

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL TOWN HALL  
6490 Weddington Road, Wesley Chapel, NC 28104  
August 8, 2016 – 7:00 PM

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

**Council Present:** Mayor Kapfhammer, Mayor Pro Tem Kenary, Council Member Como,

**Council Absent:** Council Members Kaperonis and Rodriguez

**Others Present:**

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

**Standing Items**

1. Call to Order, Pledge of Allegiance, Invocation *Time Stamp 0:00*

Mayor Kapfhammer led the Pledge of Allegiance, and Mayor Pro Tem Kenary gave the invocation.

2. Public Comments *Time Stamp: 1:17*

Carrie Roth proposed a Gold Award Scout project at Dogwood Park to plant a pollinator bee garden behind the butterfly garden which would help support the declining native bee population. She asked approval and will make plans to share at the next meeting. Mayor Kapfhammer asked she get in touch with the clerk and get documentation together for Council.

Council Member Mike Como complained that gifts by developers to other council members must stop, and expressed his concerns that the Mayor was not doing his job.

3. Additions, Deletions and Adoption of Agenda *Time Stamp 5:14*

Council Member Mike Como requested the July 11, 2016 minutes be removed from the consent agenda and be amended (he also wanted the June minutes revised). Mayor Pro Tem Kenary requested the planners report be removed from consent agenda to the regular agenda, table the code enforcement report, and table the conservation zoning amendment item. She requested we table the Safety Committee and Parks and Rec Committee items, however Council Member Como requested the Parks and Rec Committee item be kept on the agenda, and that was agreed on. The resignation of Jim Dale from Safety Committee was added to the consent agenda. Mayor Pro Tem Kenary motioned to approve the agenda as amended for the above items; Council Member Como seconded the motion.

The motion passed unanimously.

4. Consider Approval of consent agenda *Time Stamp 9:39*

a. Approve the previous month finance report

- b. Accept resignations of Pat Utley and Pam King from Parks and Rec Committee, Stan Schwartz from Board of Adjustments (eff. 8-31-2016), and Jim Dale from Safety Committee
- c. Appoint Kennedy Kaperonis and Michael Kenary to Youth Council Committee
- d. Accept Tax Settlement from 2015-16 and Issue Charge to Collect 2016-17 tax to Union County Tax Office

Mayor Pro Tem Kenary motioned to approve the amended consent agenda including the minute's approval. Council Member Como requested the minutes be put on as a separate item. The motion was rescinded. The minutes were moved to a separate item under Old Business. Mayor Pro Tem Kenary motioned to approve the consent agenda, as amended for the minutes. Council Member Como seconded the motion.

The motion passed unanimously.

**Balance Sheet, July 31, 2016**

**ASSETS**

**Current Assets**

**Checking/Savings**

Fifth Third Bank checking	376,049.54
Fifth Third Maxsaver	305,868.65
BB&T Money Market	507,372.87
Cash Change Fund	50.00

**Total Checking/Savings** 1,189,341.06

**Accounts Receivable**

Misc. Fees Receivable	2,062.50
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**Total Accounts Receivable** 2,062.50

**Other Current Assets**

Property Tax Rec.	1,613.00
Allow. for Doubtful Accounts	-887.00
Prepaid Exp.	276.00
Elec,PNG,Video,Telecom Rec.	75,200.00
State Sales Tax A/R	6,313.29
<b>Sales Taxes to be Received</b>	
Durham County	107.34
Mecklenburg	26.68
Union	1,396.39

**Total Sales Taxes to be Received** 1,530.41

**Total Other Current Assets** 84,045.70

**Total Current Assets** 1,275,449.26

**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	<u>1,783.00</u>
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.	<u>-175,932.98</u>
<b>Total Fixed Assets</b>	<b>2,828,783.02</b>
<b>Other Assets</b>	
Net Pension Asset	<u>3,185.00</u>
Total Other Assets	<u>3,185.00</u>
<b>TOTAL ASSETS</b>	<b><u><u>4,107,417.28</u></u></b>
<b>LIABILITIES &amp; FUND BALANCE</b>	
<b>Other Current Liabilities</b>	
Pension deferrals	20,792.00
Contrib to pension plan CY	-4,211.00
Deposits To Refund	215.75
Due to Union County Schools	59.40
Escrow from Developers	196,090.00
Deferred Revenue	<u>726.20</u>
<b>Total Other Current Liabilities</b>	<u>213,672.35</u>
<b>Total Current Liabilities</b>	<u>213,672.35</u>
<b>Fund Balance</b>	
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	37,782.11
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	607,753.48
Excess of Rev. over Exp.	<u>4,385.14</u>
<b>Total Fund Balance</b>	<u>3,893,744.93</u>
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>4,107,417.28</u></u></b>

**Budget Report, July 2016**

	<u>Jul 16</u>	<u>Budget</u>	<u>% of Budget</u>
<b>General Fund</b>			
<b>Income</b>			
Appropriated Fund Balance	0.00	7,214.00	0.0%
<b>Property Tax Income</b>			
Current Year Property Tax	375.72	141,147.00	0.27%
Utility Ad Valorem	0.00	1,888.00	0.0%
Vehicle Registration	0.00	12,848.00	0.0%
Delinquent Property Tax	0.00	800.00	0.0%
Prior Year Motor Vehicle Tax	0.00	0.00	0.0%
Interest/Ad Fee on Taxes	0.00	300.00	0.0%
<b>Total Property Tax Income</b>	<b>375.72</b>	<b>156,983.00</b>	<b>0.24%</b>
<b>Fees and Licenses</b>			
Privilege Licenses	300.00	200.00	150.0%
Zoning Permit	1,275.00	15,000.00	8.5%
Engineering Fees Reimbursement	1,402.50	25,000.00	5.61%
Annexation Exp Reimbursed	0.00	100.00	0.0%
Misc. Fees	115.08	300.00	38.36%
<b>Total Fees and Licenses</b>	<b>3,092.58</b>	<b>40,600.00</b>	<b>7.62%</b>
Interest Earned	12.95	500.00	2.59%
<b>Revenue Sharing</b>			
Sales & Use Taxes	0.00	47,000.00	0.0%
Sales Tax on Telecom. Services	0.00	8,100.00	0.0%
Sales Tax on Video Programming	0.00	89,500.00	0.0%
Sales Tax on Electricity	0.00	208,000.00	0.0%
Sales Tax on Piped Natural Gas	0.00	20,000.00	0.0%
Alcoholic Beverage Tax	0.00	37,900.00	0.0%
<b>Total Revenue Sharing</b>	<b>0.00</b>	<b>410,500.00</b>	<b>0.0%</b>
<b>Total Income</b>	<b>3,481.25</b>	<b>615,797.00</b>	<b>0.57%</b>
<b>Expense</b>			
Total Town Hall Operating Expense	2,476.08	25,400.00	9.75%
Total Operating Expenditures	22,784.82	85,930.00	26.52%
Total Planning & Zoning	0.00	79,003.00	0.0%
Total Gen. Govt. Salaries	7,779.39	134,104.00	5.8%
Total Professional Fees	0.00	54,000.00	0.0%
Total Capital Outlay	0.00	30,000.00	0.0%
Total Public Services / Safety	200.00	91,672.00	0.22%
<b>Parks &amp; Recreation</b>			
Total Recreation Events	0.00	6,000.00	0.0%
Total Park Maint. Supplies& Mat.	0.00	1,000.00	0.0%
Total Park Maint. Services	3,637.93	42,688.00	8.52%
Total P&R Capital Outlay	0.00	66,000.00	0.0%

<b>Total Parks &amp; Recreation</b>	<u>3,637.93</u>	<u>115,688.00</u>	<u>3.15%</u>
<b>Total Expense</b>	<u>36,878.22</u>	<u>615,797.00</u>	<u>5.99%</u>
<b>Net General Fund</b>	-33,396.97	0.00	100.0%
<b>Capital Projects Fund</b>			
<b>Other Income</b>			
<b>Appropriated for Town Hall</b>	1,442,700.00	1,442,700.00	100.0%
<b>Capital Projects</b>			
<b>Town Hall Capital Outlay</b>			
<b>TH Construction Contract</b>	1,235,560.67	1,250,481.00	98.81%
<b>TH Architect/Engineer</b>	104,328.87	108,168.00	96.45%
<b>TH In House Engineering</b>	1,200.00	1,200.00	100.0%
<b>TH Testing/Permit Fees</b>	12,894.66	14,900.00	86.54%
<b>TH Telecom Sys/AV/Computers</b>	179.90	252.00	71.39%
<b>TH Insurance</b>	1,374.00	1,374.00	100.0%
<b>TH Legal Fees</b>	5,140.00	5,100.00	100.78%
<b>TH Furnishings/Seasonal Dec.</b>	28,575.14	28,945.00	98.72%
<b>TH Irrigation</b>	11,981.00	28,500.00	42.04%
<b>TH Miscellaneous</b>	<u>3,683.65</u>	<u>3,780.00</u>	<u>97.45%</u>
<b>Total Town Hall Capital Outlay</b>	<u>1,404,917.89</u>	<u>1,442,700.00</u>	<u>97.38%</u>
<b>Total Other Expense</b>	<u>1,404,917.89</u>	<u>1,442,700.00</u>	<u>97.38%</u>
<b>Net Capital Projects Fund</b>	<u>37,782.11</u>	<u>0.00</u>	<u>100.0%</u>
<b>Net Excess of Rev. over Exp.</b>	<u><b>4,385.14</b></u>	<u><b>0.00</b></u>	<u><b>100.0%</b></u>

The tax settlement shows principal amounts outstanding of \$84.71 for 2015, \$33.52 for 2014, \$121.35 for 2013, \$140.18 for 2012, \$120.07 for 2011, \$46.41 for 2010, \$67.29 for 2009, and \$54.68 for 2008. The charge for 2016/17 is \$143,474.5 for general taxes and \$38.43 for late list penalties.

5. Report from Finance Officer and Approve the Previous Month Finance Report *Time Stamp 11:28*

July being the first month of the fiscal year, the Finance Officer reviewed the monthly transactions; tax and privilege licenses that had been collected earlier but applied to this year are show in July revenues. Soffits were repaired at both entrances at town hall, expenditures for National Night Out were budgeted and less than \$500 spent, some annual expenditures such as insurance and dues were paid and the other transactions were routine expenditures and revenues. During the month of July, \$500 was moved from Contingency to Park and Rec repair expense; this covered the \$250 spent to move the storage trailer. We are almost out of the history booklets, printing prices were obtained, but Council decided to wait for now; there is an on-line version available on the website.

5B. Approve previous month planner's report *Time Stamp 19:01*

Bill Duston noted the Indian Trail push to remove the Faith Church Road extension. He added the Kolter property is a conditional zoning (Planning Board must make a recommendation by

September 5<sup>th</sup>), and there is a Howie by-right subdivision south of it, with an intervening property. The first idea from Planning Board was a proposed road that would go through the Kolter property from one of the housing pods and meander to Potter Road. The Howie subdivision proposed a road off Potter, extending Hudson Church Road, and the road might extend to the Kolter road extension through the other vacant parcel, and this would ultimately lead to Wesley Chapel Road. None of this exists on the CTP. Per Bob Cook, Indian Trail is asking to remove the Faith Church Road Extension, and comments are due by September 20, 2016. Bill Duston can take this new road proposal to the CRTPO office and get their comments if Council approves. Council gave Mr. Duston direction to take the idea to Bob Cook and Planning Board, ask for comments pro and con, or for other ideas they may have.

Mr. Duston also noted Council Member Kaperonis reached out to Bob Cook for a public meeting on the CTP and how MPO's work. Mr. Duston will coordinate dates with Council Member Kaperonis and Bob Cook.

6. Public Hearing on Future Land Use Plan Map Amendment for Annexed Lots and Action  
*Time Stamp 36:25*

The public hearing was opened. Bill Duston reported the annexed lots are recommended by him and Planning Board to be classified low density residential on the Future Land Use Map. Council Member Como asked if fees were waived on the annexation; this is correct, Council had waived the fees. The lots are in Wesley Oaks, Estates at Wesley Oaks and four developable lots at New Town Road and Cuthbertson Road. There were no speakers. The public hearing was closed.

Mayor Pro Tem Kenary motioned to adopt the ordinance for the Future Land Use Map amendment to show the lots as low density residential. Council Member Como would not second the motion; there being no second, the motion died.

The attorney noted you can take action at a future meeting.

7. Public Hearing on Zoning Map Amendment for Annexed Lots and Action *Time Stamp*  
*46:55*

The public hearing was opened. There were no speakers. Bill Duston reported the lots in the Estates at Wesley Oaks and Wesley Oaks are proposed for RUC zoning, and the lots off New Town Road are proposed R-40; both recommendations were supported by Planning Board. He added there was some development interest in the latter lots, if there is no zoning he has no wherewithal to do anything.

Mayor Pro Tem Kenary noted there is also a statement in the zoning ordinance that we will respect the setbacks of anything developed under the County and annexed in. Other neighborhoods have been annexed and are not classified RUC, so she felt it has not been consistently applied, and that it should be all or nothing. Bill Duston confirmed there is an overarching statement in the ordinance that the original plat applies, there are some 20,000 square foot lots zoned R-40. The lots are not non-conforming due to this statement, and it has not been a problem. Mayor Pro Tem noted that the county had a form of conservation zoning, where incorporating the common area, the overall density was one home per acre. Given the timing,

she wanted to move forward with the recommendation made but ask Planning Board re-visit and go through RUC zoning.

The public hearing was closed.

Mayor Pro Tem Kenary motioned to approve the ordinance amending the zoning map for these lots, with the Statement of Consistency and Statement of Reasonableness provided by the Zoning Administrator. Council Member Como would not second the motion; there being no second, the motion died. Bill Duston noted after August 29<sup>th</sup>, if he gets a request to develop these lots, he does not have the legal wherewithal to do anything. Mayor Pro Tem Kenary asked the Mayor to call for a special meeting, and was concerned about the failure to do this. The Mayor agreed we need to do what is right for the Village.

8. Continued Public Hearing on Temporary Family Health Care Structures and Action *Time Stamp 58:11*

Mayor Pro Tem Kenary motioned to continue this public hearing to the next regular meeting on September 12, 2016 at 7 pm at town hall. Council Member Como would not second the motion; there being no second, the motion died

A short break was held.

The Mayor stated he was going to adjourn the meeting since we can't seem to get a motion and second together. Attorney Sistrunk said under Robert's Rules of Order, the Mayor runs the meeting and if he thinks there is no progress to be made, he has the authority to adjourn the meeting. The meeting was adjourned.

The meeting ended at approximately 9:08 pm.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Dr. David Kapfhammer