

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
December 9, 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 Smith, Mayor Pro Tem Fuller, Council Members Como, Bailey, and Boyce

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*

Mayor Smith led the Pledge of Allegiance. Council Member Boyce gave the invocation.

2. Public Comments *Time Stamp: 1:10*

Sara Karlin commented on the desire for and benefits of more sidewalks.

Frank Capella reported that on December 2, 2019 the Board of County Commissioners raised rates 31% for water and sewer, to begin in a few months. He was concerned that with the recent approval of Cresswinds and financial issues at DOT, Wesley Chapel will become the center of a high density push, while school capacity is at or near capacity, and road infrastructure is a problem. He urged Council to be proactive and present a united front with residents that we will not tolerate high density near our borders.

Mayor Pro Tem Fuller said she made a mistake in her council comments at last weeks meeting and did not express her thanks to the Planning Board, Parks and Rec Committee, and Communications Committee. She gave thanks for their dedication and time.

3. Additions, Deletions and Adoption of Agenda *Time Stamp 8:30*

An item was added to new business for the Roundabout Update, and the Public Hearing and decision on CZ 19-01 were both deleted from the agenda as the applicant asked they be deferred to January. Member Boyce motioned to adopt the agenda as amended; Council Member Como seconded the motion.

The motion passed unanimously.

4. Consider Approval of Consent Agenda *Time Stamp 10:38*
 - a. Approve minutes for November 11, 2019 Council meeting and closed minutes for items 10 and 11 from November 11, 2019 Council meeting

- b. Approve previous month planner and code enforcement reports
- c. Approve previous month finance report
- d. Approve regular meeting schedule for 2020
- e. Release Five Stones Church bond of \$146,250 for pond dam rehabilitation

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

The motion passed unanimously.

November 30, 2019 Balance Sheet

ASSETS

Current Assets

Checking/Savings

Fifth Third Bank checking	179,287.94
Fifth Third Maxsaver	185,374.04
NCCMT Government Portfolio	312,598.42
BB&T Money Market	108,936.52
BB&T CD 9.26.2020	300,000.00
Cash Change Fund	50.00

Total Checking/Savings 1,086,246.92

Accounts Receivable

Misc. Fees Receivable	4,269.55
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Total Accounts Receivable 4,269.55

Other Current Assets

Property Tax Rec.	1,024.00
Allow. for Doubtful Accounts	-491.00

Total Sales Taxes to be Received 456.94

Total Other Current Assets 989.94

Total Current Assets 1,091,506.41

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

2019.12.09 Council meeting minutes

Accumulated Deprec.	<u>-633,875.98</u>
Total Fixed Assets	2,571,737.02
Other Assets	
Def Outflow Contr to PenPlan CY	<u>18,207.00</u>
Total Other Assets	<u>18,207.00</u>
TOTAL ASSETS	<u><u>3,681,450.43</u></u>
LIABILITIES & Fund Balance	
Other Current Liabilities	
Due to Union County Schools	12.60
Deposits To Refund	1,370.00
Escrow from Developers	45,076.00
Deferred Revenue	<u>533.20</u>
Total Other Current Liabilities	<u>46,991.80</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	55,340.80
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	122,530.85
Fund Bal. non-spendable	104,045.00
Fund Balance	805,107.73
Net Excess of Rev. over Exp.	<u>-104,174.37</u>
Total Fund Balance	<u>3,626,109.63</u>
TOTAL LIABILITIES & Fund Balance	<u><u>3,681,450.43</u></u>

November 30, 2019 Budget Report

	<u>Nov 19</u>	<u>Jul - Nov 19</u>	<u>Budget</u>	<u>% of Budget</u>
Income				
Appropriated Fund Balance	0.00	0.00	97,195.00	0%
Property Tax Income				
Current Year Property Tax	25,577.72	39,484.89	153,767.00	26%
Utility Ad Valorem	0.00	0.00	2,214.00	0%
Vehicle Registration	1,471.10	6,393.22	17,100.00	37%
Delinquent Property Tax	170.08	260.38	200.00	130%

2019.12.09 Council meeting minutes

Interest/Ad Fee on Taxes	41.86	92.44	240.00	39%
Total Property Tax Income	27,260.76	46,230.93	173,521.00	27%
Fees and Licenses				
Privilege Licenses - ABC	0.00	285.00	285.00	100%
Zoning Permit	4,150.00	19,125.00	25,000.00	77%
Engineering Fees				
Reimbursement	4,842.35	12,335.05	40,000.00	31%
Misc. Fees	614.98	1,921.73	1,500.00	128%
Fee in lieu -Open Space Land	0.00	51,573.04	0.00	100%
Total Fees and Licenses	9,607.33	85,239.82	66,785.00	128%
Interest Earned	60.81	2,456.11	6,000.00	41%
Shared Revenues				
Sales & Use Taxes	5,033.89	10,132.44	54,500.00	19%
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	0.00	0.00	38,500.00	0%
Total Shared Revenues	5,033.89	8,301.56	400,000.00	2%
Total Income	41,962.79	142,228.42	743,501.00	19%
Expense				
Total Town Hall Operating Expense	2,085.56	10,804.63	34,800.00	31%
Total Operating Expenditures	2,271.34	26,951.23	80,715.00	33%
Total Planning & Zoning	5,087.31	31,002.74	82,500.00	38%
Total Gen. Govt. Salaries	13,506.32	69,005.72	168,021.00	41%
Total Professional Fees	7,788.16	21,902.32	73,855.00	30%
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	91.16	7,283.11	28,000.00	26%
Total Park Maint. Supplies& Mat.	376.65	1,078.90	4,000.00	27%
Total Park Maint. Services	4,771.44	26,867.71	107,700.00	25%
Total P&R Capital Outlay	294.70	1,321.62	44,000.00	3%
Total Parks & Recreation	5,533.95	36,551.34	183,700.00	20%
Total Expense	36,272.64	246,402.79	743,501.00	33%
Net Excess of Rev. over Exp.	5,690.15	-104,174.37	0.00	100%

5. Youth Council Report *Time Stamp 10:54*

No report; Chair not present.

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6. Communications Committee Report *Time Stamp 11:04*

Communications Chair Deb Bledsoe reported the Committee voted to run profiles of the newly elected council members, she will send out questions and also needs their photos. She would also like to display portraits of former mayors on the wall in Town Hall. In November Sports Clips was featured on the Facebook page. The next phase of large photos will include the local churches, fire department, cemetery and a cotton field. The next committee meeting is January 22, 2020. The Committee volunteered to work on the display cases and are hoping to get artifacts from a local person. Council Member Como motioned for the committee to go ahead with the mayor portraits; Council Member Bailey seconded the motion.

The motion passed unanimously.

Next month she will bring prices to frame the mayor portraits.

7. Planning Board Report; accept resignation of regular member David Boyce; consider moving an alternate up to regular member, and appointing two new alternates *Time Stamp 18:25*

Planning Board Chair John Souza reported there is no December Planning Board meeting. In November Mayor Horvath and Council Member Bailey gave public comments, and he encouraged Council members to come to their meeting at least once a year. Planning Board discussed RA-40 vs. R-40, tree ordinance updates, comprehensive plan update, and recommended approval 5-0 of Courtyards Phase 3 final plat. There are six applicants for the two alternate position openings. Council asked Chair Souza to come up with some questions for all the candidates, and ask the candidates to attend the January Council meeting

Council Member Boyce motioned to ask the Planning Board Chair to write questions for the applicants, so the Mayor/Council and Planning Board can review them and invite the applicants to the January Council meeting. Council Member Como seconded the motion.

The motion passed unanimously.

Council Member Boyce stated he was resigning from Planning Board due to his other functions and gave thanks for the opportunity of serving, and for the leadership of John Souza. Council Member Bailey seconded the motion.

The motion passed unanimously.

Mayor Pro Tem Fuller motioned to appoint the most senior alternate, Vince Gahren, to a regular position on Planning Board. Council Member Boyce seconded the motion.

The motion passed unanimously.

8. Park and Rec Committee Report *Time Stamp 32:07*

Parks and Rec Chair Lepke reported they are ready for the December 14, 2019 event, however a storm is headed our way, so a decision will have to be made by Thursday. If it is just cold, they will buy warm air blowers (up to \$500), but if it rains, they will call it off.

In talking to vendors for security cameras, he has found a wide range of costs.

Five proposals were received for a playground, and they will be evaluated at the meeting later this week.

The current landscape maintenance contractor takes care of fire ants at the park on request; Council Member Como puts out ant killer before events. He also treats for wasps a couple of times a year, particularly on the pier and in the electric outlets.

9. Finance Officer's Report *Time Stamp 44:27*

Finance Officer Bennett reported that at the end of November we have received 26% of our property tax, sales tax came in a little over budget, in zoning fees we received payment for a sketch plan, two administrative subdivisions, and a CUP, and payment from the Rotary for the November event of almost \$615. We paid for seminars for Council to attend the Essentials class, for the posts for the park barriers and for a small codification update. A budget amendment was requested to provide funds for the payroll taxes and retirement contributions associated with the pay increases made in November. Mayor Pro Tem Fuller motioned to move \$1,398 from Contingency with \$676 going to Payroll taxes, and \$722 going to Fringe benefits - Retirement. Council Member Como seconded the motion.

The motion passed unanimously.

An update was given on the transfer of our emails, if council members bring in their computer or I-pad we can get the emails up and running. The transfer was to bring our emails up to date and more secure, and to solve the problems with the Planner's email account. Email will not be forwarded to personal accounts to ensure that all business is conducted on the official town account.

10. Public hearing on CZ19-01 request for B-1 zoning on 2.631 acres on Waxhaw-Indian trail road, just north of the shopping center *Time Stamp*

Tabled to January.

11. Decision on CZ19-01 *Time Stamp*

Tabled to January.

12. Public hearing on text amendment for Table of Uses *Time Stamp 53:30*

Council Member Boyce motioned to open the public hearing; Council Member Bailey seconded the motion.

The motion passed unanimously. There being no speakers, the Planning and Zoning Administrator gave her report, noting it took about six months to streamline the existing Table of Uses; Coffee Shop and Microbrewery were two added uses; some duplications were removed, and some uses were added or deleted from zoning districts. The changes are applicable to a parcel if they do not already have a zoning permit application submitted. Council Member Boyce added the focus was on ensuring cash & carry or storefronts are in the business districts

(B-1 and B-2). Planning Board Chair Souza noted most of these uses were from the original ordinance, and they were trying to be pro-active instead of addressing individual situations. Mayor Smith closed the public hearing.

13. Consider Approval of Ordinance 2019-09 to Amend Table of Uses *Time Stamp 1:03:44*

Mayor Pro Tem Fuller motioned to adopt Ordinance 2019-09 to amend the Table of Uses, incorporated herein, with the statement of reasonableness that it is reasonable because it removes inconsistencies in the current Village code while supporting and maintaining strong non-residential districts, and the statement of consistency that it is consistent with the Village's Land Use Plan as it further differentiates between non-residential uses and non-residential use districts; this supports the goal of limiting new non-residential development to designated strategic locations within the Village, goal two of the Village's Land Use Plan. Council Member Boyce seconded the motion.

The motion passed unanimously.

Village of Wesley Chapel, NC Ordinance 2019 -09

TO ADOPT ZONING ORDINANCE TEXT AMENDMENT REGARDING TABLE OF USES

THAT WHEREAS, the Village of Wesley Chapel has considered amending the Village's Zoning Ordinance regarding the Table of Uses; and

WHEREAS, a public hearing was conducted on the matter at the Village Council's December 9th, 2019 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:

1. § 156.005(c) of the Zoning Ordinance *Definitions of specific terms and words* is hereby amended by **adding** the following in alphabetical order:

MICROBREWERY. A facility for the production and packaging of malt beverages of alcoholic content for wholesale distribution and including a bar/tasting room and/or restaurant for consumption and tasting on-premises. It may also include retail to purchase beverages manufactured on-site and related items. A tasting room is an area within the premises of the brewery's production facilities where guests may sample the brewery's products. A microbrewery may also offer sales of other alcoholic beverages for consumption off the premises. When the production facilities exceed 10,000 square feet, the facility is not considered a microbrewery any longer, but rather an industrial use.

2. Changes to the "Table of Uses," § 156.060, of the Zoning Ordinance is amended as follows:

<i>Use</i>	<i>Supplemental Regulation Section Number</i>	<i>R-80</i>	<i>R-60</i>	<i>RA-40</i>	<i>R-40</i>	<i>RA-20</i>	<i>R-20</i>	<i>B-1</i>	<i>B-2</i>	<i>L-1</i>	<i>O-I</i>
Advertising agency								X	X	X	X
Agricultural use	§§ 156.005, 156.133	Xs	Xs	Xs	Xs	Xs	Xs				
Architect service (see “Engineering, architect or survey services”)								⌘	⌘		
Auditorium, stadiums, assembly halls, coliseums (under 1,000 seats) and the like, excluding amphitheaters								€	C		
Automobile/motorcycle race track										C	
Banks, savings and loan, credit unions, bank teller machines								X	X	⌘	
Barns	§ 156.089	P Xs	P Xs	P Xs	P Xs	P Xs	P Xs				
Beauty shop								X	X	⌘	
Beauty supply store/cosmetics store								X	X	⌘	
Bed and breakfast inn		C	C	C	C	C	C				
Beer and wine store								X	X	X	
Bookstore								X	X	⌘	
Carpet store (see “Floor covering store”)								⌘	⌘	⌘	
Catalogue sales store								X	X	⌘	
CD, tape, record store								X	X	⌘	
China and tableware shop								X	X	⌘	

<i>Use</i>	<i>Supplemental Regulation Section Number</i>	<i>R-80</i>	<i>R-60</i>	<i>RA-40</i>	<i>R-40</i>	<i>RA-20</i>	<i>R-20</i>	<i>B-1</i>	<i>B-2</i>	<i>L-1</i>	<i>O-I</i>
Clothing, Shoes, and Related Accessory Store								X	X	✗	
Coin and stamp shop								X	X	✗	
<i>Coffee Shop</i>								X	X		
Community centers		C	C	C	C	C	C	X	X	✗	✗
Continuing care facilities								€	€		✗
Contractors offices with outside storage yard										X	
Contractors offices with no outside storage										✗	
Day care center	§ 156.089	€s	€s	€s	€s	€s	€s	Cs	Cs		✗ Cs
Delicatessen								X	X	✗	
Electric, heating, air conditioning, ventilating, plumbing supplies and equipment sales (no outside storage)										X	
Electric, heating, air conditioning, ventilating, plumbing supplies and equipment sales (with outside storage)										✗	
Engineering, architect or surveying service (principal use)								X	✗	X	€ X
Essential services, Class IV		C	C	C	C	C	C	✗-C	C	X	✗ C
Exterminators office								C	C	C	
Furniture repair shop (no outside stripping)								X	X	X	

<i>Use</i>	<i>Supplemental Regulation Section Number</i>	<i>R-80</i>	<i>R-60</i>	<i>RA-40</i>	<i>R-40</i>	<i>RA-20</i>	<i>R-20</i>	<i>B-1</i>	<i>B-2</i>	<i>L-1</i>	<i>O-I</i>
Furniture repair shop (with outside stripping)										X	
Greenhouse, nursery, commercial		X	X					X	X	X	
Greenhouse, nursery, commercial (sales of products grown on premises)		€	€							⊗	
Ice and cold storage plants and freezer lockers (no outside storage)										X	
Ice and cold storage plants and freezer lockers (with outside storage)										⊗	
Jewelry and jewelry repair store								X	X	⊗	
Junk yard and/or automobile salvage yard										C	
Laboratories - dental, medical, optical and research								X	X	X	X
Lounge/bar (principal use)								€X	X	X	
Machine shop (in enclosed building)										X	
Machine shop (with outside storage or facilities)										⊗	
Manufactured goods, Class 1 (with outside storage) and the retail sales thereof (e.g. factory outlets, sales of irregular goods)	§ 156.005									Cs	

<i>Use</i>	<i>Supplemental Regulation Section Number</i>	<i>R-80</i>	<i>R-60</i>	<i>RA-40</i>	<i>R-40</i>	<i>RA-20</i>	<i>R-20</i>	<i>B-1</i>	<i>B-2</i>	<i>L-1</i>	<i>O-I</i>
Manufactured goods, Class 1 and the retail sales thereof (e.g., factory outlets, sales of irregular goods)	§ 156.005									€s	
Manufactured goods, Class 2 (no outside storage)	§ 156.005									C	
Manufactured goods, Class 2 (with outside storage)	§ 156.005	Not allowed in any zoning district									
Manufactured home park		Not allowed in any zoning district									
Manufactured home park		C									
Message and errand service								X	X	X	X
Mining/Quarry Operations, dirt farming											
<i>Microbrewery</i>								X	X	X	
Mobile home (<i>see Manufactured Home</i>)		Not allowed in any zoning district									
Music store sales and service								X	X	✕	
Newsstand (principal use)								X	X	✕	
Office building(s)								✕-C	✕-C	X	X
Optician and optical supply store								X	X	X	X
Orphanage											
Pharmacy								X	X	✕	
Philanthropic and eleemosynary institutions								C	C	X	C
Private club								€	C	C	

<i>Use</i>	<i>Supplemental Regulation Section Number</i>	<i>R-80</i>	<i>R-60</i>	<i>RA-40</i>	<i>R-40</i>	<i>RA-20</i>	<i>R-20</i>	<i>B-1</i>	<i>B-2</i>	<i>L-1</i>	<i>O-I</i>
Refrigerator or large appliance repair								€	C	X	
Stationery store								X	X	⊗	
Stock or security brokerage firm								X	⊗	⊗	X
Supercenter store									C		

Adopted this 9th day of December, 2019.

Mayor Jan Smith

Attest:

Cheryl Bennett, Village Clerk

Old Business

14. Discussion of Comprehensive Plan Process *Time stamp 1:05:13*

Planner Robyn Byers advised the comprehensive plan goes beyond the Land Use Plan, looks at what is available and creates support to enforce the Land Use Plan. It would be updated every five years. The State of North Carolina will require comprehensive plans by 2022. She presented a list of eleven chapters and a time schedule of about a year, including at least two joint meetings with Planning Board and Council and public outreach. Planning Board members will each work on one or more chapters with the Planner. Ms. Byers reviewed the financial considerations; hiring a consultant is expensive so the work will be done in-house. She gave three alternatives: hiring a part time planner, hiring an intern, or increasing the hours of the current administrative assistant to do planning/zoning tasks so she could focus on completing the plan, the last option is the one she preferred. Other costs will include hours from the Village engineer and their Auto-CAD tech time for drawings and maps, not to exceed \$6,000, Survey Monkey \$500, and \$800 for printing. The total not to exceed budget was estimated at \$20,000.

Discussion was held on whether the administrative assistant time could be as a contractor, but there are specific IRS rules on when you can pay someone as a contractor, and this would probably not qualify. The administrative assistant is budgeted at 14.8 hours, but she is not

working that many. Increasing the Assistant's time beyond 19.2 hours per week requires them to be in the retirement system, which involves a 6% cost to the employee as well as the Village's 8.95% contribution. The attorney said you may increase a position's hours for a limited time period, and after that the time can revert to previous duties and hours. The Mayor spoke with the Administrative Assistant and she was willing to work more hours, could we have her work up to 19 hours and see if that would suffice. Other options were discussed. Roughly 10 additional hours were requested for this project. Adding fifteen hours to the Administrative Assistant would bump up the costs with salary and fringe benefits being about \$15,500. A budget needs to be in place before money can be spent.

Council Member Como motioned to start the comprehensive plan with Robyn Byers as the project manager, the budget to be finalized in January. Council Member Boyce seconded the motion.

The motion passed unanimously.

Mayor Pro Tem Fuller motioned for the Mayor to approach the Administrative Assistant regarding increasing her hours. Council Member Como seconded the motion.

The motion passed unanimously.

New Business

15. Appoint Council Liaisons to:

- a. CRTPO
- b. School Board
- c. Youth Council
- d. Park and Rec Committee
- e. Planning Board

Time Stamp 1:38:34

After discussion, Council Member Como motioned to appoint the following liaisons: CRTPO – Lori Bailey, Jan Smith alternate, School Board – Amanda Fuller, Youth Council – Jan Smith, Park and Rec Committee – Mike Como, Planning Board – David Boyce, Mike Como alternate. Council Member Boyce seconded the motion.

The motion passed unanimously.

Mayor Pro Tem Fuller motioned to create a formal sign up process for Council to attend Committee meetings. Council Member Boyce seconded the motion.

The motion passed unanimously.

Planner Byers noted she attends the CRTPO Technical Coordinating Committee (staff) meeting the first Thursday morning of the month in Charlotte. She asked for a motion to approve her joining the Project Oversight Committee which will look at projects in depth and entail a couple of hours per month; sometimes it can be done remotely; Council Member Como motioned for her to attend, Council Member Bailey seconded the motion.

The motion passed unanimously.

Mayor Pro Tem Fuller motioned to be the liaison to the Communications Committee, and David Boyce to be the liaison to the Safety Committee. Council Member Bailey seconded the motion.

The motion passed unanimously.

Council Member Bailey motioned for David Boyce to be the liaison to the Chamber of Commerce, Council Member Como seconded the motion.

The motion passed unanimously.

16. Consider application for Safety Committee *Time Stamp 1:57:45*

Mayor Smith appointed Gordon Clark to the Safety Committee. We still need at least one more member.

17. Consider waiving annexation fees *Time Stamp 2:00:41*

There was interest in annexation from the subdivision next to the park, and other property owners may be interested in annexing. Mayor Pro Tem Fuller motioned to waive the \$30 annexation fee for this cycle of annexation. Council Member Como seconded the motion.

The motion passed unanimously.

18. Consider approval of final plat of Courtyards at Wesley Chapel Phase 3 and bond in amount of \$1,287,247.26 *Time Stamp 2:03:50*

Robyn Byers, Ph.D. reported the Planning Board recommended approval of the Phase 3 final plat unanimously. Mike Davis from Epcon and Brian Rossi their engineer were present. There were slight changes from the preliminary plat, cluster mailboxes were moved to the clubhouse, and the parking spaces were left but not marked. We have a letter from Public Works. Trees were mitigated. Their annual census showed 97% of the residents are age 55 or older. There was a stormwater issue for a single property owner which has been mitigated. The amount of retaining walls has remained about the same as originally proposed. Council Member Como questioned windows located on the rear of the homes, Epcon had originally said they do not have windows there, and he thought it was a condition of their approval. Council Member Como motioned to approve the final plat with the condition that the Planner research the issue of windows in the back of the units and report to Council. Council Member Boyce seconded the motion.

The motion passed unanimously.

Council Member Bailey motioned to approve the bond in the amount of \$1,287,247.26. Council Member Como seconded the motion.

The motion passed unanimously.

19. Roundabout Update *Time Stamp 2:22:28*

Council Member Como noted we contributed about \$275,000 to the project at Potter and Potter Roads which now is delayed another year. Planner Byers has put in a call to DOT to ask why.

20. Closed session to consider year end bonuses *Time Stamp 2:26:30*

Mayor Smith reported we are in a lawsuit regarding the sale of the 2.6 acres; the substance of the dispute was vetted in two letters between our lawyer and theirs, we can wait until the January meeting or hold a special meeting before then; we have 60 days to respond.

Mayor Pro Tem Fuller motioned to go into closed session per NC GS 143-318.11(a) (6) to consider year end bonuses. Council Member Como seconded the motion.

The motion passed unanimously.

Council and the attorney went into closed session.

Council Member Bailey motioned to leave closed session, Mayor Pro Tem Fuller seconded the motion.

The motion passed unanimously.

21. Any action arising from closed session *Time Stamp tape two 0:01*

Council Member Bailey motioned to give a \$250 bonus to the Clerk/Finance Officer, \$250 to the Planning/Zoning Administrator, \$100 to the Administrative Assistant, and \$100 to the Village Deputy. Council Member Como seconded the motion.

The motion passed unanimously.

The holiday luncheon will be Wednesday at 11:30 am at Saveeda's.

Ending Items

22. Council Comments *Time Stamp tape two 2:24*

Mayor Pro Tem Fuller and Council Member Boyce had no comments.

Council Member Bailey wished everyone a Merry Christmas and Happy New Year.

Council Member Como noted there are new park benches from an Eagle Scout project and the Park and Rec Committee meeting has been rescheduled from Tuesday to Thursday. He also asked if we would want to do a resolution about the County water/sewer rate increase.

Mayor Smith thanked everyone and noted she is learning how to be a Mayor. Council members can come in and read the lawsuit; between now and then the attorney will ask for a 30-day extension on the normal 30-day deadline to respond from the date of filing. The lawsuit is public information.

23. Adjournment *Time Stamp tape two 8:37*

Council Member Bailey motioned to adjourn; Council Member Boyce seconded the motion.

The motion passed unanimously.

The meeting ended at approximately 10:42 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Jan Smith