

VILLAGE OF WESLEY CHAPEL
COUNCIL SPECIAL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
March 16, 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 and Council Member Como and Rodriguez

Council Absent: Council Member Kaperonis

Others Present: Clerk/Finance Officer Cheryl Bennett, Code Enforcement Officer John Ganus

1. Pledge of Allegiance, Invocation and Determination of Quorum.

The Pledge of Allegiance was said. A quorum of Council was present.

2. Discussion of code enforcement violations and possible decisions

Code enforcement officer John Ganus reviewed four current code enforcement violations.

5013 Willow Run Drive – The property is vacant and dilapidated beyond repair. Mr. Ganus obtained a power of attorney over the property from the owner's niece; the owner is currently in a nursing home. Both the owner and niece signed a hold harmless agreement.

Council Member Como noted the land value is only between twelve and twenty thousand dollars. He asked if we could ask the niece to list the property with a realtor; she might get a small amount of money from it, and it would minimize our out of pocket expense. Mr. Ganus said most municipalities abate the problem. The property does owe both 2015 and 2016 taxes. A neighbor to the property noted someone purchased a nearby foreclosed lot, removed the dilapidated trailer, and built a nice home. Mr. Ganus said the options are to wait and the owner sells it, wait and it doesn't sell, or move forward with it.

Mayor Pro Tem Kenary said Mr. Ganus spins his wheels and doesn't get anywhere, or we act on it. He has sent numerous letters and the owner did not do anything.

Mr. Ganus explained the tax lien would have first priority, and then the code enforcement demolition lien. Asbestos removal could affect the cost. The asbestos inspection would cost between \$350 and \$500. The demolition and cleanup could be \$5,000 - \$10,000; if asbestos is present it may cost a couple of thousand more. The carport and attached garage is structurally sound and will be left, and add some value to the land. Since they are not dilapidated, he would not take them down.

Council Member Rodriguez said this is a safety issue and is in terrible condition, and we need to clean it up.

Council Member Como was in favor of asking them to put the property up for sale, and suggested giving her seven months to sell. Other Council members wanted to use a shorter time frame.

Mayor Pro Tem Kenary asked if we could clean it up and they could make payments, and at the break-even point, we sell the property.

Mr. Ganus suggested going in steps, first determine if there is asbestos for \$300 - \$500, then determine the asbestos abatement costs from a couple of companies. We would have to clean it out before the inspection could be done. Mayor Kapfhammer noted the activities aren't necessarily mutually exclusive.

Council Member Como motioned to give the owner's niece through June 30, 2017 to sell the property, for John Ganus to call her and ask her to list it, and if there is a realtor in the neighborhood they could call John. John Ganus suggested filing a Lis Pendens legal document at the County, so a buyer through a title search would know of the code violation. Council Member Como amended his motion to include filing the Lis Pendens. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

416 Cottonwood Circle – Owner is Dixie Anders. There are three vehicles, a little overgrowth, and a little debris. The owner moved out, and didn't take her stuff or vehicles. In the past Mr. Ganus said he has been able to get cars towed at no expense, recently some have been charging \$100 per vehicle. Costs would probably be \$300 plus his time on the case, which could be a lien on the property. The next step would be to send a letter and tell the owner we are moving forward.

417 Cottonwood Circle - Owner is Charles Jenkins Jr. and his wife Cornelia, who reside on the property. There are a couple of vehicles and a lot of junk. Some was moved from the front to the back, and some mowing done. The amount of debris may vary. It was noted if we clean it up, the problem may reoccur. Mr. Ganus felt the impact of cleaning up a property has a ripple effect, even if you have to clean it up twice. He estimated there is a pick-up truck load amount of junk.

410 Cottonwood Circle - Owner is Testamentary Trust of Louis J. Caruso in care of Jerry Caruso who resides there. Mr. Ganus said four truckloads of items were removed from the property today per the neighbor. The number of vehicles on the site changes widely.

Mr. Ganus suggested dealing with 416 Cottonwood Circle first, and send a notice to 417 and 410 Cottonwood Circle to give them notice we are starting to clean up the properties. He will try to find a towing company that will not charge us.

Council Member Como motioned to move \$2,500 from artwork to a code enforcement services account, and spend up to that amount and start with the Anders property at 416 Cottonwood Circle.

Council Member Rodriguez seconded the motion.

The motion passed unanimously.

Council Member Como asked Mr. Ganus to call these people as well. Mr. Ganus will begin the process on 427 Cottonwood Circle.

3. Adjournment

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

The meeting ended at approximately 8:09 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Dr. David Kapfhammer