

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL UNITED METHODIST CHURCH  
120 Potter Road, Wesley Chapel, NC 28110  
December 10, 2012 – 7:00 P. M.

The Village Council 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 Ormiston, Council Members Brotton, Plyler and Rosoff

**Others Present:**

Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Admin. Joshua Langen; Attorney George Sistrunk

**Citizens Present:** Stephen Keeney, Carol Mullis

The 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 Ormiston gave the invocation.

2. PUBLIC COMMENTS

Carol Mullis presented an application from Jim Mullis for the alternate position on Planning Board. She also asked for clarification on why Planning Board discusses certain topics and what form they use, and why the land transfer has dragged out so long. Mayor Horvath said the only form is the ordinance prioritization list; things like the Land Use Plan haven't been looked at in a long time, and other items like fee-in-lieu had some confusion around them. Stephen Keeney, Vice Chair of the Planning Board said the Board asks why an item comes up, and usually the answer is Council wants us to look at it. Mayor Horvath said the members receive the ordinance prioritization list; he meets with the Planning Board Chair quarterly, and Council prioritizes the items. Joshua Langen said he follows the ordinance prioritization list.

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

A deletion to the agenda was "10. Update on Discussion of Deputy Hours /Time Allocation", and added was "9f. Approval for Purchase of Jon Boat". Council Member Rosoff made a motion to approve the agenda with these changes; Mayor Pro Tem Ormiston seconded the motion.

The motion passed unanimously.

There was a brief discussion of why the deputies are going to be taking over crash investigation, and who pays for the training and time to investigate. Administrator Bennett will contact the Sheriff's Office.

2012.12.10 minutes

4. APPROVE MINUTES FOR COUNCIL MEETINGS NOVEMBER 12, 2012 AND COUNCIL MEETING NOVEMBER 20, 2012

A change was made to the November 20, 2012 minutes adding “received by the Village” after state grants in item 3. Council Member Rosoff made a motion to approve the November 12, 2012 and November 20, 2012 minutes. Mayor Pro Tem Ormiston seconded the motion.

The motion passed unanimously.

5. STAFF REPORTS

a. Review and approve November 30, 2012 financial reports

Finance Officer Bennett presented the November reports. Town Hall expenditures have been broken out into various line items, and there is approximately \$419,000 available for the park construction. Council Member Plyler asked about the expenditures in the travel and entertainment line item; there was a dinner for the NC Wildlife employees who built the pier and the Parks and Rec. Committee. Bennett clarified that volunteer day expenses get charged to Parks and Rec. Council Member Plyler made a motion to accept the November 30, 2012 financial reports; Council Member Rosoff seconded the motion.

The motion passed unanimously.

	<b>November 30, 2012 Balance Sheet</b>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Fifth Third Bank Checking	16,129.94
Fifth Third Bank Money Market	883,697.35
Citizens South CD Bldg 01.03.13	249,310.26
BB&T Money Market	824,302.30
Petty Cash Fund	50.00
<b>Total Checking/Savings</b>	<b>1,973,489.85</b>
Misc. Fees Receivable	125.00
<b>Other Current Assets</b>	
Prepaid Exp.	850.00
Property Tax Rec.	2,981.00
Allow. for Doubtful Accounts	-1,077.00
Sales Taxes to be Received	1,316.68
<b>Total Sales Taxes to be Received</b>	<b>1,316.68</b>
<b>Total Current Assets</b>	<b>1,977,685.53</b>
<b>Fixed Assets</b>	
Land	729,029.00
House at Dogwood Park	411,169.00

Dogwood Park CIP	66,580.00
Town Hall- CIP	64,744.00
Office Equipment	8,749.00
Accumulated Deprec.	<u>-26,994.98</u>
<b>Total Fixed Assets</b>	<u>1,253,276.02</u>
<b>TOTAL ASSETS</b>	<u><u>3,230,961.55</u></u>

**LIABILITIES & FUND BALANCE**

**Liabilities**

**Current Liabilities**

Escrow from Developers	45,076.00
Payroll Liabilities	2,732.32
Deferred Revenue	<u>1,904.20</u>
<b>Total Liabilities</b>	49,712.52

**Fund Balance**

Fund Bal. inv. in Fixed Assets	1,253,276.02
Fund Balance Assigned for NNO	313.40
Fund Bal. non-spendable	66,632.75
Fund Bal. Committed for CIP	1,660,789.68
Fund Balance	-1,409,500.12
Excess of Rev. over Exp.	<u>1,609,737.30</u>
<b>Total Fund Balance</b>	<u>3,181,249.03</u>

<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<u><u>3,230,961.55</u></u>
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**November**  
**2012**  
**Budget**  
**Report**

	<u>Nov 12</u>	<u>Jul - Nov 12</u>	<u>YTD Budget</u>	<u>% of Budget</u>
<b>General Fund</b>				
<b>Revenues</b>				
Appropriated Fund Balance	0.00	353,699.00	353,699.00	100.0%
<b>Fees and Licenses</b>				
Newsletter/Deputy Sponsor	0.00	0.00	10,000.00	0.0%
National Night Out	0.00	60.00	100.00	60.0%
Cable Franchise (from Time Warn	4,077.00	8,189.00	12,000.00	68.24%
Engineering Fees Reimbursement	0.00	0.00	5,000.00	0.0%
Zoning Permit	525.00	3,660.00	6,000.00	61.0%
Privilege Licenses	55.00	26,522.08	26,000.00	102.01%

Privilege licenses late fees	12.35	77.56	0.00	100.0%
Annexation Exp Reimbursed	0.00	0.00	200.00	0.0%
Misc. Fees	0.35	79.45	200.00	39.73%
<b>Total Fees and Licenses</b>	<b>4,669.70</b>	<b>38,588.09</b>	<b>59,500.00</b>	<b>64.85%</b>
<b>Interest Earned</b>	<b>177.34</b>	<b>1,178.79</b>	<b>2,500.00</b>	<b>47.15%</b>
<b>Property Tax Income</b>				
Current Year Property Tax	30,803.95	40,820.23	139,244.00	29.32%
Delinquent Taxes	44.61	360.79	600.00	60.13%
Interest/Ad Fee on Taxes	6.29	42.77	350.00	12.22%
Utility Ad Valorem	0.00	0.00	1,404.00	0.0%
Vehicle Registration	939.19	3,461.19	8,971.00	38.58%
Prior Year Motor Vehicle Tax	25.72	308.15	0.00	100.0%
Late List fees on taxes	13.64	33.14	0.00	100.0%
<b>Total Property Tax Income</b>	<b>31,833.40</b>	<b>45,026.27</b>	<b>150,569.00</b>	<b>29.9%</b>
<b>Revenue Sharing</b>				
Alcoholic Beverage Tax	0.00	0.00	28,000.00	0.0%
Video Programming(State Cable)	0.00	4,632.67	95,000.00	4.88%
Excise Tax (Piped Natural Gas)	0.00	-219.00	16,000.00	-1.37%
Franchise Tax (Electric Power)	0.00	3,045.00	170,000.00	1.79%
Sales & Use Taxes	3,271.56	7,474.39	34,000.00	21.98%
Telecommunications Tax	0.00	39.00	12,000.00	0.33%
<b>Total Revenue Sharing</b>	<b>3,271.56</b>	<b>14,972.06</b>	<b>355,000.00</b>	<b>4.22%</b>
<b>Total Revenues</b>	<b>39,952.00</b>	<b>453,464.21</b>	<b>921,268.00</b>	<b>49.22%</b>
<b>Expense</b>				
Transfer to CIP	0.00	342,700.00	342,700.00	100.0%
<b>Operating Expenditures</b>				
Contingency	0.00	0.00	32,850.00	0.0%
Advertising - Clerk	54.72	196.50	500.00	39.3%
Annexation Expense	0.00	0.00	300.00	0.0%
Annual Retreat	0.00	0.00	1,800.00	0.0%
Bank Charges	41.86	232.48	500.00	46.5%
Books & Literature	0.00	0.00	300.00	0.0%
Dues and Subscriptions	0.00	8,528.00	12,500.00	68.22%
Election Expense	0.00	1,360.50	2,000.00	68.03%
Electronic Commun.- Tel.website	244.11	1,717.85	3,600.00	47.72%
Insurance - Liability	0.00	9,993.19	10,000.00	99.93%
Insurance - Workmen's Comp	0.00	535.68	600.00	89.28%

Land Maintenance	0.00	0.00	1,000.00	0.0%
Town office Maint.	75.00	389.70	900.00	43.3%
Misc. town office	82.84	259.33	600.00	43.22%
Newsletter	0.00	0.00	3,000.00	0.0%
Office Equipment	0.00	0.00	1,200.00	0.0%
Office Expense	131.83	730.20	2,400.00	30.43%
Postage and Delivery	0.00	118.75	2,200.00	5.4%
Rent	1,400.00	7,000.00	16,800.00	41.67%
Seminars	0.00	0.00	2,525.00	0.0%
Tax Collection Fee	477.58	672.27	2,500.00	26.89%
Travel & Entertainment	223.21	850.28	5,240.00	16.23%
Utilities- Temp. Town Hall	134.85	798.70	2,400.00	33.28%
Youth Council Committee	0.00	70.54	1,100.00	6.41%
<b>Total Operating Expenditures</b>	<b>2,866.00</b>	<b>33,453.97</b>	<b>106,815.00</b>	<b>31.32%</b>
<b>Gen. Govt. Salaries</b>				
Admin. Assistant	675.00	3,108.75	10,920.00	28.47%
Allowance for Salary Adjustment	0.00	0.00	3,927.00	0.0%
Mayor	0.00	1,200.00	4,800.00	25.0%
Mayor Pro Tem	0.00	750.00	3,000.00	25.0%
Council Salary	0.00	1,800.00	7,200.00	25.0%
Clerk Salary	3,508.44	17,582.76	49,288.00	35.67%
Finance Officer Salary	848.08	4,240.40	11,025.00	38.46%
Payroll Taxes	692.37	3,790.57	11,000.00	34.46%
Payroll exp - Unemployment	0.00	0.00	1,000.00	0.0%
Fringe Benefits - Insurance	1,298.24	6,491.20	15,600.00	41.61%
Fringe Benefits - Retirement	0.00	2,308.36	7,700.00	29.98%
<b>Total Gen. Govt. Salaries</b>	<b>7,022.13</b>	<b>41,272.04</b>	<b>125,460.00</b>	<b>32.9%</b>
<b>Planning &amp; Zoning</b>				
P/Z Admin. Salary	4,120.00	21,600.00	53,635.00	40.27%
Planning & Zoning Board Salary	0.00	672.00	4,032.00	16.67%
Advertising	0.00	154.22	500.00	30.84%
P/Z Office Expense	0.00	507.95	500.00	101.59%
P/Z Seminars	0.00	299.00	1,150.00	26.0%
P/Z Travel	292.09	1,364.57	2,950.00	46.26%
P/Z Dues,Subscriptions	0.00	360.00	360.00	100.0%
<b>Total Planning &amp; Zoning</b>	<b>4,412.09</b>	<b>24,957.74</b>	<b>63,127.00</b>	<b>39.54%</b>
<b>Professional Fees</b>				
Audit Fees	5,750.00	5,750.00	5,750.00	100.0%
Engr. Consulting	0.00	8,134.85	10,000.00	81.35%

Legal Fees	0.00	4,334.16	20,000.00	21.67%
<b>Total Professional Fees</b>	<b>5,750.00</b>	<b>18,219.01</b>	<b>35,750.00</b>	<b>50.96%</b>
<b>Capital Outlay</b>	<b>0.00</b>	<b>0.00</b>	<b>110,000.00</b>	<b>0.0%</b>
<b>Public Services / Safety</b>				
Mat. & Supplies Public Safety	0.00	176.74	800.00	22.09%
Law Enforcement Services	0.00	38,693.50	77,387.00	50.0%
<b>Total Public Services / Safety</b>	<b>0.00</b>	<b>38,870.24</b>	<b>78,187.00</b>	<b>49.71%</b>
<b>Parks &amp; Recreation</b>				
<b>Parks &amp; Recreation Personal Ser</b>				
Park Maintenance Worker	0.00	0.00	2,520.00	0.0%
P & R Payroll Tax	0.00	0.00	181.00	0.0%
P&R Insur. Workers Comp	0.00	0.00	100.00	0.0%
P&R Prof Fee - Deputies	0.00	0.00	450.00	0.0%
P&R Prof Fees - Engr Fees	500.00	500.00	11,200.00	4.46%
<b>Total Parks &amp; Recreation Personal Ser</b>	<b>500.00</b>	<b>500.00</b>	<b>14,451.00</b>	<b>3.46%</b>
<b>Parks &amp; Rec Supplies &amp; Material</b>				
Janitorial Supplies	0.00	0.00	600.00	0.0%
Events Supplies	0.00	0.00	1,500.00	0.0%
Office Expense	0.00	0.00	0.00	0.0%
Stocking of Fish	0.00	0.00	3,000.00	0.0%
Pesticide Supplies	0.00	0.00	300.00	0.0%
Other Supplies and Materials	0.00	2.88	360.00	0.8%
<b>Total Parks &amp; Rec Supplies &amp; Material</b>	<b>0.00</b>	<b>2.88</b>	<b>5,760.00</b>	<b>0.05%</b>
<b>Parks &amp; Recreation Services</b>				
Dues & Subscriptions	0.00	0.00	0.00	0.0%
Insurance- liability	0.00	2,000.00	2,000.00	100.0%
Event Services	0.00	0.00	1,000.00	0.0%
Maintenance/Grounds	153.00	403.00	4,000.00	10.08%
Tree Removal Services	0.00	2,000.00	2,000.00	100.0%
Pest Control	0.00	0.00	1,000.00	0.0%
Postage	0.00	0.00	500.00	0.0%
Printing	0.00	0.00	500.00	0.0%
Repairs to Structures	0.00	0.00	300.00	0.0%
Security	0.00	0.00	0.00	0.0%
Trash Collection	0.00	0.00	138.00	0.0%
Sanitation Contract (restrooms)	0.00	0.00	2,340.00	0.0%
Elec. Communication	0.00	0.00	840.00	0.0%

Water/Sewer	6.00	30.00	1,200.00	2.5%
Utilities-Elec.,Gas	22.01	107.71	6,300.00	1.71%
<b>Total Parks &amp; Recreation Services</b>	<b>181.01</b>	<b>4,540.71</b>	<b>22,118.00</b>	<b>20.53%</b>
<b>P&amp;R Capital Outlay</b>				
Structure Improvements	0.00	0.00	7,200.00	0.0%
Other Improvements	0.00	0.00	150.00	0.0%
Tools/Equipment	0.00	0.00	4,200.00	0.0%
Furnishings	0.00	0.00	700.00	0.0%
Redbox Program	0.00	0.00	950.00	0.0%
Miscellaneous Capital Outlay	0.00	0.00	3,700.00	0.0%
<b>Total P&amp;R Capital Outlay</b>	<b>0.00</b>	<b>0.00</b>	<b>16,900.00</b>	<b>0.0%</b>
<b>Total Parks &amp; Recreation</b>	<b>681.01</b>	<b>5,043.59</b>	<b>59,229.00</b>	<b>8.52%</b>
<b>Total Expense</b>	<b>20,731.23</b>	<b>504,516.59</b>	<b>921,268.00</b>	<b>54.76%</b>
<b>Net General Fund</b>	<b>19,220.77</b>	<b>-51,052.38</b>	<b>0.00</b>	<b>100.0%</b>
<b>Capital Projects Fund</b>				
<b>Capital Projects Fund Income</b>				
PARTF Grant	0.00	387,975.74	500,000.00	77.6%
Adopt A Trail Grant	0.00	5,000.00	5,000.00	100.0%
Water Based Resource Grant-Park	0.00	95,079.21	100,000.00	95.08%
<b>Transfer from General Fund</b>				
Appropriated for Dogwood Park	0.00	1,000,000.00	1,000,000.00	100.0%
Appropriated for Town Hall	0.00	1,442,700.00	1,442,700.00	100.0%
<b>Total Transfer from General Fund</b>	<b>0.00</b>	<b>2,442,700.00</b>	<b>2,442,700.00</b>	<b>100.0%</b>
<b>Total Capital Projects Fund Income</b>	<b>0.00</b>	<b>2,930,754.95</b>	<b>3,047,700.00</b>	<b>96.16%</b>
<b>Capital Projects Fund Expense</b>				
<b>Capital Projects</b>				
<b>Dogwood Park Capital Outlay</b>				
Land Acquisition	0.00	673,271.00	680,000.00	99.01%
House	0.00	411,419.00	412,000.00	99.86%
Site preparation	0.00	0.00	35,000.00	0.0%
Utilities	3,600.00	4,380.00	15,000.00	29.2%
Preliminary Planning	0.00	15,526.67	15,527.00	100.0%
Design/Constr Mgt,etc.	820.79	51,879.37	69,050.00	75.13%
Grassing	0.00	0.00	5,850.00	0.0%
Parking lot & drive	0.00	0.00	87,170.00	0.0%
Rest room renovation	0.00	0.00	30,000.00	0.0%
Site Furnishings-gate,signs,etc	0.00	277.77	7,000.00	3.97%

Boardwalk	0.00	0.00	31,000.00	0.0%
Accessible routes	0.00	0.00	21,000.00	0.0%
Paved Walking Trail	0.00	0.00	54,000.00	0.0%
Unpaved trail	0.00	9,888.04	14,210.00	69.59%
Multipurpose Field	0.00	0.00	30,000.00	0.0%
Amphitheater/Stage/Outdoor Clas	0.00	0.00	35,000.00	0.0%
Fishing Pier	0.00	0.00	25,000.00	0.0%
Other Expense	84.58	637.08	18,931.00	3.37%
Contingency	0.00	0.00	19,262.00	0.0%
<b>Total Dogwood Park Capital Outlay</b>	<b>4,505.37</b>	<b>1,167,278.93</b>	<b>1,605,000.00</b>	<b>72.73%</b>
<b>Town Hall Capital Outlay</b>				
TH Construction Contract	0.00	0.00	1,224,296.00	0.0%
TH Architect/Engineer	89,420.86	89,420.86	102,020.00	87.65%
TH In House Engineering	1,200.00	1,200.00	1,200.00	100.0%
TH Testing/Permit Fees	4,337.41	4,337.41	15,000.00	28.92%
TH Telecom Sys/AV/Computers	0.00	0.00	33,930.00	0.0%
TH Insurance	1,374.00	1,374.00	1,374.00	100.0%
TH Legal Fees	3,180.00	3,180.00	5,000.00	63.6%
TH Furnishings	0.00	0.00	45,000.00	0.0%
TH Miscellaneous	3,174.07	3,174.07	14,880.00	21.33%
Town Hall Capital Outlay - Other	-96,556.97	0.00	0.00	0.0%
<b>Total Town Hall Capital Outlay</b>	<b>6,129.37</b>	<b>102,686.34</b>	<b>1,442,700.00</b>	<b>7.12%</b>
<b>Total Capital Projects Expense</b>	<b>10,634.74</b>	<b>1,269,965.27</b>	<b>3,047,700.00</b>	<b>41.67%</b>
<b>Total Other Expense</b>	<b>10,634.74</b>	<b>1,269,965.27</b>	<b>3,047,700.00</b>	<b>41.67%</b>
<b>Net Capital Projects Fund</b>	<b>-10,634.74</b>	<b>1,660,789.68</b>	<b>0.00</b>	<b>100.0%</b>
<b>Net Excess of Revenue over Expense</b>	<b>8,586.03</b>	<b>1,609,737.30</b>	<b>0.00</b>	<b>100.0%</b>

b. Review monthly planning and zoning report

Planning and Zoning Administrator Langen reported he issued 13 permits in the last month; one was for town hall and one for the park. Wesley Chase roads were repaired by the developer; Langen will follow up with DOT and make sure the roads were accepted by them. He never received the road bonds that were reissued for Kings Grant Road; they have not responded to Langen's communications, and they have several permits pending, so he will keep calling them. Road acceptance forms were submitted for Kings Grant Road a month ago. Planning Board approved Article 2 definitions in November and will continue to work on accessory use setbacks, and fee-in-lieu guidelines. Council Member Plyler said she received some items by email at 5 pm, and there was not enough time to review them before the meeting. Langen said he got an email request sent Friday this morning and he sent out the information in reply; the other was an email from George he received today and forwarded to Council. Mayor Horvath said if we are not ready we can table items tonight. Langen said if it was something up for adoption, he wouldn't have sent it out without the attorney's review. Mayor Pro Tem Ormiston said the email

was a summary of whether common space is intended for the public or for the subdivision, Langen added there was also the legal question.

c. Review monthly zoning violations report

Langen reported there is an issue (not a violation) at Underwood Road where hopefully the removal of a silt fence will allow the water to enter the check dam and alleviate the problem; the Mayor asked Langen to send the homeowner's daughter an e-mail regarding what is being done, and for her to let us know how the situation is in the next rainstorm. There is also the Kiker property flooding; Langen sent photos and a letter to DOT telling them it is also a roadway issue; he hasn't heard back yet and will contact them. Langen sent a letter to the owners of 124 Mollie Irene and received no response; he will see if the records show who the new owner is. He thought the permit would carry to the new owner and will follow up with them. There is an open violation at 108 Lester Davis Road with two subdivision signs; one sign was taken down and the owner and other developer did not respond on the other sign.

d. Update from attorney on JDH land donation

Sistrunk said he got a call from JDH regarding some information needed by Harris Teeter; Langen was also called for this; Sistrunk has a call back in to them. Langen noted the CUP just says the two acres are for future public use; he sent that info with the minutes to the caller. For the memorandum of lease to Lowes (now Harris Teeter) Sistrunk said one option is to have JDH deed you the land and deal with Harris Teeter after the fact. Mayor Pro Tem Ormiston asked about completing the transfer by December 31 so we do not incur 2013 taxes. Mayor Horvath will call Harris Teeter to expedite this.

6. **CONSIDER APPROVAL OF RESOLUTION 2012-14 TO ADD KING RICHARDS COURT IN KINGS GRANT SUBDIVISION TO THE STATE MAINTAINED SECONDARY ROAD SYSTEM**

Council Member Rosoff made a motion to approve Resolution 2012-14, incorporated herein, to add King Richards Court in Kings Grant subdivision to the state maintained secondary road system. Mayor Pro Tem Ormiston seconded the motion.

The motion passed unanimously.

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

**Village of Wesley Chapel, North Carolina**

**R-2012-14**

North Carolina  
County of Union

Road Description: Request for SR-2 Resolution for King Richards Court in Kings Grant Subdivision in 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-described road, and to take over the road for maintenance if it meets established standards and criteria.

Adopted this 10<sup>th</sup> day of December, 2012.

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Brad S. Horvath, Mayor

Attest:

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Cheryl Bennett, Village Clerk

7. DISCUSSION ON PROVIDING PLANNING BOARD GUIDANCE AROUND THE FOLLOWING:
  - a. Rewrite of Article 4 of Subdivision Ordinance, Sections 405 & 408 covering Fees-in-Lieu
  - b. Rewrite of Article 5 of Zoning Ordinance, section on buffer requirements

Planning and Zoning Administrator Langen reported that Planning Board is looking at Sections 405 and 408 because the ordinance says Council will decide on whether to accept land or the fee, but minor and administrative subdivisions don't go to Council for the preliminary plat. Planning Board had two questions – is it legal for the Village to require the fee-in-lieu (also is it legal to require a buffer along thoroughfares) and whether it should be common area or deeded to the Village, and should we keep the fee amount at the value of 1/35<sup>th</sup> of an acre per lot. Attorney Sistrunk said it is legal to have a fee-in-lieu requirement, but the funds must be used for acquisition or development of open space. Stephen Keeney, Vice Chair of Planning Board, said the general agreement was Section 405 is a good way to give privacy to owners and drivers, but a question was how to apply it in a fair and prudent way for large subdivisions with an HOA while in smaller subdivisions the buffer might be part of the homeowners' property, and then who will maintain the land. He added that the main issue was the dictate that the subdivision had to come up with 1/35<sup>th</sup> of an acre for every acre lot and accumulate it in property to become common area, whether needed, adequate or served. Per the Finance Officer the majority opts for the cash fee but Keeney said you might opt for calming traffic, better ingress or egress. He

added the buffer might satisfy the need more than the open space, and some on Planning Board suggested increasing the lot size. Council Member Rosoff said often walking trails connect areas, and she didn't see the problem; also she said you have to think about the most efficient and safest way to do housing, one acre lots are inefficient. Langen said the Planning Board did not talk about greenways, and felt that would be a separate item. Keeney said they were trying to be less intrusive. Council Member Rosoff said in Matthews, the greenway connects developments.

Mayor Pro Tem Ormiston said regarding buffering, the majority of residents in subdivisions want that buffering. Mayor Horvath said a minor subdivision may not have an HOA, then it would become part of homeowners' property and who maintains it. Council Member Plyler said if each individual does the maintenance, it won't look uniform. Mayor Pro Tem Ormiston noted we want Wesley Chapel to look rural; Potters Trace has a perimeter and inside buffer, as well as natural area across the street. Carol Mullis asked about the history, and whether all developers had chosen to give the fee. Finance Officer Bennett said as of June 30, 2010 all had done that and we had accumulated \$163,752 from the fee-in-lieu; she also noted the land from a fee-in-lieu was not intended to be common area of an HOA, but instead land that was deeded to the Village, and could even be sold. The funds were used for the purchase of Dogwood Park land. Keeney said screening and contributions from developers might better be used for screening and calming traffic. Mayor Horvath noted the APFO was not determined to be legal; and we can only do the fee-in-lieu. Council Member Brotton noted NC GS 160A-372(a) includes traffic language. Langen replied that this statute gives the powers, but Section 160A-372(c) talks about the fees, and requires it be used only for acquisition or development of recreation, park, or open space sites. Council Member Plyler asked what other towns require; Indian Trail, Marvin and Mineral Springs have the same requirement we do, while Waxhaw and Weddington do not have the requirement. Council Member Brotton asked if you evaluate how many new rooftops you might have in the next 30 years, what the fee would bring in. Finance Officer Bennett said Quintessa brought in \$60,000, and you could build a playground for that. Since there was a lot of information, this item was tabled until January.

#### 8. TOWN HALL BUILDING COMMITTEE UPDATE

- a. Update on shared road construction

Mayor Horvath reported that the road is basically completed.

- b. Update on construction timeline and start date

Council Member Brotton reported everything went to Union County, and we have our permits.

- c. Status of exterior building material decisions/recommendations

Council Member Brotton reported the stone recommended by the Committee is the type used for a façade, and not of the same specs as a building stone which would be 4 inches deep. It is not a structural issue, the architect will talk to Henry Munn from Morlando about it, and there is not a cost differential.

#### 9. PARKS AND REC COMMITTEE UPDATE

- a. Update on contract bidding process

Mayor Pro Tem Ormiston reported that an addendum was issued and bids are due on the 13<sup>th</sup>. The ramp issue was discussed. Council Member Plyler asked if you need the ramp for the

bathrooms; Mayor Pro Tem Ormiston said it was removed from the park bid because you only need it if you keep the house, and do bathrooms in the garage including the ramp, as Phase I renovations to the house. Council Member Plyler asked about using the house, and doesn't the change in use create different requirements. Mayor Pro Tem Ormiston said you can apply for a business usage which is more lenient for such things as air movement; most likely we will not use the upstairs.

b. Update on volunteer day December 1

Mayor Pro Tem Ormiston reported the volunteer day went well.

c. Update on Eagle Scout project

Mayor Pro Tem Ormiston noted they have made a lot of progress and plan to finish the work this weekend.

d. Update on build renovation design process for obtaining estimates / bids and making definitive bathroom facility decision

Mayor Pro Tem Ormiston reported architect Luttman expects to have the documents complete this week, we can decide if we want to proceed to bid it, and by the February meeting we can discuss which route to take.

e. Discussion and approval of Village guidelines around sponsorship / naming policy covering Village assets

This was tabled to January.

f. Approval for purchase of Jon boat

Mayor Pro Tem Ormiston reported NC Wildlife wants us to stock the pond; we must buy feed through them but won't have to pay for the fish. We need a Jon boat to put the feed in the feeder once the pond is stocked. There was a boat on Craig's list. Council Member Plyler said we want the boat to be safe. The boat can also be used to stain the back part of the pier and to clear out the overflow pipe. We will get estimates on a new boat.

There are trees growing on the dam, so we have to maintain it. Mayor Pro Tem Ormiston will contact DENR regarding a dam maintenance program.

There is a six foot gap between the pier and the path and we need to put up a chain and sign; it is a safety issue for children or wheelchairs. We need eye hooks and chain.

10. UPDATE ON DISCUSSION OF DEPUTY HOURS / TIME ALLOCATION

This item was tabled.

11. DISCUSSION ON AGENDA FOR DECEMBER 18, 2012 VILLAGE COUNCIL MEETING

The agenda will include: park estimates and recommendation, house bid documents, JDH land proposal, town hall update, and update on acquisition of JDH land.

12. CONSIDER YOUTH COUNCIL COMMITTEE APPOINTMENT

Mayor Horvath appointed JD Starnes to the Youth Council Committee.

Mayor Pro Tem Ormiston noted the propane tank has to be moved for the park construction, and should not cost us anything to replace the large tank with a 325 tank that will be closer to the house. Council Member Brotton made a motion to accept the proposal to downsize the tank at no cost. Mayor Pro Tem Ormiston seconded the motion.

The motion passed unanimously.

13. DISCUSSION AND POSSIBLE APPROVAL OF VILLAGE MISSION STATEMENT FOR GRANT APPLICATIONS, ETC.

Council Member Plyler made a motion to approve the mission statement proposed by Ormiston; “The Village of Wesley Chapel’s mission is to provide an exemplary level of service for its citizens through effective leadership policies that promote vitality in the community for the long term. Through honesty and fairness, fiscal responsibility, and prudence, the elected officials, staff, board and committee members will govern or serve in the best interests of its residents to support a high quality of life. We recognize the Village to be a great place to live, work, and raise a family, and desire to instill in its citizens a strong sense of pride and ownership in their community.” Council Member Rosoff seconded the motion.

The motion passed unanimously.

14. ADOPT 2013 MEETING SCHEDULE

Mayor Pro Tem Ormiston moved to approve the 2013 meeting schedule, incorporated herein. Council Member Plyler asked if we don’t need all those meetings, can we eliminate work sessions in the future. Council Member Brotton seconded the motion.

The motion passed unanimously.

**Village of Wesley Chapel 2013 Regular Meeting Schedule**

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

Village Council (2nd Monday, 7 pm; Work Session third Tuesday 7 pm):

January 14 and 22

February 11 and 19

March 11 and 19

April 8 and 16

May 13 and 21

June 10 and 18

July 8 and 16

August 12 and 20

September 9 and 17

October 14 and 22 (this is the 4<sup>th</sup> Tuesday)

November 11 and 19

2012.12.10 minutes

December 9 and 17

15. SET DATE FOR HOLIDAY STAFF LUNCHEON

The luncheon will be at Kami on December 17 at noon.

16. CLOSED SESSION PER NC GS 143-318.11(a)(6) TO CONSIDER CONDITIONS OF APPOINTMENT OF PRESENT EMPLOYEES

Mayor Pro Tem Ormiston made a motion to go into closed session; Council Member Brotton seconded the motion.

The motion passed unanimously.

Council discussed Christmas bonuses for the employees.

Mayor Pro Tem Ormiston made a motion to leave closed session; Council Member Rosoff seconded the motion.

The motion passed unanimously.

17. OTHER BUSINESS

Mayor Pro Tem Ormiston moved to approve Christmas bonuses in the amount of \$125 for Cheryl Bennett and \$125 for Joshua Langen, and \$35 for Melody Graham. Council Member Rosoff seconded the motion.

The motion passed unanimously.

18. COUNCIL COMMENTS –(this was discussed before item 16).

Council Member Plyler thought it was inappropriate for the auditor to suggest how many employees we should have. Mayor Horvath noted we received a thank you letter from the third grades at Wesley Chapel Elementary School for our presentation. Mayor Pro Tem Ormiston noted the bid opening will be here on Thursday. Council Members Plyler and Rosoff are planning to attend the Chamber of Commerce's elected officials reception. An item to think about is whether we want two separate grand opening events for the town hall and park or one event.

19. ADJOURNMENT

Mayor Pro Tem Ormiston made a motion to adjourn; Council Member Brotton seconded the motion.

The motion passed unanimously.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath