

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
May 14, 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 and Fuller

Council Absent: Council Member Rodriguez

Others Present: Clerk/Finance Officer Cheryl Bennett, Attorney George Sistrunk, 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 the invocation was given. Mayor Brad Horvath commented to address some emails received about the budget, deputy contract, and tax rate and park improvements. There is not an issue of funding the deputy vs the park; when we review the budget we go line by line. Second, no tax increase is anticipated, and we have never increased taxes in 20 years, in fact due to a tax valuation we decreased the tax rate to keep it revenue neutral. Each year we have a revenue surplus, and it goes into fund balance. You have to be careful about using the surplus for ongoing expenses. We used to have privilege licenses, which in part funded the deputy, but we no longer are allowed to issue them. We have a fee in lieu which comes from new developments and is only allowed to be used for recreation. A community center is not in the budget. We do put some money aside each year for that. The contract deputy has not been dismissed. There was a break-in in Wesley Chapel, however there were similar break-ins in Monroe and Indian Trail; Monroe has their own police department, and Indian Trail has many deputies.

2. Public Comments *Time Stamp: 9:12*

Sondra Bradford spoke on behalf of Wesley Chapel Friends of Park and Rec to thank the Village for supporting the Pig in the Park event, which went well, and raised \$2,002 which they will work with the Park and Rec Committee on how it might be used for future amenities.

Lori Bailey expressed thanks for the info on the agendas and packets that are available before the meetings, and commented that it seems like conservation subdivisions would be a good opportunity for a joint meeting between Council and Planning Board.

Elliott Smith spoke regarding an email he sent to council about the letter about Council Member Rodriguez's actions, which are reprehensible and inappropriate, and as he represents a liability to the Village, asked for his resignation.

Jeannine Kenary had concerns about the action regarding the deputy, and said he was first on scene at three of the incidents; she cited the 2016 survey which indicated residents thought Wesley Chapel was safe and where 65% said don't build a community center. She questioned the budget item of \$5,000 for fish that we can get for free, and that \$280,000 of the \$800,000 budget was going to the park, when the survey showed 31% of the people don't visit the park.

3. Additions, Deletions and Adoption of Agenda *Time Stamp 19:53*

Mayor Pro Tem Kaperonis questioned whether someone can serve on two committees. The attorney said you can be more restrictive than State statutes, but no less restrictive. A second appointment to the Communications Committee was added, and item 4 was removed from the agenda. Council Member Como motioned to adopt the amended agenda; Council Member Fuller seconded the motion.

The motion passed unanimously.

4. Deputy Coverage Presentation by Chief Elmore - deleted from agenda.

5. Consider Approval of Consent Agenda *Time Stamp 25:14*

- a. Approve Minutes for April 9, 2018 Council Meeting
- b. Approve previous month planner's and code enforcement reports
- c. Approve previous month finance report
- d. Approve temporary use permit for fireworks display in Stonegate on June 30, 2018 subject to: approval of Union County Fire Marshal's Office, issuance of a valid operator's permit, and submittal of all requisite insurance information
- e. Approve resignation of Bill Rodriguez from Board of Adjustment
- f. Approve Ord. 2018-06 amending Ord. 2008-08 Business Regulations Ordinance

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

The motion passed unanimously.

**Ordinance 2018-06, amending Ordinance 2008-08
BUSINESS REGULATIONS ORDINANCE
OF THE VILLAGE OF WESLEY CHAPEL**

This Ordinance supersedes the previous Privilege License Ordinance adopted as Ordinance 2008-08.

ARTICLE I. LICENSE REQUIRED.

Every person desiring to sell at retail or wholesale within the Village any of the beverages defined and enumerated in G.S. 18B-101, as amended, shall first obtain a license from the Village Clerk. It shall be unlawful for any person to operate business within the Village without having paid and obtained the license tax. No such license shall be issued by the Village Clerk until the applicant has obtained the appropriate permit from the State Board of Alcoholic Control as provided by G.S. Chapter 18B. The license tax must be paid before the person opens for

business and is due May 1 of each subsequent year. The license must be posted in a conspicuous place at the business.

The issuance of a license under this ordinance does not authorize the carryon of a business for which additional licenses or qualifications are required by state or local law, nor does the issuance of a license prevent the Village from enforcing or enacting other regulations applicable to the licensee. The license may be revoked or suspended upon the licensee's violation of local or state laws related to the business operations.

ARTICLE II. APPLICATION PROCEDURE; ISSUANCE.

Each person who receives an ABC permit shall obtain a corresponding local license, issued by the Village on a form provided by the Village Clerk and shall contain the information required under G.S. 105-113.70 and shall require the applicant to state whether he has, during the preceding license year, committed any act or permitted any condition for which his license was, or might have been, revoked or suspended. No local license may be issued under this Article until the applicant has received from the ABC Commission the applicable permit for that activity. All licenses issued under this section are annual licenses for the period from May 1 to April 30. A license may not be transferred from one person to another or from one location to another. If the applicant appears from the statements and information provided in the application the requisite qualifications under law, the Village Clerk shall issue the applicant a license.

ARTICLE III. RETAIL TAX

Licenses issued by the Village under the authority of G.S. 105-113.77, as amended, shall be restricted to on-premises and off-premises as prescribed by G.S. 18B.

Every person engaged in the business of selling malt beverages, as defined in G.S. 18B-101(9), as amended, shall pay an annual license tax as follows:

1. For "on premises" malt beverages \$15.00
2. For "Off premises" malt beverages \$5.00

Every person engaged in the business of selling fortified wine, as defined by G.S. 18B-101(7), as amended, and or selling unfortified wine, as defined by G.S. 18B-101(15), as amended, shall pay an annual license tax as follows:

1. For "on-premises" unfortified wine, "on-premises" fortified wine, or both \$15.00
2. For "off-premises" unfortified wine, "off-premises" fortified wine, or both \$10.00

If any person maintains more than one place of business from which retail malt beverages or fortified wine is sold, a separate license tax shall be paid for each separate place of business.

ARTICLE IV. WHOLESALE TAX.

Every person selling at wholesale in barrels, bottles, or other containers, in quantities of not less than one case or container to a customer within the Village, shall pay therefore an annual tax as follows:

1. Where such wholesaler sells at wholesale only malt beverages or wine as defined in G.S. 18B-101, as amended, the tax shall be, per annum \$37.50
2. Where such wholesaler sells at wholesale both malt beverages and wines as defined in G.S. 18B-101, the tax shall be, per annum \$62.50

If any wholesaler maintains more than one place of business or storage warehouse from which orders are received or beverages are distributed, a separate license tax shall be paid for each separate place of business or warehouse.

The owner or operator of every distributing warehouse selling, distributing or supplying to retail stores beverages enumerated in this section shall be deemed wholesale distributors within the meaning of this section and shall be liable for the tax imposed hereby.

ARTICLE V. DURATION: NO PRORATION

Every license issued under this article shall expire on the thirtieth day of April of each year. The taxes paid under this ordinance are not prorated.

ARTICLE VI. PENALTIES

Any person violating any subsection of this ordinance shall be guilty of a class 3 misdemeanor and upon conviction, shall be subject to punishment in accordance with G.S. 14-4. Unless otherwise provided, the maximum fine for a misdemeanor violation is \$500. Each day's continuing violation shall be a separate and distinct offense.

In addition to criminal enforcement, the Village may seek any remedies allowed under G.S. 160A-175, including but not limited to an injunction.

Adopted and effective immediately, this the 14th day of May, 2018

Mayor Brad Horvath

Cheryl Bennett, Clerk

6. Mayoral Appointment of Deb Bledsoe and April Campagna to Communications Committee *Time Stamp 25:44*
Mayor Pro Tem Kaperonis said this will include Ms. Bledsoe on two committees, but we removed Council Member Rodriguez from the Board of Adjustments, and he thought we were leaning too heavily on Price Mill. Mayor Horvath noted we only have three applicants for the Committee and he appointed Deb Bledsoe and April Campagna to the Communications Committee.

7. Planning Board Report *Time Stamp 29:40*

Planning Board Chair John Souza noted the urban forester attended their last meeting and was helpful; they also talked briefly about the sign ordinance which is awaiting legal comment and directed the Planner to link the Land Use Plan amendment process to zoning changes. Mayor Horvath will attend their next meeting at which they will discuss clear cutting, the sign ordinance and Rules of Procedure.

8. Youth Council Committee Report *Time Stamp 34:30*

The Committee Chair was not present, but they decided where to donate their race proceeds, revised their meeting schedule to the first and third Wednesdays of the month, and will attend a Park and Rec meeting about a beautification project.

9. Parks and Rec Committee Report *Time Stamp 36:30*

Chair John Lepke spoke regarding testing the pond water for copper since he asked the contractor not to put any more copper in the pond, if it shows a safe level, we can evaluate adding copper for the future. He spoke to another pond company that uses organic dyes instead of copper based chemicals to control algae. He said any copper in the silt will be organically bound, so we don't have to test the silt. We might add limestone chips that will make any copper less toxic.

Regarding the landscaping contract, he claimed the contractor did not use enough limestone, and he wanted to go back to re-bid the contract using original specs. Mayor Pro Tem Kaperonis noted the former council hired a reputable firm, and would like vendors to come in and speak to us. Mr. Lepke cited an EPA book and felt we should not use copper on soft water, nor near fish, and felt it is toxic to the entire life chain of the pond. Mayor Pro Tem Kaperonis felt we should use contractor recommendations and they are then held accountable.

Mr. Lepke discussed an exception to the alcoholic beverages ban at the park for music festivals; he spoke to Waxhaw event people, and said per NC GS 18B-1002 a non-profit can get a one-time ABC permit, and he felt it might make an event self-funding. He reported on sound system specs which are almost ready to pass on to Council, and they want to develop a Powerpoint for public information sessions needed to apply for a PARTF grant. A request came from Rotary to plant a dogwood or redbud tree at the park with a plaque similar to the plaque there now.

Council Member Fuller motioned to accept the tree and plaque, Council Member Como seconded the motion.

The motion passed unanimously.

Council Member Como motioned to discuss items 24 and 25 next since they are key to the budget. Mayor Pro Tem Kaperonis seconded the motion.

The motion passed unanimously.

10. Report from Finance Officer – Call for Public Hearing on Proposed 2018-19 Budget on June 11, 2018 at Town Hall at 7 pm *Time Stamp 1:49:00*

Finance Officer Bennett reported during April we received our normal taxes and fees; renewed our domain and paid normal expenditures. Engineering fees have been down recently. There was a problem with the thermostat in Council Chambers, and a repair was done last week.

The proposed 2018-19 budget will have the deputy added back in, and Bennett asked how we should balance the budget, i.e. using fee in lieu or regular fund balance. Mayor Pro Tem Kaperonis motioned to split the amount equally between fund balance and fee in lieu fund balance to balance the 2018-19 budget. Council Member Fuller seconded the motion.

The motion passed unanimously.

Council Member Como motioned to hold a public hearing here at town hall on the proposed 2018-19 budget on June 11, 2018 at 7 pm. Council Member Fuller seconded the motion.

The motion passed unanimously.

The proposed budget will be available here, on the website, and advertised. There is no proposed tax increase.

A short break was held.

Old Business

11. Public Hearing on Annexation of Parcel at 3901 Voltaire Drive, Monroe, and Parcel at 419 Hunters Pointe Dr., Indian Trail, per GS 160A-31; and Action on Ordinance 2018-02 to Extend Corporate Limits of the Village *Time Stamp 2:01:38*

The public hearing was opened. There being no speakers, the public hearing was closed. Council Member Fuller motioned to approve Ordinance 2018-02, incorporated herein. Council Member Como seconded the motion.

The motion passed unanimously.

Ordinance 2018-02

ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF WESLEY CHAPEL, NORTH CAROLINA

WHEREAS, the Village of Wesley Chapel has been petitioned under G.S. 160A-31 to annex the area described below; and

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

WHEREAS, the Village Clerk has certified the sufficiency of the petitions and a public hearing on the question of this annexation was held at Wesley Chapel Town Hall

at 7:00 PM on May 14, 2018 after due notice by publication on April 29 and May 6, 2018; and

WHEREAS, the Village of Wesley Chapel Council finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Village of Wesley Chapel as of June 30, 2018:

Hunters Pointe Subdivision lot 26 – 419 Hunters Pointe Dr., Indian Trail, NC, and Winding Creek Subdivision lot 38 – 3901 Voltaire Drive, Monroe, NC

Section 2. Upon and after June 30, 2018, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Village of Wesley Chapel and shall be entitled to the same privileges and benefits as other parts of the Village of Wesley Chapel. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Village of Wesley Chapel shall cause to be recorded in the office of the Register of Deeds of Union County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 14th day of May, 2018.

Mayor Brad Horvath

ATTEST:

Clerk Cheryl Bennett

12. Public Hearing on Amendment to Subdivision Ordinance regarding Administrative Subdivisions, and Action on Ordinance 2018-03 to adopt Subdivision Ordinance Text Amendment Regarding Administrative Subdivisions *Time Stamp 2:03:35*

The public hearing was opened. Tim Gauss noted this amendment is in response to a 2017 state law. There being no speakers, the public hearing was closed.

Council Member Fuller motioned to approve Ordinance 2018-03, incorporated herein. Council Member Como seconded the motion.

The motion passed unanimously.

**Village of Wesley Chapel, North Carolina Ordinance 2018-03 TO ADOPT SUBDIVISION
ORDINANCE TEXT AMENDMENT REGARDING ADMINISTRATIVE
SUBDIVISIONS**

THAT WHEREAS, the Village of Wesley Chapel has considered amending the Village’s Subdivision Ordinance regarding regulations pertaining to administrative subdivisions; and

WHEREAS, a public hearing was conducted on the matter at the Village Council’s May 14, 2018 meeting; and

WHEREAS, the Village Council considered and adopted the proposed text amendment as provided herein:

NOW THEREFORE BE IT RESOLVED THAT THE VILLAGE OF WESLEY CHAPEL SUBDIVISION ORDINANCE IS HEREBY AMENDED AS FOLLOWS (*new proposed text shown in **bold, underlined, and italicized** type, and text to be deleted being ~~struck-out~~*):

SUBDIVISION ORDINANCE

1. Section 110. “Subdivision Defined” subsection 5. is added as an exemption:

5. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

2. Section 111.1 “Administrative Subdivision” Defined is hereby amended to read as follows: An administrative subdivision is defined as a subdivision where:

- No public or private streets are proposed or necessary, and
- No rights-of-way are dedicated, no easements are dedicated, and
- Where three (3) or fewer lots will result after the subdivision is completed, and
- Where no public water or sewer systems are proposed.

However, if the subdivider owns, leases, holds an option on, or holds any legal or equitable interest in any property adjacent to or located directly across a street, easement, road, or right-of-way, from the property to be subdivided, the proposed subdivision shall not qualify for consideration under the abbreviated, Procedure for Review of Administrative Subdivisions, see Section 304.

Additionally, the Procedure for Review of Administrative Subdivisions shall not be used for an additional time within ~~three (3)~~ **ten (10)** years on any property less than fifteen hundred (1,500) feet from the original property boundaries, by anyone, who owned, had an option on, or any legal or beneficial interest in the original subdivision at the time the original subdivision received preliminary or final plat approval.

Adopted this 14th day of May, 2018.

Mayor Brad Horvath

Attest:

Cheryl Bennett, Village Clerk

13. Public Hearing on Amendment to Subdivision Ordinance regarding berms in the buffer area, and Action on Ordinance 2018-04 to Adopt Subdivision Text Amendment Regarding Berms
Time Stamp 2:06:43

The public hearing was opened. Tim Gauss noted we already allowed a reduction in the buffer for a wall, now a reduction can be allowed for a berm. A five foot berm would require fifty feet, so Planning Board reduced the required height to four feet to allow for a reduction in the buffer width to forty feet. Council Member Como said this would also improve the safety for the first house in a neighborhood from a car entering the yard. There being no speakers, the public hearing was closed.

Council Member Como motioned to approve Ordinance 2018-04, incorporated herein. Mayor Pro Tem Kaperonis seconded the motion.

The motion passed unanimously.

**Village of Wesley Chapel, North Carolina Ordinance 2018-04
TO ADOPT SUBDIVISION ORDINANCE TEXT AMENDMENT REGARDING BERMS
THAT WHEREAS,** the Village of Wesley Chapel has considered amending the Village's Subdivision Ordinance regarding regulations pertaining to berms; and

WHEREAS, a public hearing was conducted on the matter at the Village Council's May 14, 2018 meeting; and

WHEREAS, the Village Council considered and adopted the proposed text amendment as provided herein:

NOW THEREFORE BE IT RESOLVED THAT THE VILLAGE OF WESLEY CHAPEL SUBDIVISION ORDINANCE IS HEREBY AMENDED AS FOLLOWS (*new proposed text shown in **bold, underlined, and italicized** type, and text to be deleted being ~~struck out~~):*

SUBDIVISION ORDINANCE

1. Section 405.4 Buffering Along Thoroughfares is amended by revising subsection 5. to read as follows:

5. The width of the buffer may be reduced by twenty percent (20%) ~~if a wall or fence is provided that meets the following standards~~ **with construction of either of the following:**

(a) ~~Any~~ **A** fence or wall ~~shall be~~ constructed in a durable fashion ~~of~~ **using** brick, stone, or other masonry materials, or any combination thereof as may be approved by the Subdivision Administrator. No more than twenty-five (25%) of the fence surface shall be left open and the finished side of the fence shall face the abutting property. **Walls and fences shall be a minimum six (6) feet in height.**

(b) ~~Walls and fences shall be a minimum height of six (6) feet.~~ **A berm in compliance with Section 405.4.9.**

2. **Section 405.4 Buffering Along Thoroughfares** is amended by revising subsection 9. to read as follows:

9. Berms may be used as screening provided such berms are at least ~~six (6)~~ **five (5)** feet in height with a maximum slope of 4:1 as measured from the exterior property line.

- (a) Berms shall be stabilized to prevent erosion and landscaped; and
- (b) If a berm is constructed, shrubs are required but the number may be reduced by twenty-five percent (25%). However, constructing a berm does not modify the number of trees required.

Adopted this 14th day of May, 2018.

Mayor Brad Horvath

Attest:

Cheryl Bennett, Village Clerk

14. Public Hearing on Amendment to Zoning Ordinance with respect to berms in the buffer area and Action on Ordinance 2018-05 to Adopt Zoning Ordinance Text Amendment Regarding Berms *Time Stamp 2:11:55*

The public hearing was opened. There being no speakers, the public hearing was closed.

Council Member Como motioned to approve Ordinance 2018-05, incorporated herein, and the statement of reasonableness that it is consistent with the Village's adopted Land Use Plan since it takes into consideration that berms provide similar visual screening as a fence or wall and therefore should be treated similarly with regard to buffers; and the statement of consistency that the proposed text amendment is consistent with the Future Land Use Plan as it helps preserve the Village's rural character. Mayor Pro Tem Kaperonis seconded the motion.

The motion passed unanimously.

Village of Wesley Chapel, North Carolina Ordinance 2018-05

TO ADOPT ZONING ORDINANCE TEXT AMENDMENT REGARDING BERMS

THAT WHEREAS, the Village of Wesley Chapel has considered amending the Village's Zoning Ordinance regarding regulations pertaining to berms; and

WHEREAS, a public hearing was conducted on the matter at the Village Council's May 14, 2018 meeting; and

WHEREAS, the Village Council considered and adopted the proposed text amendment as provided herein:

NOW THEREFORE BE IT RESOLVED THAT THE VILLAGE OF WESLEY CHAPEL ZONING ORDINANCE IS HEREBY AMENDED AS FOLLOWS (*new proposed text shown in **bold, underlined, and italicized** type, and text to be deleted being ~~struck out~~*):

ZONING ORDINANCE

1. **Section 4.2 Screening and Landscaping** subsection 3. Is revised to read as follows:

3. The width of the buffer may be reduced by twenty percent (20%) ~~if a wall or fence is provided that meets the following standards~~ **with construction of either of the following:**

(a) ~~Any~~ A fence or wall shall be constructed in a durable fashion ~~of using~~ brick, stone, or other masonry materials, or any combination thereof as may be approved by the Zoning Administrator. No more than twenty-five (25%) of the fence surface shall be left open and the finished side of the fence shall face the abutting property. **Walls and fences shall be a minimum six (6) feet in height.**

(b) ~~Walls and fences shall be a minimum height of six (6) feet.~~ **A berm in compliance with Section 4.2.8.**

2. **Section 4.2 Screening and Landscaping** subsection 7. Is revised to read as follows:

7. Berms may be used as screening provided such berms are at least ~~six (6)~~ **five (5)** feet in height with a maximum slope of 4:1 as measured from the exterior property line.

(a) Berms shall be stabilized to prevent erosion and landscaped; ~~and~~

(b) If a berm is constructed, shrubs are required but the number may be reduced by twenty-five percent (25%). However, constructing a berm does not modify the number of trees required; ~~and~~

(c) If a berm is used as a screen for an Essential Services, Class II use, the backside of the berm can be up to a 2:1 slope.

Adopted this 14th day of May, 2018.

Mayor Brad Horvath

Attest:

Cheryl Bennett, Village Clerk

15. Conservation Subdivisions Text Amendments – Continue Discussion *Time Stamp 2:14:35*

Planner Tim Gauss presented a summary of salient points, and showed which items Council had reached consensus on. He reviewed several sites in the town ranging from 12.8 acres to 64.9 acres, and presented this to Council. Sites included a variety of features, including tree canopy, floodplains, and ponds. Tim Gauss felt not reducing the lot width might negate the smaller lot sizes. One site had extensive road frontage, and would thus have a larger view shed. He will show the sites to Planning Board to get their feedback.

New Business

16. Proposal to Grade up to One Acre of Land Behind Town Hall for \$16,570 *Time Stamp 2:46:42*

Mayor Horvath provided a quote from the contractor already on site at Astons's shopping center, to grade up to one acre of land behind the town hall. Council decided to wait at this time.

17. Re-bid Park Pond Maintenance Contract and Appoint P&R Chair as Contact *Time Stamp 2:55:10*

Parks and Rec Chair Lepke said currently the contractor is cleaning the grate, treating algae, and weeds and writing a report. He spoke to another contractor who sent a proposal for those services plus application of an organic dye to inhibit weed growth, and assess whether future chemical treatments were necessary. Mr. Lepke would like to include water chemistry in the future if we use chemical treatments, if we use natural treatments, it would not be necessary. We also need a certified engineer review of the stormwater pond each year. Mr. Lepke will bring the proposal in and perhaps we can meld the specs together and move forward. Council Member Como motioned to allow Parks and Rec to move forward to collect bids. Council Member Fuller seconded the motion.

The motion passed unanimously.

18. Re-bid town Landscaping Contract with Original Specs *Time Stamp 3:03:43*

Mr. Lepke will work with the clerk to use the old specs. Council Member Como motioned to put the landscape contract out to bid with the original specs. Mayor Pro Tem Kaperonis seconded the motion.

The motion passed unanimously.

19. Approve Funds and Test Park Pond Water by Independent Lab *Time Stamp 3:06:30*

Testing will cost about \$80 per sample, there will be two samples, plus shipping costs. Council Member Como motioned to spend up to \$500 for testing the pond water. Council Member Fuller seconded the motion.

The motion passed unanimously.

20. Approve Funding and Contracting with Architect for \$7,500 to Re-bid Park Band Shell *Time Stamp 3:09:05*

Architect Luttmann has proposed to re-bid the park band shell. A contract needs to be reviewed by the attorney, and we need a Resolution to exempt ourselves from going through the RFQ process for architectural services. Council Member Como motioned to get a contract and have it reviewed by the attorney and bring it back next month. Mayor Pro Tem Kaperonis seconded the motion.

The motion passed unanimously.

21. Approve Funding and Purchase of 2-3 Replacement Park Picnic Tables *Time Stamp 3:12:00*

Council Member Fuller motioned to move \$3,500 from Park – Picnic Shelters to Park – Tables and to purchase 3 handicap accessible tables. Council Member Como seconded the motion.

The motion passed unanimously.

22. Move Forward with Electrical Upgrades for Park Band Shell, Irrigation, and Flag Pole *Time Stamp 3:15:38*

Council Member Como obtained one bid so far, and will get three more bids; he motioned to move \$11,000 from Park – Picnic shelters to Electrical Upgrades and do the electrical upgrades at the park. Council Member Fuller seconded the motion.

The motion passed unanimously.

23. Approve Park Irrigation System and Move Forward With Bids *Time Stamp 3:19:12*

The approximate cost is \$40,000, and we must go through a process for an informal bid. Council Member Como contacted four vendors and has only gotten one quote. We can contact the vendor who provided the specs for vendors who might quote on it. Council Member Como motioned to work with the Clerk on bidding the irrigation system. Council Member Fuller seconded the motion.

The motion passed unanimously.

24. Give Notice of Termination of Deputy Contract *Time Stamp 1:05:10*

Chief Elmore was present. Mayor Horvath noted he met with Captain Coble, Captain Thomas, and Chief Elmore and the Sheriff said if we move forward he would waive the six month notice period, and he had another spot for Deputy Wicker. However if Wesley Chapel changes our mind in the future, they recommend three to five deputies. They feel the town should not be in charge of scheduling, since the Sheriff's office has the responsibility for overall coverage. The Mayor noted he had heard of some problems in at least one subdivision, and has some concerns. Mayor Horvath said he had changed his opinion to be in favor of keeping the deputy and beginning to think about how we might fund an additional deputy. Council Member Como noted the Union County blotter on crime shows only a very small number in Wesley Chapel, and those are mostly break-ins. We know when high crime times are from the statistics, and he felt the deputy was not here at peak times, and he covers only 11% of the crimes. Chief Elmore disagreed and noted we get coverage from the Weddington contract officers when our officer is not here and with Hwy. 84 being widened, he felt there will be more crime. The Sheriff's office is adding fifteen additional officers and a Sergeant for zone 4. Chief Elmore noted that Target is a magnet for crime, and DWI's are increasing. Last year there was a rash of car break-ins and it was addressed and the number has gone down drastically. With your second and third deputies Chief Elmore said you get more coverage since they are full time patrol. Last year the Sheriff's office met with two council members and recommended a second deputy then. The deputy also

works the wrecks, and helps clear traffic. Mayor Pro Tem Kaperonis said he agreed with keeping the deputy, and had concerns on drug activity locally. Council Member Fuller asked if they would meet to explain how they set their deputy schedule so she can respond to citizen questions, she would like to learn more, and has only heard good things about our deputy. She also asked if the deputy could attend our events since he is the face of safety in the town; Chief Elmore said then his patrol time will come down. He added that serving alcohol at events will require more deputies at those events. Breaking and entering reports come in at 6:30 am, and the deputy is on duty then; also the deputy does do foot patrols in the park.

Mayor Pro Tem Kaperonis motioned to keep the deputy contract as is, and have some pro-active conversations. Council Member Fuller seconded the motion.

The motion passed unanimously.

25. Give Notice to N-Focus and Advertise for Full Time Planning/Zoning Administrator *Time Stamp 1:46:02*

Council Member Como motioned to give notice to N-Focus, and start looking for a full time planning and zoning administrator. Council Member Fuller seconded the motion.

The motion passed unanimously.

Ending Items

26. Council Comments *Time Stamp 3:23:50*

Council Member Como noted he will attend the Western Union County leadership forum on Saturday, as will Mayor Horvath. The park gate is not working and the gate company has been called for service.

Mayor Pro Tem Kaperonis noted he will attend the Union County Government Summit at Rolling Hills, it is a Chamber event, and will cost about \$35.

Council Member Fuller noted she received several emails regarding the letter on Council Member Rodriguez's behavior, regarding things that transpired and are on video, and with hiring we want to be sure we don't create a hostile environment. We need to say something to the people that we have addressed it.

Mayor Horvath noted he will not let meetings get out of hand. He noted the Union County roads meeting is coming up to bring us up to date on things like the by-pass. The CRTPO meeting is Wednesday.

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

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

The motion passed unanimously.

2018.05.14 Council meeting minutes

The meeting ended at approximately 10:43 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath