

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
April 9, 2018 – 7:00 PM

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

Council Present: Mayor Horvath, Mayor Pro Tem Kaperonis, Council Members Como, Fuller, Rodriguez

Others Present: Attorney George Sistrunk, Clerk/Finance Officer Cheryl Bennett, Planning/Zoning Administrator Tim Gauss

Standing Items

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

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

2. Public Comments *Time Stamp: 1:46*

Resident Sherry Killion enjoyed the conversation at the Advance. She noted at the last two meetings realtors have asked for release from zoning rules because it computes to more money but what is left for the town; respect the Land Use Plan and map. Eliminate loopholes for conservation subdivisions, so they are density neutral, i.e. exclude wetlands and other lands usually excluded; also the open space is not meant to house community amenities.

Lori Bailey thanked Council for the opportunity to be a participant at the Advance. She urged looking at growth holistically, in a thoughtful and sustainable manner. She suggested looking at ordinances in their totality, and to own and define the driving vision.

3. Additions, Deletions and Adoption of Agenda *Time Stamp 7:11*

The Youth Council report was replaced with the Deputy report. An item was added for the Pig in the Park event. Council Member Como motioned to adopt the amended agenda, Council Member Fuller seconded the motion.

The motion passed unanimously.

4. Consider Approval of Consent Agenda *Time Stamp 8:50*
 - a. Approve Minutes for March 12, 2018 Council Meeting and March 16-17, 2018 Advance
 - b. Approve previous month planner's and code enforcement reports
 - c. Approve previous month finance report

- d. Approve Certificate of Sufficiency for two annexing lots
- e. Approve Res. 2018-02 Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31
- f. Approve release of \$25,000 Sidewalk Bond for Candella Subdivision Phase 1
- g. Appoint Madelyn Boyce to Youth Council
- h. Call for Public Hearing on Monday May 14, 2018 at 7 pm at town hall for text amendments for berms to reduce buffers
- i. Call for Public Hearing on Monday May 14, 2018 at 7 pm at town hall for text amendments administrative subdivisions
- j. Proclamation for Peace Officers Memorial day and Police Week
- k. Proclamation for National Day of Prayer

Council Member Como motioned to approve the consent agenda; Council Member Fuller seconded the motion.

The motion passed unanimously.

March 31, 2018 Balance Sheet

ASSETS

Current Assets

Checking/Savings

Fifth Third Bank checking	149,299.12
Fifth Third Maxsaver	308,809.96
NCCMT Government Portfolio	302,428.21
BB&T Money Market	508,218.03
Cash Change Fund	<u>50.00</u>
Total Checking/Savings	1,268,805.32
Misc. Fees Receivable	<u>926.52</u>

Other Current Assets

Property Tax Rec.	823.00
Allow. for Doubtful Accounts	-482.00
Prepaid Exp.	<u>282.00</u>
Total Sales Taxes to be Received	<u>548.78</u>

Total Other Current Assets	<u>1,171.78</u>
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Total Current Assets	1,270,903.62
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Fixed Assets

Land	813,423.00
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Dogwood Park

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>

2018.04.09 Council meeting minutes

Total Dogwood Park	757,750.00
Town Hall	1,361,869.00
Furniture & Equipment	40,939.00
Town Hall Driveway/Irrigation	64,192.00
Accumulated Deprec.	<u>-406,117.98</u>
Total Fixed Assets	2,632,055.02
Other Assets	
Def Outflow Contr to PenPlan CY	<u>11,805.00</u>
Total Other Assets	<u>11,805.00</u>
TOTAL ASSETS	<u><u>3,914,763.64</u></u>
LIABILITIES & Fund Balance	
Other Current Liabilities	
Due to Union County Schools	42.79
Escrow from Developers	196,090.00
Deferred Revenue	<u>341.20</u>
Total Other Current Liabilities	<u>196,473.99</u>
Long Term Liabilities	
Net pension liability	8,916.00
Deferred inflows Pension	<u>6,810.00</u>
Total Long Term Liabilities	<u>15,726.00</u>
Total Liabilities	212,199.99
Fund Balance	
Fund Bal. inv. in Fixed Assets	2,632,055.02
Fund Bal. Assigned for Sidewalk	24,000.00
Fund Balance Assigned for NNO	313.40
Fund Bal Assign future park imp	90,550.00
FB Restrict for P&R fee in lieu	169,879.94
Fund Bal. Res for Amph. Cover	3,664.00
Fund Balance	773,652.14
Net Excess of Rev. over Exp.	<u>8,449.15</u>
Total Fund Balance	<u>3,702,563.65</u>
TOTAL LIABILITIES & Fund Balance	<u><u>3,914,763.64</u></u>

March 2018 Budget Report

	<u>Mar 18</u>	<u>Jul '17 - Mar 18</u>	<u>Budget</u>	<u>% of Budget</u>
General Fund				
Income				
Appropriated Fund Balance	0.00	275,000.00	406,662.00	68%
Property Tax Income				

2018.04.09 Council meeting minutes

Current Year Property Tax	1,351.39	147,143.09	146,243.00	101%
Utility Ad Valorem	0.00	2,258.71	1,960.00	115%
Vehicle Registration	1,248.31	10,262.99	14,604.00	70%
Delinquent Property Tax	0.00	285.38	300.00	95%
Interest/Ad Fee on Taxes	<u>49.22</u>	<u>183.39</u>	<u>250.00</u>	<u>73%</u>
Total Property Tax Income	<u>2,648.92</u>	<u>160,133.56</u>	<u>163,357.00</u>	<u>98%</u>
Fees and Licenses				
Privilege Licenses - ABC	0.00	315.00	270.00	117%
Zoning Permit	3,150.00	19,725.00	25,000.00	79%
Engineering Fees Reimbursement	3,818.29	30,854.62	57,000.00	54%
Annexation Exp Reimbursed	0.00	0.00	100.00	0%
Misc. Fees	<u>120.00</u>	<u>2,556.90</u>	<u>2,908.00</u>	<u>88%</u>
Total Fees and Licenses	<u>7,088.29</u>	<u>53,451.52</u>	<u>85,278.00</u>	<u>63%</u>
Interest Earned	339.37	2,442.46	800.00	305%
Shared Revenues				
Sales & Use Taxes	4,895.44	26,169.19	48,000.00	55%
Sales Tax on Telecom. Services	1,976.63	4,121.65	8,200.00	50%
Sales Tax on Video Programming	23,265.34	47,880.41	96,000.00	50%
Sales Tax on Electricity	40,534.71	102,254.54	201,000.00	51%
Sales Tax on Piped Natural Gas	3,675.50	6,252.69	15,000.00	42%
Alcoholic Beverage Tax	<u>0.00</u>	<u>0.00</u>	<u>36,500.00</u>	<u>0%</u>
Total Shared Revenues	<u>74,347.62</u>	<u>186,678.48</u>	<u>404,700.00</u>	<u>46%</u>
Total Income	<u>84,424.20</u>	<u>677,706.02</u>	<u>1,060,797.00</u>	<u>64%</u>
Expense				
Transportation	0.00	275,000.00	275,100.00	100%
Total Town Hall Operating Expense	1,729.73	23,337.84	28,500.00	82%
Total Operating Expenditures	2,121.83	41,408.17	73,005.00	57%
Total Planning & Zoning	7,198.72	72,905.26	118,700.00	61%
Total Gen. Govt. Salaries	13,841.52	87,337.23	133,798.00	65%
Total Professional Fees	3,643.29	39,272.37	96,635.00	41%
Total Capital Outlay	5,760.00	8,010.25	57,000.00	14%
Total Public Services / Safety	22,014.50	88,308.00	91,643.00	96%
Parks & Recreation				
Total Park Maint. Supplies& Mat.	199.98	399.96	600.00	67%
Total Park Maint. Services	<u>5,393.50</u>	<u>33,277.79</u>	<u>69,816.00</u>	<u>48%</u>
Total P&R Capital Outlay	<u>0.00</u>	<u>0.00</u>	<u>116,000.00</u>	<u>0%</u>
Total Parks & Recreation	<u>5,593.48</u>	<u>33,677.75</u>	<u>186,416.00</u>	<u>18%</u>
Total Expense	<u>61,903.07</u>	<u>669,256.87</u>	<u>1,060,797.00</u>	<u>63%</u>
Net Excess of Rev. over Exp.	<u>22,521.13</u>	<u>8,449.15</u>	<u>0.00</u>	<u>100%</u>

Certificate of Sufficiency

To the Village of Wesley Chapel, North Carolina Council:

I, Cheryl Bennett, Village Clerk, do hereby certify that I have investigated the petitions for annexation for parcel 06009074 at 3901 Voltaire Drive, Monroe, NC 28110 and for parcel 07138210 at 419 Hunters Pointe Dr., Indian Trail, NC 28079 and have found as a fact that said petitions are signed by all the owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have here unto set my hand and affixed the seal of the Village of Wesley Chapel, this 28th day of March, 2018.

SEAL

Cheryl Bennett
Cheryl Bennett, - Village Clerk

**Village of Wesley Chapel, NC Resolution 2018-02
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PURSUANT TO G.S. 160A-31**

WHEREAS, petitions requesting annexation of the area described herein have been received; and

WHEREAS, the Village of Wesley Chapel has directed the Village Clerk to investigate the sufficiency of the petitions; and

WHEREAS, certification by the Village Clerk as to the sufficiency of the petitions has been made;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Wesley Chapel, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Wesley Chapel Town Hall, at 6490 Weddington Road, Wesley Chapel, North Carolina at 7:00 pm, on May 14, 2018.

Winding Creek parcel: lot 38
Hunter's Pointe parcel: lot 26

Section. 3. Notice of the public hearing shall be published in the Enquirer-Journal, a newspaper having general circulation in the Village of Wesley Chapel, at least ten (10) days prior to the date of the public hearing.

Approved April 9, 2018.

Mayor Brad S. Horvath

Wesley Chapel Proclamation Peace Officers Memorial Day and Police Week

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which it falls as Police Week; and

WHEREAS, the members of the Union County Sheriff Department, play an essential role in safeguarding the rights and freedoms of the citizens of Union County and Wesley Chapel; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement agency, and that we honor all those who devote their lives to making a stronger and safer community; and

WHEREAS, it is important to reflect on their invaluable contributions as we enjoy the peace they bring to our communities, by safeguarding life and property, by protecting citizens against violence and disorder, the innocent against deception and the weak against oppression; and

WHEREAS, we must never take for granted the selfless service of our men and women and the contributions they make to our community, and we must honor those who have given the ultimate sacrifice of their lives in the line of duty, wearing a shield of protection for our community.

NOW, THEREFORE, I, Mayor Horvath, call upon all citizens of Wesley Chapel to observe the week of May 13 through May 19, 2018, as Police Week in which all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I FURTHER call upon all citizens of Wesley Chapel to observe Tuesday, May 15, 2018, as Peace Officers Memorial Day in honor of those peace officers who, have lost their lives or have become disabled in the performance of duty and ask all citizens to fly the flag at half-staff as proclaimed by the President of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Village of Wesley Chapel to be affixed, at the Village of Wesley Chapel, this day, April 9, 2018.

Mayor Brad S. Horvath

Village of Wesley Chapel, NC
Proclamation for National Day of Prayer



WHEREAS, civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and,

WHEREAS, the Declaration of Independence, our first statement as Americans of national purpose and identity, made “the Laws of Nature and Nature’s God” the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and,

WHEREAS, the Supreme Court has affirmed the right of state legislature to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and,

WHEREAS, in 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and,

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and,

WHEREAS, it is fitting and proper to give thanks to God by observing a day of prayer in Wesley Chapel when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our town, state and nation.

NOW, THEREFORE, the Mayor of the Village of Wesley Chapel proclaims the first Thursday in May to be designated as **A Day of Prayer** in Wesley Chapel, North Carolina, and encourages the citizens of Wesley Chapel to observe the day in ways appropriate to its importance and significance.

Proclaimed this the 9th day of April, 2018.

Signed _____ SEAL Attest _____
Mayor Brad Horvath Village Clerk Cheryl Bennett

5. Planning Board Report *Time Stamp 10:15*

Planning Board Chair John Souza reported at their last meeting they went over action items from the Advance. One item was the tree save ordinance; a sub-committee was suggested. Other items include the Land Use Plan amendment process, sign ordinance (to bring it into compliance with the 2015 Supreme Court ruling regarding neutrality), their Rules of Procedure (Council agreed they should recommend updates to the Rules), the subdivision checklist (they will use the nine page staff checklist, and if it becomes information overload they can cut back). They will also use a form to document Planning Board decisions that go to Council. Council Member Como attended the last meeting, and Council Member Fuller will attend the next meeting.

6. Deputy Report *Time Stamp 23:10*

Deputy Brandon Wicker reported on crimes since January; the most significant being the robbery at McDonalds in February. Other items were car break-ins and larcenies, as well as construction thefts. Council Member Como asked the deputy if he can work the Pig in the Park event on May 5th, the deputy will check his schedule.

7. Parks and Rec Committee Report *Time Stamp 28:30*

Chair John Lepke reported their second meeting focused on the outcomes from the Advance, the original phase 1 of the park included finishing the amphitheater, irrigation system, and restrooms. In order to have musical events, the band shell, sound and lighting systems are needed. They drafted documents a couple of years ago for the band shell, and want to go forward with the original design. Council Member Rodriguez said he had all the drawings for a pre-fab system, that would be less expensive, but Park and Rec did not feel it included all the necessary costs. Council Member Rodriguez was requested to send all his information to Mr. Lepke for comparison. John Lepke has been working on light and sound system schematics, and noted the equipment is expensive to buy or rent. He hopes to have final specs for the next Park and Rec meeting. The system would not be left outside, but would be travel ready, and may cost up to \$40,000 without a light system, and \$45,000 with a light system.

Mr. Lepke said they also have detail specs for an irrigation system that would use water from the pond, and want Council to seek bids and budget for it. The restrooms will cost \$200,000 to \$250,000, so they think a community center with outside access restrooms and getting a PARTF grant would be more feasible. Also Park and Rec asked Council to support public information sessions to update the master plan required to get a grant.

Regarding the Hwy. 84 widening which will take .73 acre originally purchased with PARTF grant funds, a Parks and Rec member met with the adjacent landowner, and they are not in favor of selling land to us. Another option is an easement along a thread trail, but it is unlikely we have time to discuss and develop a trail in the five years stipulated by PARTF, so it is likely we will have to return the \$50,500 to PARTF for the land taken.

Mr. Lepke looked at the original landscape contract specs, and the contract that was revised by Council Member Rodriguez in 2016, and found application rates were removed from the

contract, as well as other items such as fire ant control. Council Member Rodriguez said other items were added such as mulching. Mr. Lepke said the park is full of weeds, added mulch has not been applied and recommended going back to the original contract, and bidding out the contract. Council Member Kaperonis noted not having irrigation is a problem, and felt that an event with 3,500 people would be too large for the park. The deadline for this year's PARTF grant is too soon for us to apply, so we will aim for the 2019 grant cycle.

8. Report from Finance Officer *Time Stamp 59:13*

During March the Finance Officer transferred \$400 within Parks and Rec from Grounds to Water/Sewer, and \$600 within Town Hall Operating Expense from Land Maintenance to Utilities – Town Hall. State shared revenues are coming in right on target compared to budget; piped natural gas revenue is a little low due to seasonality. Park plumbing repairs were done and paid for during the month.

Old Business

9. Conservation Subdivisions text amendments – Discussion and Call for Public Hearing *Time Stamp 1:02:00*

Planner Tim Gauss reported conservation zoning basically allows you to identify critical areas to preserve, compute the yield from by-right zoning, and then gives you flexibility in developing the site. You can work with the site topography, and have more efficient infrastructure. The clustering allows for more interaction. There were some differences between recommendations from Planning Board and from two Council members on various aspects such as minimum acreage of the tract, the required conserved area, and minimum lot size. Planner Gauss pointed out the rear yard requirement of 75 feet is more than a conventional subdivision, he felt agricultural areas in open space could be in greenhouses or buildings, and parking for recreational areas both might be contrary.

Council Member Como asked if there was any recourse if developers misuse the rules; the attorney said if they meet the requirements of the code, intent doesn't matter. Planning Board Chair Souza noted a developer had land that they would have had to build a bridge to access so they did not put in the ten houses they might have there, so this is a potential misuse. Planning Board's approach was to be conservative, and not take a big leap from R-40 zoning requirements.

Specific items were discussed. Consensus was to require a tract size of 15 acres. Screening from the road is desired; so a view shed buffer is good if there is trees, but if the land is not treed you might want buffer plantings, or to default to the usual fifty foot buffer. Minimum lot size was not agreed on. The Planner will draw up some diagrams to provide visuals showing the options. Agreement was reached that side yard setbacks will be fifteen feet, front yard setbacks fifty feet, and lot width 120 feet.

Excluding streams and stream buffers for lot computations in both by-right zoning and for conservation zoning was discussed, the Planner will look into this. Insufficient text is ready for

calling for a public hearing at this point. The planner will bring back sketches to show examples of various parcels and lot sizes.

12.A. A. Pig in Park Event *Time Stamp 2:07:00 (This item was moved up and discussed at this point in the meeting.)*

Diana Bowler representing Wesley Chapel Friends of Parks and Rec (FOPR) was present. Council Member Rodriguez wanted to meet with FOPR before considering any funding. Mayor Horvath noted Council had a conversation with them last month. Ms. Bowler reported they go out for sponsorships, and then look for what they could do to benefit the town with any net revenue. Council Member Como motioned to spend up to \$1,200 for the Pig in the Park event portajons, DJ, and advertisements. The town is recognized both in the ads and by the DJ at the event. Council Member Fuller seconded the motion. Council Member Rodriguez requested our logo be clear in the ad.

The motion passed unanimously.

Council Member Rodriguez motioned to move \$1,200 from Parks - Tree Services to Event Services. Council Member Como seconded the motion.

The motion passed unanimously.

A letter regarding an alleged landscaping business operating in Meadowmere which said there was an illegal fence put up at the home was discussed,. It was explained that the Village does not require a permit for a fence, and we do not enforce HOA regulations. Our Code Enforcement Inspector has not found a violation exists at the location, and shows it on our report as a complaint; he does continue to monitor the location.

10. Village Advance Post Event Update *Time Stamp 2:13:30*

Mayor Horvath reported the Advance went well, and good conversation was had. We need a scorecard to keep track of progress on the action items.

11. Review and Approve Changes to Council Rules of Procedure *Time Stamp 2:15:30*

The Clerk gave an update on changes since the last meeting. Council Member Fuller motioned to approve the revised Rules of Procedure. Council Member Como seconded the motion.

The motion passed unanimously.

The new Rules of Procedure will be emailed to Council and put on the website.

New Business

12. B. Volunteer Work Day at Park *Time Stamp 2:19:20*

Council Member Como said several groups approached us for a volunteer work day, and regarding Earth Day. He has fixed some holes in the pier and the picnic tables, but a general

clean-up is needed. John Lepke noted they offered the Youth Council several options of projects in the park, including a small wall around the butterfly garden where rock can be harvested from around the park, and the rotary club might purchase the mortar. Council Member Rodriguez did not want anything that involves gas used at the volunteer day; he suggested replacing wood tables with plastic ones. In the past there was one volunteer day a month, and it allows high schoolers to get their service hours. Council Member Como motioned to do regularly scheduled volunteer days with no one younger than age eighteen using a chain saw; insurance waivers will be obtained from all volunteers. Council Member Fuller seconded the motion.

The motion passed unanimously.

13. Electrical Upgrade in Park *Time Stamp 2:26:06*

Council Member Como motioned to run electricity to the center of the park to light the flag pole and for electric upgrades with two 120 volt outlets. Council Member Fuller seconded the motion. John Lepke noted there is spare capacity in the panel for a breaker, we have to run conduit and could also run it for the amphitheater. The motion and second were rescinded.

Council Member Como motioned to get prices to run electricity to the band shell and flag. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

14. General Park Repairs Budget – Transfer \$1,500 from Grounds to Other Supplies and Materials *Time Stamp 2:31:14*

Council Member Como stated we need money to finish the repairs. Council Member Fuller motioned to transfer \$1,500 from Parks - Grounds to Other Supplies and Repairs. Council Member Como seconded the motion.

The motion passed unanimously.

15. Removal of Dead Tree Near Park Gate *Time Stamp 2:32:36*

A dead tree near the entrance gate at the park presents a hazard. Council Member Como motioned to get bids and remove the tree for up to \$1,000. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

16. Park Public Information Session *Time Stamp 2:34:24*

John Lepke noted a key component for obtaining a PARTF grant is to hold and document public information sessions, which might include options such as a community center, restrooms, and playground. Mayor Horvath wanted Park and Rec to decide how to advertise it and to budget for it in 2018-19. PARTF requests input be obtained from residents as they will pay the taxes for any improvements.

17. Completion of Park – Phase I *Time Stamp 2:39:30*

Council Member Como noted restrooms should be moved to Phase 2, but we want to move forward on the sprinkler system and band shell. He motioned to use the original band shell specs and put it out to bid. Council Member Fuller seconded the motion.

The motion passed unanimously.

18. Establishment of a Communication Committee and Mayor Appointment *Time Stamp 2:46:26*

Mayor Horvath noted we have worked on communication in the past and the idea of a committee came up at the Advance. Council Member Como motioned to establish a Communications Committee, and propose a Charter, noting all spending authority is Council's. Council Member Fuller seconded the motion.

The motion passed unanimously.

Mayor Horvath noted he had an application from Tammy Boyce, and he appointed her to the Committee.

19. Hiring Administrative Assistant *Time Stamp 2:49:50*

Mayor Horvath noted this currently budgeted position will help by doing committee minutes as well as helping people at town hall. Our last administrative assistance worked two 5 hour days and also attended committee meetings for an average of twelve hours per week. Council Member Como motioned for the Mayor and Administrator to advertise for an administrative assistant based on the previous responsibilities, review applications and bring a recommendation to Council. Council Member Fuller seconded the motion.

The motion passed unanimously.

20. Landscape Contract Review *Time Stamp 2:56:13*

Council Member Como noted the original contract specs came from professionals, and urged we go back to the original contract. Mayor Horvath wanted both the original and revised contracts to be sent to Council first. Council consensus was to appoint John Lepke as the contact for the landscaper's services.

21. Unmuffled Brakes Ordinance *Time Stamp 3:05:10*

Mayor Horvath reported he received resident complaints about loud braking at the Waxhaw-Indian Trail and Potter Road roundabout; he contacted DOT and they require us to adopt an ordinance and put up signs to restrict use of unmuffled brakes. Enforcement was discussed; the Mayor asked the deputy to spend a day or two at the site. Signs would be put on the side of Waxhaw-Indian Trail Road and the side of Potter Road coming towards the roundabout. Council Member Mike Como motioned to approve Ordinance 2018-01, incorporated herein, to prohibit the use of unmuffled engine compression brakes. Council Member Rodriguez seconded

the motion. Mayor Pro Tem Kaperonis said he was against creating more ordinances, amidst our inability to deal with the alleged landscaping business at Meadowmere.

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

Village of Wesley Chapel, NC Ordinance No. 2018-01

AN ORDINANCE TO PROHIBIT USE OF UNMUFFLED ENGINE COMPRESSION BRAKES

1. Definitions: Engine Compression Brakes are a device primarily on large trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.
2. PROHIBITIONS:
 - a. It shall be unlawful for any person to employ unmuffled engine compression brakes within the official limits of Wesley Chapel, unless such use is necessary to avoid imminent danger such as to protect the safety and property of motor vehicle operators, pedestrians, and the operator and passengers of the motor vehicle involved in said emergency situation.
 - b. It shall be unlawful for any person to operate or cause to be operated a motor vehicle unless the exhaust system is free from defects, which affect sound reduction.
 - c. No person shall remove or render inoperative, or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair or replacement, any muffler or sound dissipative device on a motor vehicle.
 - d. It shall be unlawful for any person to modify the exhaust system of a motor vehicle by the installation of a muffler cut-out or bypass, and no person shall operate a motor vehicle which has been so modified.
3. SIGNAGE: Signs stating “Unmuffled Engine Braking Prohibited” may be installed at locations deemed appropriate by NC DOT.
4. PENALTIES: Any person, firm or corporation violating the provisions of this ordinance shall, upon conviction, be responsible for an infraction and shall be punished in accordance with the provisions of the North Carolina General Statute 14-4. A violation of this ordinance is a Class 3 misdemeanor and shall be punishable by a FIFTY DOLLAR (\$50.00) fine.

ADOPTED this 9th day of April, 2018.

ATTEST:

Brad S. Horvath
Mayor

Cheryl Bennett
Village Clerk

Council Member Como motioned to spend up to \$600 for DOT to install two signs, and to move the \$600 from Contingency to Transportation. Council Member Rodriguez seconded the motion.

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

22. Town Hall General Repairs *Time Stamp 3:14:08*

We will get estimates on fixing the lights in Chambers, spackling the holes left from the old thermostats, a stress crack in the kitchen, and where the sink is separating from the wall in the men's bathroom.

Ending Items

23. Council Comments *Time Stamp 3:17:06*

Council Member Fuller thanked citizens for attending, and Bob Bledsoe for videotaping the meeting.

Council Member Rodriguez appreciated the streamlined meeting.

Mayor Pro Tem Kaperonis shared the second meeting of Leadership Union focused on the arts. He felt there were opportunities to do something with the Junior Arts League or a local renowned photographer.

Council Member Como noted the Easter event went well, with close to 2,000 in attendance. The sunrise service had a record turnout, and a Southbrook volunteer fell and broke her ankle, and is recovering after surgery. Park and Rec will review a request from Waxhaw Rotary Club to plant a tree and plaque. We received an email letter from WCWAA regarding possibly donating toward their fields. We need to plan our budget meeting date.

Mayor Horvath reported he is talking to Blackstone regarding the possibility of thinning the trees, and getting a quote from the Aston subcontractor to level out less than one acre of our town hall land. The request for a Post Office or single town zip code came up at the Advance; he talked to Congressman Pittenger who made inquiry; the Post Office said they entertained our request nine years ago, and you must wait ten years, so we could try again next year.

24. Adjournment *Time Stamp 3:28:45*

Mayor Pro Tem Kaperonis motioned to adjourn; Council Member Rodriguez seconded the motion.

The motion passed unanimously.

The meeting ended at approximately 10:30 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath