

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL TOWN HALL  
6490 Weddington Road, Wesley Chapel, NC 28104  
February 13, 2017 – 7:00 PM

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

**Council Present:** Mayor Kapfhammer, Mayor Pro Tem Kenary, Council Members Como and Kaperonis

**Absent:** Council Member Rodriguez

**Others Present:**

Attorney George Sistrunk, Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Administrator Bill Duston

**Standing Items**

1. Call to Order, Pledge of Allegiance, Invocation *Time Stamp 0:00*

Mayor Kapfhammer led the Pledge of Allegiance and Mayor Pro Tem Kenary gave the invocation.

2. Public Comments *Time Stamp: 1:24*

Roy Turner said he had complained about the derelict property at 5013 Willow Run, the building is falling in, there are mice and rats, and nothing has been done about it. He asked that the town do something and enforce the ordinances.

Elaine Rosoff spoke regarding the columns disposed of at the park. She said there are statutes that relate to disposal of property, and she called the School of Government, and Council should have approved of the disposal and made a list. On the day of disposal, large equipment from Moser was there, and she asked if this is situational ethics.

Brad Horvath said as a member of Friends of Parks and Rec, they were asked to provide some information, and did provide a 501(c) (3) letter and info on the event, and on the December recording he heard comments that they did not provide enough information, and he resented that. They want to continue to partner with the town.

Diana Bowler reported Senator Tommy Tucker said they are pulling money from roads to bridges. She asked when we approved senior housing to appease him, did we ask what he was doing to help the roads, and will the State still fund roads or feel that Wesley Chapel doesn't need help, that we would do them on our own.

Mayor Kapfhammer noted we were asked to pay 21% of the cost of the proposed roundabout, roads are the number one complaint, and the roundabout is one of the hot spots. Every now and then there is a chance to submit a project. New Town Road improvements were a safety

concern, not congestion, and done immediately. We are pushing NC DOT to improve Highway 84 down to Potter Road. Mayor Kapfhammer will contact Senator Tucker.

Christopher Russo asked if the council member who arrived late will vote on the ordinances. The reply was he may vote on the ordinances. Mr. Russo said in his Silver Creek neighborhood kids were selling drugs, and he noted drug testing tests are cheap.

Stan Efird reminded Council of the clear cutting loophole. He contacted DENR and they said to let them know of any runoff to the pond, which he did. Moser has put up silt fences. He also noted he found their subdivisions 1982 restrictive covenants had been changed by Dennis Moser and Mr. Winchester who owned 9 of the 15 lots, and they removed all restrictions, and did not even let the other homeowners know.

3. Additions, Deletions, and Adoption of Agenda *Time Stamp 23:21*

Mayor Pro Tem Kenary motioned to table items 11-15 (the decisions on ordinances) until March. The motion died for lack of a second.

Council Member Como motioned to adopt the agenda with the changes of moving Southbrook Signage up, tabling the Closed Session to March, and tabling the cameras for the park, park amphitheater, and picnic table shelters to April. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

4. Consider Approval of Consent Agenda *Time Stamp 30:05*

- a. Approve the minutes of January 9, 2017 public hearing, January 9, 2017 Council meeting, and January 10, 2017 Council/Planning Board meeting
- b. Approve the previous month finance report
- c. Approve the previous month planner's and code enforcement reports
- d. Proclamation for Scouting Anniversary Week
- e. Proclamation for Girl Scout Week
- f. Resolution 2017-02 to add McKinley Forest Roads to State Maintained Road System
- g. Budget amendment in General Fund to increase Engineering Consulting Fees Expense and Engineering Fees Reimbursement Revenue by \$32,000 each, and to move \$800 from Contingency to Park Maintenance Services – Utilities
- h. Approve changes to fee schedule – add temporary family health care structure and annual review fee, add engineering fee deposit for preliminary plat fees and add Future Land Use Plan text change and map change fees
- i. Approve Council Member Kaperonis attending NCLM Town Hall Day in Raleigh March 29, 2017, associated fee and mileage
- j. Release McKinley Forest Phase I Maintenance Bonds of \$12,694
- k. Approve Resolution to clarify Ordinance 2017-01 for stormwater amendments

Council Member Como motioned to approve the consent agenda, Mayor Pro Tem Kenary seconded the motion.

The motion passed unanimously.

**Balance Sheet**

	<u>Jan. 31, 2017</u>
<b>ASSETS</b>	
<b>Checking/Savings</b>	
Fifth Third Bank checking	504,348.45
Fifth Third Maxsaver	308,630.73
BB&T Money Market	507,628.01
Cash Change Fund	50.00
<b>Total Checking/Savings</b>	<u>1,320,657.19</u>
Misc. Fees Receivable	<u>12,546.09</u>
<b>Other Current Assets</b>	
Property Tax Rec.	782.00
Allow. for Doubtful Accounts	-543.00
<b>Total Sales Taxes to be Received</b>	<u>225.41</u>
<b>Fixed Assets</b>	
Land	813,423.00
<b>Dogwood Park</b>	
Dogwood Park Improvements	722,271.00
Dogwood Park fountain	12,960.00
Dogwood Park Water Improvement	8,440.00
Dogwood Park Gate	7,076.00
Dogwood Park Shipping Container	3,200.00
Dogwood Park Signs	<u>3,803.00</u>
<b>Total Dogwood Park</b>	<u>757,750.00</u>
Town Hall	1,361,869.00
Furniture & Equipment	37,682.00
Town Hall Driveway/Irrigation	48,892.00
Accumulated Deprec.	<u>-290,058.98</u>
<b>Total Fixed Assets</b>	<u>2,729,557.02</u>
<b>Other Assets</b>	
Contr to Pen Plan CY Def Outflow	<u>5,534.00</u>
<b>TOTAL ASSETS</b>	<u><u><b>4,068,758.71</b></u></u>
<b>LIABILITIES &amp; Fund Balance</b>	
<b>Other Current Liabilities</b>	
Pension deferrals inflows	10,882.00
Deposits to Refund	25.00
Due to Union County Schools	90.83
Escrow from Developers	196,090.00
Net Pension Liability	2,155.00
Payroll Liabilities	2,268.44
Deferred Revenue	<u>239.20</u>
<b>Total Other Current Liabilities</b>	<u>211,750.47</u>

<b>Total Current Liabilities</b>	<u>211,750.47</u>
<b>Fund Balance</b>	
Fund Bal. inv. in Fixed Assets	2,729,557.02
Fund Bal. non-spendable	196,090.00
FB Restrict for P&R fee in lieu	99,227.78
Fund Bal assigned TH land	25,000.00
Fund Bal. Assigned for Sidewalk	16,000.00
Fund Balance Assigned for NNO	313.40
Fund Balance	730,838.59
Excess of Rev. over Exp.	<u>59,981.45</u>
<b>Total Fund Balance</b>	<u>3,857,008.24</u>
<b>TOTAL LIABILITIES &amp; Fund Balance</b>	<u><u>4,068,758.71</u></u>

**Budget Report – January 31, 2017**

	<u>Jan 17</u>	<u>Jul '16 - Jan 17</u>	<u>YTD Budget</u>	<u>% of Budget</u>
<b>General Fund</b>				
<b>Income</b>				
Transfer from Capital Projects	0.00	22,482.11	0.00	100.0%
Appropriated Fund Balance	0.00	0.00	7,214.00	0.0%
<b>Property Tax Income</b>				
Current Year Property Tax	26,432.56	125,845.00	141,147.00	89.16%
Utility Ad Valorem	1,425.91	1,425.91	1,888.00	75.53%
Vehicle Registration	1,014.95	7,366.89	12,848.00	57.34%
Delinquent Property Tax	12.04	139.97	800.00	17.5%
Prior Year Motor Vehicle Tax	0.00	0.00	0.00	0.0%
Interest/Ad Fee on Taxes	0.00	115.45	300.00	38.48%
<b>Total Property Tax Income</b>	<u>28,885.46</u>	<u>134,893.22</u>	<u>156,983.00</u>	<u>85.93%</u>
<b>Fees and Licenses</b>				
Privilege Licenses	0.00	300.00	200.00	150.0%
Zoning Permit	8,610.00	59,585.00	15,000.00	397.23%
Engineering Fees				
Reimbursement	5,016.15	28,684.81	25,000.00	114.74%
Annexation Exp Reimbursed	0.00	0.00	100.00	0.0%
Misc. Fees	100.00	775.33	300.00	258.44%
<b>Total Fees and Licenses</b>	<u>13,726.15</u>	<u>89,345.14</u>	<u>40,600.00</u>	<u>220.06%</u>
Interest Earned	56.09	345.17	500.00	69.03%
<b>Revenue Sharing</b>				
Sales & Use Taxes	3,740.95	15,787.03	47,000.00	33.59%
Sales Tax on Telecom. Services	0.00	2,171.69	8,100.00	26.81%
Sales Tax on Video				
Programming	0.00	24,606.13	89,500.00	27.49%
Sales Tax on Electricity	0.00	59,956.85	208,000.00	28.83%
Sales Tax on Piped Natural Gas	0.00	1,055.31	20,000.00	5.28%

Alcoholic Beverage Tax	0.00	0.00	37,900.00	0.0%
<b>Total Revenue Sharing</b>	<b>3,740.95</b>	<b>103,577.01</b>	<b>410,500.00</b>	<b>25.23%</b>
<b>Total Income</b>	<b>46,408.65</b>	<b>350,642.65</b>	<b>615,797.00</b>	<b>56.94%</b>
<b>Expense</b>				
<b>Total Town Hall Operating Expense</b>	1,672.87	14,986.50	28,800.00	52.04%
<b>Total Operating Expenditures</b>	1,052.07	28,438.43	77,230.00	36.82%
<b>Total Planning &amp; Zoning</b>	6,210.58	36,799.72	79,203.00	46.46%
<b>Total Gen. Govt. Salaries</b>	6,678.18	71,833.41	133,704.00	53.73%
<b>Total Professional Fees</b>	6,284.90	45,677.57	54,600.00	83.66%
<b>Total Capital Outlay Public Services / Safety</b>	0.00	0.00	29,014.00	0.0%
<b>Total Public Services / Safety</b>	0.00	64,894.13	91,872.00	70.64%
<b>Parks &amp; Recreation</b>				
<b>Total Recreation Events</b>	0.00	2,267.76	7,300.00	31.07%
<b>Total Park Maint. Supplies&amp; Mat.</b>	0.00	198.00	1,000.00	19.8%
<b>Total Park Maint. Services</b>	3,435.07	25,565.68	47,074.00	54.31%
<b>Total P&amp;R Capital Outlay</b>	0.00	0.00	66,000.00	0.0%
<b>Total Parks &amp; Recreation</b>	3,435.07	28,031.44	121,374.00	23.1%
<b>Total Expense</b>	<b>25,333.67</b>	<b>290,661.20</b>	<b>615,797.00</b>	<b>47.2%</b>
<b>Net Excess of Rev. over Exp.</b>	<b>21,074.98</b>	<b>59,981.45</b>	<b>0.00</b>	<b>100.0%</b>

Village of Wesley Chapel, North Carolina Proclamation  
**Recognizing SCOUTING ANNIVERSARY WEEK**  
*February 5<sup>th</sup> – 11<sup>th</sup>, 2017*

*WHEREAS*, the Village of Wesley Chapel would like to recognize and give tribute to the Boy Scouts of America, incorporated on February 8, 1910 by W.D. Boyce and who celebrate on February 8, 2017 their 107th Anniversary; and

*WHEREAS*, Boy Scouts are taught the principles of social, economic and governmental systems and are prepared to take part in and provide leadership in our country through active civic engagement; and

*WHEREAS*, the Boy Scout program: develops citizens who are physically, mentally and emotionally fit; teaches young men of today resourcefulness and concepts of the outdoor code of ethics promoting preservation of our natural resources and environment; upholds the scouts personal values based on religious concepts; enables young men to be completely self-reliant; and promotes the desire and skills to help others at all times; and

*WHEREAS*, Boy Scouting, the local Scout Masters and Assistant Scout Masters of our area troops, and the young men in the Boy Scout program, continuously and tirelessly give of themselves for the betterment of our local communities; and

*WHEREAS*, our Village has greatly benefitted by the young men enrolled in the Boy Scouting program with their community service and Eagle Scout projects, living the Scout Oath and Law.

*NOW, THEREFORE, BE IT PROCLAIMED*, the Village Council of Wesley Chapel, recognizes the 107th Anniversary of Boy Scouts of America and designates February 5 - 11, of the year 2017, SCOUTING ANNIVERSARY WEEK in Wesley Chapel.

The Village Council and the citizens of this community would like to express sincere appreciation to the Central North Carolina Council, Siler Presbyterian Church the charter organization for our local Troop and Pack 46, and all the other area Boy Scout Troops and Cub Scout Packs, their families and countless volunteers for their continued dedication, support and mentoring efforts to our youth, and to the Scouts themselves for their help and support in our Community.

In Witness Whereof, I set my hand and affix this seal of the Village of Wesley Chapel, this 13th day of February of the year 2017.

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Cheryl Bennett, Village Clerk

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Dr. David Kapfhammer, Mayor

Village of Wesley Chapel, NC  
Proclamation for Girl Scout Week



**WHEREAS:** March 12, 2017, marks the 105th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and,

**WHEREAS**, throughout its distinguished history, Girl Scouting has inspired millions of girls and women with the highest ideals of courage, confidence, and character; and,

**WHEREAS**, girls discover, connect and take action to make their local communities and the world a better place; and,

**WHEREAS**, more than 3.2 million current Girl Scout members nationwide will be celebrating 105 years of this American tradition, with 59 million women who are former Girl Scouts and living proof of the impact of this amazing Movement;

**NOW, THEREFORE I**, Dr. David Kapfhammer, by virtue of the authority vested in me as Mayor of the Village of Wesley Chapel in North Carolina, do hereby proclaim the week of March 12-18, 2017 as

**GIRL SCOUT WEEK**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the Village of Wesley Chapel, North Carolina to be affixed this 13<sup>th</sup> day of February of the year of our Lord two thousand seventeen.

Signed \_\_\_\_\_ SEAL Attest \_\_\_\_\_  
 Mayor David Kapfhammer, PhD Clerk Cheryl Bennett

<b>WESLEY CHAPEL FEE SCHEDULE Effective 07.01.2016, Rev. 02.13.2017</b>	
<b>ZONING ORDINANCE RELATED FEES:</b>	
<i>Fees do not apply to Village of Wesley Chapel initiated projects</i>	
Zoning Verification Letter	\$ 25
Upfit Permit (2/04)	\$ 25
Zoning Permit (Accessory)	\$ 25; temporary family health care structure \$100 plus \$50 annual review fee
Zoning Permit (New & Addition)	\$ 50
Foundation Permit (Accessory)	\$ 0
Foundation Permit (New & Addition)	\$ 50
Compliance Certificate (New & Addition)	\$ 100
Temporary Sign Permit	\$ 50***
Permanent Sign Permit	\$ 100***
Temporary Use Permit	\$ 75***
Floodplain Development Permit	\$ 75* plus any engineering review fees
Variance Request	\$ 500*
Zoning Map Change application	\$ 250
Zoning Text amendment	\$ 250
Conditional Re-Zoning Request	\$1,500 * plus engineering/TIA deposit of \$1,000 + sketch plan fees
Conditional Use Permit	\$ 750* plus engineering /TIA deposit of \$1,000, see application

Statutory Vested Rights Application	\$ 200	
Appeal Request	\$ 500	
<b>SUBDIVISION ORDINANCE RELATED FEES:</b>		
Exempt Subdivision Letter/Signature	\$ 25	
Administrative Subdivisions (Up to 3 lots)	\$ 100	
<b>Minor Subdivision:</b>		
Preliminary Plat:	\$ 100	
Final Plat:	\$ 100	
<b>Major Subdivision:</b>		
Sketch Plan Review:	\$ 500	11 – 50 Lots
	\$ 500 for first 50 lots plus \$ 50 each additional lot	51 + Lots:
Preliminary Plat:	\$ 160 * per lot plus \$1,000 engineering/TIA deposit	11 – 50 Lots
	\$ 135 * per lot plus \$1,000 engineering/TIA deposit	51 + Lots
Final Plat:	\$ 500 for first 10 lots plus \$ 25 for each additional lot	11 + Lots
<b><u>FUTURE LAND USE PLAN RELATED FEES:</u></b>		
Text change application	\$250	
Map change application	\$250	
Engineer/TIA review	\$ Cost plus \$25 hour	
Bad Check Fee	\$ 35 or 10% whichever is larger	
Copies: Black & White	\$ .25 each page (one side)	
Copies: Color	\$ .50 each page (one side)	
Recording of meeting	\$2.00	
Privilege License (See Ordinance)		
* Plus any Village Engineering Fees, if applicable at cost plus \$25/hour		
*** Fee does not apply to non-profit or not-for-profit organizations		

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

**Village of Wesley Chapel, North Carolina**

**R-2017-02**

North Carolina  
County of Union

Road Description: Request for SR-2 Resolution for Cold Springs Road, Copper Tree Lane, and Hidden Pond Lane in the McKinley Forest Subdivision in Wesley Chapel.

**WHEREAS**, a petition has been filed with the North Carolina Department of Transportation and they asked for a resolution from the Village Council of the Village of Wesley Chapel, Union County, requesting that the above described roads, 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 roads should be added to the Secondary Road System, if the roads meet minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads 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 roads, and to take over the roads for maintenance if it meets established standards and criteria.

Adopted this 13<sup>th</sup> day of February, 2017.

\_\_\_\_\_  
Dr. David Kapfhammer, PhD, Mayor

Attest:

\_\_\_\_\_  
Cheryl Bennett, Village Clerk

**RESOLUTION 2017-03 TO AMEND TEXT AMENDMENTS TO THE WESLEY CHAPEL ZONING ORDINANCE APPROVED AS ORDINANCE 2017-01**

**1. Amend Section 14.4, "Developments Must Drain Properly" as follows:**

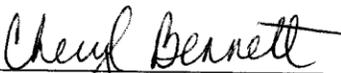
All systems shall be designed in accordance with the ~~Village of Wesley Chapel Stormwater Design~~ Manual. Design of such systems shall be certified by a registered North Carolina professional engineer as an integral part of any permit application.

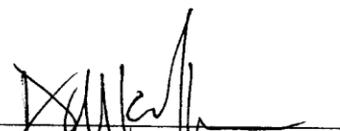
**2. Amend Section 14.5(1) as follows to correspond with text currently contained in the Zoning Ordinance and to show the text in bold underlined type was adopted as new text, but not shown as such in the ordinance approved by the Village Council and to correct the name of the Stormwater Manual:**

All nonresidential development and all major residential subdivisions creating more than 2,500 square feet of impervious area shall provide storm water detention ~~management~~ facilities to control the peak stormwater runoff. ~~Said facilities shall be designed to control the peak runoff~~ from the 1, 2, 10, and 25 year, 24 hour storm events to pre-development rates, and shall safely pass the 50 and 100-year, 24 hour storm with minimum 0.5 feet of freeboard. Stormwater volume control shall be provided for the 1-year, 24 hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours. Stormwater management facilities shall not be located within 10 feet of any property lines, **as measured from the top or toe of slope of the pond embankment.** Pipe, riprap apron, or any other features associated with the stormwater management facility outlet shall not be located within 20 feet of any property lines, inclusive of any required buffers. Design of facilities shall be consistent with the ~~Village of Wesley Chapel Stormwater~~ Manual except as stated herein.

Adopted this 13th day of February 2017.

Attest:

  
Cheryl Bennett, Clerk

  
Mayor David Kapfhammer

5. Youth Council Committee Report *Time Stamp 30:24*

Chair Danielle Acker reported on their work on the 5K and Spring Festival March 18, 2017 including reaching out to sponsors and volunteers, ordering shirts, banners, flyers, games and medals, an ad in the Union County Weekly, and contacting vendors and food trucks. Council Member Como asked for the number of runners - they don't know yet and sponsors - requests are out and they are waiting to hear back. He asked who the proceeds will go to. Danielle Acker said they discussed possible places, and recommend Council wait until the race is over to decide.

6. Planning Board Report *Time Stamp 39:51*

John Souza, Planning Board Chair, reported the Planning Board discussed parking spaces length, and decided 3-0 to leave the text as is. There was concern that lengthening spaces would not fix the problem, we may need to widen the space between rows. Regarding clear cutting, the Board decided 3-0 to do more research. Conservation zoning was discussed, and 3-0 they asked for a time extension, and possibly a joint council Planning Board meeting and site visit.

7. Southbrook Signage *Time Stamp 45:03*

Bill Duston said that Council Member Como mentioned Southbrook Church might need a letter to support their request for a Union County variance, our code prohibits variances for sign sizes or setbacks, so in Wesley Chapel we could not accept a variance application for that. A Southbrook Church representative said they are just asking for a letter of moral support. Council Member Como motioned for the Mayor to write a letter of support to Union County; Mayor Pro Tem Kenary seconded the motion.

The motion passed unanimously.

Bill Duston noted regarding Mr. Efirid's comments, he had left a message with DENR regarding the runoff, and also came across a general statute that allows local governments to deal with clear cutting. We are running into problems with stormwater with just getting concept plans for conditional zoning and then the actual plans have some different impacts. Council Member Como motioned for Mr. Duston to be tasked to work on this with the Village Engineer. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

8. Code Enforcement Report *Time Stamp 53:20*

John Ganus reported he continues to follow up on the light complaint in Wesley Woods.

5013 Willow Run Drive - it is so dilapidated, it is unsafe to enter and is now vacant. The owner gave his niece power of attorney. The owner does not have the finances to fix it, and Mr. Ganus obtained a hold harmless to allow the Village to demolish the house. An accessory building is structurally sound and will be left as is. A dumpster would be needed to empty the contents, then it can be inspected. In his experience it is \$350 - \$500 for asbestos inspection. Once the demolition is done all costs would be a lien on the property. Council Member Como noted the land value is very low. Mr. Ganus said the options are do nothing and it will deteriorate further, or demolish and put on a lien.

410 Cottonwood – Mr. Ganus noted the owner Mr. Caruso cleans it up and then adds more junk; it is a continual nuisance. He issued ten civil penalties for a total of \$500, but it had no effect. He suggested either we clean it up or stop issuing violations.

416 Cottonwood Drive – There are three nuisance vehicles, a violation was issued, and the owner moved and it is now vacant. Vehicles and trash remain. No civil penalties were issued.

417 Cottonwood – The owner moved some of the junk to the back yard, but there is all kinds of junk and debris.

Council Member Kaperonis asked what prevents the property from returning to a mess after we pay to clean it up. Mr. Ganus felt it lets the rest of the neighborhood know you are serious.

Mr. Ganus was asked to take resolved issues off his monthly report.

Mayor Kapfhammer said we expect to have a special meeting on these code enforcement problems.

A short break was held.

9. Deputy Report *Time Stamp 1:15:14*

Deputy Wicker reported on the January crime reports. There was a rise in motor vehicle breaking and enterings, also five larcenies and six assaults.

10. Sheriff's Office Presentation *Time Stamp 1:17:54*

Captain Thomas gave a presentation on crime statistics, including response times and what percent of events Deputy Wicker is responding to. Deputy Wicker made 10 arrests and issued 58 citations; his response time was 9 minutes 50 seconds, which he said was amazing. Events last year were 2,331 excluding self-initiated items. Peak call volume is 9 am to 9 pm. Captain Thomas suggested adding an officer would improve coverage. Three officers work zone 4 which we are in. Deputy Wicker was the secondary unit 180 times, and worked 55 accidents. Target had 377 events; and the average time per call there is 35 minutes 49 seconds. Deputy Wicker said the business where he spends the most time after Target is Rack Room. Captain Thomas said the Rea Road Extension will increase problems, and a second deputy will help and provide seven day a week schedule, and be pro-active. He asked they be made aware of any specific problem areas. He said Deputy Wicker is busy when he is here and other officers are picking up many calls. Chief Deputy Elmore said zone 4 is large, and goes all the way to Cane Creek.

11. Finance Report *Time Stamp 1:41:47*

Finance Officer Bennett reported during the month of January she made a budget transfer of \$300 from Town Hall Land Maintenance Services to Town Office Maintenance Services, and moved \$600 from contingency to legal expense. She also provided information on the North Carolina Capital Management Trust Government Portfolio which is offered to public agencies in the state, and with interest rates slowly rising, it might provide a little more interest revenue to us

than we are currently getting. She also noted it is time to start working on budget estimates with budget season coming up.

12. Decision on Zoning Ordinance Amendment for Donation Bins *Time Stamp 1:45:46*  
Council Member Como motioned to approve Ordinance 2017-02, incorporated herein, and as amended to include the use in the Table of Uses, with the statement of reasonableness that this proposed text change is deemed to be reasonable as it deals with a concern that has been raised by both the public, and that the Village Council has stated needs to be addressed, and the statement of consistency that this proposed text change is neither consistent nor inconsistent with the Land Use Plan (LUP) as the LUP does not address donation bins. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

**VILLAGE OF WESLEY CHAPEL  
TO ADOPT ZONING ORDINANCE TEXT AMENDMENT  
Ord. 2017-02**

**THAT WHEREAS**, the Village of Wesley Chapel has considered amending the Village’s Zoning Ordinance regulations to update portions of the Wesley Chapel Zoning Ordinance pertaining to “Donation Bins”; and

**WHEREAS**, after having held a public hearing on the matter on January 9, 2017; and

**WHEREAS** the following text amendments are to be made to made to the Village’s Zoning Ordinance text:

**1. Add the following text as Section 2.2:**

**Donation Bin**: Any container or receptacle containing an opening through which new or used clothing, books or other household items can be deposited and stored until pickup by the bin’s owner or their authorized agent. Donation bins shall not be allowed as a principal or accessory use within the Village.

**2. Amend Section 5, Table of Uses** to add “donation bins” and show as not allowed in any zoning district.

Adopted this 13th day of February 2017.

Attest:

\_\_\_\_\_  
Cheryl Bennett, Clerk

\_\_\_\_\_  
Mayor David Kapfhammer

13. Decision on Panhandling, Solicitation, Street Vending and Canvassing Ordinance *Time Stamp 1:51:26*

Mayor Pro Tem Kenary motioned to adopt the panhandling ordinance so people in their homes are not hawked by peddlers. The motion died for lack of a second.

14. Decision on Golf Cart Ordinance *Time Stamp 1:53:07*

Mayor Pro Tem motioned to adopt the Golf Cart ordinance. The motion died for lack of a second.

15. Decision on Open Burning Ordinance *Time Stamp 1:54:01*

No motion was made.

16. Decision on Animal Control Ordinance *Time Stamp 1:54:27*

Mayor Pro Tem Kenary motioned to adopt the animal control ordinance. She also explained that golf carts are currently illegal to be operated on our Village streets. The motion died for lack of a second.

### **Old Business**

17. Approve MOU with Indian Trail for Heritage Development *Time Stamp 1:56:37*

Bill Duston noted 95% of the connector is in Indian Trail, and only a small part is in Wesley Chapel. Indian Trail's attorney has not yet approved the MOU, so there may be a small change, and could the motion specify that our attorney review any change, and if it is minor, the attorney could approve it.

Council Member Como motioned to approve the MOU as written, and let the attorney determine if any changes are minor changes and okay them. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

18. Parking Space Dimension Standards *Time Stamp 1:59:38*

Council Member Como motioned to leave the ordinance as is and take no action on this. Council Member Kaperonis seconded the motion.

The motion passed 2-1, with Kenary voting nay.

### **New Business**

19. Committee Charters *Time Stamp 2:00:44*

Mayor Pro Tem Kenary said the committee charters are substantially completed, and we should either ensure the directives remain the same for the Safety Committee or if the charters should be closed. Most milestones are complete. Either we should update the charters or write new ones.

Council Member Kaperonis said he was inclined to get people back on committees.

Council Member Como motioned to leave this as is and when things change on council the members will come back. He amended his motion to leave the Safety Committee and Parks and Rec Committee charters as is. Council Member Kaperonis seconded the motion.

The motion passed 2-1, with Kenary voting nay.

20. Special Park Clean-up Maintenance *Time Stamp 2:10:20*

Mayor Pro Tem Kenary provided a detailed list of items to be cleaned up. The roots on the trails are a trip hazard, especially with the 5K coming up. Most items are things not in the current contract. Mayor Pro Tem Kenary motioned to spend up to \$5,000 to deal with the items and do a budget amendment moving \$5,000 from contingency to landscape maintenance. Council Member Kaperonis seconded the motion.

The motion passed 2-1 with Como voting nay.

Council Member Como asked to be informed of what is spent on each item. The Mayor noted the Clerk works with the vendors, and asked Council Member Como if he wanted to take the lead and he agreed to do so. Mayor Pro Tem Kenary noted she had put the list together and wanted to be involved, to at least be present for the walk through. Mayor Kapfhammer stated Council Member Como wanted accountability, specifically how much money is spent on each item, and a report detailing that.

21. Formal Complaints *Time Stamp 2:30:24*

Council Member Como referred to Elaine Rosoff's complaint and asked what a formal complaint is, is it in writing or made at the podium? Mayor Kapfhammer noted we get various kinds of complaints and asked Council Member Como to draft an operating procedure and propose a formal complaint procedure. In general if complaints come to the clerk, she will disseminate them to Council.

22. Discarding of Town Property *Time Stamp 2:35:06*

Council Member Como noted we followed procedures to donate old desks, but the aluminum columns at the park had value, even as scrap, and he had asked the other Council Members not to dispose of items. The Mayor said the whole area near the storage container was a trash heap. Mayor Pro Tem Kenary said she had asked the Clerk for documentation, and there was a Resolution to donate the columns along with other items from the house to Matthews Habitat for Humanity when Elaine Rosoff was on Council. So Council at that time had determined the items were surplus. The Mayor noted he is investigating and has an inventory list of items of value and he will share it with Ms. Rosoff and respond to her.

Council Member Kaperonis noted if the columns were so valuable they should have been protected.

**Ending Items**

23. Council Comments *Time Stamp 2:45:34*

Council Member Kaperonis asked the other members to do better than this.

Council Member Como said there are people here who want to do clean-up work but the Mayor Pro Tem scared them away.

Mayor Pro Tem Kenary said she had no comment, and noted disrespect does no good. This should be a business meeting but instead there are theatrics.

Mayor Kapfhammer noted he got an email regarding Pianos on Parade, but it turned out that they request the town purchase the pianos and create a project. He thanked everyone for the Highway 84 feedback, and will reach out to DOT engineers Liz Kovasckitz and Scott Cole and ask them to come and talk to use. He will make a field trip to the site and especially look at the powerlines.

Facebook was discussed, Council Member Kaperonis created a farmers market Facebook page, and then realized Mayor Pro Tem Kenary also created one. It was noted we need a social media policy and information to run the page needs to stay with the town office.

24. Adjournment *Time Stamp 2:57:30*

Council Member Como motioned to adjourn; Council Member Kaperonis seconded the motion.  
The motion passed unanimously.

The meeting ended at approximately 10:15 pm.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Dr. David Kapfhammer