

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
September 13, 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: Chuck & Gayla Adams, Butch & Becky Plyler, Julie Brown, Jeannine Kenary, Bill Meyer, Shirley Wilson

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; Ormiston seconded the motion.
The motion passed unanimously.

4. APPROVE MINUTES FOR:

Special Council Meeting July 30, 2010

Council Meeting August 9, 2010

Closed Minutes Council Meeting August 9, 2010, Item 4

Closed Minutes Council Meeting August 9, 2010, Item 18

Council Meeting August 17, 2010

Closed Minutes Council Meeting August 17, 2010, Item 18

Corrections were made to the July 30, 2010 minutes; on page 203 “as part of the grant application” was added after “funds for upfit of the bathrooms and utilities were not included”; on page 204 “the land donation and” was added before “the grant deadline in February 2010”; on page 206 “turn land” was corrected to “turn lane”; on page 207 “in the event of a dam beach” was added after “if we lower the pond by one foot to lessen the potential damage”. Correction was made to the August 9, 2010 minutes to change “not” to “now” in the last line of item 3.
Bradford made a motion to approve the minutes for the Special Council Meeting

July 30, 2010 and Council Meeting August 9, 2010 with the above corrections. Hess seconded the motion.

The motion passed unanimously.

The other minutes were not approved as Council members had not had a chance to review the closed minutes, and the August 17, 2010 minutes were not yet available.

5. STAFF REPORTS

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

Bennett reported August revenues are \$64,525, and expenditures are \$86,138; we received the \$50,000 from Bowie Motors, and paid \$50,000 to NC DOT. A gift card was received from Target for National Night Out and is recorded in the statements. The tax collection rate is up to 99.6% for 2008, and 98.73% for 2009. Hess noted we now have a Capital Improvement Plan in place and asked that we leave a cushion and schedule CD's to invest the funds. Bennett noted we are not getting much of a yield at Fifth Third however she could get a better yield at another bank. Hess made a motion to approve the August financial reports; Brotton seconded the motion.

The motion passed unanimously.

Bennett noted we have some old unneeded obsolete property to dispose of. Mayor Horvath suggested we put them on Craig's list. Julie Brown said her honor society at CPCC has an e-cycling project coming up. A resolution to dispose of the property will be brought to the next meeting.

- b. Consider approval of write off of delinquent personal property taxes in the amount of \$109.33.

Bennett reported these amounts are for personal property at businesses that are no longer operating in the county. They include Lathe Plumbing, account 50028862 - 2000 tax \$ 5.69, 2001 tax \$ 6.55, 2002 tax \$ 7.52, 2003 tax \$ 8.65, 2004 tax \$ 9.94, 2005 tax \$11.44, 2006 tax \$11.96; Steele Street Rental account # 50092505 - 2005 tax \$5.50; Mail and More account 50092884 - 2006 tax \$12.66, 2007 tax \$14.55; HiPer Imports account 50093643 - 2007 tax \$5.50; and Greg Birmingham account H600-3067 - 2006 tax \$9.37; the grand total is \$109.33. Brotton made a motion to write off the \$109.33 in delinquent tax; Bradford seconded the motion.

The motion passed unanimously.

- c. Presentation of Planning and Zoning Report by Joshua Langen, In August/September seven permits were issued. Langen reported he is working on a tree ordinance, traffic management standards, marginal access, and grass height. Some of JDH's bonds will be expiring, and new bonds will be issued between the County and JDH. Mayor Horvath asked if McDonald's had called

for a text amendment after the variance hearing; Langen said he had not heard from them but would contact them.

6. FALL HERITAGE FESTIVAL UPDATE INCLUDING BUDGET

Diana Bowler said we had collected \$8,935 from sponsors and 51 vendor booths, and expected a total of \$10,710. Attorney Sistrunk said you could do a categorical exemption from the privilege license; Council agreed to waive privilege licenses for the vendors and booths involved in the festival, as well as the temporary use permit. T-shirts were discussed; it was decided to get 210 shirts and provide a shirt for volunteers; extra shirts will be given away rather than sold. The pet show disclaimer form was approved by the attorney. Langen okayed putting signs up at Wesley Chapel Elementary School. Diana Bowler worked with our insurance to get a certificate of insurance for Target and Aston. She has coordinated with the Health Department and gotten permission from Siler Church for overflow parking. Wesley Oaks has been notified of the road closure. The area around the detention pond is where the two parking areas meet; it was suggested it be roped off with caution tape. Total budgeted expenses are \$8,658. CMC is providing first aid, EMS and an ambulance. The pet contest fees of \$5 will go to Turning Point.

Bradford made a motion to increase the budgeted revenues for the festival and budgeted expenses for the festival by \$6,000. Ormiston seconded the motion.

The motion passed unanimously.

Bradford made a motion to approve the line item expenses in excess of \$500 (tent, table and chairs \$2,727, portable toilets \$536, T-shirts \$1,200, signs and banners \$517, musicians \$500, amusement games \$714, and generator \$500) and authorizing Bradford to contract for those items; Brotton seconded the motion.

The motion passed unanimously.

Village committees will have a table in the Wesley Chapel tent. The festival layout was reviewed. Flyers will be distributed to businesses and residents. Council thanked Diana Bowler for all her hard work on the festival.

7. TOWN HALL BUILDING COMMITTEE: CANDIDATE INTERVIEWS AND POSSIBLE APPOINTMENTS; DISCUSSION ON MULTI-PURPOSE USE OF TOWN HALL BUILDING ROOMS

Bill Meyer who lives in Price Mill, Gary Reader who lives in Blackstone, and Jim Mullis who lives on Cuthbertson road (and was available via speakerphone) were interviewed.

Bill Meyer said he has been in the Charlotte area since 1975 and has been in the construction business all his life; he was the project manager for Price Mill; and currently owns Wolfe Exteriors which is primarily a roofing and exterior trim business.

Gary Reader is a non-resident with twenty five years real estate and construction experience with commercial development.

Having a non-resident on the committee was discussed; Ormiston noted the property backs up to Blackstone and she was open to a non-resident.

Butch Plyler said Jim Mullis worked with the phone company for thirty-odd years, built his own home, and worked in and around construction all his life. Hess asked the applicants some questions; the first was about the site issues and the detention pond which may or may not stay and asked about the applicants' experience with site work. Bill Meyer said he had a lot of input in his work with subdivisions on roadways and infrastructure, as well as being part owner of a surveying company. Jim Mullis said he had more experience with construction than survey, but could look at the overall picture. Gary Reader said you need to look at form, function and use, if you want parks, you don't have to stabilize the entire site; also aesthetics come into play, for example turning a farm pond into a "green" asset, also budget considerations come into play.

Hess noted we have allocated \$1.25 million, so where did they think the latitude was. Reader said the town hall may cost one million, you would have \$250,000, you would have to buffer, meet the tree ordinance, do you build 5,000 feet and lease out some. Mullis said you have to consider stormwater, sewage; start with a rough estimate and fine tune from there. Meyer said he is very familiar with budgets; you can substitute materials, work closely with the architect, and give them a budget to work with.

Hess asked about a contingency percentage, and what are the uncertainties in this project. Meyer said 10-15%, the biggest situation is the dirt and price on soil conditions; you can look at audio video, and finishes, the key is a good contractor and architect. He would also look at the topography of the surrounding areas, and other uses for the site further down the road. Mullis' reply was 10% but was not further discernible due to the speaker phone situation. Reader said 10%, the issue is in the soils, you could check with Aston about soil borings, don't get trapped into putting the building in a certain place; once into the construction, 5% contingency would be typical.

Ormiston asked the candidates about the time frame. Reader said while working with the County about sewer, probably six months. Meyer said six months for construction; design and soil work would be done going into winter; with the economic times you can get good prices but mobilization of folks is not as good as when you were busy. Mullis said it should move along pretty fast, and estimated nine months to a year including tying into utilities. Meyer said the key is in working with Aston, and the sewer permit/ capacity is a concern.

Ormiston asked about the perception that the town hall should anchor the end of main street, or should it be elsewhere. Reader said as the center of attention it would be easy for people to find it. Mullis said he liked the lineup from the shopping center. Meyer said it will be the center of the town where they show it, but should be unique enough; pedestrian traffic will go up to it, and there will be space to build around it.

Ormiston clarified that \$1.25 million is for the building itself, and any extra funds left over would go for a deputy. Hess said it would also go to site improvements to support the building.

Brotton asked the candidates to summarize the town hall in a few words. Jim Mullis said it is where everything happens, the center of government for the town and the people. Gary Reader said respect for the town and people who enter it,

and security and wise use of funds. Bill Meyer said character and vision of community, functional space for government and other groups.

Ormiston nominated Bill Meyer for chair person of the committee; Brotton seconded the motion.

The motion passed unanimously.

Bradford nominated Gary Reader to be on the committee; Hess seconded the motion. Reader said he can not make 9 am meetings. Hess said Gary Reader and Jim Mullis are both good choices; it will impact Blackstone, and he was open to expanding the committee to include Jim Mullis. Ormiston suggested expanding the committee to six members.

The motion passed unanimously.

Ormiston made a motion to expand the committee to six members and likewise change the charter to six members. Brotton seconded the motion.

The motion passed unanimously.

Bradford made a motion to nominate Jim Mullis as a member of the committee; Brotton seconded the motion.

The motion passed unanimously.

Brotton made a motion that all members of the committee may vote, and any ties would go to Council for a final decision. Bradford seconded the motion.

The motion passed unanimously.

The Mayor appointed Bill Meyer, Chairperson; Jim Mullis and Gary Reader to the Town Hall Building Committee.

Brotton said he was going under the direction we originally planned whereby we would rent out a room to groups like HOA's and scouts, Mayor Horvath said that would be for the main meeting space. Ormiston said for instance with Troy Luttmann's design the chambers, conference room and porch would be available for use. Bradford said she talked to Weddington and Mineral Springs and they are very restrictive in their policy on who may use the space. It was noted that many factors will need to be considered in coming up with a rental policy. Partitions might be used to partition off the council chambers to protect audio visual equipment.

When the full committee meets they will finalize the charter and then send it to Council.

8. PARKS AND REC UPDATE

Bradford said John Lepke will attend the next meeting to share their methodology to choose a park location. Bradford also reported she talked to the Adopt A Trail folks, and we can transfer the grant to another property, and it must be used by May 20, 2011.

9. UPDATE ON FUNDING FOR CONTRACTED DEPUTY AND POSSIBLE AGREEMENT WITH JDH AND ASTON PROPERTIES

Ormiston reported that JDH was also willing to contribute \$5,000 per year for two years for a contract deputy; she asked Hess to re-run the numbers at a cost of \$62,000 for a deputy. Bradford asked if there were statistics on the impact of a deputy on crime; and do we have flexibility for reporting, for example to require all incidents be written up. Ormiston said she would inquire.

10. DISCUSSION AND POSSIBLE CHANGE TO COMMITTEE POLICY REGARDING PUBLICATIONS AND A DISCLAIMER

Ormiston said she looked at other towns' code of conduct, and would bring information to the next meeting regarding a disclaimer.

11. DISCUSSION ON FALL NEWSLETTER

Council was in favor of a newsletter but thought the timing might be better in a couple of months; Diana Bowler may be featured as our volunteer.

12. DISCUSSION OF VILLAGE SEAL

Mayor Horvath said the lady who did the cover of our history booklet is interested in doing a seal; she could work on it in October. General themes include community, farming and schools. Langen suggested the upcoming village hall might be included in the seal. Ormiston said we also need a logo for Parks and Rec. Bradford said Steve Walker in Silver Creek also would help to work with a design and branding, ranging from no cost to \$150.

13. MID YEAR REVIEW OF PRIORITIES FROM VILLAGE ADVANCE

Mayor Horvath noted we are right on target with the priorities as set at the Advance which included a Town Hall on six acres, Capital Improvement Plan, safety services, and a festival in the Village. EMS attended a Safety Committee meeting and said Wesley Chapel doesn't have the call volume to warrant an EMS location right here at this time.

14. OTHER BUSINESS

The office rental agreement is in place at \$1,050 per month for a year. Mayor Horvath noted there is a MUMPO meeting this Wednesday. Our new population estimate was received; it is 6,472 as of July 1, 2009.

15. COUNCIL COMMENTS - none

16. CLOSED SESSION PER NC GS 143-318.11(a)(5) TO ESTABLISH OR INSTRUCT THE STAFF OR AGENT CONCERNING THE POSITION TO BE TAKEN IN NEGOTIATING THE PRICE AND OTHER MATERIAL TERMS OF A PROPOSED CONTRACT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 121 LESTER DAVIS ROAD, WESLEY CHAPEL, NC

Hess made a motion to go into closed session per NC GS 143-318.11(a)(5) to establish or instruct the staff or agent concerning the position to be taken in negotiating the price and other material terms of a proposed contract for the acquisition of real property located at 121 Lester Davis Road, Wesley Chapel, NC. Ormiston seconded the motion.

The motion passed unanimously.

The rest of this page left blank for closed session minutes.

Brotton made a motion to leave closed session; Bradford seconded the motion.
The motion passed unanimously.

17. ADJOURNMENT

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

The motion was approved unanimously.

The meeting was adjourned.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath