

Minutes 03.12.07  
Approved 04.16.07

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
March 12, 2007 – 7:00 P. M.

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

Present: Mayor Clinton, Mayor Pro-tem Croffut, Council Members Horvath, Mullis,  
Absent: Council Member Pierce

Others Present:

Interim Village Clerk/Finance Officer: Cheryl Bennett  
Planning/Zoning Administrator: Justin Krieg  
Village Attorney: George Sistrunk  
Concerned citizens

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

1. PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Clinton led the Pledge of Allegiance and Croffut gave the invocation.

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

Closed Session Item 16, Feb. 12, 2007 and Closed Session Item 12A, Feb. 20, 2007 were deleted from Item 5, Approve Minutes. Item 6. (f) was added: Credit Card Use Policy. Item 11 became Item 11(a), and Item 11 (b) Approve Flyer for Master Plan Committee, and Item 11(c) Discuss Master Plan Survey were added. Item 17 became Item 17(b), and Item 17(a) CLOSED SESSION PER NC GS 143-318.11(a) (3) Attorney Client Privilege re: Extra-Territorial Jurisdiction was added. Croffut made a motion to approve the agenda with these changes. Mullis seconded the motion.

The motion was approved unanimously.

3. INFORMAL PUBLIC COMMENTS

There were no public comments.

4. ACCEPT VOLUNTARY ANNEXATION PETITIONS

Many citizens were present and presented voluntary annexation petitions. Council advised that petitions would be accepted through the mail or in person through March 20, 2007. A question was asked as to whether they are contiguous or not, this will be determined when all the petitions are compiled. Mullis made a motion to direct the clerk to investigate the sufficiency of the petitions and to certify as soon as possible to the Village Council the result of her investigation. Croffut seconded the motion.

The motion was approved unanimously.

Croffut made a motion to allow processing of applications received through March 20, 2007. Horvath seconded the motion.

The motion was approved unanimously

- 5. APPROVE MINUTES FOR:  
 Special Meeting January 30, 2007,  
 Council Meeting February 12, 2007  
 Council Meeting February 20, 2007  
 Advance Minutes, March 2 and 3, 2007

Horvath made a motion to approve the minutes of: Special Meeting January 30, 2007; Council Meeting February 12, 2007; Council Meeting February 20, 2007; and the Advance Minutes, March 2 and 3, 2007. Mullis seconded the motion.

The motion was approved unanimously.

6. STAFF REPORTS

- a. Review and approve the Village Financial Reports dated February 28, 2007, Submitted by Cheryl Bennett, Finance Officer. (See Attachment A) The financial statements show 69% of budgeted revenues received year to date, and 37% of budgeted expenditures spent year to date. Horvath made a motion to approve the Village Financial Reports dated February 28, 2007; Mullis seconded the motion.

The motion was approved unanimously.

- b. Review and approve Ord. 2007- 03, Budget Ordinance Amendment 2006/07 # 3. Bennett explained that the amendment is to provide funds for advertising for the tax collector and clerk, for the annual retreat, and for legal fees. Mullis made a motion to approve Ord. 2007- 03, Budget Ordinance Amendment 2006/07 # 3, incorporated herein. Horvath seconded the motion.

The motion was approved unanimously.

Ord. 2007-03

Budget Ordinance Amendment 2006/07 #3

BE IT ORDAINED by the Governing Board of the Village of Wesley Chapel, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2007:

Section 1. To amend the General Fund, the appropriations are to be changed as follows:

<u>Expenditures:</u>	Decrease	Increase
<u>Operating Expenditures:</u>		
Advertising - Clerk		500
Annual Retreat		405
Elect. Communications		500

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Property Tax Statements	905
Contingency	\$5,000
Travel & entertainment	500
<u>Professional Fees:</u>	
Legal Fees	5,000

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 12<sup>th</sup> day of March, 2007.

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Cheryl Bennett, Int. Clerk

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Mayor Tracey Clinton

- c. Tax Report Update February 28, 2007 Prepared by Cheryl Bennett.  
(See attachment B) The tax report shows approximately \$4,373 outstanding in 2006 tax, and \$450 in 2005 tax, with lesser amounts in prior years. A question was asked regarding taxpayers who sell their home during the year; in February a list of property owner changes was received from Union County, and bills were then sent to the new owners if the taxes were still outstanding. Mullis made a motion to approve the tax report dated February 28, 2007. Horvath seconded the motion.

The motion was approved unanimously.

Horvath made a motion that tax liens be posted and advertised between now and June 30, 2007, per NC G.S. 105-369(a)-(c); and that the tax collector give notice of tax liens and of advertisement of such liens to both the listing and the record owners of the affected property at least 30 days prior to the date of publication per NC G.S. 105-369(b1). Mullis seconded the motion.

The motion was approved unanimously.

- d. Approve Refund of Property Tax Overpayment, Brian & Denise Morrison, Parcel 06-051-052 \$58.51.

Mullis made a motion to approve the tax refund of \$58.51; Horvath seconded the motion.

The motion was approved unanimously.

- e. Monthly planning report, submitted by Justin Krieg, Planning and Zoning Administrator.

Krieg reported that the number of zoning permits has been picking up. Regarding code enforcement, there is one pending issue at Bloomsbury Ct., and all other issues are progressing. Thirty-five sewer permits were moved to Quintessa, Phase II. Market Express opened on Saturday at Village Commons. The Master Plan Committee is having their kick-off meeting on March 28, 2007; their phone line is set-up, 704-243-2485. Krieg said Wesley Chapel Elementary School is working

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on a CUP application to add four more classrooms, but it has not yet been submitted.

f. Credit Card Use Policy – When the credit card was originally obtained, it was only approved for paying the AOL bill. Croffut made a motion to allow staff to use the credit card, when a check is not feasible, as long as the item is budgeted. Mullis seconded the motion.

The motion was approved unanimously.

7. DISCUSS AND VOTE ON RESOLUTION 2007-02 NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM (CONAWAY COURT AND WESLEY GLEN DRIVE)

Mullis made a motion to approve Resolution 2007-02 NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM (CONAWAY COURT AND WESLEY GLEN DRIVE), incorporated herein. Horvath seconded the motion.

The motion was approved unanimously.

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
REQUEST FOR ADDITION TO STATE MAINTAINED  
SECONDARY ROAD SYSTEM**

**Village of Wesley Chapel, North Carolina**

**R-2007-02**

North Carolina  
County of Union

Road Description: Request for SR-2 Resolution for Conaway Court and Wesley Glen Drive in the Glen at Wesley Oaks in the Village of Wesley Chapel

**WHEREAS**, the attached petition has been filed with the Village Council of the Village of Wesley Chapel, Union County, requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and,

**WHEREAS**, the Village of Wesley Chapel is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of road to the system.

**NOW, THEREFORE**, be it resolved be the Village of Wesley Chapel of the County of Union that the Division of Highways is hereby requested to review the above-

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described road, and to take over the road for maintenance if it meets established standards and criteria.

Adopted this 12<sup>th</sup> day of March, 2007.

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Tracey Clinton, Mayor

Attest:

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Cheryl Bennett, Village Clerk

8. UPDATE ON HAMPTON MEADOWS ROAD SITUATION

Krieg talked with Robert Taylor, President of Bowie Motors, and a meeting is going to be scheduled with NC DOT and Boggs Paving out at Hampton Meadows.

9. APPROVE CHANGES TO MEETING SCHEDULE

Changes were made to the meeting schedule; the April Council meetings will be April 16 and 24; May will be May 14 and 21; the August meetings will be August 13 and 21; and the Planning Board will be at the first 20 minutes of each of the Council Work Session Meetings. Horvath made a motion to approve the schedule, incorporated herein, with these changes. Croffut seconded the motion. The motion was approved unanimously.

**Village of Wesley Chapel 2007 Regular Meeting Schedule, revised March 12, 2007**

All meetings are held at the Fellowship Hall of the Wesley Chapel United Methodist Church, 120 Potter Road South, Wesley Chapel, NC.

**Village Council (2<sup>nd</sup> Monday, 7 pm; Work Session 3<sup>rd</sup> Tuesday 7 pm**

January 8 and 16  
February 12 and 20  
March 12 and 20  
April 16 and 24  
May 14 and 21 (which is a Monday)  
June 11 and 19  
July 9 and 17  
August 13; and 21  
September 10 and 18  
October 8 and 16  
November 12 and 20  
December 10 and 18

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**Planning Board (4<sup>th</sup> Monday, 7 pm, Planning Board will also meet with Council for first part of each Council work session, as of March 20) : )**

January 22  
February 26  
March 26  
April 23  
May 28  
June 25  
July 23  
August 27  
September 24  
October 22  
November 26  
December 24

**Board of Adjustments (3<sup>rd</sup> Monday of last month of quarter, 7 pm)**

March 19  
June 18  
September 17  
December 17

**10. DISCUSS AND VOTE ON FINAL PLAT FOR WESLEY CHASE  
SUBDIVISION**

Krieg said all approvals and documentation have been received, and he recommends approval. Croffut asked engineer Joel Madden about the wet areas; Madden said you are allowed to drain the pond, but they don't plan to as they see it as an amenity; the wetlands on lots 17 and 18 – a portion of those they are allowed to disturb, and a portion must be left.

Horvath made a motion to approve the final plat for Wesley Chase Subdivision. Mullis seconded the motion.

The motion was approved unanimously.

**11.a. APPROVE PAYMENT FOR FACILITATOR AT MASTER PLAN MEETING  
MARCH 28, 2007**

Mullis made a motion to approve payment to Larry Parks for \$225 for three hours as facilitator for the March 28, 2007 Master Plan meeting, this is in addition to the \$1,000 previously approved. Horvath seconded the motion.

The motion was approved unanimously.

**11.b. APPROVE FLYER FOR MASTER PLAN COMMITTEE**

Council consensus was to approve the flyer for the Master Plan Committee.

**11.c. DISCUSS MASTER PLAN SURVEY**

The Master Plan Committee is starting from the 1999 survey, with some changes and additions. They want to send it out the first or second week of April. Council was asked to send any comments on it to Mayor Clinton.

11. UPDATE ON NEWSLETTER

A draft of the newsletter had been sent from Pierce. Croffut said he has messages from the Safety and Welcome Committees to add. The final draft will be presented at the Work Session meeting next week.

13. UPDATE ON EPA GRANT

Mayor Clinton reported that the Master Plan committee found the grant was based on moving to smart growth, and since we don't know if that is the direction we are moving towards, we don't want to pursue this grant now.

14. ANNOUNCEMENTS

There were no announcements.

15. OTHER BUSINESS

Mayor Clinton reported there is a May 3 Spelling Bee put on by the Literacy Council; she would like to get local businesses to sponsor the fee and have Wesley Chapel enter a team.

Mayor Clinton reported that Senator Goodall has filed a bill that upholds the county decision to rescind ETJ, and he assures us that he will not push the bill into committee unless a stalemate occurs. Horvath was concerned that County Commission Chairman Pressley wrote the bill and it didn't go through open session at the County prior to going to Goodall. Croffut said he would like to invite Goodall to an open meeting at the Village.

16. COUNCIL COMMENTS

Croffut thanked those who came to the meeting and brought their annexation petitions. Mayor Clinton concurred and said she would appreciate their input to the Master Plan Committee. A five minute recess was held.

17. (a) CLOSED SESSION PER NC GS 143-318.11(a) (3) Attorney Client Privilege re: Extra-Territorial Jurisdiction

Mullis made a motion to call for closed session per NC GS 143-318.11(a) (3) Attorney Client Privilege re: Extra-Territorial Jurisdiction. Croffut seconded the motion.

The motion passed unanimously.

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17. Closed Session: MOTION TO CALL FOR CLOSED SESSION PER NC GS 143-318.11(a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment... of an employee or prospective employee.

Horvath made a motion to go into closed session per NC GS 143-318.11(a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment... of an employee or prospective employee. Croffut seconded the motion. We have received 7 applications for a part time tax collector. Council members will look over the applications and be prepared to proceed at the Work Session meeting on March 20, 2007.

Mullis made a motion to leave closed session, Horvath seconded the motion.  
The motion was approved unanimously.

18. ADJOURNMENT

Croffut made a motion to adjourn the meeting. Mullis seconded the motion.  
The motion was approved unanimously.

The meeting was adjourned at 8:50 pm.

Respectfully submitted,

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Cheryl Bennett, Interim Clerk

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Mayor Tracey Clinton