

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
WESLEY CHAPEL TOWN HALL  
6490 Weddington Road, Wesley Chapel, NC 28104  
April 8, 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 Pro Tem Kaperonis, Council Members Como and Fuller  
**Council Absent:** Mayor Horvath, Council Member 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 Pro Tem Kaperonis led the Pledge of Allegiance and the invocation was given.

2. Public Comments *Time Stamp: 1:33*

Lori Bailey commented she appreciated the impact of having a full time planner. She expressed concerns on flooding, drainage and whether with more changes that we understand the impact holistically. She noted the pond at Highway 84 remains full, and with road construction coming, we want to get ahead of things. The flooding from Hurricane Harvey was in large part due to development, and many in Houston did not get funding for repairs, because they were not in a designated floodplain.

Sherry Killion expressed concern on the continued Moser request for development of the Potter Road/Hwy. 84 corner. It will increase traffic, create safety concerns, increase run-off, create light pollution, and the pond is a known concern, all creating concern for the values of our homes, our biggest investment. She ask that the Village stick to the Land Use Plan until complete buildout of the currently approved business development here at the Village center.

3. Additions, Deletions and Adoption of Agenda *Time Stamp 7:18*

Council Member Como motioned to add to the agenda a discussion on the light and sound system for the park. Council Member Fuller seconded the motion.

The motion passed unanimously.

Council Member Como motioned to approve the agenda as amended. Council Member Fuller seconded the motion.

The motion passed unanimously.

4. Consider Approval of Consent Agenda *Time Stamp 8:15*
  - a. Approve minutes for March 11, 2019 Council Meeting
  - b. Approve previous month planner's and code enforcement reports
  - c. Approve previous month finance report
  - d. Approve Resolution 2019-02 to add Wesley Manor Drive to State Maintained Secondary Road system
  - e. Approve Resolution 2019-03 to request abandonment of SR 1354 Hawfield Road
  - f. Call for Public Hearing on May 13, 2019 at 7 pm at town hall on RZ 19-2 request to re-zone 13.521 acres from R-40 to Office-Institutional on NW corner of Potter road and NC 84
  - g. Call for Public Hearing on May 13, 2019 at 7 pm at town hall on Zoning Ordinance Table of Uses to change Continuing Care Facilities from use by right to conditional in the Office-Institutional district
  - h. Call for Public Hearing on May 13, 2019 at 7 pm at town hall on changes to Zoning Ordinance – Signs
  - i. Approve purchase of up to \$200 for temporary trail lights at park from P&R Other Materials and Supplies line item
  - j. Receive Certificate of Sufficiency from Clerk on petitions for annexation
  - k. Approve Resolution 2019-04 fixing date of public hearing for May 13, 2019 at 7 pm at town hall on question of annexation pursuant to G.S. 160A-58.1

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

The motion passed unanimously.

**March 31, 2019 Balance Sheet**

**ASSETS**

**Current Assets**

**Checking/Savings**

Fifth Third Bank checking	188,587.71
Fifth Third Maxsaver	184,879.01
NCCMT Government Portfolio	308,141.84
BB&T Money Market	508,726.49
Cash Change Fund	50.00

**Total Checking/Savings** 1,190,385.05

**Total Accounts Receivable** 2,754.47

**Other Current Assets**

Property Tax Rec.	691.00
Allow. for Doubtful Accounts	-490.00
Prepaid Exp.	282.00
Due from Union County	6.55
Sales Taxes to be Received	1,942.76

**Total Sales Taxes to be Received** 1,942.76

**Total Other Current Assets** 2,432.31

2019.04.08 Council meeting minutes

<b>Total Current Assets</b>	1,195,571.83
<b>Fixed Assets</b>	
<b>Land</b>	813,423.00
<b>Dogwood Park</b>	
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>
<b>Total Dogwood Park</b>	757,750.00
Town Hall	1,361,869.00
Furniture & Equipment	40,008.00
Town Hall Driveway/Irrigation	64,192.00
Accumulated Deprec.	<u>-518,210.98</u>
<b>Total Fixed Assets</b>	2,519,031.02
<b>Other Assets</b>	
Def Outflow Contr to PenPlan CY	<u>11,815.00</u>
<b>Total Other Assets</b>	<u>11,815.00</u>
<b>TOTAL ASSETS</b>	<u><u>3,726,417.85</u></u>
<b>LIABILITIES &amp; Fund Balance</b>	
<b>Other Current Liabilities</b>	
Due to Union County Schools	34.60
Deposits To Refund	22,000.00
Escrow from Developers	45,076.00
Deferred Revenue	201.20
Retainage Pay. Dogwood Park	<u>2,944.80</u>
<b>Total Other Current Liabilities</b>	<u>70,256.60</u>
<b>Long Term Liabilities</b>	
Net pension liability	6,113.00
Unearned Rev(ABC licenses)	15.00
Deferred inflows Pension	<u>3,405.00</u>
<b>Total Long Term Liabilities</b>	<u>9,533.00</u>
<b>Total Liabilities</b>	79,789.60
<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 Income	<u>-84,375.94</u>
Total Fund Balance	<u>3,646,628.25</u>
TOTAL LIABILITIES & Fund Balance	<u><u>3,726,417.85</u></u>

**March 2019 Budget Report**

	<u>Mar 19</u>	<u>Jul '18 - Mar 19</u>	<u>Budget</u>	<u>% of Budget</u>
<b>General Fund</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	-860.25	151,076.90	151,081.00	100%
Utility Ad Valorem	2,221.71	2,221.71	2,236.00	99%
Vehicle Registration	1,481.82	11,828.49	15,669.00	75%
Delinquent Property Tax	3.53	139.72	300.00	47%
Interest/Ad Fee on Taxes	51.36	198.93	250.00	80%
<b>Total Property Tax Income</b>	<u>2,898.17</u>	<u>165,465.75</u>	<u>169,536.00</u>	<u>98%</u>
<b>Fees and Licenses</b>				
Privilege Licenses - ABC	0.00	285.00	300.00	95%
Zoning Permit	1,200.00	16,700.00	25,000.00	67%
Engineering Fees Reimbursement	618.75	15,200.55	50,000.00	30%
Misc. Fees	40.00	998.00	1,500.00	67%
Fee in lieu -Open Space Land	0.00	5,141.53		
<b>Total Fees and Licenses</b>	<u>1,858.75</u>	<u>38,325.08</u>	<u>76,800.00</u>	<u>50%</u>
Interest Earned	62.67	5,198.18	2,400.00	217%
<b>Shared Revenues</b>				
Sales & Use Taxes	4,675.63	26,969.83	52,000.00	52%
Sales Tax on Telecom. Services	1,803.76	3,628.03	7,900.00	46%
Sales Tax on Video Programming	23,116.08	45,450.44	95,000.00	48%
Sales Tax on Electricity	41,078.33	102,497.95	203,000.00	50%
Sales Tax on Piped Natural Gas	3,804.63	7,036.90	14,500.00	49%
Alcoholic Beverage Tax	0.00	0.00	36,300.00	0%
<b>Total Shared Revenues</b>	<u>74,478.43</u>	<u>185,583.15</u>	<u>408,700.00</u>	<u>45%</u>
<b>Total Income</b>	<u>79,298.02</u>	<u>394,572.16</u>	<u>880,036.00</u>	<u>45%</u>
<b>Expense</b>				
Transportation	0.00	0.00	0.00	0%

Total Town Hall Operating Expense	1,825.88	19,232.20	29,400.00	65%
Total Operating Expenditures	5,931.95	34,333.90	77,389.00	44%
Total Planning & Zoning	5,000.00	66,836.71	106,066.00	63%
Total Gen. Govt. Salaries	16,247.65	103,606.49	152,122.00	68%
Total Professional Fees	1,602.50	35,301.43	81,200.00	43%
Total Capital Outlay	0.00	6,828.75	29,000.00	24%
Total Public Services / Safety Parks & Recreation	0.00	72,399.40	99,785.00	73%
Total Recreation Events	0.00	1,741.00	8,260.00	21%
Total Park Maint. Supplies & Mat.	93.96	996.64	6,000.00	17%
Total Park Maint. Services	5,378.83	44,500.96	80,640.00	55%
Total P&R Capital Outlay	21,442.22	93,170.62	210,174.00	44%
Total Parks & Recreation	26,915.01	140,409.22	305,074.00	46%
Total Expense	57,522.99	478,948.10	880,036.00	54%
Net Income	21,775.03	-84,375.94	0.00	100%

### Certificate of Sufficiency

To the Wesley Chapel, North Carolina Village Council:

I, Cheryl Bennett, Village Clerk, do hereby certify that I have investigated the petitions referenced below and have found as a fact that said petitions are signed by all the owners of real property lying in the area described therein, and that said petition is sufficient, in accordance with G.S. 160A-58.1.

In witness whereof, I have here unto set my hand and affixed the seal of the Village of Wesley Chapel, this 8th day of April, 2019.

SEAL

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

Petitions for Adelaide Estates, Lots 1-6, 8-38, 40-54, 56-58, 60-68 and Estates at Wesley Oaks Lot 43

**North Carolina Department of Transportation  
Request for Addition to State Maintained Secondary Road System**

**Village of Wesley Chapel, North Carolina  
Res. 2019-02**

North Carolina  
County of Union

Road Description: Request for SR-2 Resolution for Wesley Manor Drive in Wesley Chapel

**WHEREAS**, a petition has been filed with the Village Council of the Village of Wesley Chapel, Union County, requesting that the above described road, the location of which has been indicated on the attached map, be added to the Secondary Road System; and

**WHEREAS**, the Village of Wesley Chapel is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the division of Highways of the Department of Transportation for the addition of the road to the system;

**NOW, THEREFORE**, be it resolved by the Village of Wesley Chapel of the County of Union that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

Adopted this 8<sup>th</sup> day of April, 2019.

  
Brad S. Horvath, Mayor

Attest:

  
Cheryl Bennett, Village Clerk

Union County

Wesley Manor

0 Wesley Manor Dr 0.07898

Quintessa

0 Princesa Dr 0.31555

**North Carolina Department of Transportation  
Request for Abandonment Resolution (SR-2) for SR 1354 Hawfield Road**

**Village of Wesley Chapel, North Carolina  
Res. 2019-03**

North Carolina  
County of Union

Road Description: SR 1354 Hawfield Road from the intersection of Hawfield Road and Wesley Chapel Road and continue for 0.601 mile to the end of NCDOT maintenance

**WHEREAS**, a petition has been filed with the Village Council of the Village of Wesley Chapel, Union County, requesting that the above described road, the location of which has been indicated on the attached map, be abandoned from the Secondary Road System; and

**WHEREAS**, the Village of Wesley Chapel is of the opinion that the above described road should be removed from the Secondary Road System;

**NOW, THEREFORE**, be it resolved by the Village of Wesley Chapel that the Division of Highways is hereby requested to abandon the above described road.

Adopted this 8<sup>th</sup> day of April, 2019.

  
Brad S. Horvath, Mayor

Attest:

  
Cheryl Bennett, Village Clerk



**Resolution 2019-04**  
**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF**  
**ANNEXATION PURSUANT TO G.S. 160A-58.1,**

WHEREAS, petitions requesting annexation of the non-contiguous area described herein has 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 non-contiguous area described herein will be held at the Wesley Chapel Town Hall, 6490 Weddington Road, Wesley Chapel, North Carolina at 7:00 pm, on May 13, 2019.

Section 2. The area proposed for annexation is described as follows: Petitions for Adelaide Estates, Lots 1-6, 8-38, 40-54, 56-58, and 60-68, and Estates at Wesley Oaks Lot 43.

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 8, 2019.

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Mayor Brad S. Horvath

ATTEST:

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

5. Bjorn Hansen on Union County Transportation – Critical Intersections Updates *Time Stamp 9:00*

Mr. Hansen noted that of the current critical intersection analysis plan, two thirds are funded, so they are now refreshing the plan. They created rankings, came up with a list and are now in the middle of the outreach period. Two community meetings (with only about twenty people in attendance at each) were held, and 700 people have completed surveys through Metroquest. The western part of the county is over-represented, the most common age group is 40-49, and nearly half have lived in the county less than ten years. Fifty seven per cent did not know the county

does not own or maintain roads, and 77 percent support local funding to advance projects. Ninety two percent are comfortable with roundabouts. Some negative feedback was received for five intersections, and several intersections received more than ten votes in favor. New projects proposed include Poplin and Unionville-Indian Trail Road, Pine Oak and Waxhaw-Marvin Road, NS 16 and NC 75, and Cuthbertson Road near Lawson where there are speeding concerns. Roundabouts are preferred over traffic lights due to life cycle costs and safety. They are waiting on crash analysis reports due the end of April for information on how and when crashes occur, and this may cause some intersections to be added or removed. They will whittle the list down to the top fifteen in May or June. Adoption of the report in August or September may be done by the county, all municipalities, or only those municipalities with projects on the list. It will be taken to CRTPO for application of planning grants to come up with approved design and cost estimates. Mr. Hansen showed the on-line map, focus is on corridors without planned widening; those with green dots score higher, and red dots score lower. None of the intersections are in Wesley Chapel. Mr. Hansen noted they will be asking the county to budget about \$60,000, and will ask municipalities to budget some funds also to show commitment.

The goal for the intersection of Potter and Hwy. 84 is to apply for more funding in the fall. Right now it is just a right turn lane project. They are talking to the school district, and the school might have to move their access to Chambwood Road. If a re-zoning is approved to the east on Highway 84, that developer may have to make some improvements. There are several other potential housing projects east of the intersection.

Discussion was held on how the locations of roundabouts are decided, in some cases utilities may cause them to be shifted in one direction.

Mr. Hansen was thanked for his presentation.

#### 6. Planning Board Report *Time Stamp 48:00*

Planning Board Chair John Souza reported at their last meeting Council Member Como attended and he invited other Council members to attend their meeting. The Planning Board voted 5-0 against the re-zoning request. The same application came in a few months ago, and the Planning Board asked for the developer to come back with conditional zoning to work together on. The Land Use Plan (LUP) update is scheduled for 2020. The rezoning request asks for not only the one lot which is shown on the LUP as Office-Industrial, but also three more lots in either direction. One acre of O-I on the LUP is self-regulating since it is hard to do an intensive use on one acre. Several lots are no longer self-regulated. Council Member Como noted road setbacks should be worked out now, the widened road will take more land, and we should be proactive with a larger buffer. Chair Souza noted that is Planning Board's job, if land is re-zoned and with a use by right, they can go right up to the border; conditional zoning is our best solution. The Planning Board is also working on text to require a dedicated right turn lane out for subdivisions, and requiring a conditional zoning discussion in the LUP when it is updated. They will be looking at parking requirements for different uses, and approved 5-0 to send sign ordinance updates to Council. References to sign content have been taken out. Progress continues on tree ordinance updates, and the proposed legislative bill which would restrict our power to make rules

was discussed. Council Member Fuller motioned for the Mayor to send a letter in opposition to the tree bill to our legislators. Council Member Como seconded the motion.

The motion was approved unanimously.

Planner Byers noted Addington Crossing has four lots that need to connect to water and sewer at the rear of the lots, and they are proposing to move and increase the tree save area. Council Member Como motioned to allow the Mayor to sign off approval of the amended plat. Council Member Fuller was against this because it is moving tree save area from individual lots to other lots, and we want to keep the tree save off individual lots. The motion died for lack of a second. Since this was not on the agenda, it will be tabled to next month, and the Planner will look for any suitable option.

7. Communications Committee Report *Time Stamp 1:18:34*

Chair Deb Bledsoe reported the Facebook post on the Mayor Pro Tem's profile received 1575 views. She requested approval to purchase framed photos for town hall. Council Member Como motioned to spend up to \$1,000 for eight 20x24 inch framed photos. Council Member Fuller seconded the motion.

The motion passed unanimously.

The Wesley Chapel history video produced by Fly2High was posted on the Facebook page. Chair Bledsoe met with the advertising rep from the Tri-W newspaper, and Waxhaw has a page weekly, and Weddington has one monthly in the paper. The cost for a color page is \$80, and a one year contract is required, but the cost to have the page written and camera ready is usually \$500 by an outside consultant. Chair Bledsoe created a dummy page based on the Facebook post on the Village seal, so potentially we could produce the page ourselves. Some credit is given by the Tri-W for ads on the town page, but it was unclear if we get credit for the whole ad fee, and we would not have control on who runs the ad. The next Communications meeting is April 18, 2019.

8. Youth Council Committee Report *Time Stamp 1:33:02*

The Youth Council Chair was not present but Mayor Pro Tem Kaperonis reported they are winding down for the year, and looking at completing the time capsule plaque. We need letters of resignation from members graduating.

9. Parks and Rec Committee Report *Time Stamp 1:35:27*

Chair John Lepke was absent so Council Member Como reported on the progress building the band shell, trusses will be done next week. Parks and Rec is working on their budget requests.

10. Finance Officer's Report *Time Stamp 1:39:29*

Finance Officer Bennett noted we are at about 100% of property taxes collected. The quarterly state shared revenues payment received March 15<sup>th</sup> came in very close to budget. Expenditures

were made for the annual retreat, and CRTPO dues paid. We have spent \$21,389 on the amphitheater so far.

**Old Business**

11. Update on status of multi-town committees as public bodies and subject to open meetings law *Time Stamp 1:42:48*

Attorney Sistrunk requested we go into closed session. Council Member Como motioned to go into closed session for attorney-client privilege (per N.C. G.S. 43-318(a)(3)). Mayor Pro Tem Kaperonis seconded the motion.

The motion passed unanimously.

Council received advice from the attorney.

Council Member Como motioned to return to open session. Mayor Pro Tem Kaperonis seconded the motion.

The motion passed unanimously.

12. Update on sale of land *Time Stamp 2<sup>nd</sup> recording 0:13*

Attorney Sistrunk reported the buyers created an LLC to take title, and are doing an assignment of the contract. It just needs to be signed at this point.

13. Discuss sound and light system quotes *Time Stamp 2<sup>nd</sup> recording 1:30*

Council Member Como noted we are talking to the vendor about their pro coverage five year warranty. We need a contract, and the attorney did not want us to pay in full up front, so a special meeting will be called when the details are worked out.

**New Business - none**

**Ending Items**

14. Council Comments *Time Stamp 2<sup>nd</sup> recording 7:59*

Council Member Fuller appreciated Planning Board working on the ordinance to remove tree save areas from land included in the minimum lot size.

Council Member Como noted he learned things about Wesley Chapel from the history video.

Mayor Pro Tem Kaperonis was disappointed at the low attendance at the Advance.

15. Adjournment *Time Stamp 2<sup>nd</sup> recording 10:50*

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

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Brad Horvath