

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL TOWN HALL  
6490 Weddington Road, Wesley Chapel, NC 28104  
February 11, 2019 – 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 George Sistrunk, Planning and Zoning Administrator Robyn Byers Ph.D.

**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; - none *Time Stamp: 1:10*

3. Additions, Deletions and Adoption of Agenda *Time Stamp 1:24*

An item was added to the agenda to consider approval of final plat of Addington Crossing Phase I. 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 3:39*

- a. Approve minutes for January 14, 2019 Council Meeting
- b. Approve previous month planner's and code enforcement reports
- c. Approve previous month finance report
- d. Call for Public Hearing on March 11, 2019 at 7 pm at town hall re: re-zoning request for 13.521 acres on the NW corner of Potter Rd. and NC 84 from R-40 to O-I
- e. Approve Resolution 2019-01 Directing the Clerk to Investigate Petitions Received Under G.S. 160A-31
- f. Recognize Mayoral Proclamation for Girl Scout Week
- g. Recognize Mayoral Proclamation for Scouting Anniversary Week

Council Member Como motioned to approve the consent agenda; Mayor Pro-tem Kaperonis seconded the motion.

The motion passed unanimously.

**January 31, 2019 Balance Sheet**

**ASSETS**

**Current Assets**

**Checking/Savings**

Fifth Third Bank checking	183,122.48
Fifth Third Maxsaver	184,759.75
NCCMT Government Portfolio	307,017.92
BB&T Money Market	508,644.27
Cash Change Fund	<u>50.00</u>

**Total Checking/Savings** 1,183,594.42

**Accounts Receivable**

Misc. Fees Receivable	<u>3,616.33</u>
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**Total Accounts Receivable** 3,616.33

**Other Current Assets**

Property Tax Rec.	691.00
Allow. for Doubtful Accounts	-490.00
Due from Union County	<u>27.15</u>
<b>Total Sales Taxes to be Received</b>	<u>205.04</u>

**Total Other Current Assets** 433.19

**Total Current Assets** 1,187,643.94

**Fixed Assets**

**Land** 813,423.00

**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>

**Total Dogwood Park** 757,750.00

**Town Hall** 1,361,869.00

**Furniture & Equipment** 40,008.00

**Town Hall Driveway/Irrigation** 64,192.00

**Accumulated Depreciation** -518,210.98

**Total Fixed Assets** 2,519,031.02

**Other Assets**

Def Outflow Contr to PenPlan CY	<u>11,815.00</u>
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**Total Other Assets** 11,815.00

**TOTAL ASSETS** 3,718,489.96

**LIABILITIES & Fund Balance**

<b>Other Current Liabilities</b>	
Due to Union County Schools	16.48
Deposits To Refund	22,000.00
Escrow from Developers	45,076.00
Deferred Revenue	<u>201.20</u>
<b>Total Other Current Liabilities</b>	<b><u>67,293.68</u></b>
 <b>Long Term Liabilities</b>	
Net pension liability	6,113.00
Deferred inflows Pension	<u>3,405.00</u>
<b>Total Long Term Liabilities</b>	<b><u>9,518.00</u></b>
<b>Total Liabilities</b>	76,811.68
 <b>Fund Balance</b>	
Fund Bal. inv. in Fixed Assets	2,519,031.02
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	56,466.47
Fund Bal. non-spendable	104,045.00
Fund Balance	936,598.30
Net Excess of Rev. over Exp.	<u>-89,325.91</u>
<b>Total Fund Balance</b>	<b><u>3,641,678.28</u></b>
<b>TOTAL LIABILITIES &amp; Fund Balance</b>	<b><u><u>3,718,489.96</u></u></b>

**January 31, 2019 Budget Report**

	<u>Jan 19</u>	<u>Jul '18 - Jan 19</u>	<u>Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Appropriated FB for Amphitheater	0.00	0.00	3,664.00	0%
Appropriated from Fee In Lieu	0.00	0.00	118,555.00	0%
Appropriated Fund Balance	0.00	0.00	100,381.00	0%
<b>Property Tax Income</b>				
Current Year Property Tax	39,644.24	139,442.35	151,081.00	92%
Utility Ad Valorem	0.00	0.00	2,236.00	0%
Vehicle Registration	1,314.96	8,835.78	15,669.00	56%
Delinquent Property Tax	1.15	143.58	300.00	48%

2019.02.11 Council meeting minutes

Interest/Ad Fee on Taxes	11.00	67.93	250.00	27%
<b>Total Property Tax Income</b>	<b>40,971.35</b>	<b>148,489.64</b>	<b>169,536.00</b>	<b>88%</b>
<b>Fees and Licenses</b>				
Privilege Licenses - ABC	0.00	285.00	300.00	95%
Zoning Permit	1,150.00	13,875.00	25,000.00	56%
Engineering Fees Reimbursement	0.00	10,376.33	50,000.00	21%
Misc. Fees	0.75	822.75	1,500.00	55%
Fee in lieu -Open Space Land	5,141.53	5,141.53	0.00	100%
<b>Total Fees and Licenses</b>	<b>6,292.28</b>	<b>30,500.61</b>	<b>76,800.00</b>	<b>40%</b>
Interest Earned	62.63	3,872.78	2,400.00	161%
<b>Shared Revenues</b>				
Sales & Use Taxes	4,344.70	17,681.39	52,000.00	34%
Sales Tax on Telecom. Services	0.00	1,824.27	7,900.00	23%
Sales Tax on Video Programming	0.00	22,334.36	95,000.00	24%
Sales Tax on Electricity	0.00	61,419.62	203,000.00	30%
Sales Tax on Piped Natural Gas	0.00	3,232.27	14,500.00	22%
Alcoholic Beverage Tax	0.00	0.00	36,300.00	0%
<b>Total Shared Revenues</b>	<b>4,344.70</b>	<b>106,491.91</b>	<b>408,700.00</b>	<b>26%</b>
<b>Total Income</b>	<b>51,670.96</b>	<b>289,354.94</b>	<b>880,036.00</b>	<b>33%</b>
<b>Expense</b>				
Transportation	0.00	0.00	0.00	0%
<b>Total Town Hall Operating Expense</b>	<b>2,267.68</b>	<b>14,550.84</b>	<b>29,400.00</b>	<b>49%</b>
<b>Total Operating Expenditures</b>	<b>1,886.95</b>	<b>27,881.84</b>	<b>77,389.00</b>	<b>36%</b>
<b>Total Planning &amp; Zoning</b>	<b>5,080.95</b>	<b>56,764.72</b>	<b>106,066.00</b>	<b>54%</b>
<b>Total Gen. Govt. Salaries</b>	<b>7,335.64</b>	<b>77,407.14</b>	<b>152,122.00</b>	<b>51%</b>
<b>Total Professional Fees</b>	<b>4,283.68</b>	<b>29,774.71</b>	<b>81,200.00</b>	<b>37%</b>
<b>Total Capital Outlay</b>	<b>0.00</b>	<b>6,828.75</b>	<b>29,000.00</b>	<b>24%</b>
<b>Total Public Services / Safety</b>	<b>24,049.80</b>	<b>72,399.40</b>	<b>99,785.00</b>	<b>73%</b>
<b>Parks &amp; Recreation</b>				
Total Recreation Events	0.00	1,741.00	8,260.00	21%
Total Park Maint. Supplies& Mat.	110.00	696.52	6,000.00	12%
Total Park Maint. Services	4,949.11	34,154.93	80,640.00	42%
Total P&R Capital Outlay	0.00	56,481.00	210,174.00	27%
<b>Total Parks &amp; Recreation</b>	<b>5,059.11</b>	<b>93,073.45</b>	<b>305,074.00</b>	<b>31%</b>
<b>Total Expense</b>	<b>49,963.81</b>	<b>378,680.85</b>	<b>880,036.00</b>	<b>43%</b>
<b>Net Excess of Rev. over Exp.</b>	<b>1,707.15</b>	<b>-89,325.91</b>	<b>0.00</b>	<b>100%</b>

RESOLUTION 2019-01 DIRECTING THE CLERK TO INVESTIGATE  
PETITIONS RECEIVED UNDER G.S. 160A-58.1

WHEREAS, petitions requesting annexation of an area described in said petitions were received in January 2019 by the Village of Wesley Chapel Council; and

WHEREAS, G.S. 160A-58.1 provides that the sufficiency of the petitions shall be investigated by the Village Clerk before further annexation proceedings may take place; and

WHEREAS, the Council of the Village of Wesley Chapel deems it advisable to proceed in response to this request for annexation:

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

The Village Clerk is hereby directed to investigate the sufficiency of the above described petitions and to certify as soon as possible to the Council of the Village of Wesley Chapel the result of her investigation.

Adopted February 11, 2019

\_\_\_\_\_  
Mayor Brad S. Horvath

ATTEST:

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

Village of Wesley Chapel, NC  
Proclamation for Girl Scout Week



**WHEREAS:** March 12, 2019, marks the 107th 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 3.5 million current Girl Scout members nationwide will be celebrating 107 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**, Brad Horvath, 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 10-16, 2019 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 11<sup>th</sup> day of February of the year of our Lord two thousand nineteen.

Signed \_\_\_\_\_ SEAL Attest

Mayor Brad Horvath

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

## Proclamation for Scouting Anniversary Week Village of Wesley Chapel, NC



*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, 2019 their 109th Anniversary; and

*WHEREAS*, Boy Scouts promote character development, citizenship training, and mental and physical fitness for every member; 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 109th Anniversary of Boy Scouts of America and designates February 3rd - 9th, of the year 2019, SCOUTING ANNIVERSARY WEEK in Wesley Chapel.

In Witness Whereof, I set my hand and affix this seal of the Village of Wesley Chapel, this 11th day of February of the year 2019.

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Brad Horvath, Mayor

Attest:

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Cheryl Bennett, Clerk

5. Law Enforcement Services Planning Presentation by UCSO *Time Stamp 4:05*

Chief Deputy Elmore presented a Powerpoint about law enforcement services. It included call levels, violent crime rates, response times, crime clearance rates, and property crime rates. He noted that locking car doors would reduce property crimes significantly. School Resource Officers have been added and are now in every high school and middle school, and they hope to add them in elementary schools next. Figures on drug related arrests show the impact of the heroin/opioid crisis. In 2017 they started carrying Narcan in deputy cars which has helped reduce deaths. The Union County Sheriff's Office (UCSO) is one of the only departments in the State that works accidents. Chief Elmore gave an update on UCSO facilities including the training center which just broke ground, the new firing range and plans for a training arbor and shoot house, as well as the 27 million dollar bond for a new administrative building. The deputies start their workday in their car with technology in the vehicle. They are moving to Chevy Tahoe's to provide more space for the additional equipment they now carry. Lexis Nexis crime maps are on the website, are updated daily at 7 am, and show what is going on and where, except juvenile and sex offenses which are not listed. UCSO's budget is about \$33 million, and tracks with the population increases. Staff is up to 324 with 15 positions added last year. They have one of the best training programs, and stay full in staffing. The County Finance Officer determines how much to charge for each deputy that the towns contract for. To improve communications the UCSO plans to have a meeting each December; the first one was December 2018 which the Village Administrator attended. Regarding deputy supervision, right now Captain Luke supervises the deputies, but they are requesting the County fund a new G squad Lieutenant under operations, who would spend half time supervising the Weddington, Wesley Chapel, Marvin and Lake Park deputies, and the other half of their time doing other items including Warrant Squad, Traffic Unit, Special Events, Safe Units, and Special Response Team. Originally they were asking the towns to share the cost of the position, but now will ask the County to fully fund the position. The Lieutenant will be at the satellite office at the Wesley Chapel Volunteer Fire Department and have more interaction with the towns. Regarding deputy

staffing, Chief Elmore felt Wesley Chapel was understaffed, and that with the upcoming four lane road expansion there would be easy access to the town making us more vulnerable.

Questions were asked about the current jail, and administration building, as well as future possible construction or renovations. A question was asked about immigration, and Sheriff Cathey replied that while Mecklenburg had sworn ICE officers before, now the information still gets collected and sent to ICE. The Sheriff was asked if an option is a part time deputy; he noted while they have some part time positions, the deputy still has to have a car, uniform, etc. so the cost would be close to a full time deputy. A question was asked about enforcing pot or weed infractions; the Sheriff has an officer who goes school to school and puts on programs for students and parents but unfortunately the participation at the high schools was low.

The Sheriff and his staff were thanked for attending and sharing this information.

6. Planning Board Report *Time Stamp 40:30*

Planning Board Chair John Souza noted they still have an agenda item for a council member to provide input at their meetings. The re-zoning request was discussed at the January meeting and unanimously denied. He suggested a conditional zoning request would be more appropriate being across from the school. Concerns about the re-zoning request included: this is 13-14 times the amount of land that was designated O-I on the Future Land Use Map, whether this is the right time, and traffic improvements should be done first and see how traffic is afterwards. The planner explained that the application still comes to Council unless they choose to withdraw. They cannot reapply for one year unless the application substantially changes. John Souza added that three residents attended their meeting. He also noted that there are three residents on the parcels who would not be able to put in a pool, etc. should it be re-zoned. He was assured that Mr. Moser has a contract to buy their land conditional on the re-zoning. There are plans for four right turn lanes at Potter and Highway 84, but not for a roundabout. Council would like to see a visual of how it will look; the Administrator will contact NC DOT.

Chair Souza discussed Addington Crossing; he was told that the final plat was what Council had approved for preliminary plat, however Planning Board asked for 150 feet of turning lanes, and now there is just fifty foot turn lane and a fifty foot taper. There is a statement on the plat that says the land can be dedicated as needed for Thread Trail. Planning Board recommended approval of the final plat 5-0. Council Member Como had concerns on one lot where there did not appear to be room in the back for a pool, and that a storm pond seemed to edge onto another lot.

Work on the tree and sign ordinances continues.

7. Communications Committee Report *Time Stamp 55:00*

Chair Deb Bledsoe reported they have 25 more Facebook followers than last month, and one post on how the Village got its name had 3,000 views. The Committee would like to feature each Council member starting with the Mayor on the Facebook page and she distributed questionnaires for them to fill out; information will be written up and along with their photos will

be posted on the Facebook page. Mayor Pro Tem Kaperonis asked that they also recruit for new Youth Council members on the Facebook page.

8. Youth Council Committee Report *Time Stamp 59:56*

The Youth Council Chair was not present.

9. Parks and Rec Committee Report *Time Stamp 1:00:47*

Chair John Lepke reported due to weather the amphitheater still has not started construction. Updated prices on the sound and light system are not yet ready but it appears that to get everything we want, including training and warranty, it will go over budget. The committee discussed and decided to put together a PARTF application this year. They will request funds for a playground, picnic tables or awnings, and exercise stands on the trail. They need Council support; costs are expected to be about \$140,000, so he asked Council commitment for \$70,000 in next year's budget. Wesley Chapel Friends of Park and Rec are struggling with resources to do the barbecue event on May 4th, and he came up with an idea to have a car and music event. He asked for assistance from Mayor Pro Tem Kaperonis and Council Member Rodriguez with the cars. Parking spots will be needed for food trucks and handicap parking, but the rest could be used for cars.

Council Member Mike Como reported a new gate was installed at the park.

10. Finance Officer's Report *Time Stamp 1:13:25*

Finance Officer Bennett noted we are up to 92% of property taxes collected. We received \$5141.53 for fee-in-lieu for Phase I of the Addington subdivision. We paid for the third quarter deputy services.

Mayor Horvath noted we have funds set aside in fund balance for future park improvements and park fee-in-lieu that total almost \$150,000.

**Old Business**

11. Consider offer on 2.63 acre parcel and next step *Time Stamp 1:15:20*

The \$440,000 bid for the land was advertised, and upset bids welcomed, however none were received. Mayor Horvath polled Council and found they were interested in selling the land. Both the potential uses for the land will require re-zoning, one requires Office Institutional and the other Business zoning. Council Member Fuller motioned to accept the offer of \$440,000 from Heather Meyers, and move forward with contract negotiations. Council Member Como seconded the motion.

The motion passed unanimously.

Our attorney and the buyer's attorney will work on a potential contract.

12. Consider quotes on sound and lighting equipment for park band shell; budget \$40,000 *Time Stamp 1:20:50*

We do not yet have updated quotes.

**New Business**

13. Presentation from organization JustServe.org *Time Stamp 1:21:15*

JustServe.org was created to match organizations' volunteer needs with those who wish to serve. It began in 2010 and they are looking to expand in Union County. It is maintained by the Church of Latter Day Saints and no funds are exchanged on the website. Currently there are 52 partners in Charlotte and they said one town gets volunteers through their website. The request was for the village to post a link on our website. Discussion was held of the fine line between Church and State. They would like to know of service opportunities locally; Mayor Pro Tem Kaperonis will share contact information he has from the Chamber of Commerce and Leadership Union.

14. Consider approval of final plat of Addington Crossing Phase I *Time Stamp 1:45:10*

Robyn Byers, Ph.D., noted this request is for the 30 lots on the south end of the 51 lot subdivision. Planning Board had previously requested a 150 foot right turn lane onto Potter, but NCDOT asked the Village remove this condition and a fifty foot storage and fifty foot taper was agreed to. A note has been added to the final plat to dedicate future construction by others and over-seen by the Village of a potential greenway trail across common areas of the subdivision. A subdivision modification was previously granted to cut down 232 heritage trees. Planning Board unanimously recommended approval. Fee in lieu was calculated and collected for Phase I. All letters of approval have been received. Ms. Byers noted it is in conformance with the preliminary plat and our ordinance. Council Member Como commented that you won't be able to do anything with one third of lot twenty (such as a pool or shed), reminiscent of a problem we had with another lot elsewhere in the Village. Council Member Como motioned to approve Addington Crossing Phase I final plat and the bond in the amount of \$1,673,582.50. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

15. PARTF grant commitment to provide matching funds from 2019-20 budget *Time Stamp 1:57:00*

Potentially a grant request might be up to \$140,000. Council Member Como said we are not spending the funds now, we are just agreeing on a matching amount commitment. Council Member Como motioned to commit to a match up to \$100,000 for a PARTF grant if the grant is applied for and received. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

16. Consider approval of Southbrook Church Good Friday evening service at park (Park rules normally do not allow for evening events) *Time Stamp 2:00:27*

Council Member Como noted this came up right after the last meeting when we agreed to do the three events at the park, the Sheriff suggested using temporary lighting if the trail through the woods is used; deputies will also be needed to cross people across Highway 84. Council Member Como motioned to approve the Good Friday evening service contingent on their being deputies, lighting and a temporary use permit. Council Member Fuller seconded the motion.

The motion passed unanimously.

17. Consider forming public safety committee (Weddington, Marvin and Wesley Chapel) with two council members from each town *Time Stamp 2:03:44*

Council Member Como noted after a recent meeting there was interest in forming a committee since we all have common issues. Council discussed concerns regarding compliance with open meetings law. Council Member Como motioned that the Village is interested in a committee subject to complying with open meetings law rules. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

### **Ending Items**

18. Council Comments *Time Stamp 2:08:44*

Council Member Como noted The Humane Society is continuing to meet here until their new building is complete. There being no objections, he will put it on the next agenda. He along with the Mayor and Mayor Pro Tem attended the Chamber of Commerce meeting last week.

Mayor Pro Tem Kaperonis noted he enjoyed the Chamber meeting that featured elected officials.

Council Member Rodriguez thanked Deb Bledsoe for putting council photos on the website, and good recent meetings.

Council Member Fuller thanked Heather Meyers for her patience and staying for the whole meeting.

Mayor Horvath noted Representative Horn and Senator Johnson were at the Chamber meeting. There is a transportation summit meeting of mayors next Monday that he will attend. There is a discussion with the County on critical intersections; please send Robyn Byers any intersections you are interested in and she will send out the list of the intersections from the last round.

19. Adjournment *Time Stamp 2:15:07*

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

The motion passed unanimously.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath