

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
October 21, 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, Zoning Administrator Bill Duston, Code Enforcement Official John Ganus

Citizens Present: Carol Mullis, Mike Giaimo, Charlie Horne, Brian Matthews, Marty Kohlmeier

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 Rosoff gave the invocation.

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

Council Member Plyler made a motion to approve the agenda; Council Member Rosoff seconded the motion.

The motion passed unanimously.

3. APPROVE MINUTES FOR SEPTEMBER 8, 2014

Council Member Rosoff motioned to approve the September 8, 2014 minutes; Council Member Kenary seconded the motion.

The motion passed unanimously

4. JOHN GANUS PRESENTATION OF PROPERTY MAINTENANCE ORDINANCES FOR CONSIDERATION

John Ganus, who does our code enforcement, presented five possible ordinances.

The first is General Penalties, which would create civil penalties. He pointed out that civil penalties are not issued routinely or without first providing for reasonable opportunity to comply with the ordinance.

Second is Public Nuisances – which would establish conditions such as length of grass. He noted these come from years of experience in other towns. Several of the complaints he went out on in Wesley Chapel were not a violation of the zoning ordinance but would be a violation of a nuisance ordinance. Farmland and wooded areas would not be in violation. Council Member Kenary asked how you investigate if the owner claims the land has always been used that way. Mr. Ganus said there are ways to investigate such as aerial photos. Council Member Plyler asked what about a home on ten acres where they only mow three acres. Mr. Ganus said there

are ways to investigate and it probably would not be required to be mowed. Mayor Pro Tem Como asked if it is done on a complaint basis only. Mr. Ganus said it is up to Council; generally enforcement is on a complaint basis. Council Member Plyler asked if we can find out who made the complaint. John Ganus said yes, if it is in the file, but you can also take anonymous complaints. The issue is whether there is a violation or not; some people are afraid to complain unless they are anonymous. The purpose of the ordinance is to establish standards and an education process; the notice gives 15 days, his cell number and the right to appeal the violation. Council Member Plyler asked if he had done this in Union County; he said yes in Stallings and Marshville, also there are ordinance in other towns across the state.

Mayor Horvath said any particular questions should be sent to Bill Duston before Planning Board considers this. Council Member Plyler wanted citizens to see the ordinances before a public hearing.

The third ordinance was Abandoned, Junked and Nuisance Vehicles. There is a co-enforcement process with the Sheriff's Department; the definitions come from the general statutes. Council Member Kenary asked we confirm with the Sheriff that they tow vehicles.

The fourth ordinance was Minimum Housing Standards. This also covers abandoned structures. The goal is to bring structures up to minimum standards. Council Member Plyler asked what if they have lived here many years but the dwelling is not up to minimum standards, are we going to say you can't live that way. John Ganus said part of the Council responsibility is health and safety of residents, and also how it affects neighbors. Council Member Kenary asked what if someone simply can't afford the upkeep. John Ganus said we try to help the person find assistance, i.e. a weatherization program. The process is to investigate the complaint, set a hearing (any parties can attend), an order is issued which gives a set time frame, and if some work is done, it is okay to give a time extension.

The fifth ordinance is Non-Residential Buildings and Structures. Mr. Ganus said this also deals with abandoned non-residential structures. There are agencies in Raleigh that deal with historic buildings. Demolition is a last choice. There is a closure option.

Council Member Plyler asked where we will get funds for a code inspector. Council Member Rosoff said we do have a responsibility, mentioning a structure that is an attractive nuisance. Mayor Horvath said he prefers extra public input.

Mayor Pro Tem Como motioned to send all these suggested ordinances to Planning Board. Council Member Rosoff seconded the motion.

The motion passed unanimously.

Copies will be given to Planning Board in November and John Ganus will present them to the Board in December.

5. BRIAN MATTHEWS PRESENTATION OF UNION COUNTY LAND USE PLAN

Brian Matthews, Executive Director of the Union County Growth Management, presented an overview of the Union County Comprehensive Plan and the Transportation Plan. He noted they are not trying to dictate anything for any municipalities. The Comprehensive plan map showed agricultural areas with less infrastructure, one acre areas in yellow for single family residential, and an area in gold which is closer to existing infrastructure (i.e. patio homes). Nodes were shown for rural centers, neighborhood centers and small commercial centers and large commercial centers (like our shopping center). Also shown were employment centers and traffic corridors, where you would get more office and industrial. Projected population growth is from 217,000 now to a projected population in 2040 of 350,000 to 400,000. This will generate a lot of

housing, almost double what we now have. Mr. Matthews noted there are two distinct groups, the baby boomers (born 1946-1964), and the millennials (born 1977-1996). Both want housing near services, not large acreage, and we don't have the housing stock to meet their needs. Council Member Kenary asked about the school stock; Mr. Matthews said these two groups are not necessarily driving school needs; millennials are having kids later, and the baby boomers' children are aging out of schools. The groups in between drive school growth. He noted that they can't stop municipalities from approving housing, but it is a challenge, adding that some areas in the country built schools and no longer have the population to support them. Council Member Kenary noted people will move out of their houses, but new families will move in and also have kids. Brian Matthews said the goal is to promote a mix of housing types and ensure development design standards. Currently the tax base is 85% residential so more non-residential development is needed. We are a big agriculture economy, with soybeans, wheat, broilers, and layers, and we are low in processing. An agricultural economic development plan is being developed, and we need to extend broadband technology. He noted 55,000 workers leave the County for jobs, and 24,000 live and work in the County. The projected job growth is retail 43%, office 22%, institutional 21%, and only 13% industrial. He showed a map of employment centers and corridors. Recommendations are to identify industrial sites, develop small area plans, and offer grants and incentives. Projected growth of retail was large. The Transportation Plan showed congested areas as of 2010, and projections for 2040. The estimated travel time from Monroe to Charlotte is 55 minutes now, and in 2035 it is 105 minutes. Highway 74 is the worst as far as safety/accidents, but the severity of accidents is higher on other highways. Recommendations were made on roadway improvements and roadway laneage. Council Member Kenary asked about this since the State controls the roads. Brian Matthews said there are three pots of money for roads, the state, regional, and local funds. We get the biggest impact with the local pot. Bicycle improvement recommendations, and pedestrian components were shown. The 2040 transit map shows bus lines up Hwy. 74 and extending to Wingate and on Highway 16. Mr. Matthews said they identify intersections with problems, come up with a concept plan, and then request hot spot funds as available; an example is the state will fund a Rocky River Road intersection. He noted the PowerPoint is on the County website; it will be filmed and put on Channel 16. Council thanked Brian Matthews for his presentation.

6. DIALOG DEBRIEFING / NEXT STEPS – MIKE GIAIMO

Mike Giaimo reviewed the results of the D.I.A.L.O.G. evaluation which 19 individuals from the Village boards, committees, and staff participated in by responding to 71 statements on-line. His observation was the Council is passionate about their "respective" agenda, have a strong conviction toward their recommendation(s), but lacks effective communication within ranks and supportive structure; including committees, organization employees, and constituents. The lack of effective communication results is poor rapport between all groups, diminished support and inability to influence for positive change. His suggested solution was to collaborate with a five step approach: 1. Build Rapport, 2. Support/Challenge, 3. Solicit/Give Feedback. 4. Change Perspective, and 5. Set Goals. His challenge (goal 1) for the first November meeting was to become an active listener at every council session using the four techniques of active listening; 1. Inquiring, 2. Acknowledging, 3. Reflecting, and 4. Suspending judgment. Council Member Kenary asked him to observe the meeting and give feedback.

A short break was held.

7. CONSIDER APPROVAL OF EAGLE SCOUT PROJECT FOR PICNIC AREA

Mayor Pro Tem Como reported Parks and Rec recommended approval, and displayed the Scout's poster board of the project. Council Member Plyler asked if this would leave room for Frisbee golf; Mayor Pro Tem Como said someone is coming out to look at that. Council Member Kenary asked how many picnic tables we will have (this makes five, and we would like one more, and two are ADA accessible. If we have more than 8 we need another ADA). She also asked about how many park benches we have; we received 8 from Friends of Parks, a scout built 4, and we will need more.

Mayor Pro Tem Como motioned to accept the project proposed by Collin Love. Council Member Kenary seconded the motion.

The motion passed unanimously.

8. CONSIDER APPROVAL OF EAGLE SCOUT PROJECT FOR FENCING

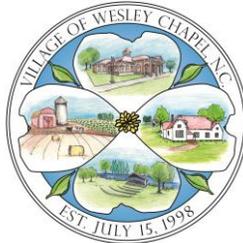
Mayor Pro Tem Como has not heard from the scout on this project.

9. DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION

Mayor Horvath read the proclamation as follows.

Village of Wesley Chapel, North Carolina

Proclamation for Domestic Violence Awareness Month



Whereas, domestic violence affects all Union County residents, and far too many people suffer abuse at the hands of a spouse, partner, parent, child, or sibling; these victims can be of any age, race, religion, or economic status and the resulting damage is inflicted not only on the victims, but their children, families, and communities; and

Whereas, domestic violence includes not only physical but also mental abuse, emotional abuse, financial abuse, sexual abuse, and isolation; and

Whereas, domestic violence is widespread, including one in three Americans who have witnessed an incident of domestic violence with an annual cost to US companies of \$3.5 billion in lost work time, increased health care costs, higher turnover, and lower productivity; and

Whereas, according to the North Carolina Coalition Against Domestic Violence, there have been 766 women, men, and children murdered as a result of domestic violence since January 1, 2002 in North Carolina; and

Whereas, according to the North Carolina Council for Women, domestic violence programs across the state responded to over 95,000 crisis calls and provided services to over 61,000 victims last year; and

Whereas, the key to prevention is education, community awareness, having zero tolerance for domestic violence, and requiring accountability by the abuser; and

Whereas, Union County recognizes the importance of having collaborations by multiple partners to promote social norms, policies and laws that support gender equity and foster intimate partnerships based on mutual respect, equality, and trust; and

Now, Therefore, be it resolved that I, Brad S. Horvath, Mayor of the Village of Wesley Chapel, do hereby proclaim October 2014 as Domestic Violence Awareness Month in Wesley Chapel, and urge all citizens to support this observance. I further urge our citizens to increase their awareness and education of this destructive force which deeply affects a large number of families in our State each year and to become part of the efforts to stop violence in families.

Mayor Brad Horvath

Date

10. YOUTH COUNCIL 5K UPDATE

Council Member Kenary reported the total cost of the 5K will range from \$1900 to \$2100; \$2800 is budgeted. A penguin was designed for the t-shirts and banner. Costs include 4 portajohns for \$65 each, deputies, and garbage containers along the route at \$8 each. We are still waiting on the contract from Queen City for timing; we may need a special meeting to approve it. Parks and Rec approved the date; Southbrook Church approved using their parking. Medals will be provided to each age group – ten at \$6 each. The Civil Air Patrol group will help. Packet pick up will be in the lobby on Thursday and Friday before the race.

11. TOWN HALL IRRIGATION SYSTEM

Mayor Horvath noted NC DOT needs a new encroachment agreement. Public Works needs a drawing, so he trying to reach the town hall engineer. The meter box will be an additional cost.

12. COMMITTEE RESPONSIBILITY AND REVIEW

Council Member Kenary read the summary from the agenda item memo: “Discussion at last council meeting triggered a need to address the function and review of the Village’s Committees. Specific attention must be made to the Safety Committee as the Village contract with the Union County Sheriff’s office will need to be reviewed to determine the benefits and detriments of continuing with the deputy contract. Historically the roles of the committees have been to make a recommendation to council with backup documentation for their recommendation and the Liaison would present to Council for consideration. Council Member Plyler indicated that the Committee being opposed to the Contract refused to make a recommendation. Council must

address whether Committee members and Committee charters need to be readdressed to determine if the Committee remains effective for the Council. Council will need to determine whether goals and objectives have been made clear to the Committees and that the Liaison of such Committee understands their role with each Committee.” She noted the Safety Committee not making a recommendation on the deputy is counter to their Charter. Council Member Plyler said two members of the Committee are here and can speak. Mayor Horvath agreed reviewing charters is good; we need two way communications, and can do a committee by committee review including participation of the committees in the review of their charters. Council Member Plyler disagreed with what was stated by Council Member Kenary. Carol Mullis from the Safety Committee said you are asking for committees to provide backup for their recommendations, but you didn’t do that with the Youth Council; Safety is the longest lasting committee; we made several recommendations to Council; got information, Chauncey spoke to Council, funds was a factor, but by the next meeting a deputy had been hired, and the Safety Committee didn’t know about it. Former Mayor Pro Tem Ormiston wrote the Committee Charter. Ms. Mullis added Tessie Morris came and spoke about the 2.5 acres and EMS, and you asked for more information; Council Member Kenary noted the Council asked for the information. Carol Mullis said the reports we get are the same old reports, they want to know where the crime is, they know some is at Target. Safety Committee member Marty Kohlmeier said the Sheriff’s Office dictates what the deputy does; there is not enough information to make a recommendation. Council Member Rosoff said the contract gives us little or no control. Council Member Kenary noted there are only a couple of sets of minutes on the website from Safety Committee, she has asked that we have the deputy come to our meetings and give a report. Mayor Horvath noted there are 168 hours in a week, and the deputy is here less than 40 due to travel time; will he know about all the crime over hours he wasn’t here. Mary Kohlmeier said someone must have the information. Mayor Pro Tem Como felt this conversation should be done at a Safety Committee meeting. Carol Mullis said we got the same reports, and requests for information from Council Member Kenary, and we voted unanimously to do away with the Committee. Mayor Horvath said you can’t do away with the Committee, Committee member resignations have to be accepted by the Mayor. He had a conversation with the Safety Committee Chair, and she will poll the members individually. The Mayor offered to meet with Captain Luke along with Tessie Morris or a committee member to see what we can do to get the information. Mayor Pro Tem Como said we should have someone patrolling when the greatest crime is occurring. Mayor Horvath noted the County made it clear we are not dictating hours because we have 24 hour coverage. Council Member Plyler said at the last meeting she didn’t get a directive, so she didn’t bring up the members resigning. Carol Mullis asked if they need approved minutes for their last meeting. Clerk Bennett said per the open meetings law we do, but if new members are appointed, they could approve the minutes. Council Member Kenary noted nothing in a public meeting is secret; why was the information withheld. Council Member Rosoff agreed that if everyone resigned and Council was not told, it was pretty important.

13. FOLLOW UP ON DEPUTY CONTRACT NEWS RELEASE

Administrator Bennett researched the news release, and found that it was just a proposed contract amendment to take away any term to the contract and make it self-renewing. The news release was inaccurate; they did not approve a new contract. Council Member Plyler said she and Marty Kohlmeier will go talk to Sheriff Cathy.

14. DECISION ON 2 ACRE PARCEL OWNED BY VILLAGE

Mayor Horvath spoke with County Commissioner Richard Helms; the County formed a working group to look at the EMS model and they are tasked to bring a recommendation to the County by November 17, 2014; and the Mayor asked Mr. Helms to address Council in December. Mr. Helms said they won't go with a 100% dynamic model, they would probably not look to build more facilities, but they are looking at the Mineral Springs or Hemby Bridge fire stations to house an ambulance. Council Member Kenary also heard the Wesley Chapel fire house is a potential place for an ambulance. Mayor Horvath said there is no reason to make a decision now unless there is another pressing need for the 2 acres.

15. UPDATE ON ADMINISTRATIVE ASSISTANT HIRING PROCESS

Mayor Horvath and the Administrator Bennett met and compiled a list of questions to ask the applicants; we will interview the top three, and expand it to five or more if needed.

16. OTHER BUSINESS

Council Member Kenary brought up an email from a School of Government attorney saying you should post a public meeting and do minutes if a quorum of Council attends another board's meeting, even if they just listen, as they considered that a form of deliberation. We will have our attorney review it and advise.

Council Member Kenary said she thought DOT will provide indicator signs free of charge for identifying our park. She also asked if we can do proclamations in advance, noting we did not do one for Peace Officer's Day.

Mayor Horvath shared that two local Girl Scout leaders asked if we had an interest in joining them in fund raising; the consensus was not to do that.

Mayor Horvath reported we had a couple of HOA meeting requests to use town hall, one was from Blackstone which is mostly not in Wesley Chapel, and the Council direction was that the majority should be from Wesley Chapel. Council Member Plyler suggested finding out what the Fire Department charges and charge that amount. Carol Mullis suggested they use Wesley Chapel United Methodist Church.

Mayor Horvath said Wesley Chapel Friends of Parks and Rec want approval for the temporary use permit for the December 6 event; the Planner will need an insurance certificate, and other back-up material from them. Council Member Kenary noted we should be consistent.

Mayor Pro Tem Como motioned to approve the temporary use permit pending what additional information is requested. Council Member Rosoff seconded the motion. Council Member Kenary said this is consistently being inconsistent. Council Member Plyler wanted to see more information on the event. Council Member Rosoff noted Sondra Bradford and the group have performed admirably. Mayor Horvath read from an email about the event. The motion was amended that the proceeds go to the amphitheater.

The motion passed unanimously.

Mayor Pro Tem Como motioned to waive the fees for use of the park for FOPR because the proceeds go to the park. Council Member Rosoff seconded the motion.

The motion passed unanimously.

Council Member Kenary motioned to waive all Village fees for the Youth Council 5K. Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

2014.10.21 minutes

17. COUNCIL COMMENTS - none

18. ADJOURNMENT

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

The motion passed unanimously.

The meeting ended at approximately 12:05 am.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath