

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL TOWN HALL  
6490 Weddington Road, Wesley Chapel, NC 28104  
May 12, 2014 – 7:00 P. M.

The Village Council of Wesley Chapel, North Carolina, met in the Town Hall at 6490 Weddington Road, Wesley Chapel, North Carolina.

**Present:** Mayor Horvath, Mayor Pro Tem Como, Council Members Kenary, Plyler and Rosoff

**Others Present:**

Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Admin. Bill Duston; Attorney George Sistrunk

**Citizens Present:** Carol Mullis, Tessie & Rick Morris, Marc Van Dine, Mary Beth and Carrie Roth, Hannah Schrader, Van Southard

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 Council Member Rosoff gave the invocation.

2. PUBLIC COMMENTS

Carol Mullis requested microphones be used; can the public speak at the budget meeting, she wanted draft minutes and a CD of the last Planning Board meeting, and she asked for a deputy at this and the Planning Board meeting. Mayor Horvath said he did not feel a deputy was necessary; the budget is a work session and not for public input, the public can comment at the public hearing in June.

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

Items 5 and 6 were switched in the order; the Turning Point presentation was deleted since they requested to postpone, item 14 was changed to "Review and Discussion of Resignation from Planning Board". Council Member Kenary made a motion to approve the amended agenda; Council Member Plyler seconded the motion.

The motion passed unanimously.

4. APPROVE MINUTES FOR COUNCIL MEETINGS APRIL 7th, 2014 AND APRIL 22nd, 2014

The April 22, 2014 minutes were not yet ready. Council Member Kenary motioned to approve the April 7, 2014 minutes; Council Member Rosoff seconded the motion. Council Member Plyler requested one word be changed in item 2. Council Member Kenary rescinded her motion; Council Member Rosoff rescinded her second.

Council Member Kenary motioned to approve the April 7, 2014 minutes with one change – the word "has" was changed to "had" in line 9 of item 2. Council Member Rosoff seconded the motion.

The motion passed unanimously.

5. CONSIDER APPROVAL OF WESLEY MANOR PRELIMINARY PLAT

Zoning Administrator Bill Duston stated this is a five lot subdivision off Underwood road. There are four subdivision modifications, two on roads that Planning Board did not address; and two others (one on removing seven trees, and one waiving the utility easements be located in all side and rear yards), that Planning Board did recommend approving. Mr. Duston said the engineer's findings could potentially affect the trees to be removed. Today he received an email from DOT via the developer which he passed out. With the exception of the subdivision modifications, this meets our code. Marc Van Dine spoke on the water flow; there is minimal grading and infrastructure, and there are tree save areas, so they can't dictate where the water goes. Once they get the DENR comments, they will work through our engineer's comments. Council Member Kenary said it looks like the water is outflowing to the next subdivision. She had come to the office earlier in the day and had the engineer's report; Mr. Duston will give copies to the rest of council tonight. Council Member Kenary noted four of the seven trees to be removed are in the area of the pond that could potentially change due to our engineer's comments. Council consensus was to approve the other three subdivision modifications, except for the one on trees. This item will be carried over to the May 20 or June 9 meeting. If Mr. Duston receives the engineer letter stating that any changes will not affect the tree save areas, it can go on the next agenda.

6. STAFF REPORTS

a. Review and approve April 2014 financial reports

Finance Officer Bennett reported on cash balances, and that Melody Graham will do the privilege license renewal letters and issue the licenses. As of now our current year surplus is about \$90,000. Purchasing was discussed; Mayor Horvath noted we are trying to be fiscally conservative, we budget based on broad estimates, but that doesn't mean if the funds are budgeted that they should be spent. The money is the town's money, and doesn't belong to one group or committee; it would be in the role of the finance officer to question purchases. Mayor Pro Tem Como motioned to approve the April financial reports; Council Member Rosoff seconded the motion.

The motion passed unanimously.

April 30, 2014 Balance Sheet

**ASSETS**

**Current Assets**

**Checking/Savings**

|                                      |            |
|--------------------------------------|------------|
| <b>Fifth Third Bank Checking</b>     | 80,145.78  |
| <b>Fifth Third Bank Money Market</b> | 385,607.21 |
| <b>BB&amp;T Money Market</b>         | 355,397.53 |
| <b>Cash Change Fund</b>              | 50.00      |
| <b>Total Checking/Savings</b>        | 821,200.52 |
| <b>Total Accounts Receivable</b>     | 15,530.32  |

**Other Current Assets**

|                          |          |
|--------------------------|----------|
| <b>Property Tax Rec.</b> | 2,722.00 |
|--------------------------|----------|

|   |                            |
|---|----------------------------|
| Allow. for Doubtful Accounts                | -1,067.00                  |
| Sales Taxes to be Received                  |                            |
| <b>Total Sales Taxes to be Received</b>     | <u>17,405.01</u>           |
| <b>Fixed Assets</b>                         |                            |
| Land  | 813,423.00                 |
| Dogwood Park CIP                            | 97,610.00                  |
| Town Hall- CIP                              | 671,617.00                 |
| TH Driveway CIP                             | 29,563.00                  |
| Office Equipment                            | 8,749.00                   |
| Accumulated Deprec.                         | <u>-7,727.98</u>           |
| <b>Total Fixed Assets</b>                   | <u>1,613,234.02</u>        |
| <b>TOTAL ASSETS</b>                         | <u><b>2,469,024.87</b></u> |
| <b>LIABILITIES &amp; FUND BALANCE</b>       |                            |
| <b>Other Current Liabilities</b>            |                            |
| Due to Union County Schools                 | 101.51                     |
| Retainage Payable - Town Hall               | 62,423.09                  |
| Retainage Pay. Dogwood Park                 | 17,259.91                  |
| Escrow from Developers                      | 45,076.00                  |
| Payroll Liabilities                         | 1,657.80                   |
| Deferred Revenue                            | 1,655.20                   |
| Next yr Prop Tax prepaid                    | <u>1,564.50</u>            |
| <b>Total Other Current Liabilities</b>      | 129,738.01                 |
| <b>Fund Balance</b>                         |                            |
| Fund Bal. inv. in Fixed Assets              | 1,613,234.02               |
| Fund Balance Assigned for NNO               | 313.40                     |
| Fund Bal. non-spendable                     | 45,076.00                  |
| FB restricted by State Statute              | 22,384.00                  |
| Fund Bal. Committed for CIP                 | 412,237.00                 |
| Fund Balance                                | -114,688.00                |
| Reserved for Parks & Recreation             | 15,771.44                  |
| Net Income                                  | <u>344,959.00</u>          |
| <b>Total Fund Balance</b>                   | <u>2,339,286.86</u>        |
| <b>TOTAL LIABILITIES &amp; FUND BALANCE</b> | <u><b>2,469,024.87</b></u> |

April 2014 Budget Report

|                           | <u>Apr 14</u> | <u>Jul '13 - Apr 14</u> | <u>Budget</u> | <u>% of Budget</u> |
|---------------------------|---------------|-------------------------|---------------|--------------------|
| <b>General Fund</b>       |               |                         |               |                    |
| <b>Income</b>             |               |                         |               |                    |
| Appropriated Fund Balance | 0.00          | 176,400.00              | 176,400.00    | 100%               |
| Contributions Income      |               |                         |               |                    |

|                                     |                  |                   |                   |             |
|-------------------------------------|------------------|-------------------|-------------------|-------------|
| Restricted                          | 0.00             | 550.00            | 500.00            | 110%        |
| <b>Total Contributions Income</b>   | <b>0.00</b>      | <b>550.00</b>     | <b>500.00</b>     | <b>110%</b> |
| <b>Property Tax Income</b>          |                  |                   |                   |             |
| Current Year Property Tax           | 1,006.43         | 144,098.33        | 145,015.00        | 99%         |
| Utility Ad Valorem                  | 0.00             | 1,897.01          | 1,600.00          | 119%        |
| Vehicle Registration                | 1,709.59         | 12,589.82         | 9,465.00          | 133%        |
| Delinquent Property Tax             | 1.24             | 372.31            | 800.00            | 47%         |
| Prior Year Motor Vehicle Tax        | 26.65            | 520.02            | 200.00            | 260%        |
| Interest/Ad Fee on Taxes            | 55.33            | 536.16            | 213.00            | 252%        |
| <b>Total Property Tax Income</b>    | <b>2,799.24</b>  | <b>160,013.65</b> | <b>157,293.00</b> | <b>102%</b> |
| <b>Fees and Licenses</b>            |                  |                   |                   |             |
| Privilege Licenses                  | 273.75           | 22,670.34         | 27,000.00         | 84%         |
| Cable Franchise (from Time Warn     | 0.00             | 11,470.00         | 16,000.00         | 72%         |
| Zoning Permit                       | 650.00           | 32,490.00         | 7,000.00          | 464%        |
| Engineering Fees Reimbursement      | 13,575.82        | 27,980.32         | 25,000.00         | 112%        |
| Newsletter/Deputy Sponsor           | 0.00             | 0.00              | 0.00              | 0%          |
| Annexation Exp Reimbursed           | 0.00             | 0.00              | 200.00            | 0%          |
| Misc. Fees                          | 130.00           | 1,596.34          | 200.00            | 798%        |
| National Night Out                  | 0.00             | 73.00             | 100.00            | 73%         |
| Fall Festival                       | 0.00             | 0.00              | 0.00              | 0%          |
| <b>Total Fees and Licenses</b>      | <b>14,629.57</b> | <b>96,280.00</b>  | <b>75,500.00</b>  | <b>128%</b> |
| <b>Interest Earned</b>              | <b>87.58</b>     | <b>1,285.53</b>   | <b>1,500.00</b>   | <b>86%</b>  |
| <b>Revenue Sharing</b>              |                  |                   |                   |             |
| Sales & Use Taxes                   | 2,876.08         | 23,899.81         | 37,000.00         | 65%         |
| Telecommunications Tax              | 0.00             | 5,291.00          | 10,500.00         | 50%         |
| Video Programming(State Cable)      | 0.00             | 46,480.14         | 91,000.00         | 51%         |
| Franchise Tax (Electric Power)      | 0.00             | 98,507.00         | 171,000.00        | 58%         |
| Excise Tax (Piped Natural Gas)      | 0.00             | 7,247.00          | 16,000.00         | 45%         |
| Alcoholic Beverage Tax              | 0.00             | 0.00              | 33,000.00         | 0%          |
| <b>Total Revenue Sharing</b>        | <b>2,876.08</b>  | <b>181,424.95</b> | <b>358,500.00</b> | <b>51%</b>  |
| <b>Total Income</b>                 | <b>20,392.47</b> | <b>615,954.13</b> | <b>769,693.00</b> | <b>80%</b>  |
| <b>Expense</b>                      |                  |                   |                   |             |
| Transfer to CIP                     | 0.00             | 0.00              | 0.00              | 0%          |
| <b>Operating Expenditures</b>       |                  |                   |                   |             |
| <b>Total Operating Expenditures</b> | <b>7,163.95</b>  | <b>59,172.03</b>  | <b>99,119.00</b>  | <b>60%</b>  |
| <b>Gen. Govt. Salaries</b>          |                  |                   |                   |             |
| <b>Total Gen. Govt. Salaries</b>    | <b>5,747.28</b>  | <b>80,605.83</b>  | <b>132,208.00</b> | <b>61%</b>  |
| <b>Planning &amp; Zoning</b>        |                  |                   |                   |             |

|  |            |              |              |      |
|--|------------|--------------|--------------|------|
| <b>Total Planning &amp; Zoning Professional Fees</b> | 3,259.91   | 51,073.97    | 79,468.00    | 64%  |
| <b>Total Professional Fees</b>                       | 13,673.32  | 46,638.82    | 60,900.00    | 77%  |
| <b>Capital Outlay</b>                                | 0.00       | 0.00         | 50,000.00    | 0%   |
| <b>Total Public Services / Safety</b>                | 0.00       | 80,029.73    | 81,496.00    | 98%  |
| <b>Parks &amp; Recreation</b>                        |            |              |              |      |
| <b>Total Parks &amp; Recreation Personal Ser</b>     | 0.00       | 0.00         | 300.00       | 0%   |
| <b>Total Parks &amp; Rec Supplies &amp; Material</b> | 198.29     | 372.34       | 4,000.00     | 9%   |
| <b>Parks &amp; Recreation Services</b>               | 0.00       | 1,364.56     | 14,282.00    | 10%  |
| <b>Total P&amp;R Capital Outlay</b>                  | 840.74     | 234,291.82   | 247,920.00   | 95%  |
| <b>Total Parks &amp; Recreation</b>                  | 1,039.03   | 236,028.72   | 266,502.00   | 89%  |
| <b>Total Expense</b>                                 | 30,883.49  | 553,549.10   | 769,693.00   | 72%  |
| <b>Net Excess of Rev. over Exp. General Fund</b>     | -10,491.02 | 62,405.03    | 0.00         | 100% |
| <b>Capital Projects fund</b>                         |            |              |              |      |
| <b>CIP Income</b>                                    |            |              |              |      |
| <b>PARTF Grant</b>                                   | 0.00       | 450,000.00   | 500,000.00   | 90%  |
| <b>Adopt A Trail Grant</b>                           | 0.00       | 5,000.00     | 5,000.00     | 100% |
| <b>Water Based Resource Grant-Park</b>               | 0.00       | 100,000.00   | 100,000.00   | 100% |
| <b>Transfer from General Fund</b>                    |            |              |              |      |
| <b>Appropriated for Dogwood Park</b>                 | 800.00     | 1,207,600.00 | 1,207,600.00 | 100% |
| <b>Appropriated for Town Hall</b>                    | 0.00       | 1,442,700.00 | 1,442,700.00 | 100% |
| <b>Total Transfer from General Fund</b>              | 800.00     | 2,650,300.00 | 2,650,300.00 | 100% |
| <b>Total CIP Income</b>                              | 800.00     | 3,205,300.00 | 3,255,300.00 | 98%  |
| <b>CIP Expense</b>                                   |            |              |              |      |
| <b>Capital Projects</b>                              |            |              |              |      |
| <b>Dogwood Park Capital Outlay</b>                   |            |              |              |      |
| <b>Land Acquisition</b>                              | 0.00       | 673,271.00   | 673,271.00   | 100% |
| <b>House</b>   | 0.00       | 411,419.00   | 411,419.00   | 100% |
| <b>Preliminary Planning</b>                          | 0.00       | 15,526.67    | 15,527.00    | 100% |
| <b>Design/Constr Mgt,etc.</b>                        | 819.74     | 72,970.56    | 77,850.00    | 94%  |
| <b>Site preparation</b>                              | 15,000.00  | 218,566.82   | 238,500.00   | 92%  |
| <b>Grassing</b>                                      | 0.00       | 0.00         | 51,100.00    | 0%   |
| <b>Parking lot &amp; drive</b>                       | 0.00       | 0.00         | 114,574.00   | 0%   |
| <b>Boardwalk</b>                                     | 0.00       | 30,520.74    | 36,953.00    | 83%  |
| <b>Accessible routes</b>                             | 20,519.48  | 20,519.48    | 20,600.00    | 100% |
| <b>Paved Walking Trail</b>                           | 0.00       | 0.00         | 56,900.00    | 0%   |

|  |                   |                     |                     |             |
|--|-------------------|---------------------|---------------------|-------------|
| Unpaved trail                            | 0.00              | 9,888.04            | 9,888.00            | 100%        |
| Amphitheater/Stage/Outdoor Clas          | 29,610.00         | 72,100.00           | 76,100.00           | 95%         |
| Contingency                              | 0.00              | 0.00                | 7,435.00            | 0%          |
| Testing Fees                             | 1,748.50          | 9,921.40            | 12,000.00           | 83%         |
| Legal Fees - DP                          | 385.00            | 4,025.00            | 4,396.00            | 92%         |
| Utilities                                | 0.00              | 4,380.00            | 4,380.00            | 100%        |
| Fishing Pier                             | 0.00              | 0.00                | 0.00                | 0%          |
| Multipurpose Field                       | 0.00              | 0.00                | 0.00                | 0%          |
| Rest room renovation                     | 0.00              | 0.00                | 0.00                | 0%          |
| Site Furnishings-gate,signs,etc          | 0.00              | 277.77              | 278.00              | 100%        |
| Other Expense                            | 0.00              | 1,428.24            | 1,429.00            | 100%        |
| <b>Total Dogwood Park Capital Outlay</b> | <b>68,082.72</b>  | <b>1,544,814.72</b> | <b>1,812,600.00</b> | <b>85%</b>  |
| <b>Town Hall Capital Outlay</b>          |                   |                     |                     |             |
| TH Construction Contract                 | 0.00              | 1,224,238.82        | 1,251,621.00        | 98%         |
| TH Architect/Engineer                    | 0.00              | 104,328.87          | 108,168.00          | 96%         |
| TH In House Engineering                  | 0.00              | 1,200.00            | 1,200.00            | 100%        |
| TH Testing/Permit Fees                   | 0.00              | 12,894.66           | 15,000.00           | 86%         |
| TH Telecom Sys/AV/Computers              | 179.90            | 179.90              | 23,012.00           | 1%          |
| TH Insurance                             | 0.00              | 1,374.00            | 1,374.00            | 100%        |
| TH Legal Fees                            | 0.00              | 4,842.50            | 5,000.00            | 97%         |
| TH Furnishings/Seasonal Dec.             | 1,411.28          | 25,283.49           | 28,945.00           | 87%         |
| TH Miscellaneous                         | 65.00             | 3,589.07            | 8,380.00            | 43%         |
| <b>Total Town Hall Capital Outlay</b>    | <b>1,656.18</b>   | <b>1,377,931.31</b> | <b>1,442,700.00</b> | <b>96%</b>  |
| <b>Total Capital Projects</b>            | <b>69,738.90</b>  | <b>2,922,746.03</b> | <b>3,255,300.00</b> | <b>90%</b>  |
| <b>Net CIP</b>                           | <b>-68,938.90</b> | <b>282,553.97</b>   | <b>0.00</b>         | <b>100%</b> |
| <b>Net Excess of rev. over Exp.</b>      | <b>-79,429.92</b> | <b>344,959.00</b>   | <b>0.00</b>         | <b>100%</b> |

b. Monthly planning and zoning report and code violations  
 Bill Duston reported 8 permits issued in April. Planning Board recommended approval of Wesley Manor and two of the four modifications they requested. Mr. Duston approved a three lot administrative subdivision on Will Plyler road, and he expects Brookmeade to be resubmitted with narrower road widths. Regarding stormwater, the Durban Group was given a one month extension to correct maintenance issues with the dry pond near McDonald's; Aston made necessary improvements at the Harris Teeter pond, and the Chick-Fil-A pond. They are to provide staff with a status report on improvements made at other ponds at the shopping center (near town hall and Petsmart). Staff routinely receives phone calls and emails from property owners regarding stormwater issues. Our engineer looks at full build out upstream; most problems are from areas annexed in. Planning Board voted to change their Rules of Procedure dealing with members arriving late when an item is already in progress. Mr. Duston will meet

with the Planning Board Chair to review the text that was verbally approved. Staff continues to do a once monthly sweep of illegal signs.

John Ganus (who does code enforcement) went to 5501 Berrywood Lane where there were complaints of an auto repair/sales business in a residential district; he issued a courtesy letter April 29 and plans to go back and then issue a formal letter. Mr. Ganus will also go out to 100 Wade Hampton Drive where there is a landscaping business in a residential district; Mr. Duston took pictures of the site. The last site is 1000 Woodhurst Circle; Mr. Duston sent a violation letter on April 28, 2014 regarding trailers on the site; the applicant said they are his own personal trailers and not in connection with any business.

Council Member Plyler noted some of these were violations in the past, and the new Council members may not be aware of them. Mr. Duston will send the old report out to the new Council members.

c. Confirmation of 2014 advance action item list for planning staff

Completed items are: a copy of the NC DOT subdivision manual was sent to Planning Board and Council and research on a public claim to private roads – the village attorney did not think that was allowable. Text has been drafted on the roads and sent to NC DOT. Research incentives for private roads; amend Subdivision Ordinance to reference NC DOT minimum standards - both are in process. Draft text on conditional zoning should go to the June or July Planning Board meeting. Mr. Duston spoke to the attorney, and we are protected regarding surety bonds when a subdivider goes bankrupt. The Land Use Plan update can be shared with council in June or July. The senior housing questionnaire is on tonight's agenda.

Mr. Duston also reported that the code says we need the engineer's comments in and addressed before a subdivision goes to Planning Board; Council asked him to survey other town's for their practice. Also the tree save ordinance is on the ordinance prioritization list – Mr. Duston will merge that list with this one, and meet with the urban forester on the tree save ordinance.

d. Review of senior housing questionnaire responses

Mr. Duston reviewed the responses from Planning Board and Council. Eleven of the twelve liked detached independent housing; nine liked attached independent housing. None thought senior housing should be a use by right. The minimum tract area varied; none thought it should be less than five acres; five said it depends. Maximum tract area also varied with four saying twenty acres, and three saying no maximum. Which zoning districts also had a varied response, with four saying RU-40. Maximum gross density – results varied, with three saying three units per acre, and three saying it depends. For detached independent housing, the minimum lot size also varied, with three saying 10,000 sq. feet, and four saying "other".

Council discussed senior housing; Mr. Duston will research the HUD definition and bring answers next week.

7. PRESENTATION BY JUDI ABBOTT OF TURNING POINT – this item was postponed.

8. PRESENTATION BY CARRIE ROTH ON "LITTLE LIBRARY" GIRL SCOUT PROJECT

(This item was discussed before item 6.d.) Carrie Roth who is working on her Girl Scout Silver Award proposed building a couple of free "little libraries" in Dogwood Park, for children, young

adult, and adult books. Her grandfather will help build them, and she will have a book drive. She will be the steward and register the libraries; more information about these libraries is at [www.littlelibraries.com](http://www.littlelibraries.com). Mayor Pro Tem Como motioned to approve the “Little Library” project. Council Member Rosoff seconded the motion.

The motion passed unanimously.

9. EMS PRESENTATION BY TESSIE MORRIS, SAFETY COMMITTEE CHAIRMAN  
This item was postponed as Mrs. Morris did not feel well.

10. SPEED LIMIT IN WESLEY

Council Member Plyler Senator Tommy Tucker said we just need to have our attorney write up a simple resolution to request a uniform 35 mph speed limit and send it to him and Representative Craig Horn. Mayor Horvath reviewed past efforts to reduce speed limits near the town business area; he also noted the problems with areas that have one side of the road in the town, and the other side of the road not in the Village. Council Member Plyler motioned to have our attorney draft a simple resolution for a 35 mph speed limit in Wesley Chapel, and email it to Senator Tommy Tucker and copied to Representative Craig Horn. Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

11. PARKS AND REC COMMITTEE UPDATE

a. Consider waiving penalty fee on park contract

Council Member Rosoff said Parks and Rec recommended we waive the penalty, and motioned to accept Morlando Construction’s request to waive the liquidated damages provision if the contractor achieves substantial completion by May 28, 2014; failure to do so allows the owner to enforce the liquidated damages provision past and present. Mayor Pro Tem Como seconded the motion. Mayor Horvath noted the original completion date was February 9, it was extended to May 2, and it is now May 12th, and they are not finished. There are some things that were done at no cost that were not in the contract, and other things that were not needed such as silt fencing. Gary Wirth said in 12-15 contracts that Mecklenburg went to court on, only one did they win. Attorney Sistrunk said an agreement as an addendum to the contract would be needed. The asphalt is 99% done, most final grading is done, and they are hydro seeding the park; some punch list items remain. Council Member Rosoff asked if we need portajohns for PARTF; we do not.

Council Member Rosoff amended her motion to add an addendum be prepared by the attorney. Mayor Pro Tem Como seconded the amended motion.

The motion passed unanimously.

b. Change orders on park contract

The sleeving was not done in time for a change order.

c. Consider motion to approve tools purchases

Mayor Pro Tem Como proposed purchase of a DeWalt circular saw, DeWalt ½” cordless drill, and Kobalt 9” posthole digger for \$395. Council Member Kenary wanted a clear delineation of what is needed and why; she had not gotten a list of items and prices. Mayor Pro Tem Como said the signs were taken out of the contract, and we need to put up a basic information sign.

Mayor Horvath said with the park opening in June, what else is needed. Mayor Pro Tem Como said the Parks and Rec Chair John Lepke wants a lattice screen around the porta johns, and they need other signs such as no swimming in the lake. Mayor Pro Tem Como motioned to purchase the three tools for \$395; Council Member Rosoff seconded the motion. The tools will be stored in the storage container.

The motion passed unanimously.

d. Consider motion to approve spending \$2,000 on park landscaping  
The landscaper quote was \$2,600; Mayor Pro Tem Como asked them to revise the quote, and has not heard back yet. Council Member Plyler asked for the sizes of the plants.

e. Consider motion to approve materials list for restroom screening and information sign  
Materials requested include \$1,500 for sign materials, and \$1,300 for screening of three porta johns and the trash cans. Council Member Kenary reiterated she wanted to have the facts ahead of time so we can make informed decisions. Mayor Pro Tem Como motioned to buy the sign materials at \$1,400 or less. After further discussion on the materials and size, he withdrew his motion. This will be considered at the next meeting.

f. Other Parks and Rec matters, as necessary

#### 12. CONSIDER MOTION ON CURB CRACK REPAIRS AT TOWN HALL

Not all of Council had reviewed the curb crack repairs, so this was tabled to the next meeting.

#### 13. VILLAGE ADVANCE RECAP

Mayor Horvath recapped the Village Advance, and thanked Council and Planning Board for their participation. We will review progress quarterly.

#### 14. REVIEW AND DISCUSSION OF RESIGNATION FROM PLANNING BOARD

Mayor Horvath said he spoke to Bill Bennett regarding his resignation, and he still prefers to step down. Council Members Kenary and Rosoff asked Council Member Plyler why she brought up that Bill Bennett was the clerk's husband; and pointed out that the same point applies to her husband Butch Plyler being the town hall project manager. Planning Board members are not paid employees, they just get a stipend; but Council Member Plyler felt this was different since her husband is not paid. Council Member Kenary said Council Member Plyler's remarks had the direct effect of making Bill Bennett resign due to fear of retaliation to his wife. Council Member Kenary motioned to not accept the resignation; Mayor Pro Tem Como seconded the motion. Mayor Horvath said there have been implications in the past on what is or isn't the clerk or finance officer jobs, when they are doing their job.

The motion passed 3-1 with Council Member Plyler voting nay.

Council Member Plyler said a lot of things Council Member Kenary had said had upset her and her husband very much.

#### 15. COUNCIL MEETING AGENDA ITEMS AND PREPARATION

Mayor Horvath stressed that the form is meant to be a summary, and only works if everyone does theirs in advance and gets in the necessary information. If information is not submitted on time, the item will not be on the agenda.

16. OTHER BUSINESS

Mayor Horvath noted the budget meeting is here on Friday night. Mayor Pro Tem Como said he cannot attend on Friday. The meeting was moved to Thursday night, pending Council Member Plyler checking her calendar.

17 COUNCIL COMMENTS

The CRTPO meeting is next week.

18. ADJOURNMENT

Council Member Kenary made a motion to adjourn; Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

The meeting ended at approximately 11:00 pm.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath