Council Member Kenary motioned to accept Mike Giaimo's offer to move through the D.I.A.L.O.G. program and also get more information. Council Member Rosoff seconded the motion.

The motion passed unanimously.

Mayor Pro Tem Como motioned to wait until next Tuesday to review this and possibly come up with a list of concerns. Council Member Plyler seconded the motion.

The vote was 2 yeas (Como and Plyler) and 2 nays (Kenary and Rosoff); the mayor voted yea saying there is no problem to wait a week; the motion passed 3-2.

Council Member Kenary motioned that by next week we have the number of participants and all concerns compiled. Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

We will share the PowerPoint with everyone.

10. TOWN HALL UPDATE

A report was received from DENR on the dry pond; a small berm needs to be added where the pipe opens up, and ground cover added to the slopes. Rip rap needs to extend to the ground. Council Member Kenary said there shouldn't be additional costs as this is per the approved plan. Mayor Horvath said this needs clarification, and asked if the "as built" has been approved. Council Member Kenary gave an update on irrigation bid work; there will be additional cost to add a second meter to the plans. Council Member Kenary and Mayor Pro Tem Como said there should not be an extra charge for gutter splash guards; they are in the spec book on page 251. Mayor Pro Tem Como said the Wyncom monitors don't meet the standards and they want to charge more; Mayor Horvath said the conduits were too small for these monitors, and it is a Morlando/Wyncom issue that will be worked out between them and the architect.

11. DOGWOOD PARK – SUBSTANTIAL COMPLETION

Wirth & Associates verified substantial completion was achieved on May 28, 2014 and there is a short punch list with the main item being stormwater runoff. They have 30 days to complete. This Wednesday is the PARTF inspection, and the C.O. on Thursday. There was a wash in the price for mulch instead of grass on some slopes; Council Member Kenary questioned about erosion; Mayor Pro Tem Como said we use single ground mulch and have not had any washouts.

12. DOGWOOD PARK – GRAND OPENING

The grand opening is July 12, 2014. Mayor Pro Tem Como will email the list of supplies needed from the 2012-13 budget from Sondra Bradford. Council Member Kenary asked for a plan to be provided to Council. She asked for details of signage, and noted the proposed sign doesn't meet our ordinance. Planning Board is getting a text change to add bulletin board/information signs. Mayor Pro Tem Como motioned to have the grand opening of the park on July 12, 2014. Council Member Rosoff seconded the motion. The second was rescinded. The motion was amended to add the rain date is the following Saturday. Council Member Rosoff seconded the amended motion.

The motion passed unanimously.

Some re-wording was done to the press release.

13. PARKS AND REC - DONATION OF SPLIT RAIL FENCING

Mayor Pro Tem Como reported a Mr. Helms has one acre of four rail split rail fencing he will donate to the park. Mayor Pro Tem Como motioned to accept the donation of fencing with total costs not to exceed \$200 to remove with volunteers and move to the park with a rented truck. Council Member Kenary seconded the motion.

The motion passed unanimously.

14. PARKS AND REC – ADA PICNIC TABLE PADS

Mayor Pro Tem Como said we put \$7,000 in the 2014-15 budget, but can save that by using bricks from the old house and using a 6x6 pressure treated wood border. We also need a wood border to prevent wheels from going over the edge. The pads are 16 feet by 20 feet. Mayor Pro Tem Como motioned to spend up to \$800 per table pad for a total of \$1,600 from the Other Improvements line item. Council Member Rosoff seconded the motion.

The motion passed unanimously.

15. PARKS AND REC – BOBCAT RENTAL

Mayor Pro Tem Como said the rental place had quoted a wheeled unit, not a tracked unit. The best quote is Sunbelt Rental for \$1,321 for a tracked unit which can be used in hilly areas and in woods. Mayor Pro Tem Como motioned to go with Sunbelt Rental for a seven day rental of bobcat with auger for no more than \$1,400 to move mulch, dig holes, and install some fencing. Council Member Rosoff seconded the motion.

The motion passed 3-1 with Kenary voting nay.

16. PARKS AND REC – PARK TOOLS

Mayor Pro Tem Como motioned to purchase a pole saw for no more than \$500 at Waxhaw Ace Hardware out of the tools budget. Council Member Rosoff seconded the motion. Council Member Kenary questioned if we researched how much it would cost to hire it out to someone with insurance, would DOT handle it, are there less expensive options, and if it is dangerous to use; she did not think this was acting responsibly.

The motion had a 2-2 vote with Rosoff and Como voting yea, and Kenary and Plyer voting nay. Mayor Horvath voted yea, stating it should not be used by youth volunteers, and we have waivers signed. The motion passed 3-2. Council Member Plyler said she would hate to have someone get hurt.

Mayor Pro Tem Como motioned to spend \$425 to Taylor and Sons Landscape to mow the park for one time before the PARTF inspection. Council Member Rosoff seconded the motion. The second was rescinded and motion died.

Council Member Kenary motioned to accept Taylor and Sons Landscape proposal for \$425 per mowing until we get the RFP bids. Council Member Rosoff seconded the motion.

The motion passed unanimously.

17. ACCEPT PLANNING BOARD RESIGNATION

Council Member Rosoff motioned to accept Bill Bennett's resignation from Planning Board. The motion died for lack of a second.

18. APPROVE CONTRACT WITH N-FOCUS FOR 2014-15

Council Member Kenary motioned to approve the 2014-15 contract with N-Focus Planning for actual hours used; Council Member Rosoff seconded the motion. Council Member Plyler said people call her and we need someone full time; things are getting put off. Council Members Rosoff and Kenary and Mayor Pro Tem Como said they think Bill Duston has done a good job. Mayor Horvath said Bill Duston has said he thinks that is all the hours we need.

The motion passed 3-1 with Plyler voting nay, adding it is nothing personal, she thinks we need a full time person.

19. OTHER BUSINESS

Mayor Pro Tem Como asked about the priorities on the \$8,123 for a monument sign / call box, and for an automatic gate. Council Member Kenary said we need numbers to make decisions. She noted we need more for water to irrigate at the town hall, \$500 per month. Detail is needed on the water stand pipe, pond aeration, porta pots, and trash collection. Council Member Plyler said she would like to see a budget item for a reserve for bathrooms at the park. Council Member Kenary said she wants to see an overall plan for the park. The Parks and Rec committee is down to only about three active members. Council Member Kenary said the Youth Council Committee is in favor of the race, and the Youth Legislative Assembly and the Committee is open to all teens. Council Member Plyler questioned why no recent youth minutes are on the website; and said other towns do not do 5k's. Council Member Kenary said at some meetings they did not have a quorum; she is not responsible for last year, and can't do the minutes for them.

20. COUNCIL COMMENTS

Council Member Rosoff said we have lots of people on less than one acre and might want to consider a nuisance ordinance. Mr. Duston suggested we have the code enforcement man come and make suggestions to Council.

21. ADJOURNMENT

Mayor Pro Tem Como made a motion to adjourn; Council Member Rosoff seconded the motion.

The motion passed unanimously.

The meeting ended at approximately 11:33 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath