

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
February 8, 2010 – 7:00 P. M.

The Council of the Village 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 Brotton, Hess and Ormiston

Others Present:

Village Clerk/Finance Officer: Cheryl Bennett

Planning/Zoning Administrator: Joshua Langen

Village Attorney: George Sistrunk

Concerned citizens: Carol Mullis, Doug Byrum, Terry Byrum, Scott Garner, James Kubach, Butch & Becky Plyler, Chuck & Gayla Adams

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

1. PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Horvath led the Pledge of Allegiance and Mayor Pro-tem Bradford gave the invocation.

2. INFORMAL PUBLIC COMMENTS – none

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

Bradford made a motion to adopt the agenda with these changes; move Item 13. “Discussion on Wesley Chapel Fire Department” to Item 6, and re-number the items after it; add Items 6B. “Closed Session per NC GS 143-318.11(a) (3) Attorney Client Privilege re: The Village of Wesley Chapel v. Wesley Chapel Volunteer Fire Department”, Item 6C. “Decision from Closed Session”, and Item 6D. “Call for Public Hearing on March 8, 2010”. Ormiston seconded the motion.

The motion passed unanimously.

4. APPROVE MINUTES FOR:

Council Meeting November 23, 2009

Council Meeting January 11, 2010

Council Meeting January 19, 2010

Closed Minutes Item 18A, January 11, 2010

Closed Minutes Item 18B January 11, 2010

A sentence was added to Item 6 of the January 11, 2010 minutes “In the interim the Church wants to use the existing house for meeting space.” Brotton made a

motion to approve the November 23, 2009, January 11, 2010 minutes with the addition noted, and the January 19, 2010 minutes. Hess seconded the motion.

The motion passed unanimously.

The closed minutes were not approved at this time as all Council members had not had a chance to read them.

5. STAFF REPORTS

- a. Review and approve the Village Financial Reports dated January 31, 2010, submitted by Cheryl Bennett, Finance Officer

Bennett reported January revenues are \$42,074, expenses are \$31,041 and the year to date surplus is \$135,268. The Village has \$2,141,468 cash in the bank. Ormiston made a motion to approve the January financial reports; Bradford seconded the motion.

The motion passed unanimously.

January 2010 Budget Report

	<u>Jan 10</u>	<u>Jul '09 - Jan 10</u>	<u>Budget</u>	<u>% of Budget</u>
Revenues				
Fees and Licenses				
Cable Franchise (from Time Warn	0.00	6,661.00	12,500.00	53.29%
Engineering Fees Reimbursement	861.83	2,612.52	10,000.00	26.13%
Zoning Permit	500.00	3,500.00	7,000.00	50.0%
Privilege Licenses	147.50	21,724.42	21,000.00	103.45%
Annexation Exp Reimbursed	0.00	0.00	150.00	0.0%
Misc. Fees	0.00	34.20	100.00	34.2%
Total Fees and Licenses	1,509.33	34,532.14	50,750.00	68.04%
Interest Earned	381.42	21,606.67	14,000.00	154.33%
Property Tax Income				
Current Year Property Tax	36,061.11	135,966.29	130,316.00	104.34%
Delinquent Taxes	44.93	1,771.76	600.00	295.29%
Interest/Ad Fee on Taxes	20.09	160.37	200.00	80.19%
Utility Ad Valorem	0.00	0.00	600.00	0.0%
Vehicle Registration	902.45	4,468.47	8,064.00	55.41%
Total Property Tax Income	37,028.58	142,366.89	139,780.00	101.85%
Revenue Sharing				
Alcoholic Beverage Tax	0.00	0.00	19,000.00	0.0%
Cable (from State)	0.00	24,385.13	75,000.00	32.51%
Excise Tax (Piped Natural Gas)	0.00	1,058.00	10,000.00	10.58%
Franchise Tax (Electric Power)	0.00	55,273.00	140,000.00	39.48%
Sales & Use Taxes	3,154.94	11,772.98	24,000.00	49.05%

Telecommunications Tax	0.00	3,116.00	12,000.00	25.97%
Total Revenue Sharing	3,154.94	95,605.11	280,000.00	34.15%
Total Revenues	42,074.27	294,110.81	484,530.00	60.7%

Expense

Operating Expenditures

Tax Collection Fee	359.30	1,802.51	2,200.00	81.93%
Contingency	0.00	0.00	23,000.00	0.0%
Advertising - Clerk	0.00	240.68	500.00	48.14%
Annexation Expense	0.00	200.00	1,000.00	20.0%
Annual Retreat	0.00	0.00	2,000.00	0.0%
Books & Literature	0.00	50.00	600.00	8.33%
Dues and Subscriptions	0.00	6,724.00	12,000.00	56.03%
Election Expense	7,136.34	8,362.59	9,200.00	90.9%
Insurance - Liability	0.00	9,110.51	9,500.00	95.9%
Insurance - Workmen's Comp	0.00	470.00	600.00	78.33%
Land Maintenance	0.00	0.00	3,000.00	0.0%
Town office Maint.	120.69	364.39	1,000.00	36.44%
Misc town office	282.00	380.49	2,000.00	19.03%
Newsletter	0.00	1,689.28	5,000.00	33.79%
Office Expense				
Office Equipment Repairs	100.00	100.00	1,000.00	10.0%
Office Equipment	0.00	0.00	2,000.00	0.0%
Awards	0.00	119.11	500.00	23.82%
Electronic Commun (Tele/RR)	222.33	1,994.67	4,000.00	49.87%
Office Supplies	91.69	762.44	3,000.00	25.42%
Total Office Expense	414.02	2,976.22	10,500.00	28.35%
Postage and Delivery	27.54	119.01	700.00	17.0%
Rent	1,300.00	9,100.00	20,000.00	45.5%
Seminars	0.00	1,074.00	3,000.00	35.8%
Travel & Entertainment	129.05	837.02	3,000.00	27.9%
Utilities- Temp. Town Hall	563.41	1,346.97	4,000.00	33.67%
Welcome Committee	0.00	0.00	1,000.00	0.0%
Total Operating Expenditures	10,332.35	44,847.67	113,800.00	39.41%

Gen. Govt. Salaries

Admin. Assistant	251.25	2,257.50	4,680.00	48.24%
Allowance for Salary Adjustment	0.00	0.00	31,354.00	0.0%
Mayor	0.00	2,400.00	4,800.00	50.0%
Mayor Protem	0.00	1,375.00	3,000.00	45.83%
Council Salary	0.00	3,399.99	7,200.00	47.22%

Clerk Salary	2,367.75	15,422.75	34,944.00	44.14%
Finance Officer Salary	710.76	5,153.01	9,240.00	55.77%
Payroll Taxes	597.16	4,525.20	11,500.00	39.35%
Payroll exp - Unemployment	0.00	159.04	1,000.00	15.9%
Fringe Benefits - Insurance	545.00	3,862.50	13,200.00	29.26%
Fringe Benefits - Retirement	<u>322.77</u>	<u>2,018.66</u>	<u>6,000.00</u>	<u>33.64%</u>
Total Gen. Govt. Salaries	4,794.69	40,573.65	126,918.00	31.97%
Planning & Zoning				
Transportation Study	0.00	0.00	10,000.00	0.0%
Downtown Committee	0.00	0.00	2,000.00	0.0%
P/Z Seminars	0.00	0.00	900.00	0.0%
P/Z Travel	31.10	194.45	900.00	21.61%
P/Z Dues, Subscriptions	0.00	329.00	800.00	41.13%
Administration (COG)	0.00	0.00	8,000.00	0.0%
P/Z Admin. Salary	3,846.16	27,884.66	50,000.00	55.77%
Planning & Zoning Board Salary	630.00	1,260.00	4,032.00	31.25%
Advertising	0.00	1,768.00	1,800.00	98.22%
P/Z Office Expense	152.00	279.46	1,200.00	23.29%
Planning/Zoning Expense	<u>0.00</u>	<u>450.00</u>	<u>1,000.00</u>	<u>45.0%</u>
Total Planning & Zoning	4,659.26	32,165.57	80,632.00	39.89%
Professional Fees				
Accounting	0.00	3,100.00	3,500.00	88.57%
Engr. Consulting	756.83	756.83	14,000.00	5.41%
Legal Fees	10,494.08	30,270.35	48,000.00	63.06%
Security	<u>0.00</u>	<u>0.00</u>	<u>1,000.00</u>	<u>0.0%</u>
Total Professional Fees	11,250.91	34,127.18	66,500.00	51.32%
Parks & Recreation				
Capital Outlay	0.00	5,750.00	84,000.00	6.85%
Operating Expenses	<u>3.30</u>	<u>1,378.30</u>	<u>2,180.00</u>	<u>63.23%</u>
Total Parks & Recreation	3.30	7,128.30	86,180.00	8.27%
Public Safety	0.00	0.00	2,000.00	0.0%
Capital Outlay				
Computer Equip.	0.00	0.00	5,000.00	0.0%
Furniture & Equipment	0.00	0.00	1,000.00	0.0%
Software	<u>0.00</u>	<u>0.00</u>	<u>2,500.00</u>	<u>0.0%</u>
Total Capital Outlay	0.00	0.00	8,500.00	0.0%
Total Expense	31,040.51	158,842.37	484,530.00	32.78%

Excess of Rev. over Exp.	<u>11,033.76</u>	<u>135,268.44</u>	<u>0.00</u>	<u>100.0%</u>
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Balance Sheet January 31, 2010

ASSETS

Checking/Savings

Fifth Third Bank Checking	18,271.04
Fifth Third Bank Money Market	611,312.59
CD Ded land 5th3rd 08.30.10	81,870.37
CD Ded land 5th3rd 11.3.10	81,881.54
CD 4.45% ,08.6.10	57,405.23
CD 5th3rd .8%, 8.30.10	95,321.50
CD 5th 3rd 09.06.2010	55,555.46
CD 5th3rd,.8%, 8.30.10	95,321.50
Citizens South CD Bldg 12.3.10	242,743.49
BB&T CD 10.23.10-.003%	300,000.00
BB&T CD 04.21.10. .568	501,735.04
Petty Cash Fund	<u>50.00</u>

Total Checking/Savings 2,141,467.76

Misc. Fees Receivable	<u>861.83</u>
Total Accounts Receivable	861.83

Other Current Assets

Prepaid Exp.	850.00
Property Tax Rec.	5,554.00
Allowance for Doubtful Accounts	-883.00
Sales Taxes to be Received	<u>197.17</u>

Total Sales Taxes to be Received 197.17

Total Other Current Assets 5,718.17

Total Current Assets 2,148,047.76

Fixed Assets

Land	55,757.91
Office Equipment	13,569.26
Accumulated Deprec.	<u>-12,918.36</u>

Total Fixed Assets 56,408.81

TOTAL ASSETS 2,204,456.57

LIABILITIES & FUND BALANCE

Liabilities

Pay. for Employee Insurance	47.50
Escrow from Developers	45,076.00
Deferred Revenue	4,671.20
Payroll Liabilities	<u>608.87</u>
Total Other Current Liabilities	50,403.57

Total Liabilities 50,403.57

Fund Balance	
Fund Bal. inv. in Fixed Assets	56,408.81
Fund Balance	1,555,880.35
Reserved for Parks & Recreation	163,751.91
Unres., Designated for Town Hall	242,743.49
Excess of Rev. over Exp.	<u>135,268.44</u>
Total Fund Balance	<u>2,154,053.00</u>
TOTAL LIABILITIES & FUND BALANCE	<u><u>2,204,456.57</u></u>

b. Presentation of Planning and Zoning Report by Joshua Langen. In January/February six permits were issued; four non-residential for Elatos Park, New Life Church, Brooklyn Pizza, and Edward Jones; one residential zoning, and one accessory structure. Langen reported the Planning Board Rules of Procedure ordinance amendment draft will go to Planning Board in February; and changes to the Table of Uses to allow for "Recreation Facilities, Outdoor, (Parks, Playground) as conditional use in B-1, B-2 and L-I districts will be reviewed by the Ordinance Review Committee. Amendments to the Zoning Ordinance Section 8 Signs will be reviewed by the Ordinance Review Committee. Langen also gave a summary of where his staff time was spent: 20% on ordinance amendments; 10% for permit processing; 10% for resident technical assistance, 5% for Planning Board, 15% each for Downtown Committee and GIS database, and 5% each for Village Council, census, RUC rezoning, and violation complaints. Verizon will be opening an office at Village Commons.

6A. Discussion on Wesley Chapel Volunteer Fire Department Mayor Horvath noted he has been working with the Fire Department on a path forward; due to that he will recuse himself from the CUP hearing. There are a couple of conditions that the Fire Department requested that will be discussed in closed session. A new CUP application will be submitted, and he asked Planning Board to consider waiving the 15 day time requirement before they review it. Ormiston noted that after reviewing the minutes and talking to residents, we need to move forward and find resolution sooner than later.

6B. Closed Session per NC GS 143-318.11(a) (3) Attorney Client Privilege re: The Village of Wesley Chapel v. Wesley Chapel Volunteer Fire Department Ormiston made a motion to go into closed session per NC GS 143-318.11(a) (3) Attorney Client Privilege re: The Village of Wesley Chapel v. Wesley Chapel Volunteer Fire Department. Bradford seconded the motion.

The motion passed unanimously.
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6C. Decision from Closed Session

Brotton made a motion for the Village of Wesley Chapel to pay up to twenty thousand dollars (\$20,000) in architectural and engineering fees (at standard rates as previously billed) that are necessary to re-work the fire station plans if the plans comply with all requirements of the Zoning Ordinance (including the forty foot setback requirements for the rear yards as determined by the Council at the previous CUP hearing), or the Village will pay up to ten thousand dollars (\$10,000) in architectural and engineering fees (at standard rates as previously billed) that are necessary to re-work the fire station plans if a variance is required prior to consideration of a CUP; both amounts are contingent on CUP approval and a stay of the existing lawsuit. Hess seconded the motion.

The motion passed unanimously.

Butch Plyler asked about what a stay of the current lawsuit meant. Attorney Sistrunk said that Council intended for a stay to temporarily stop the current lawsuit from proceeding until a determination on the new CUP application is made.

Butch Plyler asked about whether the fire department could rely on representations made by the Village Planner about matters set forth in a new CUP application; Mayor Horvath said the Council makes the final decision, the Planner and Planning Board are advisory to the Council, but Council does not always agree with their recommendations; Attorney Sistrunk advised Mr. Plyler to seek the advice of the fire department's attorney if the fire department intends to rely on any representations made by the Planner.

Bradford asked if the plans submitted with a new CUP application would have to meet the current ordinance procedures and requirements; Sistrunk said yes they would.

Mr. Plyler asked when they could get the minutes for this offer; Sistrunk said he would communicate it to the Fire Department's attorney.

Ormiston noted she had spoken with two surveyors, one from Waxhaw and one from Charlotte, and both pulled the parcel up on GIS and agreed there were two rear yards. When the Glen was sold, a forty foot buffer was put in place to the farmer's land; originally there was access to Billy Howie Road, but it is now closed. Both surveyors said it is a rear line for the residential lots and this property. No fees were paid for their opinions, and Ormiston said she could bring the names to the next meeting.

6D. Call for Public Hearing on March 8, 2010

Mayor Horvath noted the new CUP process procedures calls for the application to go to Planning Board fifteen days before the review. He asked Planning Board Chairman Chuck Adams if they would agree to speed it up; Adams agreed.

Bradford called for a public hearing on March 8, 2010 at 7 pm at Wesley Chapel United Methodist Church contingent on the new Fire Department CUP application to be submitted; Planning Board and planner review, and review by BOA if needed. Ormiston seconded the motion.

The motion passed unanimously.

Langen noted per Article 11.4.5 a variance requires a stamped site plan. Timing of the process was discussed.

7. PUBLIC HEARING ON ZONING ORDINANCE AMENDMENTS FOR:
A. SECTION 4.7 MOBILE BUSINESS/VENDOR USE;
B. ESSENTIAL FACILITIES DEFINITIONS AND RELATED REGULATIONS

Bradford made a motion to open the public hearing on Section 4.7 Mobile Business/Vendor Use ; Ormiston seconded the motion.

The motion passed unanimously.

There were no public comments. Carol Mullis asked if the Planning Board had approved the amendment; Langen said yes. Hess noted the amendment defines a mobile vendor as a person, then as a pushcart; a change will be made to indicate that their vehicles include pushcarts, etc. He also noted a restaurant could get orders by phone or fax, so the definition will add “pre-orders by electronic means”. At Section 4.7.5 and Section 4.7.6(j), the times will be changed to “between 11 pm and 5 am”. Section 4.7.6 (b) will change from “Every operator of a mobile food vending operation” to “Every mobile vendor”.

Ormiston asked about violations of ordinance; Langen replied we have a blanket section regarding violations. It probably should be looked at. Hess made a motion to approve the changes to Section 2.2, Section 4.7, and Section 5 Table of Uses; with the changes made tonight. Bradford seconded the motion.

The motion passed unanimously.

The ordinance amendments are incorporated herein.

Section 2.2 Definitions of Specific Terms and Words.

Mobile Vendor

A person who sells retail merchandise, food or beverages, to the public from any vehicle, which is designed to be readily movable and located within the boundaries of the Village. Mobile vendor vehicles may include pushcarts, mobile kitchens, hot dog carts, pretzel wagons, or similar vehicles. Foods are limited to prepackaged food unless the unit is equipped and approved to handle food preparation. All vendors shall comply with all applicable State and County Health Department requirements.

~~Restaurant, Drive-Through.~~

~~An establishment whose principal business is the sale of prepared or rapidly prepared food directly to the customer in a ready to consume state for~~

~~consumption on the restaurant premises or off premises. Unlike a fast food restaurant, a drive through restaurant does not contain any indoor customer dining areas. Unlike a drive in restaurant, orders are taken from customers from centrally located drive in windows rather than from an individual outdoor calling station.~~

Restaurant, Drive-in/Drive-Through

An establishment whose principal business is the sale of prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption on the restaurant premises or off-premises or for delivery. Unlike a fast food restaurant, a drive-in/drive-through restaurant does not contain any indoor customer dining areas. Drive-in/drive-through restaurants can have orders taken from customers from centrally located drive-in windows, from an individual outdoor calling station or pre-orders taken by electronic means, and shall be associated with a principal building.

Sidewalk/Special Sales Events

A temporary event where a commercial business, religious institution, non-profit organization, charitable organization, or public entity engages in the sponsoring of a promotion or activity for the purpose of selling or offering merchandise, food and/or entertainment beyond the normal retail or display space of the sponsoring entity.

Section 4.7 Temporary Structures and Uses

Temporary structures and uses, when in compliance with all applicable provisions of this Ordinance and all other ordinances of the Village of Wesley Chapel, shall be approved by the Zoning Administrator who shall issue a permit for such approval. The following temporary structures and uses shall be permitted:

- 4.7.1** In the event of a disaster, the result of which would require the rebuilding of a dwelling, the owner and his family may occupy a manufactured home on the property. The permit shall be issued for a six (6) month period and may be renewed by the Village Council provided that construction has proceeded in a diligent manner.
- 4.7.2** Manufactured homes, construction trailer and temporary buildings not for residential purposes when used by a contractor for field offices and storage during the building of structures on the same site or subdivision are permitted. The permit shall be issued for a six (6) month period and may be renewed by the Village Council provided that the construction has proceeded in a diligent manner.
- 4.7.3** Turkey shoots, sales of Christmas trees, 4-H shows, and charitable uses of a limited nature and for a limited time may be allowed, but shall be specifically

permitted. Each such permit shall be for a period of time as determined by the Zoning Administrator, but not to exceed forty-five (45) days without the specific approval of the Village Council.

4.7.4 Structures, whether temporary or permanent, located in a subdivision, and used as sales offices for the subdivision development are allowable, but shall be specifically permitted. Such permits shall be issued by the Zoning Administrator for a period of one (1) year, and are renewable for a period of time as determined by the Village Council, provided the development is being actively marketed. At the completion of the sales in a tract, the temporary structure(s) shall be removed, and any permanent structure(s), temporarily used as a sales office shall be used only for a purpose otherwise permitted in that district.

4.7.5 Sidewalk/Special Sales Events shall not be located within public right-of-way, shall not obstruct ingress/egress to a parking area, shall be held with permission of the property owner, shall not operate beyond the operating hours of the sponsoring entity or between 11:00 pm and 5:00 am (whichever is more restrictive), shall provide adequate restroom facilities and shall be specifically permitted. A Temporary Use Permit shall be issued to the sponsoring entity by the Zoning Administrator, if approved, for a period of three (3) days and shall include any additional conditions deemed appropriate by the Zoning Administrator. The permit shall authorize all participating mobile vendors, however, mobile vendors are required to adhere to all applicable regulations in Section 4.7.6.

4.7.6 Mobile Vendor. No mobile vendor shall be installed, maintained, or operated in any zone unless the standards and requirements set forth in this Section are complied with and maintained. Mobile vendors are allowed only in commercial and industrial zones or any zone on Village of Wesley Chapel-owned property or non-profit institutional property, subject to the approval of a Temporary Use Permit by the Zoning Administrator. Such a Temporary Use Permit shall include any conditions appropriate to assure compliance of the requirements of this section, shall be limited to forty five (45) days in duration and may include additional conditions and requirements that are found appropriate to assure the use will not be detrimental to health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood:

- (a) Every mobile vendor shall be a temporary day-to-day use and all equipment, including any stand, cart, table, or vehicle, shall be removed at the end of each sales day, excepting those vendors associated with a sidewalk/special sales event where removal of equipment is not customary.
- (b) Every mobile vendor shall have written permission from the property owner or lessee of property on which the vendor is located, a copy of which shall be filed with the operators' application. The operator shall also have a copy of the permission

- statement required by these provisions at the vendor location for inspection upon request by any person authorized to enforce the provisions of this Section.
- (c) No activities relating to the operation of a mobile vendor, including customer parking, shall occur, without express permission from the property owner
 - (d) All stands, carts, vehicles, and display of merchandise shall be set back not less than ten (10) feet from any property line.
 - (e) No mobile vendor, stand, cart, vehicle, merchandise, or parking area shall be located which restricts the visibility of vehicles along any adjacent streets or of vehicles entering or exiting the site.
 - (f) One temporary/portable sign shall be allowed, not to exceed six (6) square feet in area, and shall be removed when vendor has completed daily sales activity. No sign shall obstruct view of bicyclists or motorist using any street, private driveway, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device or signal.
 - (g) No food items shall be prepared and/or sold for immediate consumption on site, except for sidewalk/special sales events.
 - (h) Only one vendor at a time may conduct business on any parcel of property, except commercial shopping center properties or sidewalk/special sales events.
 - (i) At least one trash receptacle shall be provided on-site.
 - (j) Shall not operate beyond the operating hours of the property owner/associated business entity or between 11:00 pm and 5:00 am (whichever is more restrictive),
 - (k) Sale of produce is permitted only in accordance with applicable State of North Carolina laws.
 - (l) The area used for sales or display of merchandise by the temporary concession shall be limited to 300 square feet. Such area shall be identified on the Use Permit and the Use Permit shall be valid only for the area so identified.
 - (m) A parking plan shall be submitted by the applicant and approved by the Zoning Administrator to ensure adequate access, circulation, capacity and safety.

Section 5 Table of Uses

Delete “Restaurant, Carry-Out and Deliver” from Table of Uses, as “Restaurant with Drive-In/Drive-Through” definition would cover this use.

The public hearing on essential facilities definitions and related regulations was opened. No speakers were present. Representatives of the local power companies had contacted us and asked that we continue this public hearing to give them time to review the changes. Ormiston made a motion to recess the public hearing until

Monday, March 8, 2010 at 7 pm at Wesley Chapel United Methodist Church at 120 Potter Road. Bradford seconded the motion.

The motion passed unanimously.

8. DISCUSSION AND POSSIBLE APPROVAL OF ZONING ORDINANCE AMENDMENTS FOR:

- A. SECTION 4.7 MOBILE BUSINESS/VENDOR USE;
- B. ESSENTIAL FACILITIES DEFINITIONS AND RELATED REGULATIONS

See Item 7.

9. DISCUSS 2010 ADVANCE: DATES, PLACE, TOPICS

The Advance will begin with dinner on Friday February 26, 2010 at 6:30 pm at the Stone Table in Monroe, and continue on Saturday February 27, 2010 from 9 am to 5 pm at Wesley Chapel United Methodist Church. Mayor Horvath noted there would be discussion on what a town hall/community center should look like, and a short update on Parks and Recreation. Ormiston said she would like to get input and set priorities to make progress on the capital budget plan. Bradford noted the Wingate marketing class had made suggestions on marketing Wesley Chapel, perhaps we could create a logo and tweak the website. The subject of the seal could be put in the newsletter, and perhaps art students could be involved. The seal could also be used on a town hall, parks and rec signs, and signs at the major entries to the town. At the Advance priorities will also be set for Planning Board and the Ordinance Review Committee.

10. DISCUSS AND DESIGNATE COUNCIL LIASIONS TO COMMITTEES AND EXTERNAL ORGANIZATIONS

Council liaisons to Committees:

Planning Board and Ordinance Review Committee – Mayor Horvath

Safety Committee – Ormiston

Downtown Committee – Hess

Parks and Rec Committee - Bradford

External Group Representatives:

MUMPO, Union County Governance Committee, Union County Transportation Committee, and Union County Mayors/Commissioners Conference: Mayor Horvath (Alternate is Brotton)

Centralina Council of Governments: Ormiston (Alternate is Bradford)

Catawba Land Conservancy: Bradford

Carolina Thread Trail – Marnie Holland from Parks and Rec Committee

11. DISCUSSION AND CALL FOR PUBLIC HEARING ON MARCH 8, 2010 AT 7 PM AT WESLEY CHAPEL UNITED METHODIST CHURCH ON SUBDIVISION ORDINANCE AMENDMENT FOR SECTION 411 HOMEOWNERS' ASSOCIATION REQUIRED

Langen reported that the changes are to require an HOA only if it is needed for landscaping or streets are denied acceptance to the DOT system. Bennett noted the timing would not work because streets are accepted by DOT long after the plat is approved. Mayor Horvath noted we require a bond until the roads are accepted. Langen said at Section 411.2 the "successive purchaser" was taken out. State law controls this. Section 411.2 (c) forbids foreclosure for failure to pay dues or fines. Hess noted general statutes controls this, and this is in conflict. This item was tabled so Attorney Sistrunk could research the statutes and offer an opinion.

12. UPDATE ON STATUS OF TOWN OFFICE

Bennett contacted some pest control companies after the snake was found in the town hall. Carolina Pest Management offered to provide services quarterly, and that will work out well as we don't know if the property will be foreclosed. Bennett checked with Union County Environmental Health and there are several different items that water can be checked for and the fees for each are \$50 to \$60; since we don't need a lot of drinking water we will just provide bottled drinking water for the employees as the well water is of unknown quality.

13. DISCUSSION ON SPRING 2010 NEWSLETTER PREPARATION AND ARTICLES

This item was tabled to the next meeting.

14. UPDATE ON PARKS AND REC COMMITTEE

Bradford reported the PARTF grant application was submitted, as were the Adopt a Trail and RTP grants applications. She will meet with Jon Wood and DENR later this month about the dam; Hess will also attend.

The church in Indian Trail is working to provide more time to the group hoping to save Houston House, the first floor openings are being boarded up.

The Swim Club board met, and they are willing to sell the seven acres for \$37,000 per acre. Ormiston noted she had heard at the COG meeting that other sources of money to repair the dam are the Clean Water Management Fund and the Stormwater Trust Fund.

Carol Mullis said she did some research and any deputy can check for fishing licenses; she also called the Wildlife office, and the game warden said anyone has to have a state license to fish, and we should have signs so posted.

15. DISCUSSION OF FLOODING ISSUES IN THE VILLAGE

Langen reported that there was an issue at Underwood Road which appeared to result from the Wesley Chase plat; no substantial damage had occurred, it was just water in the yard, not in the house. He talked to DOT about widening the culvert, and they would not widen it, nor would they let us change it.

The other flooding issue is in Pilgrims Forest; water entered the crawlspace of the home; and it was thought to be runoff from Taylor Glenn. Langen asked DOT to inspect the culvert and will follow up with DOT. Indian Trail said it is not their fault, and they won't pay to help outside their town. Ormiston and Mayor

Horvath requested Langen get the engineer out to make a determination of what caused the problem.

16. DISCUSS CAPITAL IMPROVEMENT BUDGET

This item was tabled to the next meeting and will also be on the Advance agenda.

17. OTHER BUSINESS

Langen reported that COG will be presenting an award for the LARTP project next Wednesday night.

18. COUNCIL COMMENTS - none

19. ADJOURNMENT

Bradford made a motion to adjourn; Ormiston seconded the motion.

The motion was approved unanimously.

The meeting was adjourned.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath