

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
June 11, 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 and Rodriguez

Others Present: Clerk/Finance Officer Cheryl Bennett, Attorney Keith Merritt, 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.

2. Public Comments *Time Stamp: 1:45*

Frank Capella read the letter that citizens had sent to Council regarding Council Member Rodriguez, and he expressed his concerns over actions of Council Member Rodriguez. Mr. Capella also spoke about the 84 acres that are threatened to be de-annexed by a legislator bypassing the town, and the poor state of the current road infrastructure.

3. Additions, Deletions and Adoption of Agenda *Time Stamp 5:22*

Item 20 was moved up in the agenda, item 5.d. was pulled from consent to item 13.b, an item for an appointment to the Youth Council Committee was added, the N-Focus contract was added to item 9, an item was added for the de-annexation bill, and item 17 was deleted from the agenda. Council Member Como motioned to adopt the amended agenda; Council Member Rodriguez seconded the motion.

The motion passed unanimously.

4. Consider Approval of Consent Agenda *Time Stamp 8:10*
 - a. Approve Minutes for May 1, 2018 special meeting, and May 14, 2018 Council Meeting
 - b. Approve previous month planner's and code enforcement reports
 - c. Approve previous month finance report

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

The motion passed unanimously.

4B. Mayoral appointment of Daniel Campbell to Youth Council *Time Stamp 8:34*
Mayor Horvath appointed Daniel Campbell as an alternate member to the Youth Council.

5. Planning Board Report *Time Stamp 9:00*

Planning Board Chair John Souza was not present but Mayor Horvath described his conversation with Planning Board at their last meeting, and Planner Tim Gauss described the items discussed at the last meeting including tree ordinance, items excluded from the parcel definition, and Rules of Procedure. The Planning Board also were shown the examples of conservation subdivision tracts. Council Member Como volunteered to attend the next Planning Board meeting.

6. Youth Council Committee Report *Time Stamp 14:00*

Council Member Kaperonis reported the Youth Council worked on the wall at the butterfly garden at the park, it will take two workdays to complete, and there was a good turnout. Council Member Como said a local developer said we could take rocks from them.

7. Parks and Rec Committee Report *Time Stamp 16:11*

Pam King gave an update on the Committee. They had a good work day on June 2, 2018; Rotary provided mortar and new plants, and the Youth Council worked hard. She requested purchase of several items, including \$100 for mortar, \$180 for nice stone for the top of the wall, two wheelbarrows at \$300 each, seed for \$40, and wood. She noted a Girl Scout troop built more bat houses, and three high school juniors are monitoring use of barley straw to control algae and water pH, etc. If that doesn't control the copper, they will need 38 bags of limestone chips and 38 bags of marble chips for approximately \$276. At tomorrow's meeting they will review the pond maintenance, landscape maintenance and irrigation system bids. Council Member Como motioned to spend up to \$1,400 on park supplies. Council Member Fuller seconded the motion. Mayor Pro Tem Kaperonis questioned that we have professionals working on the pond, and who is calculating what should be put in it. Ms. King noted Mr. Lepke took two water samples and got an analysis back, and Mr. Lepke will explain the analysis tomorrow at their meeting. Council Member Rodriguez agreed we should not be putting the chips in the pond; we received paperwork that copper is not a problem there, and he called a NC pond expert who thought copper is less a problem than fertilizer, he also thought the price on wheelbarrows was high. Council Member Fuller rescinded her second. Council Member Como amended his motion to spend up to \$1,100, and not spend money on the lime and marble chips. Council Member Fuller seconded the amended motion.

The motion passed unanimously.

Council Member Como reported John Lepke is going to go out in the Jon boat and measure the pond depth in several locations.

8. Public Hearing on Proposed 2018-19 Budget and Fee Schedule *Time Stamp 35:14*

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

9. Report from Finance Officer, Approve Audit Contract for 2017-18 *Time Stamp 35:41*

Finance Officer Bennett reported during May she transferred \$400 from Operating Expenses – Annual Retreat, with \$300 going to Town Hall Utilities, and \$100 going to Town Hall Maintenance Services, and moved \$580 from Tree Services in Park and Rec, with \$500 going to Park and Rec repair services, and \$80 going to Park Trash Services. She requested another budget amendment to cover the cost of a repair to the air conditioning system, and Council Member Como motioned to move \$500 from Contingency to Town Office Maintenance services. Mayor Pro Tem Kaperonis seconded the motion.

The motion passed unanimously.

An audit services RFP was issued, and the Finance Officer reported on her discussions with local auditors who said they were too busy and would not bid on the contract. The only proposal was from the current auditor. Council Member Rodriguez motioned to accept the audit proposal from Kendra Gangal, CPA for \$4,620 and to start the bid process earlier next year by March, and try to have a different auditor next year. Council Member Como seconded the motion.

The motion passed unanimously.

Mayor Horvath reported on his discussions with N-Focus to provide planning and zoning services until we can hire a new planner. They initially came in with rates that were a large increase and included charging us for travel time, and after discussions they agreed on a smaller increase in rates. The cost for three months is roughly \$30,000, and instead of Tim Gauss, we will have a different person as the planner. Council Member Como motioned to approve the 90 day contract with N-Focus and exclude travel time. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

Old Business

10A. (Was item 20.) Discussion Regarding Council Member Rodriguez and Citizen Concerns/Comments *Time Stamp 56:50*

Mayor Horvath noted the letter received dated March 30, 2018 was anonymous to him since it was signed as from concerned citizens. Council Member Como asked Council Member Rodriguez if anything in the letter was not true, and if he would come to a special meeting on this. Council Member Rodriguez said he is here for the long haul, and is not leaving. And there would be no reason to attend such a meeting.

Council Member Fuller read into the record the letters sent home by the PTO, they were not from the Board of Education, and the first letter shared information with parents and teachers regarding potential changes across the street from the school, and the second half sheet letter, noted there was a community meeting on December 6th, and residents could attend or contact the planner for any questions. Council Member Fuller was on the PTO but excused herself from voting on the letters. Council Member Rodriguez said the principal was unaware of the letters, and Council Member Fuller disagreed saying the principal sat in the PTO meeting, and that

we did meet with the developer and offered options to him. Also the PTO pays for their own printing, so no taxpayer dollars were spent on the letters.

Mayor Horvath noted we should all respect each other, and keep the focus on making Wesley Chapel a better place to live. Citizens have the right to speak and write, and employee issues should be handled in a closed session.

10. B. Conservation Subdivisions Text Amendments – Continue Discussion *Time Stamp 1:15:33*

Tim Gauss reported he shared the parcel analyses with Planning Board and there was no substantive feedback. Conservation subdivisions yield the same number of lots as a regular subdivision, but more efficiently with smaller lots. Four aspects were discussed to reach a consensus. The minimum amount of conservation area was agreed to be 10 percent of the gross tract area, plus the one hundred foot view shed buffer. Minimum lot size was agreed to be 30,000 square feet (with the same exclusions as existing text), except up to 30% of lots can have a minimum area of 20,000 square feet. Agreement was reached that lots 30,000+ square feet must abut conservation land fifty feet or more in width, and lots 20,000 – 29,999 square feet must abut conservation land seventy five feet or more in width. The view shed buffer was agreed to be one hundred feet in depth along all roads that form the exterior boundary of the subdivision. Planner Gauss suggested a smaller required lot width might give a developer incentive to fit more lots on a street length. He will bring back pictures of how a smaller lot width would look. He will bring back text next month so Council can call for a public hearing on it.

11. Update on PARTF Conversion of .73 acre at Dogwood Park and call for and give notice of 30 day comment period *Time Stamp 2:06:43*

Mayor Horvath noted NC DOT is taking some of our land for the road widening, and the preliminary estimate value is \$50,500. The neighbor is not interested in selling any land to us. For the conversion, PARTF requires a 30 day comment period and public hearing. Council Member Como motioned to hold the 30 day comment period to end July 20, 2018. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

12. Approve Resolution 2018-03 to exempt ourselves from doing RFQ for architect services, and approve contract with architect for park band shell for \$7,500 *Time Stamp 1:44:33*

Mayor Horvath noted our architect has intimate knowledge of the project and created the existing design. Council Member Como motioned to approve Resolution 2018-03, incorporated herein, to exempt ourselves from doing an RFQ for architect services, and approve the contract with Troy Luttman, Architect for \$7,500. Council Member Fuller seconded the motion. This does not exempt us from getting three bids to do the project. Council Member Rodriguez questioned why the architect was reporting to John Lepke; it was noted Mr. Lepke cannot issue any change orders, but there may be day to day questions that need answering. Mayor Horvath volunteered to be available also. The second was rescinded, and the motion amended to add that any

concerns or decisions would also go to Mayor Horvath. Council Member Fuller seconded the amended motion.

The motion passed unanimously.

Resolution 2018--03
Resolution for Exemption from the Provisions of G.S. 143-64.31
Regarding Contracting Professional Services
Wesley Chapel, North Carolina

WHEREAS G.S. 143-64.31 requires the initial selection of firms to perform architectural, engineering, and surveying services without regard to fee; and

WHEREAS G.S. 143-64.32 allows municipalities to exempt themselves from the provisions of 143-64.31 if such professional fees are less than \$30,000; and

WHEREAS the Village of Wesley Chapel proposes to enter into one or more contracts for such services for work at Dogwood Park; and

WHEREAS professional fees for these services will be less than \$30,000;

NOW, THEREFORE, THE WESLEY CHAPEL VILLAGE COUNCIL RESOLVES:

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31 for the reasons stated in this resolution.

Section 2. This resolution shall be effective upon passage.

Adopted this 11th day of June, 2018.

ATTEST

Cheryl Bennett, Village Clerk

Brad Horvath, Mayor

13. Discussion of Multiple Committees Membership *Time Stamp 1:08:17*

Item d. from consent agenda –re-appoint Vince Gahren and Deb Bledsoe to new three year terms on Planning Board

Mayor Horvath noted committees cannot spend money or make decisions. Having a council member on another board, for example if a Council proposed CUP goes to Board of Adjustment, means the Council member would also be making the decision. It is not prohibited but doesn't feel right. Council Member Fuller made a list of committee members, and noted Wesley Oaks and Wesley Woods each have five members, and Price Mill and Silver Creek only have three.

Council Member Rodriguez motioned to re-appoint Vince Gahren and Deb Bledsoe to new three year terms on Planning Board. Council Member Como seconded the motion.

The motion passed unanimously.

14. Approve Ordinance 2018-07 for 2018-19 Budget and Fee Schedule *Time Stamp 2:03:14*

Council Member Como motioned to approve Ordinance 2018-07, incorporated herein, Council Member Fuller seconded the motion. The second was rescinded. The motion was amended to include the fee schedule as well as the Ordinance. Council Member Fuller seconded the amended motion.

The motion passed unanimously.

Village of Wesley Chapel
2018/2019 Budget
Ordinance 2018-07

BE IT ORDAINED by the Governing Board of the Village of Wesley Chapel, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the village government and its activities for the fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with the chart of accounts heretofore established for this Village:

General Government Expenditures		
Town Hall & Operating Expenditures	\$	84,650
Salaries		135,538
Capital Outlay		29,000
Planning & Zoning		122,900
Professional Fees		81,200
Parks and Recreation		278,760
Public Safety		99,535
Contingency		30,279
Total	\$	861,862

Section 2: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2018, and ending June 30, 2019:

General Government Revenues

Appropriated Fund Balance	\$	100,381
Appropriated from Fee In Lieu		100,381
Appropriated FB for Amphitheater		3,664
Property Tax Income		169,536
Revenue Sharing Income		408,700
Fees and Licenses		76,800
Interest		2,400
Total	\$	861,862

Section 3: There is hereby levied a tax at the rate of one and 65/100 cents (\$.0165 per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2018.

This rate is based on a total valuation of real and personal property for the purposes of taxation of \$924,893,060 and an estimated rate of collection of 99%; public service property with a value of \$13,689,034 and an estimated rate of collection of 99% and a valuation of motor vehicles of \$95,920,629 with an estimated collection of 99%.

Section 4: The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. Transfer amounts between line item expenditures, or from Contingency, up to a dollar amount of \$1,000.
- b. An official report on all transfers should be made to Council at the next scheduled meeting.
- c. Transfers should not be made to salary accounts.

Section 5: Copies of this Budget Ordinance shall be furnished to the Clerk of the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

Adopted this 11th day of June, 2018.

Village Clerk Cheryl Bennett

Mayor Brad S. Horvath

15. Receive Recommendation on Hiring Administrative Assistant and Make Offer *Time Stamp*
2:04:47

We received about sixteen applications and the Mayor and Clerk jointly interviewed the top three candidates. The position is budgeted at \$16 per hour for an average of 15 hours per week, including evening meetings. Council Member Como motioned to offer the position to Tonya Goodson. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

16. A. Update on Contract Deputy Services *Time Stamp 2:11:20*

Council Member Fuller reported on the meeting with the Deputy. We will get a list of event dates in 2018 for the Deputy to attend. The Sheriff noted we had 20 false alarm calls last month, so an alarm ordinance might be an idea. The response time for our Deputy is shorter than any other deputy. They asked about what reports we want, and a new report was passed out for Council to review. He is working a lot of the peak call times. Council Member Como asked the deputy to do bicycle patrols at the park.

16.B. Update on De-Annexation Bill *Time Stamp 2:22:26*

The Mayor received a call from Senator Tucker today, and the committee votes tomorrow at their 1 pm meeting. He continues to claim the bill only applied to the 42 acre parcel, and he doesn't expect a solar farm for two to three years. He is also trying to get funds to improve the intersection, although a solar farm does not create traffic. Council Member Como reached out to the landowner, who brought up the fire station CUP and the power substation, and has a different way of seeing it. Council Member Como volunteered to go to Raleigh for the meeting; the League recommended going early and contacting people, and he could speak before the committee. There were no objections to him going to Raleigh.

New Business

17. Consider Award of Pond Maintenance Contract – removed from agenda

18. Accept free wood chips donated to park *Time Stamp 2:33:34*

Council Member Como has spoken to local tree companies about getting free wood chips. Council Member Rodriguez cautioned that North Carolina has a high concentration of termites, also sick trees may have boll weevils. Council Member Como motioned to accept free mulch from local tree companies. Council Member Fuller seconded the motion.

The motion passed unanimously.

19. Purchase galvanized tub for park *Time Stamp 2:36:40*

Council Member Como motioned to purchase a galvanized tub for about \$100 for events. Council Member Rodriguez seconded the motion.

The motion passed 3-1 with Kaperonis voting nay.

Council Member Como motioned to put out the RFP for the sounds system and lights. Council Member Fuller seconded the motion.

The motion passed unanimously.

20. This item became item 10A.

Ending Items

21. Council Comments *Time Stamp 2:41:00*

Council Member Como commented that the tables have been stored here at town hall, but are needed at the park for events, so he will leave them there, except for just a couple. He noted he represents the residents, and when 99% say they want something, we should represent them.

Mayor Pro Tem Kaperonis commented that we need to get a better survey and consensus of the community, including on what we spend on the park. He noted Aston has a development sign at Martin Luther King Boulevard, yet we can't get them to finish the shopping center here.

Council Member Rodriguez commented that he wants the park to be built out, including picnic shelters. He noted there is a bill to allow towns to spend funds on schools or fire departments down the road.

Council Member Fuller commented she hoped we can move forward from here, we were moving on several projects and getting the community more involved and then the de-annexation bill came up. We also must stand firm on what we were founded on, and focus on the Village.

Mayor Horvath commented we must work together the best we can, listen to each other and be true to what we are.

22. Adjournment *Time Stamp 2:49:06*

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

The meeting ended at approximately 9:50 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath