

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
October 12, 2009–7:00 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.

**Present:** Mayor Pro-tem Croffut, Council Members Bradford, Horvath, and Pierce

**Absent:** Mayor Clinton

**Others Present:**

Village Clerk/Finance Officer: Cheryl Bennett

Planning/Zoning Administrator: Joshua Langen

Village Attorney: George Sistrunk (arrived late)

Concerned citizens: Carol Mullis, Kim Ormiston, Bill Scott, Ray Davis, Todd Hess

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

1. PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Pro-tem Croffut led the Pledge of Allegiance and Council Member Horvath gave the invocation.

2. PUBLIC HEARING–ON LOCAL AREA REGIONAL TRANSPORTATION PLAN SUMMARY

The public hearing was opened. Than Austin was not able to attend due to illness. Todd Hess asked about the pedestrian walkway and bike trails on Potter and Waxhaw-Indian Trail Roads; they were shown in one place, but left off the final sheet. Bradford also noted this, and Horvath said he will clarify and they should have been kept on the final sheet. The public hearing was closed.

3. INFORMAL PUBLIC COMMENTS–none.

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

Bradford made a motion to approve the agenda; Pierce seconded the motion. The motion passed unanimously.

5. APPROVE MINUTES FOR:

Council Meeting September 14, 2009

Council Meeting September 22, 2009

Bradford made a motion to approve the minutes for the Council Meeting September 14, 2009. Horvath seconded the motion.

The motion passed unanimously.

The minutes for the September 22, 2009 meeting were tabled to the next meeting.

6. STAFF REPORTS

- a. Review and approve the Village Financial Reports dated September 30, 2009, submitted by Cheryl Bennett, Finance Officer

Bennett reported September revenues are \$16,440, expenses are \$22,101 and the year to date deficit is \$20,056. The Village has \$1,985,664 cash in the bank.

Pierce asked about excise tax from piped natural gas. Bennett explained she had to estimate revenue for the 2008/09 fiscal year that we would not receive until September 2009, and she over estimated the amount by \$29. Horvath made a motion to approve the September financial reports; Pierce seconded the motion.

The motion passed unanimously.

**September 2009 Budget Report**

	<u>Sep 09</u>	<u>Jul - Sep 09</u>	<u>Budget</u>	<u>%of Budget</u>
<b>Revenues</b>				
<b>Fees and Licenses</b>				
Cable Franchise (from Time Warn	0.00	3,309.00	12,500.00	26.47%
Engineering Fees Reimbursement	0.00	1,750.69	10,000.00	17.51%
Zoning Permit	320.00	915.00	7,000.00	13.07%
Privilege Licenses	5,565.40	21,326.82	21,000.00	101.56%
Annexation Exp Reimbursed	0.00	0.00	150.00	0.0%
Misc. Fees	0.00	0.35	100.00	0.35%
<b>Total Fees and Licenses</b>	<b>5,885.40</b>	<b>27,301.86</b>	<b>50,750.00</b>	<b>53.8%</b>
<b>Interest Earned</b>	<b>842.43</b>	<b>1,216.44</b>	<b>14,000.00</b>	<b>8.69%</b>
<b>Property Tax Income</b>				
Current Year Property Tax	2,323.28	3,371.85	130,316.00	2.59%
Delinquent Taxes	265.62	914.07	600.00	152.35%
Interest/Ad Fee on Taxes	19.92	58.47	200.00	29.24%
Utility Ad Valorem	0.00	0.00	600.00	0.0%
Vehicle Registration	610.34	1,514.67	8,064.00	18.78%
<b>Total Property Tax Income</b>	<b>3,219.16</b>	<b>5,859.06</b>	<b>139,780.00</b>	<b>4.19%</b>
<b>Revenue Sharing</b>				
Alcoholic Beverage Tax	0.00	0.00	19,000.00	0.0%
Cable (from State)	1,788.27	1,788.27	75,000.00	2.38%

<b>Excise Tax (Piped Natural Gas)</b>	-29.00	-29.00	10,000.00	-0.29%
<b>Franchise Tax (Electric Power)</b>	4,787.00	4,787.00	140,000.00	3.42%
<b>Sales &amp; Use Taxes</b>	68.23	68.23	24,000.00	0.28%
<b>Telecommunications Tax</b>	-121.00	-121.00	12,000.00	-1.01%
<b>Total Revenue Sharing</b>	<u>6,493.50</u>	<u>6,493.50</u>	<u>280,000.00</u>	<u>2.32%</u>
<b>Total Revenues</b>	16,440.49	40,870.86	484,530.00	8.44%
<b>Expense</b>				
<b>Operating Expenditures</b>				
<b>Tax Collection Fee</b>	31.51	41.74	2,200.00	1.9%
<b>Contingency</b>	0.00	0.00	23,000.00	0.0%
<b>Advertising - Clerk</b>	25.19	25.19	500.00	5.04%
<b>Annexation Expense</b>	0.00	200.00	1,000.00	20.0%
<b>Annual Retreat</b>	0.00	0.00	2,000.00	0.0%
<b>Books &amp; Literature</b>	0.00	50.00	600.00	8.33%
<b>Dues and Subscriptions</b>	0.00	6,228.00	12,000.00	51.9%
<b>Election Expense</b>	0.00	0.00	9,200.00	0.0%
<b>Insurance - Liability</b>	0.00	9,110.51	9,500.00	95.9%
<b>Insurance - Workmen's Comp</b>	0.00	470.00	600.00	78.33%
<b>Land Maintenance</b>	0.00	0.00	3,000.00	0.0%
<b>Miscellaneous</b>	0.00	0.00		
<b>Town office Maint.</b>	0.00	119.85	1,000.00	11.99%
<b>Misc town office</b>	48.49	48.49	2,000.00	2.43%
<b>Newsletter</b>	1,689.28	1,689.28	5,000.00	33.79%
<b>Office Expense</b>				
<b>Office Equipment Repairs</b>	0.00	0.00	1,000.00	0.0%
<b>Office Equipment</b>	0.00	0.00	2,000.00	0.0%
<b>Awards</b>	0.00	0.00	500.00	0.0%
<b>Electronic Commun (Tele/RR)</b>	666.65	1,104.75	4,000.00	27.62%
<b>Office Supplies</b>	<u>0.00</u>	<u>287.53</u>	<u>3,000.00</u>	<u>9.58%</u>
<b>Total Office Expense</b>	666.65	1,392.28	10,500.00	13.26%
<b>Postage and Delivery</b>	11.08	60.62	700.00	8.66%
<b>Rent</b>	1,300.00	3,900.00	20,000.00	19.5%
<b>Seminars</b>	0.00	99.00	3,000.00	3.3%
<b>Travel &amp; Entertainment</b>	149.10	319.60	3,000.00	10.65%
<b>Utilities- Temp. Town Hall</b>	202.32	534.72	4,000.00	13.37%
<b>Welcome Committee</b>	<u>0.00</u>	<u>0.00</u>	<u>1,000.00</u>	<u>0.0%</u>
<b>Total Operating Expenditures</b>	4,123.62	24,289.28	113,800.00	21.34%

**Gen. Govt. Salaries**

<b>Admin. Assistant</b>	232.50	903.75	4,680.00	19.31%
<b>Allowance for Salary Adjustment</b>	0.00	0.00	31,354.00	0.0%
<b>Mayor</b>	1,200.00	1,200.00	4,800.00	25.0%
<b>Mayor Protem</b>	750.00	750.00	3,000.00	25.0%
<b>Council Salary</b>	1,800.00	1,800.00	7,200.00	25.0%
<b>Clerk Salary</b>	1,884.75	5,491.50	34,944.00	15.72%
<b>Finance Officer Salary</b>	710.76	1,954.59	9,240.00	21.15%
<b>Payroll Taxes</b>	797.46	1,734.79	11,500.00	15.09%
<b>Payroll exp - Unemployment</b>	0.00	0.00	1,000.00	0.0%
<b>Fringe Benefits - Insurance</b>	545.00	1,635.00	13,200.00	12.39%
<b>Fringe Benefits - Retirement</b>	<u>313.07</u>	<u>875.92</u>	<u>6,000.00</u>	<u>14.6%</u>
<b>Total Gen. Govt. Salaries</b>	<b>8,233.54</b>	<b>16,345.55</b>	<b>126,918.00</b>	<b>12.88%</b>

**Planning & Zoning**

<b>Transportation Study</b>	0.00	0.00	10,000.00	0.0%
<b>Downtown Committee</b>	0.00	0.00	2,000.00	0.0%
<b>P/Z Seminars</b>	0.00	0.00	900.00	0.0%
<b>P/Z Travel</b>	39.05	58.85	900.00	6.54%
<b>P/Z Dues,Subscriptions</b>	0.00	329.00	800.00	41.13%
<b>Administration (COG)</b>	0.00	0.00	8,000.00	0.0%
<b>P/Z Admin. Salary</b>	3,846.16	10,576.94	50,000.00	21.15%
<b>Planning &amp; Zoning Board Salary</b>	0.00	0.00	4,032.00	0.0%
<b>Advertising</b>	884.00	1,768.00	1,800.00	98.22%
<b>P/Z Office Expense</b>	0.00	0.00	1,200.00	0.0%
<b>Planning/Zoning Expense</b>	<u>0.00</u>	<u>450.00</u>	<u>1,000.00</u>	<u>45.0%</u>
<b>Total Planning &amp; Zoning</b>	<b>4,769.21</b>	<b>13,182.79</b>	<b>80,632.00</b>	<b>16.35%</b>

**Professional Fees**

<b>Accounting</b>	0.00	0.00	3,500.00	0.0%
<b>Engr. Consulting</b>	0.00	0.00	14,000.00	0.0%
<b>Legal Fees</b>	3,974.50	6,109.09	48,000.00	12.73%
<b>Security</b>	<u>0.00</u>	<u>0.00</u>	<u>1,000.00</u>	<u>0.0%</u>
<b>Total Professional Fees</b>	<b>3,974.50</b>	<b>6,109.09</b>	<b>66,500.00</b>	<b>9.19%</b>

**Parks & Recreation**

<b>Capital Outlay</b>	0.00	0.00	84,000.00	0.0%
<b>Operating Expenses</b>	<u>1,000.00</u>	<u>1,000.00</u>	<u>2,180.00</u>	<u>45.87%</u>
<b>Total Parks &amp; Recreation</b>	<b>1,000.00</b>	<b>1,000.00</b>	<b>86,180.00</b>	<b>1.16%</b>

<b>Public Safety</b>	0.00	0.00	2,000.00	0.0%
----------------------	------	------	----------	------

Minutes 2009.10.12

Approved 11.09.09

<b>Capital Outlay</b>				
Computer Equip.	0.00	0.00	5,000.00	0.0%
Furniture & Equipment	0.00	0.00	1,000.00	0.0%
Software	0.00	0.00	2,500.00	0.0%
<b>Total Capital Outlay</b>	<u>0.00</u>	<u>0.00</u>	<u>8,500.00</u>	<u>0.0%</u>
<b>Total Expense</b>	<u>22,100.87</u>	<u>60,926.71</u>	<u>484,530.00</u>	<u>12.57%</u>
<b>Net Deficit</b>	<u><b>-5,660.38</b></u>	<u><b>-20,055.85</b></u>	<u><b>0.00</b></u>	<u><b>100.0%</b></u>

**Balance Sheet**  
**September 30, 2009**

**ASSETS**

**Current Assets**

**Checking/Savings**

Fifth Third Bank Checking	69,034.99
Fifth Third Bank Money Market	424,042.09
CD Ded land 5th3rd 11.30.09.	79,816.47
CD Ded land 5th3rd 11.02.09 4%.	80,056.42
CD 4.45% ,08.6.10	57,405.23
CD 5th3rd 4%,11.30.09 .530	92,930.15
CD 5th 3rd 09.06.2010	55,555.46
CD 5th3rd,4%, 11.30.09 4%.514	92,930.15
Citizens South CD Bldg 11.09.09	233,843.28
BB&T CD 01.23.10-3.84%	300,000.00
BB&T CD 10.21.09. .568	500,000.00
Petty Cash Fund	<u>50.00</u>
<b>Total Checking/Savings</b>	<u>1,985,664.24</u>
Misc. Fees Receivable	<u>357.50</u>

**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>717.76</u>
<b>Total Sales Taxes to be Received</b>	<u>717.76</u>
<b>Total Other Current Assets</b>	<u>6,238.76</u>

**Total Current Assets** 1,992,260.50

**Fixed Assets**

Land	55,757.91
Office Equipment	13,569.26
Accumulated Deprec.	<u>-12,918.36</u>
<b>Total Fixed Assets</b>	56,408.81

<b>TOTAL ASSETS</b>	<b><u>2,048,669.31</u></b>
<b>LIABILITIES &amp; FUND BALANCE</b>	
<b>Other Current Liabilities</b>	
Escrow from Developers	45,076.00
Deferred Revenue	4,671.20
Payroll Liabilities	<u>193.40</u>
<b>Total Other Current Liabilities</b>	<b>49,940.60</b>
<b>Fund Balance</b>	
Fund Bal. inv. in Fixed Assets	56,408.81
<b>Fund Balance</b>	<b>1,568,659.58</b>
Reserved for Parks & Recreation	159,872.89
Unres., Designated for Town Hall	233,843.28
Excess of Exp. Over Rev.	<u>-20,055.85</u>
<b>Total Fund Balance</b>	<b><u>1,998,728.71</u></b>
 <b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	 <b><u>2,048,669.31</u></b>

b. Presentation of Planning and Zoning Report by Joshua Langen. In August/September eleven permits were issued; five were accessory structure permits and two were sign permits (Lowe's Foods and Chick-fil-A). The Planning Board Rules of Procedure ordinance amendment draft is to be reviewed by the Planning Board in October. 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; and amendment to essential facilities definitions and related regulations will be reviewed by the Ordinance Review Committee and Planning Board in October. The Council will set a date for a public hearing on amendments to zoning definitions to include Residential Union County (RUC) district for annexed properties; amendments to the zoning Ordinance Section 4.7 Temporary Structures and Uses to include Mobile Business/Vendor Use; and amendments to subdivision ordinance Section 411 Homeowners' Association Required. Langen also gave a summary of where his staff time had been spent: it showed 35% on ordinance amendments; 15% for permit processing; 15% for Parks and Recreation Committee assistance, 10% for resident technical assistance. (Attorney Sistrunk arrived at this time.) Croffut asked if any other mobile vendors had been noted; Langen said not since the construction ended at JDH. Langen said he called about Hickory Tavern, and they are just waiting a month or so before doing interior work.

**7. CONSIDER SUBDIVISION PETITION FOR MODIFICATION**

Langen said the applicants represented by David and Bill Scott are present. The procedure is based on Article 2 of the Subdivision Ordinance. It comes to Council because there is no modification of the Zoning Ordinance requested.

Attorney Sistrunk confirmed this is not a quasi-judicial hearing. Langen reported the applicant has 16 acres on Billy Howie Road; this is a low impact subdivision. They are requesting modifications from Sections 405.6, 405.7 and 405.8. Langen's staff report is as follows.

Staff has found that Trinity Development Corporation, LLC has submitted a petition for subdivision modification, SV-09-01, in order to modify the following regulations and allow for substitute development standards;

Section 405.6–Trinity requests the required pavement width to be reduced from twenty six feet (26') to twenty feet (20')

Section 405.7–Trinity requests the required maximum length of a dead-end road with cul-de-sac to be extended from 600 feet to 1000 feet in length.

Section 405.8–Trinity requests the replacement of curb-and-gutter and sidewalk requirements with vegetated, open drainage according to NCDOT specifications.

Staff has considered the following findings;

**a) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his land, and**

Staff has not found any special circumstance affecting said property, only that the acreage of the site is limited and the proposed layout is reliant upon modification of the ordinance. However, an alternative layout could be proposed and surrounding properties could be purchased and combined to create additional acreage and additional layout possibilities.

Environmental factors are listed as components of the request and are proposed to offer enhanced environmental benefits beyond development in accordance with existing subdivision regulations. The modification of pavement width and exemption from curb and gutter as well as sidewalk requirements would reduce the amount of impervious surface and allow for infiltration of stormwater through the use of drainage ditches or swales. However, other methods of stormwater treatment are comparable. Filtration pipes within the gutter system and detention basins can both be designed to filter and retain stormwater effectively.

In addition, curb and gutter are beneficial to the longevity of road pavement. Curb and gutter act as a physical restraint to the spreading and crumbling of pavement edges. Road improvements are costly and modification of this requirement could pose a potential financial hardship to the North Carolina Department of Transportation, Union County and/or the Village of Wesley Chapel. However, usage of a packed and angled pavement edges could alleviate some or all of this concern.

**b) That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner, and**

Staff has found that the property is currently in use as a residence. However, modifications to the subdivision ordinance would not be required for the property to be continued to be used as a residence. The applicant is requesting modifications in order to develop the proposed layout. However, alternate layouts are possible and consolidation of surrounding properties into a greater project area could also be possible.

**c) That the circumstances giving rise to the need for the modification are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this Ordinance, and**

The subject parcel is limited in size, approximately sixteen (16) acres, and is configured to be deeper than wide. However, a number of parcels of this size and configuration are located throughout Wesley Chapel. A characteristic of this parcel is that the property is located adjacent to a number of parcels with additional road frontage which could be utilized as alternate access to a larger development or to multiple developments, including access to the subject parcel. Development of this layout would prevent connectivity to surrounding parcels, would not be conducive towards developing an inter-connected transportation system and would not allow for the Village Council to request future connectivity provisions or a temporary cul-de-sac with access to adjacent properties.

**d) That the granting of the modification will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated, and**

Granting the modifications to the road length, road width, sidewalks and curb and gutter requirements could contribute to an unsafe pedestrian environment. The additional road length could encourage speeding, as no intersections would be provided to stop or slow vehicles. The reduced road width would reduce space for on-street parking, could create reduced visibility and provide less room for pedestrians. Modification to the sidewalk requirement would require pedestrians to walk in the street and would not contribute to pedestrian safety. Finally, modification of the curb and gutter requirement could result in ruts along the side of the road which could cause drivers to lose control of their vehicles should the vehicle leave the road. Curb and gutter allows for some correction for vehicles which have left the road way and entered the gutter. Use of packed and angled pavement edge could also provide some correction, although this method would most likely not be as effective as a curb and gutter system. Modification of the curb and gutter requirements could result in a less safe transportation configuration.

**e) That the modification will not vary the provisions of the Village of Wesley Chapel Zoning Ordinance applicable to the property.**

The proposed modifications would not vary the provisions of the Village of Wesley Chapel Zoning Ordinance applicable to the property.

**As the proposed modifications CANNOT be considered to meet the above criteria, staff recommends DENIAL of the modification request.**

Horvath discussed the request to have the length of the cul-de-sac 1,000 feet; he did not feel it would increase the chance of speeding; but the width of the road would be a problem since sidewalks would not be available.

Bradford asked if 600 feet is to restrict acceleration. Langen said he was not sure of our intent, but he has seen the length longer elsewhere.

David Scott commented that even if there were no cul-de-sac, there would still be a long road that could allow higher speeds.

Width of cul-de-sac was discussed; Langen said he measured the one in Lindenwood. It was noted that Lindenwood was developed under County standards. Langen said 120 feet in diameter seems large. Horvath noted it was changed about three years ago to accommodate fire trucks. Bill Scott said he went out and measured and the cul-de-sac in Wesley Chase is at least 900 feet long and 70 feet wide between the edge of curbs. In Lindenwood he measured two or three, and they were 54 feet of pavement and two feet gutter on each side for a maximum of 58 feet. Mayor Pro Tem noted that three years ago when Jim Mullis was on Council they changed the width to accommodate emergency vehicles; and Lindenwood was built under County rules.

Bill Scott said he met with the Army Corps of Engineers and DOT; there are some wetlands and they do have some green standards. They don't want curb and gutters and sidewalks since run-off will affect wetlands and one or two adjacent properties. He also noted there are some limitations because the parcel is narrower than usual. DOT did not feel additional turn lanes would be needed since there are only eight lots. He noted they are not taking any trees, some are heritage trees; and they dramatically increased the land the town can have, it is well over three acres. There are walking trails in back and a large setback from Billy Howie Road. He noted NC DOT does have green standards, but have not officially adopted them yet.

Pierce said she lives in a subdivision with no curb or gutter; and noted DOT has minimum standards, but the municipality has more requirements.

In answer to a question, Bill Scott said the wetlands are next to the pond; there is a small creek in the very back.

Pierce said some subdivisions were developed under County rules, and have narrower roads and no sidewalks. She said the applicant did a good job, but they were not there yet. She suggested innovative surfaces could be used for sidewalks; and would like to see that along with data from the engineer.

Horvath noted the ordinance requires concrete sidewalks. David Scott asked if they would have to ask for a modification from the ordinance for not using concrete. He also said the Army Corps of Engineers had comments and if you have too much impervious surface you impact the wetlands. Pierce said the street width is a problem for her as a safety issue.

David Scott said because this is low density, they didn't think the street width would be a problem. Pierce noted with two or three drivers per household there is

an impact beyond the eight houses. David Scott said there are creative ways to control speed and slow down traffic.

Bradford said she was not as concerned with the length of the road, but does have concern with the width of the road and cul-de-sac. One of the reasons she left Mecklenburg is the wider roads and sidewalks here; she liked the idea of semi-pervious sidewalks; and she would prefer curb and gutter with sidewalk.

David Scott asked to respond to Langen's memo. Based on his experience filtration pipes only reduce flow, not suspended solids. He disagreed that curb and gutter helps longevity of the road, it traps more water between the curb and road, and in his experience it is more detrimental. Horvath said some of it is due to changing DOT standards; they change their standards based on experience. David Scott said curb and gutter do help in maintaining the edges; he was unfamiliar with the packed and angled edges. David Scott said in his more recent cross section drawing, he has changed the slope. He noted if connectivity was used, it would increase the road length, and make it more dangerous. He asked about Section 5.4 on cul-de-sac width, he said it doesn't say edge to edge or right of way, and he assumed right of way. A regular lane width is twelve feet, so 120 feet would be equivalent to a ten lane highway.

Bill Scott said Wesley Chase was seventy feet to outside edge of curb and gutter. Barbara Scott asked about the sidewalk alternative; would it keep grass from growing. Pierce said yes, she had seen some products while working in the building industry; you might have to do some research.

Croffut said he like the idea of keeping the trees as it coincided with resident survey desires. Barbara Scott said there are black walnut trees and the back area has a walking trail. In answer to a question, Bradford said Section 4.7 requires sidewalks on both sides of the street. David Scott asked if they would accept a compromise to one side of the street. Pierce said she would have to see the entire plan before she could consider that.

The applicant was asked if they would be prepared to come back October 20, 2009; and they said yes. Pierce made a motion to defer this item to October 20, 2009; Bradford seconded the motion.

The motion passed unanimously.

#### 8. CONSIDER APPROVAL OF LOCAL AREA REGIONAL TRANSPORTATION PLAN SUMMARY

Horvath made a motion to approve the summary and to replace our transportation plan with the LARTP document; and to include bike lanes and pedestrian walkways on Potter and Waxhaw Indian Trail Road. He then withdrew his motion.

Bradford had some questions on the plan. On page 10, figure 2, she asked why Highway 84 starts as a major thoroughfare and changes to a minor thoroughfare. Horvath said that is in Weddington, and not under our control. The Rea Road extension is probably why. Bradford asked if it would get the same treatment for pedestrians; Horvath said yes; we also downgraded Newtown Road to keep more of a rural feel.

Bradford asked about future employment, was there some reason for the increase on one section of Highway 84. Horvath said it was their statistical analysis, and it is probably due to schools. Bradford asked about Figure 12, Planned Roadway Projects it shows a new road near Goldmine Road, but the LARTP shows the road at a different angle and configuration that DOT shows it. Horvath said this is a proposal. Bradford asked about pedestrian access. Horvath said those are DOT standards now, and yes if upgraded it will include pedestrian standards. Bradford said she liked that Highway 84 and Potter Road are up near the top in priority, and would like to see Cuthbertson Road moved up. Carol Mullis said with the school improvements, the local residents are very pleased with the road.

Bradford had a question on Figure 19, at New Village Road they are proposing to extend a road through Fairfax Farms subdivision; and turn it into a thoroughfare, and she couldn't see doing that. Horvath said this is just a planning document. Croffut said Waxhaw has already approved the document; if the area is mostly unincorporated, the County would determine where the road goes. Bradford noted other major thoroughfares are shown like one going through Hollister, instead of up Lester Davis Road, also a road through Houston Farms subdivision. Bradford asked if it was a thoroughfare. Horvath said your definition of a thoroughfare might not match DOT's. Bradford noted the LARTP plan uses multi-use paths, and how do they alleviate safety concerns. Horvath said that is more for the local entity to do, so that things like ATVs don't use the path. Figure 21b shows a cross section of the ten foot wide multi-use path; this is something that another town wanted to use.

Bradford made a motion to adopt the LARTP Summary and plan with the modification of excluding the road through Fairfax Farms Subdivision as shown on Figure 19, and replace the existing transportation plan; and make it understood that any road includes pedestrian and bike access. Pierce seconded the motion.

The motion passed unanimously.

#### 9. UPDATE ON PARKS AND REC

Bradford reported a new document was sent to Mr. Keels regarding provisions such as parking. He agreed we could have pedestrian access until we work out the parking situation; they are working on the fence details, she will send the document to George Sistrunk. As far as parking options include some more expensive land on the same side of the street, or access from Potter road, or small parking on the south end, or a combination. Horvath said he measured the pond on GIS and it looked to be about five and one half acres; there can't be four acres west of the lake, probably more like two and one half.

Bradford reported on the public information session; twenty five were in attendance, and eighteen of those were not on a committee. She compiled the comments; and a larger passive area was most popular, second place was the lake. More negative was the commercial area property; comments wanted a more rural feel. The sports park got mixed reviews. Research is ongoing on the properties and costs of amenities. Attorney Sistrunk was asked about a closed session; Bradford handed out a sheet with information on various properties available.

Bennett and Sistrunk agreed a closed session can be used to decide on the terms of a contract to acquire land, but not to select the property to purchase.

Bradford said we have a feel for the type of park citizens want, she has gotten some cost information from Charlotte, and asked for direction on where to go next.

Horvath said we should concentrate on amenities not readily available yet, look at the items on the top of the list and look at costs. He said we must look at costs, and ongoing maintenance; we have other needs in the Village too. We need to decide also if we want to get into debt service. Todd Hess said two key concerns from the Downtown Committee were losing an opportunity for a rural feeling area; and that nothing is free, there are associated costs for parking, etc. Bradford will try to bring acquisition costs for the next meeting. Horvath commented that Parks and Rec did a great job in their analysis and presentation.

The Champion Forest Homeowners Association contacted Bradford and DOT is doing a traffic light at the intersection, and contacted Bradford regarding the possibility of a grant for pedestrian improvements. She talked to someone at DOT regarding funding, and will bring a Resolution of Support to acquire funds to make pedestrian improvements (crosswalk and traffic light) at the intersection to allow Champion Forest children to walk to school. She contacted Ms. Healey at Cuthbertson Middle School, and she supports the initiative. Bradford spoke to the Wesley Chapel Elementary principal, and she felt if that encouraged children to walk up Potter Road that wouldn't be good, but supports the idea conceptually to do when we could get a Safe Routes to Schools grant for sidewalks.

#### 10. DISCUSSION OF CAPITAL IMPROVEMENT PLAN

Horvath passed out a report Bennett did of revenues, expenditures and fund balance for the village since its inception. It shows we have about \$200,000 available annually to spend. If we spend the cash we have in the bank, then this is available for maintenance, and other needs. Two deputies cost about \$160,000. We need to keep a running list of projects such as parks and rec, town hall, contract deputies, possible minor intersection and traffic improvements and other needs. The additional stores and parks both create a need for deputies. The path forward is to get some numbers for projects. Bradford noted she had talked to the School of Government and any land acquisitions have to go through the Local Government Commission, and they give guidance on what kind of debt we could assume; they did not feel we needed a referendum. She noted we need to leave a cash cushion also. Bennett reported the amount they require us to keep is a minimum; since we don't get our tax money until November, we need to keep conservatively half our budget in cash. She had looked at interest rates for another town, and the current rates are about four percent plus. As finance officer, she noted council needs to make some policy decisions on what debt to incur, what to do with the land we have, and how to spend the funds we do have. Carol Mullis asked how much we spend now for rent; the answer is \$950 at the office, and \$350 at the church. Bennett noted this leads into the next agenda item, since the office space we rent is being foreclosed. Horvath said the parks & rec

committee can develop their figures; Safety Committee can get figures for deputies, and Downtown Committee can get figures for a town hall.

11. CALL FOR PUBLIC HEARING ON RUC ZONING CHANGES TO ZONING ORDINANCE FOR 7 PM NOVEMBER 9, 2009 AT WESLEY CHAPEL UNITED METHODIST CHURCH

Langen gave a brief summary; properties annexed in but built under County standards have setbacks that don't match ours, he has been honoring their setbacks, but this ordinance amendment provides an answer to that problem. Pierce thought there might have been some changes to the wording in Section 3.1.1 from the Ordinance Review Committee. Bradford made a motion to call for a public hearing on RUC zoning changes, and changes to Section 3.1.1 for 7 pm on November 9, 2009 at Wesley Chapel United Methodist Church. Pierce seconded the motion.

The motion passed unanimously.

12. UPDATE ON WESLEY CHAPEL OFFICE STATUS

Bennett noted the landowner of our town office was served with foreclosure papers; so far the hearing is set for November 4, and the date of sale was November 25, 2009. Attorney Sistrunk talked to the attorney for the bank, they would probably want us to stay on until they find an owner. Bennett said to let her know if there were any suitable properties we might rent. She also noted if the property was in the Village we would have to go through the CUP process, and how would the logistics of that work.

13. OTHER BUSINESS

Horvath noted the Candidates Forum is Thursday night at 7 pm at Wesley Chapel Elementary School.

Pierce thanked Bradford for all her hard work in the parks and rec area.

Bennett noted the Carolina Thread Trail Committees are gearing up, she let them know who our rep was, and that Josh Langen would be our staff representative.

Bradford thanked Bennett for attending the PARTF conference.

14. COUNCIL COMMENTS

none

15. ADJOURNMENT

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

The motion was approved unanimously.

The meeting was adjourned at approximately 9:40 pm.

Respectfully submitted,

---

Cheryl Bennett, Clerk

---

Mayor Tracey Clinton