

VILLAGE OF WESLEY CHAPEL
SPECIAL COUNCIL MEETING MINUTES
July 30, 2010 – 6:00 P. M.

The Village Council of Wesley Chapel, North Carolina, met in the Fellowship Hall of Wesley Chapel United Methodist Church at 120 Potter Road South, Wesley Chapel, North Carolina.

Present: Mayor Horvath, Mayor Pro-tem Bradford; Council Members Hess and Ormiston
Absent: Council Member Brotton

Others Present:

Village Clerk/Finance Officer: Cheryl Bennett
Concerned citizens: Carol Mullis, Chuck Adams, Shirley Hafey, Shirley Wilson, John Lepke, Stephen Keeney, Bill Lee, Mildred Gwinn, Ray Davis, Todd Bennington, Jeannine Kenary, Marnie Holland, Julie Brown, Becky Plyler

Meeting was called to order at 6:00 PM and a quorum was present. Mayor Horvath led the Pledge of Allegiance and Mayor Pro-tem Bradford gave the invocation.

1. PUBLIC COMMENTS ON AGENDA ITEMS

Bill Lee submitted a 17 page written report reviewing the two town hall options. The report included comments on the physical features of each site, comments and suggested adjustments to the budget proposal for each site, commentary on life-cycle cost considerations and theoretical comparison.

Mildred Gwinn suggested we contact the 2005 Town Hall Advisory Committee members for information on the space study they did; she also noted we had an old survey that said the town hall was wanted on the 6 acres. She recommended we build the town hall on the six acres and do park amenities on the land.

Ray Davis said the town hall should be on the six acres; he also supports Page Price Park.

Jeannine Kenary expressed concern about council members' ability to make good impartial decisions; she referenced the cost to fix the dam at the lake. She noted there are nine properties for sale in our general area that might provide land for a park and be a good investment. She noted we have a little less than \$2 million to spend but Council looks at spending \$2.2 million or more. She recommended we not purchase Dogwood Acres and instead build a new town hall on the six acres.

Stephen Keeney suggest council be prudent with our tax dollars; he noted the Master Plan was created in a college class by students, and is a concept not a mandate. He suggested we build a town hall on the six acres, and not look to state and federal grants, but instead demonstrate to our children government is not the provider of all things. He suggested we get a deputy before a park. He cited Optimist Park as an example of raising funds from private sources; and was against the suing mentality as evidenced by ETJ and the Fire Department lawsuits.

Becky Plyler brought pictures of Matthews' town hall and Stumptown Park; noting their library/town hall/parking lot/gazebo are on just 2.5 acres, and Stumptown park is only one acre; added together it is less than five acres. She suggested we build a nice town hall, walking trails, and an amphitheater; and then in the future get a nice parcel where you can have a sports complex. She said she was formerly a Page Price Park supporter, but the dam costs are too high. She was against restoring the house at Dogwood Acres due to its age and needed repairs.

Chuck Adams noted we are at a crossroads; he cited 14.8% of voters signed a petition saying don't buy Dogwood Acres; it is on the border of Weddington and the topography is difficult; it would be unsafe for staff and is very secluded. He noted Page Price Park is only partially donated and still would cost over \$1.1 million. He noted we own 6.3 acres, and recommended building a town hall there first, which he said citizens overwhelmingly want; develop a small park there, and then decide what to do with the 2.6 acres behind Lowes Foods. He recommended the park vision be tempered with reality; spend our money wisely, and there will be excellent land available for parks in the future.

Shirley Hafey said the six acres was given to all the residents in March 2001, and the dedication was in October 2001. She thought the majority of tax paying residents want their town hall built there and suggested we have gardens, a walking trail, and a picnic area. It would also support merchants and give Wesley Chapel the presence we want and need.

2. DISCUSSION AND POSSIBLE ACTION ON PAGE PRICE PARK AND RELATED GRANTS

Mayor Horvath said the cost of the dam improvements is \$410,000; it would still be a high hazard dam, and insurance would be about \$1,200 annually. We have an extension on the grant until Monday. We estimated \$250,000 for the dam, so we are \$160,000 over. The Wildlife Resources grant will pay about \$18,750 of the \$25,000 cost for the pier; they will stock fish for less than \$5,000 per year. We also got an Adopt A Trail grant of \$4,425. Hess reported he spoke with the owner of the 1.7 acres, and they are fine at \$150,000 which is the amount budgeted.

Bradford reported the Keels family agreed to donate the 3.3 acres we were going to buy at \$35,000 per acre (\$116,000) to offset the dam costs. If the dam costs come in lower they will donate an amount to bring the dam costs down to \$250,000. Bradford also said the engineers said we could lower the level of the lake one foot, and it would save \$75,000. She checked with the Army Corps of Engineers and DENR about the impact on the wetlands at the north side; and no permits are involved. It would impact the size of the pond and decrease the required size of the spillway.

Hess asked if we pass on the grant, can we reapply; Bradford said six of the twenty-six applicants this year for \$500,000 got the grant; they did say overall funding will be down next year.

Mayor Horvath noted our fund balance is \$2.2 million, but we need to keep some funds on hand, and some is reserved for parks and recreation and some is reserved for a park. It was noted that for certain grants we would have to subdivide the town hall use from the park use. Ormiston noted the offset the Keels are offering still leaves us \$34,000 over the dam budgeted amount. Budgeted amounts for Page Price Park were reviewed; the \$75,000 for a turn lane, and funds for upfit of the bathrooms and utilities were not included as part of the grant application. Bradford said Union County said we could stay on septic, and \$25,000 was included for utilities if needed. Costs for a service drive connecting to the McBrides and also the service drive on the left were discussed. Potential costs were estimated at \$1,689,380 less the \$500,000 grant and the \$23,175 in other grants leaves a cost of \$1,166,205. Water resource development grants were discussed; they are a six month cycle. Ormiston asked who had received them, and did anyone get them three times in a row. Costs in the grant were discussed; Bradford said including the value of the land donated, we are committed to \$403,875 per the PARTF grant; however other costs would be involved. A question was asked if it must be a park in perpetuity, and what would happen if the road is widened. Bradford said in the worst case DOT would reconstruct the dam further back and make a smaller pond at their cost. The park would be open to anyone who wants to use it, and a State license is required for fishing. Becky Plyler asked if you would have to go inside the house to use the bathrooms; Bradford said we could reconfigure it for direct access; we incorporated the deputy's suggestions to improve safety such as having one access point, structures near the front; there are also grants for segways for officers to patrol there.

Stephen Keeney asked about data on park crime and insurance risks.

Ormiston said she asked at the Thread Trail meeting and they sent her information which essentially showed minimal risks.

Ormiston summarized costs to do Page Price Park, which came to \$913,050.

Jeannine Kenary asked how many presently use the pond, and how many will use it after we spend that much money. The Parks and Rec survey showed people wanted trails and to use a park in Wesley Chapel. The lake level was lowered some time back; if it were lowered again it would be down to about four acres. Julie Brown noted there were buy a brick

fundraising options. Mayor Horvath noted there are also potential services to be donated. Hess said the turn lane is estimated at \$75,000, but we have no easement rights, so he estimates it much higher; detailed engineering has not been done.

Chuck Adams inquired about the timing of the expenses; Bradford said we could do the dam first, and do the rest of the project in one to one a half years.

John Lepke said of the one million dollar cost, 60% goes to make the donation work; only 40% goes to amenities.

Ormiston noted the water resources grants could have a big impact, if we get two or three it changes the picture.

Carol Mullis noted other land can come available. Someone today called John Lepke about some land.

Mayor Horvath noted the Mosers sent information on the corner properties, but the price is \$1.65 million for ten acres; there are other properties, but the \$500,000 grant is paying for the dam; we would have to do the same level of investigation on other properties. The reason Council decided to go with Page Price Park was because of the land donation and the grant deadline in February 2010. Hess said it is not the way to make a decision by being constrained by deadlines; we don't have the definition we need. We could take the extra points we get for our first park to next year's grant process.

Bradford said there is still a risk you might not get a grant next year, it depends on the applicant pool and funds available. Hess said he had major concerns including the turn lane; he had concerns on the dam and it came in higher than estimated; also the engineering estimate on the dam is \$410,000 plus or minus 20%. Bradford said DOT won't tell you how much it costs for a turn lane until you have final plans. Mayor Horvath said if we accept the grant, we have to do the amenities included; the other items are optional.

Ormiston said she asked at the Carolina Thread Trail meeting about costs; they said a ten foot wide paved trail is \$600,000 for one mile; and a three to four foot dirt trail is \$30,000 for one mile; these costs are just to build and do not include the cost of the land. She felt her safety concerns were answered, but keep these costs in mind; there are grants but no guarantees, also maintenance costs are a factor.

Bradford said Parks and Rec wanted to concentrate on a park before a greenway; they are very complex.

Hess presented spreadsheets, scenario one showed Page Price Park at a million out of pocket plus a \$500,000 grant; a town hall on the six acres, and the earliest you could put a deputy in is year four. Bill Lee pointed out that doing two large projects will be a stress on staff and volunteers. Hess noted the town hall is also under foreclosure. Bradford noted we have three years to spend the grant funds.

Another scenario with a new town hall on the six acres, purchase of Dogwood Acres and a deputy in year four was presented. Ormiston noted the deputy cost may come down – she talked to JDH regarding funding. She noted the wording on the CIP plan footnote 2 should note the CD is for the

Town Hall not a building fund, also she asked regarding the \$8500 budgeted for computer equipment; that is something that should not be part of the CIP.

Mayor Horvath said he spoke to Aston Properties and a movie theater chain is interested in putting a theater on our property; they would need about four acres. An option is to sell four acres and use the funds to build a town hall on the remaining two acres.

Originally the water detention for Aston is underground at the back next to the junior anchors; they put a temporary detention pond on our land. We can ask that it be filled in.

Chuck Adams said the surveys were loud and clear, the voters signed a petition saying don't sell the six acres. Mayor Horvath said this option wasn't there then.

The survey was discussed; Hess said it is another piece of information and shows a little more want a Town Hall than Parks and Rec, and there was little support for Dogwood Acres. Ormiston asked if a town hall on the six acres with park amenities is an option. Hess said he didn't have numbers on it so didn't present it; he didn't see it as equivalent. Mayor Horvath said it should be considered. Ormiston said we could have the town hall on six acres with amenities and another property as a park. Bradford said the dollar amounts should be roughly equivalent. She said there are issues with the six acres due to the costs to fill and slope to the Aston parking lot. She felt the property was not conducive to amenities. Hess said he agreed on roughly equivalent expenditures, maybe we could do a town hall and commit to a major park property purchase and go out for a grant on it. Ormiston suggested we could put out a bid for \$900,000 and felt builders would respond; we have the right to reject bids. We can do the same for a park. Hess said we might be able to push the deputy forward.

Ormiston said the Master Plan had 643 responses; this survey had about 569; there were also 751 signed petitions to state a position. If we look at available land what can we get for a million if you are putting it in the land and not in a dam. Bradford said Page Price Park has a shovel ready plan; the grant offsets the dam, and the parcel is donated. It gives the community what they wanted per amenities. Hess said there is a risk to asking for a new grant but you still get the extra points for a first time park. Ormiston and Hess agreed if we don't go with Page Price Park, we should look at all viable options for a park. Mayor Horvath said he likes the location of Page Price Park being in the middle of the town; looking at options will take time with wetlands and other considerations. Easements for a turn lane were discussed. Hess said the McBrides have a deeded easement on the east side of the property and it would impact our property.

A short recess was held.

Carol Mullis said 31% of the surveys said don't make expenditures for parks. Bradford noted two prior surveys had more support for Parks and Rec.

Ormiston said the Parks and Rec Committee recommended not going forward with Page Price Park; did they discuss and look at other options. Bradford said four members were at the meeting, the Keels had not yet made their offer. She talked to the committee members and those not present wanted to go forward; they would rather have Page Price Park than risk no park. They are willing to look at other options but it will cost money for the process to look at all the properties.

Hess suggested the meeting be recessed to Sunday, to get clarification and ideas on options from the Downtown and Parks and Rec Committees.

Ormiston noted the Downtown Committee is not tasked with doing a park. Compromises and options were discussed. Mayor Horvath said options include accept Page Price Park and allocate one million dollars; get a deputy sooner than later, and do a town hall RFP at the cost we can specify. Hess said we had always moved forward with Page Price Park realizing the dam might impact our final decision and we could back out, and that is not a compromise. A discussion was held of allocating one million dollars to a park. Bradford said the phase one amenities for Page Price Park without the land is roughly \$500,000; if we add a turn lane and bathrooms it brings it up to \$600,000 or \$700,000, and it is still a very good deal. She noted we have the grant in hand, and we don't know what the funding and applicant pool will be like next year. We know what the facts are on Page Price Park, but a new property would hold a lot of unknowns. Bennett noted we can apply for a grant for park land one year, and apply the next for funds to do amenities. With the current economic conditions, a lot of towns can barely cover necessities like public safety, and may not be applying for grants. Hess noted the grant is forcing us into an immediate decision; there are still some risks involved; we do not have a lot of latitude with the numbers without going into debt. Mayor Horvath said doing further due diligence on the town hall is needed, and going out with an RFP with a set dollar amount is a good idea.

Hess made a motion to recess the meeting to 2:30 pm on Sunday, here at the Church if available, and if not, at the Town Office. Ormiston seconded the motion.

The motion passed unanimously.

Sunday, August 1, 2010 at 2:30 pm, the reconvened meeting was called to order. Mayor Horvath, Council members Bradford; Hess and Ormiston were present.

Mayor Horvath said he appreciates the comments of citizens and council members, and noted parks, a town hall and safety remain top priorities. Hess made a motion to open the meeting. Ormiston seconded the motion.

The motion passed unanimously.

Bradford said she spoke with most members of the Parks and Rec Committee and five committee members were comfortable in proceeding with Page Price Park, three others said to decline the grant. The Committee is still behind Dogwood Acres, which can accommodate all amenities. The majority were afraid of turning down the grant and not getting it again. Hess asked if the committee was concerned about not having funds for another park site. Bradford said there are concerns about a town hall running over on costs and then ultimately ending up with a smaller park due to fewer funds. Hess noted that surveys show an interest in both a town hall and parks. We know there are other properties available to consider. Possibly we could negotiate a three month purchase option with Dirk Johnston for Dogwood Acres. He suggested a compromise will help us to decide how to approach a grant.

Mayor Horvath noted that we support parks.

Ormiston added that she spoke with two Parks and Rec members who both supported declining the grant and instead researching another property.

Hess said Parks and Rec is very committed and energized and supports looking at all available properties.

Mayor Horvath noted the \$410,000 dam cost is a difference between Page Price Park and any other property.

Bradford said the difference is offset by \$116,900 in additional donated property, plus costs could be decreased if we lower the pond by one foot to lessen the potential damage in the event of a dam breach. She expressed concern that if we don't do Page Price Park we will still be faced with challenges of other properties.

Hess said the Parks and Rec committee will have to evaluate the challenges.

Bradford said she was concerned with the compromise, and that we might not secure property of similar size with the same amenities; we might have to scale down amenities.

Hess noted that we can negotiate the asking prices of other properties. Hess said that right now we have no alternative for overages if we move forward with Page Price Park and the town hall; and there are still uncertainties with Page Price Park costs; notwithstanding the need for a contract deputy. With the risks we still have, he is not comfortable with Page Price Park. Hess said we can meet both objectives and join two factions by focusing on both a town hall and parks and recreation. He suggested an option contract for a three month period for Dogwood Acres, and gather an exploratory committee to research other viable options for a park location or allow the Parks and Rec Committee to be the exploratory committee. He suggested a town hall on six acres and not using the house at Dogwood for the town hall. Bradford expressed concerns about the time that it would take to research other properties, for example, the dam at Dogwood.

Discussion was held on Page Price Park.

Mayor Horvath noted we should not confuse high hazard dams with risk; also DOT may not widen Highway 84 for 20 – 30 years. It was suggested we get a turning lane estimate from a paving company to know the estimate for this expense for any park location. Mayor Horvath said any allocations of funds we make are used in a timely manner for a useable park. We would need to present a timeline to citizens. Ormiston said the results of the dam study are the reason why we should not accept the grant. Bradford said she does not believe we can get another park for one million.

A short break was held.

Mayor Horvath asked for a motion. Bradford made a motion to accept the PARTF grant. The motion died for lack of a second.

Hess commended Bradford on her work with Parks and Rec and on the grant. He said he believes we have a basis for a compromise. He expressed gratefulness for the work she had done on this grant, however the grant comes with uncertainty and his hopes are for the two factions to come together.

Bradford thanked the committee and hoped the funds can be allocated to the Parks and Rec fund. She would like one million dollars to be reserved specifically to a park. She would like Dogwood to still be considered. She does not want to see us drag our heels with moving forward with a park.

Hess made a motion to not accept the PARTF grant. Ormiston seconded the motion.

Hess and Ormiston voted yea; Bradford voted nay.
The motion passed 2-1.

Bradford said she would inform the Keels and McBrides. Mayor Horvath said he is disappointed but remains steadfast to getting us a park.

Bradford made a motion to adjourn; Hess seconded the motion.
The motion passed unanimously.

The motion adjourned at 4:13 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath