

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
October 11, 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 (arrived late during Item 8); 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, Alex Simpson, Becky Plyler, Julie Brown

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 gave the invocation.

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

“PARKS AND REC COMMITTEE UPDATE” was moved to after Item 10.

Brotton made a motion to adopt the agenda with this change; Ormiston seconded the motion.

The motion passed unanimously.

3. INFORMAL PUBLIC COMMENTS - none

4. APPROVE MINUTES FOR:

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

Council Meeting September 13, 2010

Council Meeting September 21, 2010

Changes were made to the September 13, 2010 minutes; on page 242 the number of t-shirts was corrected to 210 and on page 244 a statement was added that the Mayor appointed Bill Meyer, Chairperson; Jim Mullis and Gary Reader to the Town Hall Building Committee. In the September 21, 2010 minutes “and any applicable grants” was added to the first sentence of Item 5 on page 249; at the bottom of page 250 “and Dogwood Acres” was added after “Page Price Park”. Ormiston made a motion to approve the minutes for the Council Meeting August

17, 2010, the Council Meeting September 13, 2010 and the Council Meeting September 21, 2010 with the above corrections. Brotton seconded the motion. The motion passed unanimously.

5. STAFF REPORTS

- a. Review and approve the Village Financial Reports dated September 30, 2010, submitted by Cheryl Bennett, Finance Officer

Bennett reported September revenues are \$11,426, and expenditures are \$30,932. Our cash balance is \$2,190,378. Bennett explained that the quarterly taxes received in September had to be estimated since they were accrued to June 30, 2010; this results in some negative revenue figures in revenue sharing when the actual revenue came in less than estimated. The \$140 checks were to deputies who worked at the Festival. Hess asked about the Certificates of Deposit; Bennett replied we have one coming due October 23 and she will check on rates at that time. Hess made a motion to approve the September financial reports; Brotton seconded the motion.

The motion passed unanimously.

- b. Presentation of Planning and Zoning Report by Joshua Langen, In September/October twelve permits were issued. McDonalds and Anytime Fitness are opening this week. Langen reported he is working on Article 2 definitions, Article 8 Signs, a tree ordinance, traffic management standards, marginal access, and grass height. Langen said the new culvert pipe didn't solve Mr. Kiker's flooding problem; a report will be forthcoming.

6. RECAP OF FALL HERITAGE FESTIVAL

Diana Bowler reported we had three premier sponsors, eight principal sponsors, and nine associate sponsors, as well as 52 vendor booths. She said we are waiting on funds from a couple of sponsors and revenues total \$11,140 and expenditures \$7,776. The t-shirts went fast and more are being ordered. Turning Point was delighted to be part of the festival. Festival feedback was very positive. Next week they will have a "lessons learned" meeting. Mayor Horvath said they did a fantastic job; the festival was very well organized and everyone enjoyed it. Diana Bowler said she is working on thank you letters; we received generous donations from Disney relating to the movie Secretariat. People got to know the local businesses, and Diana said she is working on a five year plan. Ormiston offered Diana thanks, and noted we were in two newspapers and on WBT-TV. Thanks were also offered to Bill Dunster for the use of cars for Council members to ride in for the parade.

7. TOWN HALL COMMITTEE UPDATE; INCLUDING REQUEST TO APPROVE SURVEY BID AND CONSIDER APPROVAL OF RFQ FOR ARCHITECTS

Committee Chairman Bill Meyer reported we had a price quote from Skidmore Surveying, Inc. for \$1,500 to do a certified boundary and topographical survey,

including staking the lines to help with visualization. Brotton noted it was the lowest of four quotes obtained. Brotton made a motion to approve contracting with Skidmore for the survey; Ormiston seconded the motion.

The motion passed unanimously.

The RFQ for architect services was reviewed by attorney Sistrunk; he made some minor changes and deleted most of section M. Hess inquired as to the proposed size of the building in the RFQ. Bill Meyer said Aston will have two story buildings leading up to the town hall, if we make our building two story we may get more square footage at less per square foot. Hess said the budget is \$1.25 million, and if we come in less than that the funds can go to safety, which is the next priority; he didn't want a 7,500 square foot benchmark, and the architect can deal with the impact/perspective. Brotton said two things came up; functionality and options for community activities, and discussions with Karen Partee from Aston regarding conformity with how their buildings will look. Hess said if we make the building larger for community use, he would want to see a cost benefit analysis. Ormiston proposed changing the range of size from 5,000 – 7,500 square feet to 5,000 – 6,500 square feet. Brotton made a motion to approve the RFQ as amended by the attorney and with the size range change; Ormiston seconded the motion.

The motion passed unanimously.

8. REVIEW OF ITEMS TO BE CONSIDERED DURING BUILDING PROCESS

Bennett said the question had come up as to whether we could discuss fees with the top three rated architects at one time, and asked Sistrunk his opinion. He concurred with her interpretation of the statutes that we cannot do that and must try to come to agreement with the top rated architect, and if we cannot, then we go to the second rated. Hess asked about the engineer; Bill Meyer said the architects usually have someone they work with, and that will expedite things. Sewer capacity was discussed; Langen said the County is saying to wait until after the elections, but he will give them a call. Some builders are doing septic as backup. Langen will report back next week with more information. Brotton said the sewer pipe that runs along our property line has been abandoned; our tap to sewer will be to the south end of the property. Bennett reviewed the four methods of contracting; 5% bid deposits are required; the firm awarded the bid must provide a one hundred per-cent payment and performance bond. Sistrunk noted if we have any questions there are people in his office who are familiar with this.

9. DISCUSSION AND POSSIBLE CHANGE TO COMMITTEE POLICY REGARDING PUBLICATIONS AND / OR USE OF A DISCLAIMER OR CODE OF CONDUCT

Bradford said she called Frayda Bluestein at the School of Government. The NCLM suggested she get input from Fleming Bell. Hess suggested we adopt the wording for what we are most interested in without imposing additional requirements on volunteer committee members. Discussion included whether a newspaper would publish a disclaimer, First Amendment rights and litigation

risks. Ormiston asked if we wanted to stick to our original point or expand it to others; she thought we should communicate our expectations. Mayor Horvath said he thought we were focused on written documents. Bradford said she agreed a flyer shouldn't go out and look like it came from Council or as an official committee decision that they haven't voted on, but a flyer is primarily a mode of communication. She asked if it would apply to e-mails, and noted it might encourage anonymous flyers. She would like to talk to Fleming Bell on the best way to be specific and do the wording. Bradford and Ormiston will do a conference call with Fleming Bell.

10. DISCUSSION AND POSSIBLE CHANGE TO ETHICS POLICY TO ADD COMMITTEES

This is pending the outcome of the previous item.

11. PARK AND REC COMMITTEE UPDATE

Bradford said Parks and Rec has a meeting Monday and will begin to analyze and score properties. She spoke with Weddington Councilman Robert Gilmartin about a potential partnership on a property since there are a few on our mutual borders. He will bring it up at their Council meeting tonight. Bradford noted they are more interested in active parks like ball fields. Hess said the economies of scale are an incentive; a larger property would be possible and could allow for ball fields. Our critical mass is 20-25 acres; with a partnership we might have a park of 40-50 acres. Bradford also noted it would help with competition in the grant process, it might be more appealing since it would serve more people. Brotton asked if a partnership can apply for a PARTF grant; Bradford said she thought so, she will check on it. Ormiston said she thought a partnership was worth pursuing. Brotton asked if other towns might be interested; Bradford replied we are most contiguous with Weddington.

Bradford said Greg Miller resigned from the Parks and Rec Committee since a new business is taking up his time.

Bradford reported we had submitted for a water based recreation grant and withdrew; she called them to find out if we could use a grant to build a pond and they said they had a \$225,000 grant awarded in the Piedmont area, but the recipient turned down the grant, and they wondered if we would want it. She asked if it could be used for a similar property, and they said we would have to re-submit and get the Governor's approval, but it was likely. Bradford wondered if we could use this grant to offset dam costs and get our PARTF grant back for Page Price Park; we could also apply to use it on an alternate site, or we could just say this isn't the right time. She was not sure if the Keels were still willing to donate the 3.34 acres to offset the dam costs and would have to check on that. Hess asked if it could go for the pond on the 6.3 acres. Brotton noted the PARTF grant could only be used for Page Price Park. Bradford said she would like to see the \$225,000 go to a principal park for Wesley Chapel. Hess said we still have issues such as the turn lane at Page Price Park, and we already voted on it, could we re-consider it within a year. Mayor Horvath said we sent out fifty letters to owners of property fifteen acres or larger; he has received five calls. All are fairly

high priced, but he is not negotiating at this point. Hess suggested he ask them how low they could go in price; Ormiston agreed. Mayor Horvath said he spoke with DOT and they said a turn lane can range from \$75,000 up; moving utilities is a big cost, as is acquiring right-of-way and easements. Hess said the land really drops off and he thinks a lot of fill would be needed; he felt the turn lane cost would be more on the scale of \$300,000. Bradford said the time deadline on the \$225,000 would be in the next few weeks. She will check with a paving company that Donna Pasciuta had talked to, and look into the costs and the safety factor of having the turn lane so close to Price Mill. Ormiston asked if we can talk to the PARTF people to find out if the grant is still available to us; also should we ask the Parks and Rec Committee if they want to abandon the other projects to do this. Bradford said the Parks and Rec Committee meeting is Monday, she will present it to them and get their feedback.

12. OTHER BUSINESS

Ormiston noted there are scholarship opportunities available from the Michael A. DeMayo law offices, applications will be available at the town office, and noted on our website. Hess said we need to pick up the Downtown Resolution and asked it be put on the November agenda. Bradford asked that the Catawba Land Conservancy be put on the workshop agenda. Mayor Horvath noted we had asked for a speed limit reduction last year; DOT is going to change the speed limit on a portion of Waxhaw-Indian Trail road, and will monitor Weddington Road twice a year. Julie Brown said the Church of the Redeemer wants to know tomorrow what her intentions are regarding Houston House. She is talking to Scott Farb at the Museum of the Waxhaws. The deadline to move the house is December 31, 2010. Mayor Horvath noted the Parks and Rec Committee had chosen their priorities. Various options for where to move the house were discussed.

13. COUNCIL COMMENTS - none

14. ADJOURNMENT

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

The motion was approved unanimously.

The meeting was adjourned at approximately 9:44 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath