

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL TOWN HALL  
6490 Weddington Road, Wesley Chapel, NC 28104  
March 9, 2015 – 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 Administrator Bill Duston; Attorney George Sistrunk

**Citizens Present:** Carol Mullis, William Rodriguez, Larry Gordon, Stanley Schwartz, Mike Failor, Pat Stitt, Susan Winchell, Sandy Fenn, Mike Giaimo, Julie Brown, Karen Izzo, Ken Martone, Stan Schwartz

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

1. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Horvath led the Pledge of Allegiance and Council Member Rosoff gave the invocation.

2. PUBLIC COMMENTS

Resident Larry Gordon commented on the de-annexation petition; and noted a provision can be included in the bill that the land can never be re-annexed into the Village again, we may not want that. He was against the de-annexation.

Resident Stan Schwartz supported Council's resolution against the de-annexation, and spoke against the de-annexation. He felt it was shocking that after all the years spent building community, that these people feel their best interests are more important than community. He stated he does not have a friend in Raleigh, but if the de-annexation bill passes, he will petition to de-annex from Union County so that no zoning applies to him and be the first person in Union County to build a Seven-Eleven and an adult bookstore in a subdivision.

Citizen Pat Stitt, a resident since 1972 and who joined the town when it incorporated, stated she had found documents from when Jim Mullis and Butch Plyler were on Planning Board and Council, and our zoning now is pretty much the same as it was then. She was on the Downtown Committee, and the consensus was to stay R-40. She noted circumstances change, and the community needs to work together, and with those who want to sell land; she has also written letters against the de-annexation, and felt it will blow the community apart, and is unfair to those who came here and will stay here. She expressed her support for Council.

3. ADDITIONS, DELETIONS AND ADOPTION OF AGENDA

The item for Richard Helms was deleted as he could not attend tonight. An item was added for the "Dates for Park Events". Council Member Plyler motioned to approve the amended agenda; Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

4. PUBLIC HEARING ON NUISANCE ORDINANCES

The public hearing was opened. There were no comments.

5. PUBLIC HEARING ON NO SOLICITATION ORDINANCE

The public hearing was opened. There were no public comments. Council Member Plyler asked that it be put on a survey. Council Member Kenary said the ordinance has been requested by citizens, and we need a decision.

6. APPROVE MINUTES FOR FEBRUARY 9, 2015

Council Member Rosoff motioned to approve the February 9, 2015 minutes. Mayor Pro Tem Como seconded the motion.

The motion passed 3-1, with Kenary voting nay.

7. STAFF REPORTS – FINANCE REPORT

The Finance Officer reported she moved \$300 from contingency to the annual retreat expense account. Also during the month the town hall was used twice by outside groups (Potters Trace and Blackstone HOA's) with no rental fees. In response to questions at the Advance, we have an available fund balance of \$385,884 as well as fund balance restricted for parks and rec of \$94,178, fund balance restricted for the amphitheater cover of \$2,650, and fund balance assigned for a community center of \$51,348. Council Member Kenary motioned to approve the February 2015 financial reports; Council Member Rosoff seconded the motion.

The motion passed unanimously.

**February 2015 Budget Report**

	<u>Feb 15</u>	<u>Jul '14 - Feb 15</u>	<u>Budget</u>	<u>% of Budget</u>
<b>General Fund</b>				
<b>Income</b>				
<b>Appropriated Fund Balance</b>	0.00	500.00	500.00	100%
<b>Contributions Income</b>				
<b>Restricted</b>	<u>2,650.00</u>	<u>3,194.00</u>	<u>544.00</u>	<u>587%</u>
<b>Property Tax Income</b>				
<b>Current Year Property Tax</b>	16,110.99	148,496.15	146,376.00	101%
<b>Utility Ad Valorem</b>	1,428.81	1,906.94	1,700.00	112%
<b>Vehicle Registration</b>	950.14	7,111.42	9,058.00	79%
<b>Delinquent Property Tax</b>	60.59	441.55	400.00	110%
<b>Prior Year Motor Vehicle Tax</b>	0.00	84.87	0.00	100%
<b>Interest/Ad Fee on Taxes</b>	<u>112.00</u>	<u>256.70</u>	<u>300.00</u>	<u>86%</u>
<b>Total Property Tax Income</b>	18,662.53	158,297.63	157,834.00	100%
<b>Fees and Licenses</b>				
<b>Privilege Licenses</b>	55.00	22,323.03	19,000.00	117%
<b>Cable Franchise (from Time Warn</b>	0.00	7,835.00	15,200.00	52%
<b>Zoning Permit</b>	1,100.00	6,550.00	14,000.00	47%

Engineering Fees Reimbursement	3,219.16	21,836.03	22,000.00	99%
Annexation Exp Reimbursed	0.00	0.00	100.00	0%
Misc. Fees	75.20	155.89	200.00	78%
Winter Walk 5K fees	1,703.00	1,878.00	0.00	100%
National Night Out	0.00	0.00	60.00	0%
<b>Total Fees and Licenses</b>	<b>6,152.36</b>	<b>60,577.95</b>	<b>70,560.00</b>	<b>86%</b>
Interest Earned	11.72	284.62	400.00	71%
<b>Revenue Sharing</b>				
Sales & Use Taxes	3,730.06	19,745.22	41,000.00	48%
Telecommunications Tax	0.00	2,944.93	10,200.00	29%
Video Programming(State Cable)	0.00	24,979.30	91,000.00	27%
Franchise Tax (Electric Power)	0.00	60,720.13	175,000.00	35%
Excise Tax (Piped Natural Gas)	0.00	1,939.47	16,000.00	12%
Alcoholic Beverage Tax	0.00	0.00	31,000.00	0%
<b>Total Revenue Sharing</b>	<b>3,730.06</b>	<b>110,329.05</b>	<b>364,200.00</b>	<b>30%</b>
<b>Total Revenues</b>	<b>31,206.67</b>	<b>333,183.25</b>	<b>594,038.00</b>	<b>56%</b>
<b>Expense</b>				
<b>Town Hall Operating Expense</b>				
Total Town Hall Operating Expense	1,064.66	12,355.16	31,815.00	39%
Total Operating Expenditures	2,727.84	34,651.20	73,730.00	47%
Total Gen. Govt. Salaries	6,476.58	69,132.71	122,141.00	57%
Total Planning & Zoning	5,873.27	39,150.92	78,991.00	50%
Total Professional Fees	5,793.77	32,943.18	50,900.00	65%
Total Capital Outlay	1,560.31	1,810.30	32,350.00	6%
Total Public Services / Safety	35.00	60,592.25	82,283.00	74%
<b>Parks &amp; Recreation</b>				
Total Parks & Recreation Personal Services	0.00	670.00	6,411.00	10%
Total Parks & Rec Supplies & Material	8.09	3,603.35	8,314.00	43%
<b>Total Parks &amp; Recreation Services</b>	<b>951.75</b>	<b>23,455.53</b>	<b>66,636.00</b>	<b>35%</b>
Total P&R Capital Outlay	160.53	5,525.66	40,467.00	14%
<b>Total Parks &amp; Recreation</b>	<b>1,120.37</b>	<b>33,254.54</b>	<b>121,828.00</b>	<b>27%</b>
<b>Total Expense</b>	<b>24,651.80</b>	<b>283,890.26</b>	<b>594,038.00</b>	<b>48%</b>
<b>Net General Fund</b>	<b>6,554.87</b>	<b>49,292.99</b>	<b>0.00</b>	<b>100%</b>
<b>Capital Projects Fund</b>				
<b>Income</b>				
PARTF Grant	0.00	500,000.00	500,000.00	100%
Adopt A Trail Grant	0.00	5,000.00	5,000.00	100%
Water Based Resource Grant-Park	0.00	100,000.00	100,000.00	100%
<b>Transfer from General Fund</b>				
Appropriated for Dogwood Park	0.00	1,209,600.00	1,209,600.00	100%
Appropriated for Town Hall	0.00	1,442,700.00	1,442,700.00	100%
<b>Total Transfer from General Fund</b>	<b>0.00</b>	<b>2,652,300.00</b>	<b>2,652,300.00</b>	<b>100%</b>

<b>Total Income</b>	0.00	3,257,300.00	3,257,300.00	100%
<b>Other Expense</b>				
<b>Capital Projects</b>				
<b>Dogwood Park Capital Outlay</b>				
Land Acquisition	0.00	673,271.00	673,271.00	100%
House	0.00	411,419.00	411,419.00	100%
Preliminary Planning	0.00	15,526.67	15,527.00	100%
Design/Constr Mgt,etc.	0.00	74,388.05	77,850.00	96%
Site preparation	0.00	238,394.33	238,500.00	100%
Grassing	0.00	50,939.29	51,100.00	100%
Parking lot & drive	0.00	113,869.91	114,574.00	99%
Boardwalk	0.00	36,550.54	36,953.00	99%
Accessible routes	0.00	20,519.48	20,600.00	100%
Paved Walking Trail	0.00	56,900.00	56,900.00	100%
Unpaved trail	0.00	9,888.04	9,888.00	100%
Amphitheater/Stage/Outdoor Classroom	0.00	72,100.00	76,100.00	95%
Contingency	0.00	3,674.89	7,435.00	49%
Testing Fees	0.00	11,733.40	12,000.00	98%
Legal Fees - DP	0.00	5,802.50	6,396.00	91%
Utilities	0.00	4,380.00	4,380.00	100%
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>	0.00	1,801,063.11	1,814,600.00	99%
<b>Town Hall Capital Outlay</b>				
TH Construction Contract	0.00	1,233,460.67	1,262,981.00	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	0.00	179.90	252.00	71%
TH Insurance	0.00	1,374.00	1,374.00	100%
TH Legal Fees	70.00	4,982.50	5,000.00	100%
TH Furnishings/Seasonal Dec.	0.00	28,575.14	28,945.00	99%
TH Irrigation	400.00	400.00	16,000.00	3%
TH Miscellaneous	0.00	3,683.65	3,780.00	97%
<b>Total Town Hall Capital Outlay</b>	470.00	1,391,079.39	1,442,700.00	96%
<b>Total Capital Projects</b>	470.00	3,192,142.50	3,257,300.00	98%
<b>Total Other Expense</b>	470.00	3,192,142.50	3,257,300.00	98%
<b>Net Capital Projects Fund</b>	-470.00	65,157.50	0.00	100%
<b>Net excess of Rev. over Exp.</b>	<b>6,084.87</b>	<b>114,450.49</b>	<b>0.00</b>	<b>100%</b>

**Village of Wesley Chapel  
Balance Sheet  
As of February 28, 2015**

<b>ASSETS</b>	
Checking/Savings	
Fifth Third Bank checking	162,092.33
Fifth Third Maxsaver	305,651.57
BB&T Money Market	355,696.57
Cash Change Fund	50.00
Total Checking/Savings	<u>823,490.47</u>
Misc. Fees Receivable	<u>6,516.28</u>
Property Tax Rec.	2,274.00
Allow. for Doubtful Accounts	-1,173.00
Prepaid Exp.	<u>448.00</u>
Total Sales Taxes to be Received	3,659.20
Total Current Assets	835,214.95
Fixed Assets	
Land	813,423.00
Town Hall	1,361,869.00
Town Hall Driveway	29,563.00
Dogwood Park Improvements	705,108.00
Dogwood Park Gate	5,126.00
Dogwood Park Shipping Container	3,200.00
Dogwood Park Sign	1,783.00
Furniture & Equipment	34,846.00
Accumulated Deprec.	<u>-63,101.98</u>
Total Fixed Assets	<u>2,891,816.02</u>
<b>TOTAL ASSETS</b>	<b><u><u>3,727,030.97</u></u></b>
<b>LIABILITIES &amp; EQUITY</b>	
Other Current Liabilities	
Retainage Payable - Town Hall	7,694.24
Due to Union County Schools	74.71
Escrow from Developers	45,076.00
Payroll Liabilities	47.52
Deferred Revenue	<u>1,101.20</u>
Total Other Current Liabilities	53,993.67
Fund Balance	
Fund Bal. inv. in Fixed Assets	2,891,816.02
Fund Bal. non-spendable	45,256.00
FB Restrict for P&R fee in lieu	94,178.39
Fund Bal. Res for Amph. Cover	2,650.00
FB restricted by State Statute	21,514.00
Fund Bal. Committed for CIP	65,626.89
Fund Bal. Assigned for Com. Cen	51,349.00
Fund Balance Assigned for NNO	313.40
Fund Balance	385,884.11
Excess of rev. over exp.	<u>114,450.49</u>
Total Fund Balance	<u>3,673,037.30</u>
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>3,727,030.97</u></u></b>

8. STAFF REPORTS – PLANNING/ZONING AND CODE ENFORCEMENT

Planning and Zoning Administrator Bill Duston reported 12 permits were issued during the last month. Text amendments work continued as Planning Board and Council had a joint meeting on February 23, 2015 to discuss senior housing and conditional zoning as well as the Future Land Use Plan. Mr. Duston had been asked the number of senior housing queries he received, three specific queries were received, as well as three general queries in the last year. Going forward he will include in his report both queries on development as well as when he has to turn down a request, unless the other party asked to keep it private. Council Member Kenary asked for a clarification; can we have 40,000 sq. ft. lots for senior housing; Mr. Duston confirmed we can, while it is probably not desired. He noted he had a permit request today, where the lot was recorded after our zoning ordinance took effect, and the lot was 11,000 square feet; and he had to say no to the permit. Council Member Plyler had a question on code enforcement, and said we are not crime stoppers; with violations like trash on a lot, people should speak to their neighbor first, and require they give you their name; if they don't give their name, you should not check it out. Mayor Pro Tem Como preferred we check out complaints. Council Member Kenary said sometimes people try to work it out, but as a last resort need outside intervention. John Ganus noted from a code enforcement standpoint, we don't need a complainer's name, he goes to the site and determines if there is a violation or not; we don't look for violations, but do check out complaints.

Mayor Horvath noted for senior housing, we don't have the liberty of time for a survey as Planning Board requested, and Mr. Duston suggested that two Planning Board and two Council members work on the text with him so it can go to Planning Board before their March 23<sup>rd</sup> meeting. Council agreed with this idea. Council Member Rosoff and Mayor Pro Tem Como volunteered to represent Council. Council Member Kenary asked if this will create spot zoning; Bill Duston said if it is allowed in the underlying zoning district as a use by right, we will avoid the spot zoning issue.

9. FINAL PLAT, MCKINLEY FOREST SUBDIVISION, PHASE 2

Bill Duston reported McKinley is bonding their improvements, the amount is \$122,812; they paid their fee in lieu of \$19,851.37. Phase two comprises 18 lots. He passed out a map showing the easements for group mailboxes, which didn't affect them when preliminary plat was approved, but are needed now. The easements are on lots 24 and 28. Mayor Pro Tem Como asked if we require parking for the mailboxes; we do not but might consider that text. The applicant noted the mailboxes will be on the side streets.

Council Member Kenary motioned to approve the final plat of Phase 2 of McKinley Forest. Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

10. CONSIDER APPROVAL OF NUISANCE ORDINANCES

John Ganus, our contract code enforcement official, gave a general description of the nuisance ordinances. The ordinances will be complaint driven. Upon complaint, he will compare what he sees with the ordinance, and issue a letter of violation if warranted. Council Member Kenary confirmed that he can verify that the issue is three foot grass and not hay which would not be a violation. She asked if a house has violations can we get grants to assist them. John Ganus said if the town or county has grants, he will pass that information along; if not available, it ultimately falls on the property owner. The civil penalties ordinance allows a penalty to be issued at the

discretion of the code officer if the violator has been issued a letter and given time to comply, and they don't contact him and make no attempt to bring the property into compliance. If they contact him and explain their delay, and give a date to be in compliance he would not impose the penalty, which is \$50 per day. In most cases there is no penalty.

Mayor Horvath noted Planning Board voted unanimously against all of these ordinances; their reasons being big government, and wanting to talk to the neighbor first. Council Member Plyler read comments from the Planning Board minutes, that they felt it was presumptuous and spent time on it, and were against these ordinances. Council Member Kenary noted at the Advance a citizen reported the need for the ordinances. John Ganus said on one complaint he received, the issue was not a salvage business, it was all the junk spread out on the property; he had another call about the junky condition of a property. Unless you adopt the ordinances, you cannot address these issues. Mayor Pro Tem Como asked the attorney's advice; he said it is up to Council's discretion; legally you can go either way. Council Member Kenary motioned to adopt the ordinances presented at the October 21, 2014 meeting: General Penalties; Minimum Housing Standards; Abandoned, Junked and Nuisance Vehicles; Public Nuisances; and Non-Residential Buildings and Structures. *(The ordinances are hereby incorporated by reference and made a part of these minutes)*. Mayor Pro Tem Como seconded the motion.

Council Member Plyler said she was totally opposed to this; we have enough problems now; people lived here before the town was formed, and she did not want to impose this on people now.

The motion passed 3-1, with Plyler voting nay.

#### 11. CONSIDER APPROVAL OF NO SOLICITATION ORDINANCES

Council Member Kenary reported this was first introduced in May, and a draft ordinance was sent to Council in February. She noted citizens have expressed a desire to stop unwanted callers on their private property. Council Member Kenary motioned to approve the Solicitation Ordinance. Mayor Pro Tem Como seconded the motion. Vendors can still participate in park events and political candidates can still campaign. Attorney Sistrunk recommended adding the word "residential" before "private property" in Section 1 (a) and Section 2 (a). Mayor Pro Tem Como rescinded his second. Council Member Kenary amended her motion to add "residential" in the two places recommended. *(The ordinance is hereby incorporated by reference and made a part of these minutes)*. Mayor Pro Tem Como seconded the amended motion.

The motion passed 3-1 with Plyler voting nay.

#### 12. REVIEW CONDITIONAL ZONING INPUT FROM PLANNING BOARD AND CONSIDER APPROVAL, IF WARRANTED (ARTICLES 3 AND 12)

Zoning Administrator Duston reported Planning Board voted 3-2 against Conditional Zoning (CZ). He handed out suggested statements of reasonableness and consistency. Council was provided with his text, changes Planning Board made, and suggestions from Council Member Kenary. Mayor Horvath noted the changes went to Planning Board and they chose not to address them. There were two areas of concerns; who gets notified and the number of public input meetings. Planning Board went from notifying residents in a 500 foot diameter, to a 1,320 foot diameter. Mr. Duston provided map examples of four different radii on two random parcels. With a CUP we just notify the adjoining properties. Regardless of the number of meetings, the developer may or may not heed the comments. While CZ is most used for commercial

development, it can be used for residential re-zonings. There are no conditions with a straight re-zoning, but you can have fair and reasonable conditions with CZ. Marvin has Individual Conditional Districts (ICD), as does Monroe. You can create a new zoning district, and you can go below the standards, but that was not included in the proposed text. Mineral Springs is flexible on items such as landscaping, and signs up to a certain amount.

Details of how the mailed notification of the public input meetings would be done were discussed at length. The developer would provide stamped letters and a list of property owners; the Zoning Administrator will verify the list. The Village staff would actually mail the letters. Staff will attend the public input meetings to answer questions and report back to Planning Board. Council consensus was to notify property owners within 1,320 feet, and without web posting nor comments on the website. The CZ text with the comments from Council Member Kenary that Mr. Duston accepted was conditionally approved, with two meetings, and 1,320 feet for notification, and postage stamped letters or postcards provided with a list. A clean version of the document will be provided for the April meeting.

### 13. LAND USE PLAN REVIEW

Council Member Plyler requested meetings with landowners first. Council Member Kenary asked if this would be a meeting exclusive to land owners, or a public hearing with everyone, and letters to the affected land owners. Mayor Horvath stated anyone can attend. Mr. Duston noted the Land Use Plan (LUP) is in Planning Board's hands; he will bring it up at the March meeting, and they may send it back.

### 14. CONSIDER CLUSTERING / CONSERVATION SUBDIVISIONS AND REQUEST PLANNING BOARD INPUT

Weddington's and Marvin's ordinance text will be reviewed. Planning Board will start to consider this in March. Priorities were set with senior housing first, LUP second and conservation subdivisions third. Conservation subdivisions will impact the LUP.

### 15. COMMITTEE APPOINTMENT

Mayor Horvath appointed Kelly Pierson to the Parks and Rec Committee.

### 16. LANDSCAPE MAINTENANCE

Mayor Pro Tem Como wanted to delay the contract until after the Parks and Rec meeting. Administrator Bennett reported seven bidders attended the pre-bid meeting, and three bids were received: Lucas Landscaping was the low bid at \$16,639; Taylor and Sons and LaDam Landscaping also submitted bids. References were checked and were very positive. Council Member Kenary motioned to award the contract to Lucas Landscaping; Council Member Plyler seconded the motion. The second was rescinded. The motion was amended to award the contract to Lucas Landscaping providing the dry pond maintenance was included in the bid, or will be no more than \$495, which would still make them the lowest bidder. Council Member Plyler seconded the motion.

The motion passed 3-1, with Como voting nay.

### 17. DATES FOR PARK EVENTS

Council Member Rosoff motioned to approve the Wesley Chapel Friends of Parks and Rec (WCFOPR) schedule of events for the year: an Easter egg hunt April 4<sup>th</sup>; a May 2nd BBQ

Contest, talent show and festival; a July 4<sup>th</sup> fishing rodeo, a fall arts festival and spook trail October 3<sup>rd</sup>; and a December 5<sup>th</sup> Christmas in the park event. Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

A short break was held.

18. FULL TIME PLANNER

Council Member Plyler said we need a full time planner, not just two days a week. She motioned to give N-Focus notice, and start looking for a planner. Council Member Rosoff seconded the motion, and then stated she disagreed, the problem is not the planner, our ordinances need to be changed which is why we are looking at all these options. Mayor Pro Tem Como added the timing would be bad now; we can re-visit it in six months. Council Member Kenary agreed on the timing. Mayor Horvath noted Bill Duston has two days open next week, and Council previously decided against shortening our office hours. Bill Duston knows the Village and area and is a wealth of knowledge. Council Member Plyler said we were supposed to have a three day a week contract; Mayor Horvath replied we also have a code enforcement officer, and mapping services as well as Bill who also attends meetings. He added that Nadine Bennett is now working for N-Focus, so she can fill in if Bill is out.

The motion failed 1-3, with Plyler voting yea.

19. CABARRUS STANLY UNION REGIONAL HAZARD MITIGATION PLAN  
RESOLUTION

The plan was approved by FEMA pending receipt of adoption Resolutions from participating jurisdiction. One of our requested actions was to put emergency readiness links on our website; Council Member Kenary asked if we can have a link to evacuation routes. Council Member Rosoff motioned to approve the resolution to adopt the Cabarrus Stanly Union Regional Hazard Mitigation Plan. *(The resolution is hereby incorporated by reference and made a part of these minutes)*. Mayor Pro Tem seconded the motion. The plan is necessary to be eligible for grant funds in the case of a disaster.

The motion passed unanimously.

20. CONSIDER TOWN HALL USAGE POLICY

Mayor Horvath presented the proposed policy. Administrator Bennett noted there are three separate fees, and asked that all three be paid before the reservation is complete. We can add a revenue line item in next year's budget. Council Member Kenary motioned to adopt the Town Hall Usage Policy, effective April 1, 2015 with the change of requiring payment in full at time of reservation. *(The policy is hereby incorporated by reference and made a part of these minutes)*. Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

21. UPDATE ON TOWN HALL IRRIGATION PROPOSAL AND BLACKSTONE  
EASEMENT

Mayor Horvath reported our attorney agreed with the two changes to the easement that Blackstone recommended, and recommended including that Blackstone not make improvements in the easement area that would interfere with our usage. Blackstone requested we repair the

irrigation system that was damaged during the building of the Town Hall in the easement area, the only usage of the easement be for utilities, and asked their HOA be allowed to meet at Town Hall at no cost, up to 10 times per year. The Mayor recommended we allow use four times per year. There is no time limit on the usage. The date of the agreement will be corrected. Council Member Kenary motioned to approve the Easement Agreement with the modification to point #3 as noted in the attorney's email, and allow them to have four meetings per year at Town Hall at no cost. Council Member Rosoff seconded the motion.

The motion passed unanimously.

## 22. OTHER BUSINESS

Council Member Plyler reported the Safety Committee met with Capt. Luke and she stated we do need a deputy after seeing the reports. Our Deputy is answering 40% of the calls. The Sheriff's office goes by our annexation lines to determine Wesley Chapel boundaries. Top crimes are theft and burglary; a problem is that people do not lock their cars. Capt. Luke also had information on available programs, and there will be a meeting in May here or at the Fire Department. If you have old medications to dispose of, there is a drop location at the Fire Department. In the summer, school resource officers will also patrol here. Mayor Pro Tem Como asked if the officer can do bike patrols around the park. Administrator Bennett noted the officer must be bike certified, our deputy is not, and there is intensive training to become certified.

Mayor Pro Tem Como noted the temporary use permit on the storage container at the park expired, and asked if we can change the CUP to avoid renewals each six months. The container holds a variety of items, and is safer than a shed. Mayor Pro Tem Como motioned to allow the Zoning Administrator to make an administrative change to the park CUP to allow the shipping container. Council Member Rosoff seconded the motion.

The motion passed unanimously.

Mayor Pro Tem Como reported he is getting three bids for electrical and plumbing upgrades to the park for a fountain in the pond, a water stand pipe, water line up the driveway, and electric outlets by the parking lot. He also is getting soil test kits from the Ag Center.

Council Member Kenary purchased a large coffee urn for the Youth Council 5K, and asked if Parks and Rec wanted it, they did, and it will be charged to Parks and Rec.

Council Member Kenary noted we spoke of doing something with the remaining town hall land, should we do an RFP to develop the land, perhaps scouts can make a trail, and could Parks and Rec work on this. Mayor Pro Tem Como noted Parks and Rec wanted to do a survey on where we want future amenities; however the survey is not on tonight's agenda.

Council Member Kenary motioned that we have survey questions ready by the week before the April meeting so we can evaluate them. Mayor Pro Tem Como seconded the motion. Five to ten questions each can be included on the survey from Council, Planning Board, Parks and Rec, Youth Council, and Safety Committee.

The motion passed unanimously.

## 23. COUNCIL COMMENTS

Mayor Pro Tem Como thanked the fire department for our use of their facility for the Advance dinner. Council Member Kenary noted we invited the public to the Advance for input, and each person gave their most important issue, and the next day we arbitrarily decided what the priorities were. Two big items were whether Wesley Chapel wants to be urban vs. rural, and de-annexation. She thought the way priorities are set needs to be re-evaluated.

24. ADJOURNMENT

Mayor Pro Tem Como motioned to adjourn; Council Member Rosoff seconded the motion.

The motion passed unanimously.

The meeting ended at approximately 10:10 pm.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath