

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
December 14, 2015 – 7:00 PM

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

Present Outgoing Council: Mayor Horvath, Council Member Plyler and Rosoff

Present Current and Continuing Council: Council Members Como and Kenary

Present Incoming Council: Council Members Kaperonis and Rodriguez

Absent: Incoming Mayor Kapfhammer

Others Present:

Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Administrator Bill Duston, Attorney George Sistrunk

Citizens Who Signed In: Sandy Fenn, Carol Mullis, Pam King, Ben Godby, Karen Izzo, Sean Maher, Vincent Gahren

Meeting was called to order at 7:00 PM and a quorum was present.

1. PLEDGE OF ALLEGIANCE AND INVOCATION *Time Stamp :00*

Mayor Horvath led the Pledge of Allegiance and Council Member Rosoff gave the invocation.

2. APPROVAL OF MINUTES *Time Stamp 1:50*

Council Member Plyler stated she could not approve the minutes due to the comment in them about the JDH land being donated for recreation. Council Member Kenary motioned to approve the minutes; Council Member Rosoff seconded the motion.

The motion passed 3-1 with Plyler voting nay.

3. PRESENT CERTIFICATE TO SCOUT BEN GODBY FOR PARK MONUMENT SIGN
Time Stamp 2:36

Mayor Horvath presented the certificate of appreciation to Ben Godby who did the Dogwood Park monument sign as his Eagle Scout project.

4. OATH OF OFFICE FOR NEW MAYOR AND COUNCIL MEMBERS *Time Stamp 4:40*

Our incoming Mayor was ill and could not attend the meeting. Clerk Bennett administered the oath of office to new Council Members Paul Kaperonis and William Rodriguez.

5. PRESENT PLAQUES TO OUTGOING MAYOR AND COUNCIL MEMBERS AND ANY PARTING COMMENTS *Time Stamp 8:15*

Mayor Pro Tem Como presented plaques of appreciation to Mayor Horvath, and Council Members Plyler and Rosoff. Mrs. Plyler expressed her thanks to the citizens for the opportunity

to serve and stated she represented the community as a whole. She challenged the new council to work together to do their best for the entire village. Mr. Horvath thanked the citizens, Council Members both incoming and outgoing, and staff, and noted he tried to do his best after hearing input from everyone.

6. ELECT MAYOR PRO TEMPORE AND OATH OF OFFICE *Time Stamp 14:39*
Mayor Pro Tem Como asked for nominations. Council Member Rodriguez nominated Council Member Kenary; Council Member Kaperonis seconded the nomination. There were no other nominations. Ballots were passed out.

The vote was unanimous to elect Jeannine Kenary as Mayor Pro Tempore.

Mayor Pro Tem Kenary ran the rest of the meeting.

7. PUBLIC COMMENTS *Time Stamp 18:36*
Francisco and Elizabeth Espinosa spoke as owners of Nena's Market and thanked the old Council for believing in the vision for the future of the Village.

Karen Izzo, president of the Board of Directors of the Wesley Oaks HOA, noted of the 437 homes in the subdivision, 160 are still in unincorporated Union County. She requested Council waive the \$30 filing fee for residents of the subdivision, and volunteered to help with the paperwork of annexations.

Todd Elmore, the new Chief Deputy for the Sheriff's office and Captain Luke who heads operations were welcomed.

Richard Helms, Union County Commissioner and liaison to Wesley Chapel welcomed the new council members and asked they not hesitate to call.

8. ADDITIONS, DELETIONS AND ADOPTION OF AGENDA *Time Stamp 23:27*
Two items were added to the agenda: trash service and annexation policy. Council Member Rodriguez motioned to adopt the agenda as amended, Council Member Como seconded the motion.

The motion passed unanimously.

9. CONSIDER APPROVAL OF CONSENT AGENDA: *Time Stamp 26:06*
- a. Approve finance staff report
 - b. Approve planner and code enforcement staff report
 - c. Approve clerk attending Master Clerks Academy II on January 21-2
 - d. Adopt regular meeting schedule for 2016
 - e. Approve Resolution 2015-07 designating Mayor to make ABC permit recommendations
 - f. Approve Resolution 2015-08 designating authorized signatories for financial institutions
 - g. Approve revised park rental policy
 - h. Approve new council members attending Essentials of Government classes

Council Member Rodriguez motioned to approve the consent agenda. Council Member Como seconded the motion.

The motion passed unanimously.

The financial reports and budget transfers made during November are hereby incorporated by reference and made a part of these minutes.

November 2015 Budget Report

| | Nov 15 | Jul - Nov 15 | YTD Budget | % of Budget |
|--|---------------|---------------------|-------------------|--------------------|
| General Fund | | | | |
| Income | | | | |
| Appropriated Fund Balance | 0.00 | 0.00 | 5,900.00 | 0% |
| Property Tax Income | | | | |
| Current Year Property Tax | 24,733.48 | 36,370.15 | 136,168.00 | 27% |
| Utility Ad Valorem | 0.00 | 0.00 | 1,887.00 | 0% |
| Vehicle Registration | 1,249.46 | 4,864.39 | 11,560.00 | 42% |
| Delinquent Property Tax | 49.33 | 470.03 | 800.00 | 59% |
| Prior Year Motor Vehicle Tax | 0.00 | 5.06 | 0.00 | 100% |
| Interest/Ad Fee on Taxes | 15.42 | 155.53 | 300.00 | 52% |
| Total Property Tax Income | 26,047.69 | 41,865.16 | 150,715.00 | 28% |
| Fees and Licenses | | | | |
| Privilege Licenses | 0.00 | 180.00 | 285.00 | 63% |
| Cable Franchise (from Time Warn | 0.00 | 0.00 | 15,200.00 | 0% |
| Zoning Permit Engineering Fees | 500.00 | 5,475.00 | 10,000.00 | 55% |
| Reimbursement | 0.00 | 7,398.30 | 22,000.00 | 34% |
| Annexation Exp Reimbursed | 0.00 | 0.00 | 100.00 | 0% |
| Misc. Fees | 0.00 | 3,475.85 | 300.00 | 1159% |
| Winter Walk 5K fees | 0.00 | 0.00 | 500.00 | 0% |
| National Night Out | 0.00 | 0.00 | 0.00 | 0% |
| Total Fees and Licenses | 500.00 | 16,529.15 | 48,385.00 | 34% |
| Interest Earned | 55.62 | 234.89 | 400.00 | 59% |
| Revenue Sharing | | | | |
| Sales & Use Taxes | 3,284.02 | 7,121.08 | 44,000.00 | 16% |
| Telecommunications Tax | 0.00 | -11.17 | 10,200.00 | 0% |
| Video Programming(State Cable) | 0.00 | 897.78 | 92,000.00 | 1% |
| Franchise Tax (Electric Power) | 0.00 | 1,831.32 | 180,000.00 | 1% |
| Excise Tax (Piped Natural Gas) | 0.00 | 4,266.47 | 13,000.00 | 33% |
| Alcoholic Beverage Tax | 0.00 | 0.00 | 35,000.00 | 0% |
| Total Revenue Sharing | 3,284.02 | 14,105.48 | 374,200.00 | 4% |
| Total Income | 29,887.33 | 72,734.68 | 579,600.00 | 13% |

| | | | | |
|---|-----------------|--------------------|--------------|-------------|
| Gross Profit | 29,887.33 | 72,734.68 | 579,600.00 | 13% |
| Expense | | | | |
| Total Town Hall Operating Expense | 1,019.49 | 8,326.65 | 27,025.00 | 31% |
| Total Operating Expenditures | 2,316.82 | 28,529.00 | 92,470.53 | 31% |
| Total Planning & Zoning | 5,610.28 | 24,600.78 | 78,953.00 | 31% |
| Total Gen. Govt. Salaries | 6,872.20 | 39,810.03 | 116,725.00 | 34% |
| Total Professional Fees | 1,800.00 | 9,152.30 | 54,000.00 | 17% |
| Total Capital Outlay | 0.00 | 498.61 | 15,000.00 | 3% |
| Total Public Services / Safety | 0.00 | 41,722.36 | 83,892.00 | 50% |
| Parks & Recreation | | | | |
| Total Parks & Recreation Personal Services | 100.00 | 300.00 | 1,200.00 | 25% |
| Total Parks & Rec Supplies & Material | 421.49 | 5,372.20 | 12,398.00 | 43% |
| Total Parks & Recreation Services | 2,854.85 | 16,066.79 | 45,360.00 | 35% |
| Total P&R Capital Outlay | 3,286.60 | 9,761.36 | 52,576.47 | 19% |
| Total Parks & Recreation | 6,662.94 | 31,500.35 | 111,534.47 | 28% |
| Total Expense | 24,281.73 | 184,140.08 | 579,600.00 | 32% |
| Capital Projects Fund | | | | |
| Other Income | | | | |
| Appropriated for Town Hall | 0.00 | 1,393,362.89 | 1,442,700.00 | 97% |
| Total Transfer from General Fund | 0.00 | 1,393,362.89 | 1,442,700.00 | 97% |
| Total Other Income | 0.00 | 1,393,362.89 | 1,442,700.00 | 97% |
| Other Expense | | | | |
| Capital Projects | | | | |
| Town Hall Capital Outlay | | | | |
| TH Construction Contract | 0.00 | 1,235,560.67 | 1,256,981.00 | 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 | 14,900.00 | 87% |
| TH Telecom Sys/AV/Computers | 0.00 | 179.90 | 252.00 | 71% |
| TH Insurance | 0.00 | 1,374.00 | 1,374.00 | 100% |
| TH Legal Fees | 0.00 | 5,140.00 | 5,100.00 | 101% |
| TH Furnishings/Seasonal Dec. | 0.00 | 28,575.14 | 28,945.00 | 99% |
| TH Irrigation | 0.00 | 3,601.00 | 22,000.00 | 16% |
| TH Miscellaneous | 0.00 | 3,683.65 | 3,780.00 | 97% |
| Total Town Hall Capital Outlay | 0.00 | 1,396,537.89 | 1,442,700.00 | 97% |
| Total Other Expense | 0.00 | 1,396,537.89 | 1,442,700.00 | 97% |
| Net Capital Projects Fund | 0.00 | -3,175.00 | 0.00 | 100% |
| Net Excess of Rev. over Exp. | 5,605.60 | -114,580.40 | 0.00 | 100% |

November 30, 2015 Balance Sheet

ASSETS

Current Assets

Checking/Savings

| | |
|---------------------------|------------|
| Fifth Third Bank checking | 221,608.35 |
| Fifth Third Maxsaver | 305,766.70 |
| BB&T Money Market | 507,035.88 |
| Cash Change Fund | 50.00 |

Total Checking/Savings 1,034,460.93

Accounts Receivable

| | |
|----------------------------------|---------------|
| Misc. Fees Receivable | 963.20 |
| Total Accounts Receivable | <u>963.20</u> |

Other Current Assets

| | |
|---|---------------|
| Property Tax Rec. | 1,613.00 |
| Allow. for Doubtful Accounts | -887.00 |
| Sales Taxes to be Received | |
| Total Sales Taxes to be Received | <u>907.14</u> |

Total Current Assets 1,037,057.27

Fixed Assets

Land 813,423.00

Dogwood Park

| | |
|---------------------------------|------------|
| Dogwood Park Improvements | 720,946.00 |
| Dogwood Park fountain | 12,960.00 |
| Dogwood Park Water Improvemewnt | 8,440.00 |
| Dogwood Park Gate | 7,076.00 |
| Dogwood Park Shipping Container | 3,200.00 |
| Dogwood Park Sign | 1,783.00 |

Total Dogwood Park 754,405.00

Town Hall 1,361,869.00

Furniture & Equipment 37,682.00

Town Hall Driveway 37,337.00

Accumulated Deprec. -175,932.98

Total Fixed Assets 2,828,783.02

Other Assets

Net Pension Asset 3,185.00

Total Other Assets 3,185.00

TOTAL ASSETS 3,869,025.29

LIABILITIES & FUND BALANCE

Current Liabilities

| | |
|---|----------------------------|
| Pension deferrals | 20,792.00 |
| Contrib to pension plan CY | -4,211.00 |
| Due to Union County Schools | 45.03 |
| Escrow from Developers | 196,090.00 |
| Payroll Liabilities | 2,227.96 |
| Deferred Revenue | 726.20 |
| Total Current Liabilities | <u>215,670.19</u> |
| Fund Balance | |
| Fund Bal. inv. in Fixed Assets | 2,828,783.02 |
| Fund Bal. non-spendable | 196,090.00 |
| FB Restrict for P&R fee in lieu | 99,227.78 |
| Fund Bal. Res for Amph. Cover | 3,664.00 |
| Fund Bal. Committed for CIP | 46,162.11 |
| Fund Bal assigned TH land | 25,000.00 |
| Fund Bal. Assigned for Com. Cen | 87,196.00 |
| Fund Bal Assign future park imp | 3,550.00 |
| Fund Balance Assigned for NNO | 313.40 |
| Fund Balance | 477,949.19 |
| Excess of Rev. over Exp. | <u>-114,580.40</u> |
| Total Fund Balance | <u>3,653,355.10</u> |
| TOTAL LIABILITIES & FUND BALANCE | <u><u>3,869,025.29</u></u> |

Village of Wesley Chapel Council 2016 Regular Meeting Schedule

All Village Council meetings will be held at the Town Hall, 6490 Weddington Road, Wesley Chapel, NC.

Meetings are the second Monday of the month at 7 pm.

January 11
 February 8
 March 14
 April 11
 May 9
 June 13
 July 11
 August 8
 September 12
 October 10
 November 14
 December 12

Resolution 2015-07 of the Village of Wesley Chapel

RESOLUTION OF THE VILLAGE OF WESLEY CHAPEL, COUNTY OF UNION, REGARDING DESIGNATION OF AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS.

WHEREAS, G.S. 18B-904 (f) authorizes a governing body to designate an official, by name or position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS, the Village of Wesley Chapel, County of Union, wishes to notify the NC ABC Commission of its designation as required by G.S. 18B-904 (f);

BE IT THEREFORE RESOLVED that Dr. David Kapfhammer, Mayor, is hereby designated to notify the North Carolina Alcoholic Beverage Control commission of the recommendations of the Village of Wesley Chapel, County of Union, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED THAT notices to the Village of Wesley Chapel, County of Union, should be mailed or delivered to the official designated above at the following address:

6490 Weddington Road
Wesley Chapel, NC 28104
Phone: 704-839-0182

This the 14th day of December, 2015

Dr. David Kapfhammer, Mayor

RESOLUTION 2015-08 OF THE VILLAGE OF WESLEY CHAPEL, NC

DESIGNATING AUTHORIZED SIGNATORIES FOR FINANCIAL INSTITUTIONS

WHEREAS, new signature cards are needed for each financial institution holding town funds due to election of a new Mayor and Council; and

WHEREAS, checks in the amount of \$500 or less may be signed by one of the below signatories, and checks over that amount require two signatures,

NOW, THEREFORE, the Village of Wesley Chapel, NC resolves:

That Finance Officer Cheryl S. Bennett, Mayor David Kapfhammer and Mayor Pro Tem Jeannine Kenary be designated as authorized signers on signature cards for all Village bank accounts.

Adopted this 14th day of December , 2015.

ATTEST:

Dr. David Kapfhammer, Mayor

Cheryl Bennett
Village Clerk

DOGWOOD PARK RENTAL POLICY, rev. 12.14.2015

Any event or program sponsored or co-sponsored by the Village of Wesley Chapel will have scheduling priority in the use of ALL park facilities.

1. Responsible party must be over 21 years of age and if the event consists of primarily persons under 21 years of age, the responsible party must ensure that appropriate adult supervision will be at the event.
2. No color runs permitted.
3. No organized sports permitted.
4. No refunds will be given for any reason, including but not limited to rain, thunderstorms or inclement weather/natural disasters.
5. The Village reserves the right to refuse to allow any event to any person and/or group.
6. Motorized vehicles are only allowed in designated parking areas- with the exception of Village approved vehicles.
7. Reservations will be opened three (3) months in advance. For example August reservations will open up May 1.
8. The park is to be attainable to the public during all events. Under no circumstances will the public be excluded from accessing the park during normal operating hours. Patrons must share all facilities respectfully.
9. A Temporary Use Permit application must be completed and approved by the Village Zoning Administrator. The fee is an additional \$75.00, non-profit groups must provide the Village with non- profit documentation to be exempt from the temporary use permit fee.

10. All appropriate paperwork including fees, a signed Waiver, Release and Hold Harmless Agreement and/or Certificate of Insurance must be submitted to the Village within two weeks after Village Council approval of the event or permission granted for the event may be revoked.
11. Renter will be held responsible for any and all damage or misuse of the facilities including repairs that exceed the deposit fee.
12. For **small group** events (less than 30 participants) the applicant must provide an insurance certificate, the event will be a maximum of two (2) hours.
All groups must provide a **refundable** \$150 deposit, in addition revenue producing groups must pay \$150 fee per event. Non-profit groups must provide the Village with non- profit documentation to be exempt from event fee but still required to provide refundable deposit. Refunds will be issued within 30 days after event if no damage has occurred after Village inspection and the event remained compliant with the rental policy agreement.
13. For **large groups** (30 or more participants) the applicant must be a Wesley Chapel resident and must show how they will provide the following; parking, officers (for security & crossing guards), additional bathrooms, first aid, garbage containers, certificate of insurance, health department plan and approval if food vendors are included. Event will be a maximum of four (4) hours. All groups must provide a **refundable** \$300 deposit, and an additional non- refundable \$300 fee per event. Non-profit groups must provide the Village with non- profit documentation to be exempt from event fee but still required to provide refundable deposit. Refunds will be issued within 30 days after the event if no damage has occurred after Village inspection and the event remained compliant with the rental policy agreement.

10. CIVIL AIR PATROL LEADER TO ADDRESS COUNCIL *Time Stamp 27:09*
No one was present from the Civil Air Patrol.

11. PARKS AND REC CHAIR PAT UTLEY REGARDING START DATE OF AMPHITHEATER CONSTRUCTION *Time Stamp 27:42*

Parks and Rec Chair Pat Utley wanted to exempt the RFP from the RFP review process, and noted bidders have a timeline at which the bids expire, they do not want to disrupt the Youth Council event, but a lot of work can be done before we break ground. Council Member Como noted all the Parks & Rec RFP's are time sensitive. Council Members Rodriguez and Kaperonis stated they were not familiar with the RFP. Mayor Pro Tem Kenary did not agree with picking and choosing which RFP's the rules would apply to. She noted construction at the park would present a safety hazard; while paperwork can be done before the March 12th event, the Council approved motion was that we not break ground before the event.

Village Administrator Bennett noted the RFP was received back from the attorney today; some questions are outstanding relating to the RFP process; do we want Parks and Rec to approve the bids when they come back, or should it go straight to Council.

The RFP will be on the January agenda.

12. TRASH SERVICE *Time Stamp 40:37*

Village Administrator Bennett explained we were getting free trash service at town hall and the park, but with multiple trash company changes, they will no longer offer the service free. Our administrative assistant got quotes from local companies, and they require at least a one year contract. Council Member Como motioned to approve a contract with All-Points Waste Service for town hall for \$15 monthly, or \$180 annually and move \$180 from Contingency to Town Hall maintenance services. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

Council Member Como motioned to approve a contract with Waste Connections for the park for one four yard dumpster with bi-weekly service for \$46 monthly or \$552 annually, and for one 96 gallon recycling container with weekly service for \$25 monthly, or \$300 annually, and up to \$500 for an approximately 10 x 10 foot concrete pad for the dumpster, location to be determined. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

Council Member Como motioned to move \$1,352 from contingency to Parks and Rec with \$500 going to a capital outlay account for the pad, and \$852 going to an account for the trash service. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

Council Member Como motioned to purchase six 32-gallon Toter outdoor containers for \$360 for the park. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

13. ANNEXATION POLICY *Time Stamp 58:38*

In the past we have waived the \$30 per lot annexation fee. Our current policy requires applications by January 15th, however we no longer have to submit the annexation to the Department of Justice which took 90 days, so if we get the applications by March 22nd, we would have time to process them by June 30th. Attorney Sistrunk said the fee is a policy, not an ordinance, and could be suspended. Council Member Rodriguez motioned to waive the annexation fee for any annexations submitted between January 1, 2016 and March 22, 2016. Council Member Como seconded the motion.

The motion passed unanimously.

Notice of this will be put on the website.

14. RFP PROCESS *Time Stamp 1:05:00*

Consensus was to wait on this item until the Mayor was present.

15. CLOSED SESSION PER NC GS 143-318.11(A)(6) TO DISCUSS POSSIBLE YEAR-END BONUSES *Time Stamp 1:09:24*

Council Member Como motioned to go into closed session. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

Council and attorney Sistrunk went into closed session and discussed year-end bonuses.

2015.12.14 minutes

Council Member Como motioned to leave closed session. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

16. ANY ACTION FROM CLOSED SESSION *Time Stamp 1:10:27*

Council Member Rodriguez motioned to give year-end bonuses as follows: the Planner a \$50 check, the Administrative Assistant \$50, the Clerk \$225, and the deputy a \$25 gift card. Council Member Como seconded the motion.

The motion passed unanimously.

17. OTHER BUSINESS *Time Stamp 1:11:24*

Our new council members are going to attend the Essentials of Government classes, all received a scholarship for their registration fee. Council Member Como spoke to Mike Giaimo who wants to move forward with the survey.

18. COUNCIL COMMENTS *Time Stamp 1:13:35*

Council Member Como noted the Billy Howey Road/ New Town Road intersection is getting four way stop signs; the previous Council wanted a traffic light, and there were concerns that a four way stop might create more problems as people come over the hill.

Mayor Pro Tem Kenary thanked Council Members Kaperonis and Rodriguez, and Mayor Kapfhammer for running for office and being willing to give their time to the Village.

19. ADJOURNMENT *Time Stamp 1:17:39*

Council Member Como motioned to adjourn; Council Member Kaperonis seconded the motion.

The motion passed unanimously.

The meeting ended at approximately 8:30 p.m.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Dr. David Kapfhammer