

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

Standing Items

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

Boy Scout Troop 46 led the Pledge of Allegiance and shared some information about Veteran's day. The invocation was given.

2. Public Comments *Time Stamp: 8:05*

Diana Bowler reviewed the history of the festivals at the park and the formation of Wesley Chapel Friends of Parks and Rec (WCFOPR). She and Sondra Bradford have spent many hours planning and working to make these events occur. She gave thanks for the opportunities and all the volunteers and businesses as well as Council Members and Mayor that she has worked with. She is now taking a break from planning these events, and Parks and Rec is now holding events. Sondra Bradford also thanked Council, the volunteers and Diana Bowler.

3. Additions, Deletions and Adoption of Agenda *Time Stamp 13:56*

Council Member Como motioned to adopt the agenda; Council Member Rodriguez seconded the motion.

The motion passed unanimously.

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

- a. Approve minutes for October 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 CZ19-01 on December 9, 2019 at 7 pm at Wesley Chapel Town Hall, 6490 Weddington Road, Wesley Chapel, NC 28104
- e. Call for public hearing on text amendment for Table of Uses on December 9, 2019 at 7 pm at Wesley Chapel Town Hall, 6490 Weddington Road, Wesley Chapel, NC 28104

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

October 31, 2019 Balance Sheet

ASSETS

Checking/Savings	
Fifth Third Bank checking	168,721.69
Fifth Third Maxsaver	185,312.23
NCCMT Government Portfolio	312,124.73
BB&T Money Market	108,935.59
BB&T CD 9.26.2020	300,000.00
Cash Change Fund	50.00
Total Checking/Savings	1,075,144.24
Accounts Receivable	
Misc. Fees Receivable	4,435.38
Total Accounts Receivable	4,435.38
Other Current Assets	
Property Tax Rec.	1,024.00
Allow. for Doubtful Accounts	-491.00
Total Sales Taxes to be Received	5,462.07
Total Current Assets	1,085,574.69
Fixed Assets	
Land	813,423.00
Dogwood Park	
Dogwood Park Amphith.,S/L Equip	116,297.00
Dogwood Park Improvements	775,861.00
Dogwood Park fountain	12,960.00
Dogwood Park Water Improvement	8,440.00
Dogwood Park Gate	8,283.00
Dogwood Park Signs	3,803.00
Total Dogwood Park	925,644.00
Town Hall	1,361,869.00
Furniture & Equipment	40,485.00
Town Hall Driveway/Irrigation	64,192.00
Accumulated Depreciation	-633,875.98
Total Fixed Assets	2,571,737.02
Other Assets	
Def Outflow Contr to PenPlan	18,207.00
Total Other Assets	18,207.00
TOTAL ASSETS	<u><u>3,675,518.71</u></u>

LIABILITIES & FUND BALANCE

Other Current Liabilities	
Due to Union County Schools	9.65
Deposits To Refund	1,505.00
Pay. for Employee Insurance	101.00
Escrow from Developers	45,076.00
Deferred Revenue	<u>533.20</u>
Total Other Current Liabilities	<u>47,224.85</u>
Long Term Liabilities	
Net pension liability	8,306.00
Deferred inflows Pension	<u>43.00</u>
Total Long Term Liabilities	<u>8,349.00</u>
Total Liabilities	55,573.85
Fund Balance	
Fund Bal. inv. in Fixed Assets	2,571,737.02
Fund Bal. Assigned for Sidewalk	36,000.00
Fund Balance Assigned for NNO	313.40
Fund Bal Assign future park imp	90,550.00
FB Restrict for P&R fee in lieu	118,931.77
Fund Bal. non-spendable	104,045.00
Fund Balance	808,706.81
Net Excess of Rev. over Exp.	<u>-110,339.14</u>
Total Fund Balance	<u>3,619,944.86</u>
TOTAL LIABILITIES & FUND BALANCE	<u><u>3,675,518.71</u></u>

October 31, 2019 Budget Report

	<u>Oct 19</u>	<u>Jul - Oct 19</u>	<u>YTD Budget</u>	<u>% of Budget</u>
General Fund				
Income				
Appropriated Fund Balance	0.00	0.00	97,195.00	0%
Property Tax Income				
Current Year Property Tax	9,457.07	13,907.17	153,767.00	9%
Utility Ad Valorem	0.00	0.00	2,214.00	0%
Vehicle Registration	3,151.32	4,922.12	17,100.00	29%
Delinquent Property Tax	41.06	90.30	200.00	45%
Interest/Ad Fee on Taxes	<u>33.10</u>	<u>50.58</u>	<u>240.00</u>	<u>21%</u>
Total Property Tax Income	12,682.55	18,970.17	173,521.00	11%
Fees and Licenses				
Privilege Licenses - ABC	0.00	285.00	285.00	100%
Zoning Permit	3,675.00	14,975.00	25,000.00	60%

Engineering Fees Reimbursement	2,170.86	7,492.70	40,000.00	19%
Misc. Fees	605.00	1,306.75	1,500.00	87%
Fee in lieu -Open Space Land	<u>47,973.96</u>	<u>51,573.04</u>	<u>0.00</u>	<u>100%</u>
Total Fees and Licenses	54,424.82	75,632.49	66,785.00	113%
Interest Earned	62.82	1,920.68	6,000.00	32%
Shared Revenues				
Sales & Use Taxes	4,893.31	5,098.55	54,500.00	9%
Sales Tax on Telecom. Services	0.00	-84.34	7,500.00	-1%
Sales Tax on Video Programming	0.00	-3,285.74	92,500.00	-4%
Sales Tax on Electricity	0.00	132.79	195,000.00	0%
Sales Tax on Piped Natural Gas	0.00	1,406.41	12,000.00	12%
Alcoholic Beverage Tax	<u>0.00</u>	<u>0.00</u>	<u>38,500.00</u>	<u>0%</u>
Total Shared Revenues	<u>4,893.31</u>	<u>3,267.67</u>	<u>400,000.00</u>	<u>1%</u>
Total Income	<u>72,063.50</u>	<u>99,791.01</u>	<u>743,501.00</u>	<u>13%</u>
Expense				
Total Town Hall Operating Expense	2,032.63	8,719.07	34,800.00	25%
Total Operating Expenditures	1,230.24	24,679.89	89,150.00	28%
Total Planning & Zoning	6,875.00	25,915.43	77,500.00	33%
Total Gen. Govt. Salaries	10,709.18	55,499.40	170,586.00	33%
Total Professional Fees	5,273.82	14,114.16	67,855.00	21%
Total Capital Outlay	0.00	639.99	18,320.00	3%
Total Public Services / Safety	0.00	49,544.82	101,590.00	49%
Parks & Recreation				
Total Recreation Events	4,167.06	7,191.95	28,000.00	26%
Total Park Maint. Supplies & Mat.	18.04	702.25	4,000.00	18%
Total Park Maint. Services	<u>4,999.50</u>	<u>22,096.27</u>	<u>107,700.00</u>	<u>21%</u>
Total P&R Capital Outlay	<u>1,026.92</u>	<u>1,026.92</u>	<u>44,000.00</u>	<u>2%</u>
Total Parks & Recreation	<u>10,211.52</u>	<u>31,017.39</u>	<u>183,700.00</u>	<u>17%</u>
Total Expense	<u>36,332.39</u>	<u>210,130.15</u>	<u>743,501.00</u>	<u>28%</u>
Net Excess of Revenues over Exp.	<u><u>35,731.11</u></u>	<u><u>-110,339.14</u></u>	<u><u>0.00</u></u>	<u><u>100%</u></u>

5. Youth Council Committee Report *Time Stamp 14:56*

Mayor Pro Tem Kaperonis reported the Youth Council held a scavenger hunt at the Fall Bash as well as paper airplane making.

6. Deputy Report *Time Stamp 16:27*

Deputy Wicker reported on various break-ins and larcenies as well as traffic accidents in the last three months. The trend is car break-ins, including two at the park. It is important that people

lock their cars. Mayor Pro Tem Kaperonis asked about deputy back-up for code enforcement visits instead of a council member escort.

7. Planning Board Report; accept Planning Board alternate resignation, consider appointment *Time Stamp 15:23*

Planning Board Chair John Souza reported in October the Mayor gave an update, they looked at CZ19-01 and recommended approval 5-0, he asked Council to look at the road site triangle, and stormwater where runoff will go into the same ditch as 201 Central. Planning Board would like to see an architectural review of the Phase 2 building. They also recommended an amendment to the Table of Uses 5-0, and continued work on RA-40 vs. R-40, the tree ordinance, and Land Use Plan update. He asked Council advertise the Planning Board opening and upcoming opening, and not appoint someone tonight. Chair Souza noted the County approved a 600+ unit subdivision on our border, and that we consider how it will impact Wesley Chapel and how we can react. Mayor Horvath noted one of the stipulations was the developer contribute \$360,000 for intersection improvements at Hwy. 84 and Potter Road when they get to 300 homes built, or work begins at the intersection, whichever is earlier. Chair Souza noted there will be an impact to EMS from 911 calls for that many homes. The November Planning Board meeting will include ongoing work as well as a CUP and Phase 3 of the final plat of Courtyards.

Planner Byers gave an update on the new Piedmont Natural Gas facility; the fifty foot buffer is along the sides and rear, and NC DOT required trees be cut in the front for sight lines. After construction, evergreens will be planted in the front.

Council Member Como motioned to accept the resignation of Alternate Tracey Clinton from Planning Board and advertise the open positions; Council Member Rodriguez seconded the motion.

The motion passed unanimously.

8. Parks and Rec Committee Report; approve budget for Dec. 14, 2019 event for \$3,000 *Time Stamp 42:11*

Parks and Rec Chair Lepke reported attendance was about 1,200 at the Fall Bash. With WC FOPR stepping back, more work is falling on Parks and Rec. who will be working to get ahead so budgets for events come to Council earlier. Attendance at the November 2, 2019 music festival was only 600, as a result beverage sales netted only \$1137 with the village getting \$568. The next event is a holiday event December 14, 2019 which Southbrook Church will partner on, and help reduce our expenses. Chair Lepke is reaching out to performers, and they plan a Santa's grotto on the pier for photo opportunities. The event will be held rain or shine.

Council Member Rodriguez motioned to approve spending up to \$2,080 for the December 14, 2019 event. Council Member Como seconded the motion.

The motion passed unanimously.

Efforts to obtain quotes for park cameras continues, and a list will be presented in December. The RFP for the playground is out, with bids due November 25, 2019. We only received one bid on the parking lot and trails re-surfacing, and most vendors said it was the wrong time of year, so it will be re-bid in the spring. Specs are being developed for the landscaping project.

Council had asked for a list of future capital improvements; Chair Lepke provided a list that runs through 2023, it has not yet been reviewed by the Parks and Rec Committee. Council Member Rodriguez asked about the tree that was growing in the dam. The tree was cut down, and the root remains in the dam, over time it will rot and can lead to leaks.

9. Finance Officer's Report *Time Stamp 1:00:20*

Finance Officer Bennett reported the legal fees bill was received today, and with the sale of the land and code enforcement items, legal fees are running over budget. She requested a budget amendment.

Council Member Como motioned to move \$6,000 from Contingency to Legal Fees. Mayor Pro Tem Kaperonis seconded the motion.

The motion passed unanimously.

During October we received the final plat fee of \$1,625 for Phase 3 of Courtyards, and their fee in lieu which is \$47,973.96. We spent \$1,027 for the barricade fencing, the bill has not been received yet for the posts.

Old Business

10. Closed Session per NC GS 143-318.11(a)(3) re sale of 2.6 acres *Time Stamp 1:03:55*

Council Member Como motioned to go into closed session to obtain legal advice. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

Council, Attorney Sistrunk, Clerk Bennett, and Planner Byers went into closed session. The attorney gave an update and legal advice on the sale of the property.

Council Member Rodriguez motioned to leave closed session; Council Member Como seconded the motion.

The motion passed unanimously.

11. Closed Session per NC GS 143-318.11(a) (6) to consider performance of employees *Time Stamp 1:05:12*

Council Member Rodriguez motioned to go into closed session to consider performance of employees. Council Member Como seconded the motion.

The motion passed unanimously.

Council discussed employees' performance and salaries.

Council Member Como motioned to leave closed session, Council Member Fuller seconded the motion. The motion passed unanimously.

12. Any actions resulting from closed sessions *Time Stamp 1:06:57*

Council Member Fuller motioned to increase the administrative assistant's pay by \$1 per hour from \$16 to \$17 per hour which equals \$780 per year (a 6.25% increase), to increase the Planning and Zoning Administrator's salary by \$5,000 (a 7.7% increase), and to increase the Clerk/Administrator's pay to \$35 per hour which equals a \$3,062 increase (a 5.35% increase); Moving \$2,435 from Contingency and \$6,407 from Allowance for Salary Adjustment to the Salary accounts, and make the raises effective December 1, 2019. Council Member Como seconded the motion.

The motion passed unanimously.

13. Consider Draft Policy for Viewing Camera Recordings *Time Stamp 1:08:45*

Attorney Sistrunk noted the recordings are definitely subject to valid public records requests. The rules allow some things to be retained, so a portion of a request could be denied. Administrator Bennett noted item J – that a log be kept of all viewing requests - had been added to the draft policy per the Mayor's request.

Council Member Como motioned to approve the policy for viewing camera recordings. Council Member Rodriguez seconded the motion.

The motion passed unanimously.

New Business

14. Discussion of Comprehensive Plan Process *Time stamp 1:14:05*

Planner Robyn Byers requested approval to attend a training session in Charlotte in late January for review of new planning legislation. Council Member Rodriguez motioned to approve her attending the session, and the cost of \$100. Mayor Pro Tem Kaperonis seconded the motion.

The motion passed unanimously.

Planner Robyn Byers noted we currently have a six page Land Use Plan, three goals, a map and policies. A land use plan looks at different land uses in the area, making recommendations on desired uses and preferred locations roughly 20 years into the future. A traditional master planning document focuses on one geographic area, such as a downtown area or at one particular issue. A comprehensive plan pulls together information on all assets, resources, and constraints as a way to inform the land use policy, supporting proposed policy updates. Chapter 160-D is a new state law on land use, and requires us to adopt a comprehensive plan. While we do not offer a lot of services, it is important to know what other agencies' plans are for our Village. The proposed work plan and schedule includes a public outreach strategy, and the following suggested chapters: Introduction; Community Profile; Land Use; Transportation; Public

Services (police, fire, EMS, schools); Water, Sewer & Stormwater; Environmental; Parks & Recreation; Economic Development; Regional Cooperation; and Implementation. These chapters were vetted by Planning Board except for the recently added Regional Cooperation chapter. Union County is also working on their plan including water and sewer. Parks and Rec could fold their park master plan into our comprehensive plan, and economic development would highlight our commercial center and what it is for. Regional Cooperation would focus on fringe areas and the other five jurisdictions within a mile. Implementation will focus on how the plan will be implemented. An anticipated schedule was provided for December 2019 through December 2020. A list of resources included various area agencies. Planning Board members will each work on one or more chapters with the Planner.

Since the Planner will need help on this project, she asked for additional staffing help for organization, permitting, and various other planning/zoning tasks as needed so that the Planner could focus on completing the plan on target. She suggested hiring an additional part-time planner for 10-15 hours per week, or increasing the hours of the current Administrative Assistant to help with the Planner's duties. The Village Engineer would also be needed, and it was suggested to contract for up to 20 hours of engineering work (\$165 per hour), and 20 hours of Auto-CAD (\$100 per hour), for a total of \$5,300.

The next step is to get feedback from Village council, and coordinate with the Finance Officer to determine more accurate cost estimates and procedures for how to move forward.

15. Consider Draft of Employee Handbook *Time Stamp 1:35:14*

Council Member Como requested the draft handbook be reviewed by the current employees. Council can also provide comments to Administrator Bennett. Cheryl Bennett pointed out she was suggesting two changes from current policy. The first is to reduce group term life insurance from one times salary to a flat \$50,000 to avoid complications with determining the taxable value of group term life insurance for each employee each year, since only the \$50,000 is tax exempt. The second change was to add leaves of absence, for jury duty or subpoenas (paid), bereavement (paid up to 3 days), military leave (without pay except paid to equal normal compensation), and birth of child or adoption/foster placement (unpaid).

Ending Items

16. Council Comments *Time Stamp 1:39:55*

Mayor Pro Tem Kaperonis gave thanks for the incredible experience of four years working together.

Council Member Rodriguez agreed it was quite an experience, and reminded new council members they will have a vocal minority but recommended talking to a lot of people for input. Council Member Fuller thanked those who were still present in the room and was excited about the work ahead.

Council Member Como noted Council did a lot in the last four years, and left Wesley Chapel better than it was and he was excited to see what we can achieve. He added that Mayor Horvath had been great to work with.

2019.11.11 Council meeting minutes

Mayor Horvath noted December 2, 2019 is the organizational meeting for the new council. He noted that he dedicated twelve years to the town, enjoyed working with many good people, starting events at the park, and creating committees for participation and input. He added that no other town did what we did, with less than three employees, and thanked everyone.

17. Adjournment *Time Stamp 1:49:00*

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

The meeting ended at approximately 9:40 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor