

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
September 12, 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 Pro Tem Kenary, Council Members Como, Kaperonis and Rodriguez

Council Absent: Mayor Kapfhammer

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 Pro Tem Kenary led the Pledge of Allegiance, made a statement honoring the service of those who served to help citizens in the September 11, 2001 attacks and gave the invocation.

2. Certificates to Parks & Rec / Safety Committee Members Pat Utley, Pam King and Jim Dale

Time Stamp 2:47

Mayor Pro Tem Kenary presented certificates to thank Pat Utley and Pam King for their service on the Parks and Rec Committee, and Jim Dale for his service on the Safety Committee.

3. Public Comments *Time Stamp: 4:28*

Council Member Mike Como commented he wanted to publicly distance himself from the questions of Price Mill residents regarding the donation / gift from Dennis Moser that Council Members Jeannine Kenary and Bill Rodriguez accepted.

Chris Godby spoke regarding the Eagle project his son Ben Godby completed, a monument sign which was done with the help of two local vendors. He said his son poured his heart and soul in to the sign project, and heard it might be torn down. He felt the sign belonged to the residents, and there were far more pressing issues.

4. Additions, Deletions and Adoption of Agenda *Time Stamp 9:15*

Council Member Mike Como requested and motioned that Safety (to discuss National Night Out) and Parks and Rec (to discuss what has been done at the park, and what needs to be done) be added to the agenda. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

Council Member Kaperonis motioned to adopt the amended agenda; Council Member Rodriguez seconded the motion.

The motion passed unanimously.

5. Consider Approval of Consent Agenda *Time Stamp 13:13*
 - a. Approve the minutes of August 8, 2016; August 17, 2016, and approve amended minutes of June 13, 2016 meeting
 - b. Approve the previous month finance report
 - c. Approve the previous month planner's report
 - d. Accept resignation of Bruce Ewing from Board of Adjustment effective August 31, 2016
 - e. Proclamation for Constitution Week issued by Mayor
 - f. Proclamation for Let's Paint Union County Purple Day issued by Mayor
 - g. Call for public hearing on Temporary Family Health Care Structures text amendment to Zoning Ordinance for October 10, 2016 at 7 pm at town hall
 - h. Call for public hearing on CZ 16-01 Heritage Senior Housing Conditional Rezoning for October 3, 2016 at 7 pm at town hall

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

The motion passed unanimously.

August 31, 2016 Balance Sheet

ASSETS

Current Assets	
Checking/Savings	
Fifth Third Bank checking	326,740.42
Fifth Third Maxsaver	305,881.60
BB&T Money Market	507,415.85
Cash Change Fund	50.00
Total Checking/Savings	1,140,087.87
Total Accounts Receivable	7,622.41
Other Current Assets	
Property Tax Rec.	782.00
Allow. for Doubtful Accounts	-543.00
Prepaid Exp.	276.00
Elec,PNG,Video,Telecom Rec.	75,200.00
State Sales Tax A/R	3,580.25
Total Sales Taxes to be Received	1,534.72
Total Current Assets	1,228,540.25
Fixed Assets	
Land	813,423.00
Dogwood Park	
Dogwood Park Improvements	722,271.00
Dogwood Park fountain	12,960.00
Dogwood Park Water Improvement	8,440.00
Dogwood Park Gate	7,076.00
Dogwood Park Shipping Container	3,200.00

Dogwood Park Signs	3,803.00
Total Dogwood Park	757,750.00
Town Hall	1,361,869.00
Furniture & Equipment	37,682.00
Town Hall Driveway/Irrigation	48,892.00
Accumulated Deprec.	<u>-290,058.98</u>
Total Fixed Assets	2,729,557.02
Other Assets	
Net Pension Asset	<u>3,185.00</u>
Total Other Assets	<u>3,185.00</u>
TOTAL ASSETS	<u><u>3,961,282.27</u></u>
LIABILITIES & Fund Balance	
Other Current Liabilities	
Pension deferrals	20,792.00
Contrib to pension plan CY	-4,211.00
Deposits To Refund	215.75
Due to Union County Schools	59.49
Pay. for Employee Insurance	50.50
Escrow from Developers	196,090.00
Deferred Revenue	<u>239.20</u>
Total Other Current Liabilities	213,235.94
Fund Balance	
Fund Bal. inv. in Fixed Assets	2,729,557.02
Fund Bal. non-spendable	196,090.00
FB Restrict for P&R fee in lieu	99,227.78
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 Balance Assigned for NNO	313.40
Fund Balance	615,967.48
Excess of Rev. over Exp.	<u>-43,087.46</u>
Total Fund Balance	<u>3,748,046.33</u>
TOTAL LIABILITIES & Fund Balance	<u><u>3,961,282.27</u></u>

August 2016 Budget Report

	<u>Aug 16</u>	<u>Jul - Aug 16</u>	<u>Budget</u>	<u>% of Budget</u>
General Fund				
Income				
Appropriated Fund Balance	0.00	0.00	7,214.00	0%
Total Property Tax Income	1,452.63	1,828.35	156,983.00	1%
Fees and Licenses				
Privilege Licenses	0.00	300.00	200.00	150%
Zoning Permit Engineering Fees	1,925.00	3,200.00	15,000.00	21%
Reimbursement Annexation Exp Reimbursed	7,044.91	8,447.41	25,000.00	34%
Misc. Fees	0.00	0.00	100.00	0%
	18.50	133.58	300.00	45%
Total Fees and Licenses	8,988.41	12,080.99	40,600.00	30%
Interest Earned	12.95	68.88	500.00	14%
Total Revenue Sharing	0.00	0.00	410,500.00	0%
Total Income	10,453.99	13,978.22	615,797.00	2%
Expense				
Total Town Hall Operating Expense	2,801.32	5,277.40	25,400.00	21%
Total Operating Expenditures	354.73	23,139.55	85,930.00	27%
Total Planning & Zoning	6,108.32	6,108.32	79,003.00	8%
Total Gen. Govt. Salaries	7,794.25	15,573.64	134,104.00	12%
Total Professional Fees	8,250.76	8,250.76	54,000.00	15%
Total Capital Outlay	0.00	0.00	30,000.00	0%
Total Public Services / Safety	21,659.56	21,859.56	91,672.00	24%
Parks & Recreation				
Total Recreation Events	0.00	0.00	6,000.00	0%
Total Park Maint. Supplies & Mat.	0.00	0.00	1,000.00	0%
Total Park Maint. Services	3,350.63	6,988.56	42,688.00	16%
Total P&R Capital Outlay	0.00	0.00	66,000.00	0%
Total Parks & Recreation	3,350.63	6,988.56	115,688.00	6%
Total Expense	50,319.57	87,197.79	615,797.00	14%
Net General Fund	-39,865.58	-73,219.57	0.00	100%
Capital Projects Fund				
Total Transfer from General Fund	0.00	1,442,700.00	1,442,700.00	100%
Capital Projects				
Town Hall Capital Outlay				
Total Town Hall Capital Outlay	7,650.00	1,412,567.89	1,442,700.00	98%
Net Capital Projects Fund	-7,650.00	30,132.11	0.00	100%
Net Excess of Rev. over Exp.	-47,515.58	-43,087.46	0.00	100%

Village of Wesley Chapel, NC
Proclamation for Constitution Week



WHEREAS: The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS: September 17, 2016, marks the two hundred twenty-ninth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Dr. David Kapfhammer, PhD by virtue of the authority vested in me as Mayor of the Village of Wesley Chapel in North Carolina, do hereby proclaim the week of September 17 through 23, 2016 as

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Village of Wesley Chapel, NC to be affixed this 12th day of September of the year of our Lord two thousand sixteen.

Signed _____ SEAL Attest _____

Mayor Dr. David Kapfhammer, PhD

Clerk Cheryl Bennett

Village of Wesley Chapel, NC

Proclamation for Let's Paint Union County Purple Day



WHEREAS: Alzheimer's disease is an irreversible and progressive brain disease that slowly erodes precious memories, thinking skills and the ability to perform simple tasks; and

WHEREAS: over 5 million Americans are living with this disease. Every 66 seconds someone is diagnosed. By the year 2050, up to 16 million will have the disease; and

WHEREAS: Alzheimer's is the only cause of death among the top 10 in America that cannot be prevented, or cured; and

WHEREAS: one in five care contributors cut back on their own doctor visits, food and transportation because of their care responsibilities; and

WHEREAS: in 2016, the direct costs to American society of caring for those with Alzheimer's will total an estimated \$236 billion, with just under half of the costs borne by Medicare; and

WHEREAS: the Village of Wesley Chapel offers its support to those living with Alzheimer's disease, and to recognize those who cares and provides for them, sharing their loved one's emotional, physical and financial strains. We honor their compassion, remember those we have lost, and press toward the next scientific breakthrough.

NOW, THEREFORE BE IT PROCLAIMED AND RESOLVED, that I, Dr. David Kapfhammer, PhD, Mayor of the Village of Wesley Chapel, North Carolina, do hereby proclaim September 15th, 2016 as PAINT UNION COUNTY PURPLE DAY in Wesley Chapel, North Carolina and urge all citizens to join me in this special observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Village to be affixed this 12th day of September, 2016.

Signed _____

SEAL Attest _____

Mayor Dr. David Kapfhammer, PhD

Cheryl Bennett, Village Clerk

6. Report from Finance Officer *Time Stamp 13:43*

The Finance Officer reviewed the routine monthly transactions. We were billed \$200 by the Elections office for the June annexations. Approximately \$442 was paid for National Night Out.

Committee and Deputy Reports

7. Deputy *Time Stamp 16:15*

Deputy Wicker reported there was the usual activity at Target, a residential break-in and normal traffic stops. He gets numerous complaints about traffic at Billy Howey Road, Weddington Road and Cuthbertson Road. Mayor Pro Tem Kenary thanked Deputy Wicker for his work being first on the scene at the breaking and entering last week, he was key to capture of the suspects. Those apprehended had stolen property linked to several break-ins.

8. Youth Council Committee *Time Stamp 22:24*

Danielle Acker reported they are planning a spring 2017 5K run, and looking for sponsors. They will contact Southbrook regarding parking.

9. Planning Board *Time Stamp 23:17*

Planning Board Chair John Souza reported at the last meeting they voted 4-1 to recommend approval of the Heritage application. The applicant was responsive to some requests, the Board liked the thread trail, there will be significant traffic and we looked at the neighboring parcels for traffic connections. Going forward Planning Board is looking at storm water ordinance language, and it will be ready for their October meeting. Mr. Souza cancelled the September Planning Board meeting as there was nothing on the agenda. Bill Duston noted there are several items that will be upcoming later on. Heritage will have one set of covenants for the whole development and one set for the senior housing portion. Council Member Como motioned to notify the parcels beyond the normal 1,320 feet that are between the Heritage and Howey subdivisions. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

Presentations

10. Wesley Chapel Friends of Parks & Recreation – Fall Bash; Requests of Village *Time Stamp 33:55*

Brad Horvath presented information on the Fall Bash which will be held at the park on October 29, 2016 from 1-4 pm. He reviewed the activities, advertising, logistics and new county requirement regarding fire marshal approval of more than 400 square feet of tents. They are looking for volunteers and judges. He requested the village waive the temporary sign and temporary use permit fees, lend equipment and keys to the storage container to store items and asked for \$1,516 from the Village. Council Member Rodriguez asked if the event could still go on without the town's funds, and was told yes. Council Member Rodriguez asked if there is a written agreement between FOPR and the Village, there is not. The Youth Council had contacted FOPR and been told FOPR could only do three events per year; Sondra Bradford said they are limited by manpower. Mayor Pro Tem Kenary noted the Youth Council will spearhead their own event, but was looking for guidance and mentoring; Ms. Bradford said she could come to their first meeting in October. Sondra Bradford stated they made \$1,000 from the barbecue,

and are saving it and \$1,000 from last fall's bash toward a picnic shelter. Council Member Kaperonis noted he spoke with the Mayor regarding the potential of a concert series. Council Member Rodriguez asked if any FOPR members are paid, they said no. He asked if they could provide 2014/15 tax returns. Sondra Bradford said the \$2,000 is in a separate bank account. Council Member Rodriguez asked that they provide the Village Finance Officer with documentation of their revenues and expenses. Bill Duston noted there is no fee for non-profit permits.

Council Member Como motioned to go ahead with the Fall Bash on October 29, 2016 from 1-4 pm and spend \$1,516 of Village funds. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

The funds will be spent on porta johns and sinks \$300, advertising in the Union County Weekly \$366, Mr. Hughes Wildlife Services \$350, and Tiki Hut Entertainment-DJ \$500.

A key to the storage container will be loaned to Brad Horvath.

Old Business

11. Decision on Conservation Zoning Text Amendment Ordinance *Time Stamp 57:13*
Bill Duston noted the old Council held a public hearing in November and sent it back to Planning Board who said they liked what they had sent and sent it back to Council. Mr. Duston felt conservation zoning was a good idea and had worked elsewhere, he explained it to the last council but not to the new one. The proposal is to be density neutral. Council Member Como asked if the tree ordinance had been taken into account; Mr. Duston said the lots will be smaller and we may need to tweak the trees. The priorities on the type of land to conserve are from Weddington's ordinance, we need to decide if we have the same priorities. Council consensus was to wait one month for the decision. Mayor Pro Tem Kenary asked Council members to send alternative proposals to Bill Duston, and provided a sheet with alternatives from herself and Council Member Rodriguez.

12. Faith Church Road – Comments to Indian Trail *Time Stamp 1:08:38*
Indian Trail hired a consultant to study the Faith Church Road extension and requested comments by September 20, 2016. Bill Duston noted section C which is largely in Wesley Chapel goes through flood land and would need Corps of Engineer approval; they recommend deleting section C. Mr. Duston gave Council five alternatives:

1. Maintain Section C
2. Remove Section C
3. Remove Section C and recommend a TanYard Road/Beulah Church/Potter Road connection (the developer said this would eliminate their potential Howey subdivision and goes through flood land)
4. Remove Section C and connect to Beulah Church/Potter/Hudson Church Road/TanYard Road (informally Bob Cook said this would probably work and could go on the CRTPO plan)
5. Remove Section C and choose 3 or 4, provide for the connection of the east-west connector road. (probably cannot go on the CRTPO plan as it is not a regional connection).

Council discussed the options. Council Member Como wanted to get feedback from citizens affected. Bill Duston noted it is not that simple to put a road on the CTP, there would have to be

public outreach. Council Member Rodriguez motioned to have the Mayor send a letter to Indian Trail and include in it that we agree with the recommendation to eliminate Section C. Council Member Como seconded the motion.

The motion passed unanimously.

Council Member Rodriguez motioned to include in the Mayor's letter that we recommend based on the Heritage application the east-west connector road coupled with option 4 and recommend widening Wesley Chapel Road. Council Member Kaperonis seconded the motion.

The motion passed 3-1, with Como voting nay saying there was not enough information.

Mayor Pro Tem Kenary added that this is not to be construed as an endorsement of the Heritage conditional rezoning request; this is only a recommendation of an alternative Faith Church Road connection based on present documentation provided to the Village.

13. Band Shell – contract with architect *Time Stamp 1:27:45*

Council Member Rodriguez spoke with the architect and had a proposed contract for architectural services for the pre-fab band shell for \$5,500. Council Member Como questioned whether we have decided to go pre-fab, and brought up fees spent for the architect for the original contract with Wirth, and in 2015 we paid \$3,000 for the stick-built project to be bid out. Mayor Pro Tem Kenary added that after we received the two bids, we decided to throw them out. Council Member Rodriguez then spoke to the pre-fab company used and recommended by Stallings, and they gave a price of about \$21,000, and this is the contract for the architect to work with the manufacturer to make sure all is in order. The price does not include roofing materials nor assembly; the architect estimated an additional \$20,000 to \$25,000 more to do the structure. Council Member Como noted we only received one pre-fab bid, and we haven't seen what the structure will look like, and per our purchasing policy we should obtain three bids. Council Member Kaperonis agreed we should adhere to our purchasing policy of three bids. Council agreed that we should get three bids; Council Member Como should communicate to Council Member Rodriguez any concerns, and this item will be on next month's agenda.

14. Improvement Projects – List for Website *Time Stamp 1:43:13*

After some discussion the following list for scout project ideas was finalized. There is also openness for Scouts to bring their own ideas to Council.

1. An English type garden where the storage trailer was located. The trees there have English ivy and some benches going around the trees with a few tables would look great. Some sort of a trellis entering the tree area would be a nice touch.
2. A couple of the picnic table areas at the park have no gravel and grass/weeds are growing. A scout project to put in brick pavers and appropriate materials to prevent weeds at those table sites.
3. Planting a small shade tree at each of the picnic table sites that are in the sun.
4. Plantings around air conditioning units at Town Hall.
5. Bee project at Dogwood Park.
6. Wildlife conservation projects at Dogwood Park.
7. Park signs (metal map to show trails, etc.)

Council Member Kaperonis motioned to put the list on the website. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

15. National Night Out *Time Stamp 1:47:59*

The amounts spent on National Night Out were detailed, the total is \$242.81. Council Member Como questioned why we had National Night Out. It was clarified that at the council meeting Jim Dale and Mayor Pro Tem Kenary were going to discuss how we could have an event, and then an email was sent to everyone, including Parks and Rec with the details and inviting participation.

New Business

16. Park Playground *Time Stamp 1:54:44*

Council Member Rodriguez noted the survey showed a playground at the park is a priority. He asked Council Member Como if he wanted to work together on this; but he only offered to provide information. Council Member Rodriguez motioned that he would contact manufacturers for quotes on a playground. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

17. Park Maintenance *Time Stamp 1:56:43*

Council Member Como stated at the last meeting the Mayor had asked the information be gathered on moving the shipping container, no complaints were received on the shipping container, but money was spent and it was done. Also the amended minutes for June specifically said things should not be thrown out, and they were. Council Member Como complained that concrete blocks were removed, about the gift from Moser of the bobcat work, and stuff was thrown out. Also at a meeting Council agreed Council Member Como could re-fill the dog water containers, but the containers were removed. Council Member Rodriguez addressed the issues raised, noting it was a common sense item to move the container back, since it was the first thing you saw when you drove in, and it allows a nice picnic area. Council Member Como complained that Council didn't decide, you personally decided. Mayor Pro Tem Kenary noted there had been discussion about creating a more aesthetically pleasing wood shed, but Council Member Como had noted the county is moving to the steel sheds for security. She noted council has authority to spend up to \$500, and the quote to move it was only \$250. She noted she had been tasked to fix the slats in the park fence, which she did, and at that time realized it was blazing hot in the container due to its position in the sun, and there were flammable materials in the container. From a safety and aesthetic perspective, it made sense to move it. Council Member Rodriguez added when the storage container was opened there were fumes; they opened the paint cans and there was a thick covering over half of them, or they were solidified. Mayor Pro Tem Kenary commented that after cleaning the trailer, all the usable items such as fencing was cleaned and stacked. Council Member Rodriguez stated that the white pillars were rotted and full of holes, they did check and make sure the items were not useful before disposing of them. Council Member Como asked why there is a council if you two make all the decisions. Council Member Rodriguez noted all the wood was put up on blocks, the chain link fencing is in the container. Rotted split rails were thrown out, other good ones are stacked up behind the

container. Council Member Kaperonis noted the area looks so much better. Council Member Rodriguez explained that he contacted Lucas and asked what they would charge to pick up the garbage, and they said \$1,300 or use a dumpster, so he called Dennis Moser to recommend a dumpster company, and Moser said he could get them a contractor price. He came over and looked at it and had his guys come over with a dump truck and bobcat, and offered to do it at no charge. Council Member Como complained this was just a few weeks after giving him a valuable zoning decision and he has been getting calls from citizens about it. Council Member Rodriguez said he made decisions based on what is best for the town, and it saved \$1,300, adding that we rode Moser so hard he had to sell the property. Council Member Rodriguez added park complaints have been sent to him and he has handled the problems; he wants to have relationships with the builders. Council Member Kaperonis noted it is a pro-active dialog, he likes to engage in conversations, growth is painful, and we don't want to spend more than we have to. Mayor Pro Tem Kenary added that in the past Council Member Como made decisions at the park himself.

Council Member Como added there is one other maintenance item: the gate timer needs to be fixed, it is not closing and has not for three months.

Ending Items

18. Council Comments *Time Stamp 2:19:23*

Council Member Como stated if we screen around the air conditioning units, make sure you don't puncture the irrigation system. He added there is a September 29th meeting scheduled for the Union County Public School bonds and whether this should be a special council meeting. Council Member Kaperonis added there is also the September 22nd meeting on roads. A quorum of council is expected on both meetings and can be advertised; Mayor Pro Tem Kenary asked for clarification from the attorney on whether this is a special meeting. Council Member Como commented in general on resignations of Parks and Rec, Safety, and Board of Adjustment members and businesses and scouts who are no longer supporting Wesley Chapel. Council Member Kaperonis noted he met with Union County Economic Development and is all in favor of helping Wesley Chapel and did not apologize for engaging in conversations with them. Council Member Rodriguez agreed with Paul that we want to have relationships with developers, he has the town's best interest in mind. Mayor Pro Tem Kenary noted the irrigation system is in place and functioning and we have an as-built drawing. Regarding losing committee members, volunteers are moving on to other opportunities, the scouts are still active; she met with a Boy Scout regarding a park project and he has yet to make a final decision; also the Girl Scouts are doing a memorial bench at town hall. Council Member Kaperonis noted on the pro-active side, his son Harrison went to the YLA as a Youth Council member last spring, made connections to the State coordinator of SADD, and started a chapter at Weddington High School which 200 kids have signed up for, we have to be role models for kids. Mayor Pro Tem Kenary added the Youth Council are a pleasure to work with and conduct their business in a professional manner.

19. Adjournment *Time Stamp 2:32:52*

Council Member Kaperonis motioned to adjourn; Council Member Rodriguez seconded the meeting.

The motion passed unanimously.

The meeting ended at approximately 9:33 pm.

2016.09.12 minutes

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Dr. David Kapfhammer