

MAYOR
Michael L Alvarez

MAYOR PRO TEM



TOWN COUNCIL
David L. Cohn
Gordon B. Daniels
David W. Drehs
Christopher M. King
Gary M. Savoie
Amy R. Stanton
Mark A. Wireman

**Indian Trail Town Council
Organizational Meeting
December 8, 2015
Civic Building
6:30 PM
MINUTES**

The following members of Town Council were present:

Mayor Michael Alvarez	Council Member Gary Savoie
Council Member David Cohn	Council Member Elect Mark Wireman
Council Member David Drehs	Council Member Elect Amy R. Stanton
Council Member Gordon Daniels	

The following members of Town Council were absent:

Council Member Christopher King (out-going member)

The following members of staff were present:

Interim Town Manager/Town Clerk Kelley Southward, Town Attorney Keith Merritt, Director of Engineering and Public Works Scott Kaufhold P.E., Director of Planning and Neighborhood Services Rox Burhans, Director Parks and Recreation Jason Tryon, Director Community and Economic Development Kelly Barnhardt, Communications Coordinator Mike Parks, Contract Analyst Vicky Watts and Administrative Assistant to the Planning Department Pam Good

Guest present:

1. CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Alvarez called the meeting to order at 6:30 PM and led everyone in the Pledge of Allegiance to the Flag.

2. AGENDA ADDITIONS & DELETIONS

Councilman Cohn moved to add item 4a – Public Comments before the Consent Agenda; the motion carried by a unanimous vote

Councilman Savoie moved to relocate items 9i - Council consideration to direct staff to prepare and send out a Request for Proposals (RFP) for a forensic financial audit and 9j - Council consideration to approve a temporary pause of the [new] Town Hall [construction] and other major projects until results and review of the audit findings under Business Items to items 9m and 9n; and renumber the remainder of Business Items accordingly; the motion carried by a unanimous vote

3. MOTION TO APPROVE AGENDA

Action

Councilman Savoie made the motion to approve the Agenda, as amended above; the motion carried by a unanimous vote.

4. PRESENTATION TO OUT-GOING COUNCIL MEMBERS

Town Clerk Kelley Southward, on behalf of Town Council and Staff thanked Councilman David Drehs for his service to the Town and presented him with a token of appreciation.

4a. PUBLIC COMMENTS

- Mr. Donald Ellis 1017 Apogee Drive (Taylor Glenn) addressed Council regarding agenda items he felt were wasteful and unnecessary for example providing water and coffee at meetings and doing away with paper agendas. He also expressed concern with the expense that would go into a forensic audit and encouraged Council to weigh the cost against the actual need of such an audit. In closing he encouraged the new board to educate themselves on the millennial generation, Indian Trail's future and key demographic to foster development and meet the needs of the community.
- Mr. Severin Jacobsen 3905 Waters Reach Lane expressed his concern to Council about instead of tearing down the work of previous Councils and starting over, but that it should be built on. He stated that the length of the agenda was a concern considering it was the first agenda of the new council and that he felt those who were in support of a forensic audit should pay for it out of their pocket unless illegal activity was found. He addressed the halting of the construction of the new Town Hall and expressed his concerns with the cost and time lost with this action.
- Ms. Pam DeMaria 1108 Hunters Trail Dr congratulated the new council members for their new appointment. She urged the new Council to be careful of their decision-making and to remember all segments of the Town. She stated there are many people whose voices have not been heard and she is commended Council for listening to and obtaining feedback from them. She encouraged Council to make decisions that will impact the future Indian Trail and are not "quick fixes".
- Mr. Brent Heideman UPS wanted to share his thanks with the Council and community for their consideration of the proposed Golf Cart Ordinance. He stated that the way they are able to minimize their footprint is to utilize golf cart helpers. He stated these are very economical, safe and quiet means to deliver packages within communities, and drastically lowers the amount of time a standard driver would spend within the community.

5. COUNCIL COMMENTS

- **Councilman Drehs:** stated he enjoyed his two years on Council and expressed his appreciation to Town Staff and the citizens of Indian Trail.
- **Councilman Daniels:** congratulated the newly elected officials, stated they ran a great campaign. Stated he served EDAC as a committee member and as the President/Director of the Quad Alliance for twelve months and is resigning both positions. He mentioned Darlene Zamer also served both committees and had emailed to resign her positions. He thanked Mr. Ellis and Mr. Jacobsen for their comments on the forensic audit and urged caution with the forensic audit as it carried a negative connotation for the Town. He requested the Town Attorney review any contracts with regards to halting capital projects and to report back to Council at the next meeting any cost associated with doing so. He thanked the previous Town Manager for his work in Indian Trail and expressed his appreciation to Councilman David Drehs. He stated he would need to leave the meeting after the Oaths of Office and thanked the residents for attending the meeting.

- **Councilman Cohn and Councilman Savoie:** thanked Councilman David Drehs for his service to the Town.

6. OATHS OF OFFICE

- **Mayor Michael Alvarez**
Oath of Office was administered by North Carolina House Representative Dean Arp
- **Council Member David Cohn**
Oath of Office was administered by Peggy Piontek, Notary Public/Weddington Town Clerk
- **Council Member Elect Amy R. Stanton**
Oath of Office was administered by Peggy Piontek, Notary Public/Weddington Town Clerk
- **Council Member Elect Mark Wireman**
Oath of Office was administered by Kimberly Ann Shilling, Notary Public

Councilman Savoie made the motion to excuse Councilman Daniels from the meeting; seconded by Councilman Wireman; the motion carried by a unanimous vote

7. COUNCIL APPOINTMENTS

- a) **Mayor Pro Tem**
Councilman Wireman made the motion to nominate Councilman Cohn for Mayor Pro Tem, the motion was seconded by Councilwoman Stanton; the motion carried by a unanimous vote. Oath of Office was administered by Peggy Piontek, Notary Public/Weddington Town Clerk
- b) **Charlotte Regional Transportation Planning Organization Representative**
Councilman Wireman made the motion to nominate Councilwoman Stanton as the Charlotte Regional Transportation Planning Organization Representative, the motion was seconded by Councilman Cohn; the motion carried by a unanimous vote.
- c) **Charlotte Regional Transportation Planning Organization Alternate**
Councilman Mark Wireman made the motion to nominate Mayor Alvarez as the Charlotte Regional Transportation Planning Organization Alternate, the motion was seconded by Councilwoman Stanton; the motion carried by a unanimous vote.
- d) **Centralina Council of Governments Representative**
Councilwoman Stanton made the motion to nominate Councilman Cohn as the Centralina Council of Governments Representative, the motion was seconded by Councilman Wireman; the motion carried by a unanimous vote
- e) **Alliance for South Charlotte Communities Council Representative**
Councilman Cohn made the motion to nominate Councilman Wireman as the Alliance for South Charlotte Communities Council Representative, the motion was seconded by Councilwoman Stanton; the motion carried by a unanimous vote
- f) **North Carolina League of Municipalities Representative**
Councilman Wireman made the motion to nominate Mayor Alvarez as the North Carolina League of Municipalities Representative

8. CONSENT AGENDA

Action

- a) **Approval of Tax Month-End Report for November 2015**
- b) **Approval of tax refunds for overpayment of taxes greater than \$500.00**
- c) ~~Approval of Professional Service Agreement with Woolpert North Carolina, PLLC to update the Crooked Creek Park Master Plan~~ Councilman Wireman requested this item be moved to Discussion Item (g).

Councilman Wireman made the motion to approve the amended Consent Agenda; the motion carried by a unanimous vote.

9. BUSINESS ITEMS

Action

a) Council consideration to approve the 2016 Council Meeting Schedule

Councilman Wireman made the motion to approve the 2016 Council Meeting Schedule; the motion carried by a unanimous vote.

b) Council consideration to approve Budget Amendment (Journal #518); transfer funds of \$4,025 from "Community Events" to "Christmas Event"—a reallocation of funds within a department.

Councilman Cohn made the motion to approve Budget Amendment (Journal #518); transfer funds of \$4025 from "Community Events" to "Christmas Event"; the motion carried by a unanimous vote.

c) Council consideration to approve/adopt a Golf Cart Ordinance

Councilman Wireman requested Lt. Coble to address the modifications to the Golf Cart Ordinance.

Lt. Coble stated that the catalyst for the Golf Cart Ordinance was the constant discussion of the citizens wanting to utilize golf carts within their community and UPS' desire to utilize golf carts for delivery in neighborhoods. Two changes made to the ordinance was the removal of the term utility cart and removed a section under the enforcement part for the appeals process for revocation of the registration, if taken for a violation. He stated that years ago the State would register a golf cart as a low speed vehicle after meeting some road safety and insurance requirements, but has since repealed and gave the power to the municipality to allow golf carts on their roads with speed limits of 35 miles per hour or less. There is also a model ordinance from DOT for local governments to use.

Lt. Coble stated that for Indian Trail's ordinance, the first phase would be to allow the use of golf carts and then beginning in March there would be a registration requirement introduced. The registration cost for citizens would be \$25 and is valid for one year. He stated the registration fee was comparable to other municipalities within the region and that the amount would cover the cost of the decals and administration of the registration. The goal is that the Sheriff's Office would take on the duty of issuing the registrations to ensure the golf cart is inspected and insured. Citizens would then obtain and pay for their decal from Town Hall.

In order to pass an inspection by the Sheriff's Department, the following safety mechanisms must be in place: operational brakes, orange reflective triangle on the back for slow moving vehicles, rubber tires in good condition, limited to 22" height if lifted, licensed driver, insurance and reflective tape on the front and sides of the cart. Restricted to use during daylight hours and restricted to specific roads in the Town.

Councilman Wireman queried Lt. Coble regarding the insurance requirements and he stated insurance varies for the golf cart considering each individual policy. He stated there needs to be some financial responsibility with the cart usage on the streets. He stated he didn't believe it would be a significant amount.

Lt. Coble stated there is a provision for night-time use for HOAs that are doing any type of maintenance or business-type activities in their neighborhood and for those doing business-type activities, like a delivery service. They are, in addition to the safety mechanisms previously discussed, required to have yellow flashing light, activated head and rear lamps and reflective material on all sides of the cart. Councilman Wireman asked if an individual met those requirements could they operate a night, to which Lt. Coble responded only if they were operating business activities and that they would know if it was business-related. Lt. Coble reviewed the enforcement of the golf cart ordinance. He estimated that for the first year there would be approximately 50 registered carts.

Councilman Savoie asked Lt. Coble, if passed how citizens would be notified of the required registration process. Lt. Coble stated if passed they would do a blitz campaign to make sure all citizens are aware of the requirements. Between now and March as long as insured, they can be operating.

Councilman Wireman made the motion to approve the Golf Cart Ordinance; the motion carried by a unanimous vote.

- d) Announce Board Adjustment Member Vacancy. (announcing the vacancy is the only action necessary—read memo during meeting)**

Mayor Alvarez announced the Board of Adjustment Member Vacancy

- e) Council consideration of the Duke Energy Easement Agreement for the Town Hall site**
Mr. Kaufhold stated Duke Energy required an executed easement to install power at the proposed Town Hall site. It is a requirement for Duke Energy to move forward with their work order.

Councilman Cohn made the motion to approve the Duke Energy Easement Agreement; the motion carried by a unanimous vote

- f) Council consideration to direct Staff/Planning Board to research and prepare a text amendment to the UDO to include requirements for school impact analysis. (Councilman Wireman)**

Councilman Wireman requested the amendment to test for the impact on schools for any subdivisions built within the area. He recommends the school impact be included in the decision making process.

Councilman Savoie questioned Mr. Burhans as to what was sent to the County and schools when there is new development. Mr. Burhans stated when there are major developmental projects they send the impact analysis to outside agencies, Union County Public Schools being one of those. In return, the school responds with their assessment of their current student capacity as well as their forecasted future capacity and an assessment of what the impact of the additional students would be on their facilities.

Councilman Wireman clarified that while it is standard practice the school impact analysis is being done, he would like to see it as a written policy in the UDO. Councilman Savoie agreed with Councilman Wireman, but requested a more comprehensive review of the UDO to make all necessary amendments as a whole. Mr. Burhans requested follow-up conversations to

understand the scope of what changes are desired. Mr. Wireman agreed should be some work sessions to give direction to staff on the desired changes.

No action was taken by Council

g) Council consideration to disband the Economic Development Advisory Committee (EDAC). (Councilman Wireman)

Councilman Wireman stated with the new Council and interim state of the Town Manager position, this request will provide the opportunity for Council to meet with the Economic Development Department to prioritize and strategize the economic development of the Town over the next five to ten years. He recommended a new EDAC committee be reformed with new bylaws in January that would report directly to Council. The current EDAC committee reports directly to the Economic Development Department.

Councilman Savoie queried if whom they reported to could be changed. Mr. Merritt stated that would be up to Council. Councilman Savoie stated he felt that cutting ties with this committee seemed targeted, and that it sends a message to business leaders that their opinion is not valued. Councilman Wireman replied he felt it easier to disband and reform the committee with new bylaws with the true representation across the board with businesses and residents that can report directly to Council to help understand the business needs and challenges in the community.

Councilman Savoie stated he felt the appearance of disbanding the EDAC committee at this time would be perceived as targeted. Councilman Cohn disagreed and stated that the previous EDAC supported the new Town Hall and that the majority of the current Council did not approve of the way it was handled. They wanted the citizens to have a voice about the Town Hall and he did not feel their voices were represented on the current EDAC committee.

Councilwoman Stanton made the motion to disband the Economic Development Advisory Committee (EDAC); the motion carried by a vote of three (3) to one (1) with Councilman Savoie voting in the opposition.

h) Council consideration to remove current appointee to the Alliance of South Charlotte Communities. Note: Appointment will be made during the January meeting. (Councilman Wireman)

No action required by Council, the current appointee, Darlene Zamer had resigned prior to the Council Meeting.

i) Council consideration to amend the Board and Committee Appointment Policy to include a requirement that a resident can serve on no more than two Boards and/or Committees. Note: a list of all members who currently serve on more than two Boards and/or Committees will be notified and given an option what Boards and/or Committees they want to continue service on but final decision of Boards and/or Committee appoints will be made during the January Council Meeting. (Councilman Wireman)

Councilman Wireman noted this particular policy is consistent with the neighboring communities and the reasoning for a community to limit the number of board or committee appointees is because of the perception of stacking the board or stacking the committee and leaves out any other citizens interested in serving. Wants to be sure there is opportunity for all citizens to be on boards and committees.

Councilman Cohn made the motion to amend the Board and Committee Appointment Policy to include a requirement that a resident can serve on no more than two Boards and/or Committees; the motion carried by a unanimous vote.

j) Council consideration to provide water and coffee for residents during Council Meetings. (Councilman Wireman)

Councilman Wireman stated he felt the cost to provide water and coffee for citizens was a way to recognize the time spent to attend and participate in Council meetings.

Councilwoman Stanton stated she believed it would foster a comfortable and welcoming environment for citizens and donations could be solicited for meetings.

Councilman Cohn agreed that offering refreshments would be a benefit for those attending the meetings and he felt that anything that encouraged individuals to attend the meetings was a good thing.

Councilwoman Stanton made the motion to provide water and coffee for residents during Council Meetings; the motion carried by a unanimous vote.

k) Council consideration to have a Christmas Party for Town Staff and UCSO. (Councilman Wireman)

Councilwoman Stanton expressed the desire of Council to show appreciation to the Town Staff and UCSO. She wanted to provide a Christmas party, at no cost to the Town, for Town Staff and UCSO on December 17, 2015. Councilman Savoie suggested inviting all Town contracted labor. Councilman Cohn saw no issues with inviting Town contracted labor; he wanted to make sure the employees knew Council cared for and appreciated them.

Councilman Wireman made the motion to provide a Christmas Party for Town Staff, UCSO and any other contracted labor; the motion carried by a unanimous vote.

l) Council consideration of opening/unsealing all Closed Session Minutes that are 3 years and older, redacting any and all privacy and other provisions that are protected from disclosure under State Statute. (Councilman Wireman)

Councilman Wireman stated per NC General Statute in general closed session minutes are considered public after three years unless protected under certain provisions. Mr. Merritt agreed with Councilman Wireman with the exception that some closed session minutes become available much sooner than three years, depending on the nature of the minutes. He questioned how far back Council would like to go in opening/unsealing Closed Session Minutes, to which Councilman Wireman responded fifteen years (2000). Councilman Wireman clarified his request for opening closed session minutes was to provide additional transparency.

Councilman Savoie questioned the cost of opening/unsealing the closed session minutes. Mr. Merritt did not have a cost estimate available as it would require his review for redaction and determination as to what can be released. He stated it would take some time to go through the closed session minutes depending on the discussion in the meetings. Mr. Merritt clarified that any Council member can request to review closed session minutes for any closed session he/or she would have been a part of and that Council members could petition Council for access to closed session minutes of which they were not a part.

Councilman Savoie stated he is all for opening these minutes for the sake of transparency, but would like to have a cost estimate due to the fact that it is billed on an hourly basis. Mr. Merritt responded that it could be costly to go back fifteen years. Councilman Wireman asked if it had to be an attorney who reviewed the closed session minutes prior to them being unsealed. Mr. Merritt responded yes because of the exceptions which would require redaction and if ever challenged would require defending.

Councilman Cohn questioned if request for closed session minutes could be done on a case by case basis instead of opening all minutes. Mr. Merritt explained that has been the process to date. Mr. Merritt suggested starting opening/unsealing closed session minutes for last year to obtain a cost. Mayor Alvarez stated that a considerable amount of funds have already been expended over the years for public information request pertaining to closed sessions. He questioned the cost of transparency and opined that at some point a Council would need to go ahead and go through the process to open/unseal available closed session minutes. Councilman Wireman agreed with Mayor Alvarez and stated it was his understanding that there were public information request outstanding some including closed session minutes. Mr. Merritt stated that to his and Ms. Southwards knowledge there were no outstanding public information requests and he requested clarification on any that were said to be outstanding, to which Councilman Wireman replied he'd look into the matter further.

Councilman Wireman made the motion to go back one full calendar year, 2014 to release closed session minutes allowable and applicable by law; the motion carried by a unanimous vote.

Councilman Wireman made the motion that Council enter Closed Session pursuant to NCGS 143-318.11(a)(3) to protect the attorney-client privilege, NCGS 143-318.11(a)(3) to consider and give instructions to Town Attorney regarding Boggs Paving vs. Town of Indian Trail, NCGS 143-318.11(a)(5) to give instruction regarding the negotiation of contract for acquisition of property and NCGS 143-318.11(a)(6) to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee; the motion carried by a unanimous vote. Council entered Closed Session.

Upon conclusion of Closed Session, Council re-joined the public in the Council Chambers at which time Councilman Savoie moved that Council enter into Regular/Open Session; the motion carried by a unanimous vote.

Councilman Wireman made the motion to suspend the rules to make additions to the agenda at this time; the motion carried by a unanimous vote.

Councilman Wireman made the motion to add Business Item 9m Consideration for Appointment of the Interim Town Manager and to add Business Item 9n Consideration for Approval of Settlement with Boggs Paving; the motion carried by a unanimous vote. Previous items 9m and 9n were moved to 9o and 9p.

m) Consideration for Appointment of the Interim Town Manager

Councilman Cohn made the motion to appoint Scott Kaufhold as Interim Town Manager; the motion carried by a unanimous vote.

n) Consideration for Approval of Settlement with Boggs Paving.

Mr. Merritt explained this was a lawsuit filed by Boggs Paving against the Town related to a project for which they had provided services. The settlement amount is \$112,000 to be paid by December 22, 2015; the amount is within the amounts budgeted for the project, no new funds would need to be allocated for the settlement.

Councilwoman Stanton made the motion to approve the settlement with Boggs Paving; the motion carried by a unanimous vote.

o) Council consideration to direct staff to prepare and send out a Request for Proposals (RFP) for a forensic financial audit. (Councilman Wireman) This item was moved from item 9i during Agenda Additions and Deletions.

Councilman Wireman explained that the language would be changed for this request from a forensic financial audit because of the implications that are not the purpose behind this particular request. Understanding the State mandated audit procedure, he requested reviewing the budget in totality at one particular time instead of testing areas of the budget. He expressed concern over the amount of expenditures over the past few years and the large scale projects under way. He believes Council should feel comfortable to make the necessary financial decisions, and there is not a clear picture of the financial status of the Town. He stated this is not a forensic audit to find someone at fault and get them in trouble from a legal standpoint, but rather to provide a clear picture of where the Town stands financially in order to prioritize the needs of the Town.

Councilman Savoie stated he contacted the Town's auditor to inquire the scope of the annual audit. He noted they do look at the entire Town in aggregate and not specific areas, and then annually they take something on ancillary. He requested that the auditor attend a Council meeting to present their audit findings to Council to ensure there aren't duplication of payments for something that has already been done.

Councilman Cohn clarified that what is being asked is for staff to obtain pricing for a more comprehensive audit and to look at what has already been done in the annual audits required by the State. Mr. Merritt stated that if the Town was to send out an RFP that it would need to be highly detailed to obtain an accurate cost for the type of audit requested. He requested that the time period and level of detail required be defined.

Councilman Savoie requested waiting on this agenda item until after the auditor's presentation next month. Councilman Wireman discussed the structure of the RFP to request pricing at several different levels/tiers of detail. He stated that the current auditors have been working for the Town for many years, and in his experience, generally auditors transition approximately every three years. With the turn-over of two key financial positions he feels it necessary to provide the level of comfort for those responsible for decision making that a third party look at the Town's financials.

Councilman Wireman made the motion to direct Town Staff to prepare and send out an RFP for a tiered Fiscal/Financial Audit for two and five year periods; the motion carried by a unanimous vote.

- p) **Council consideration to approve a temporary pause of the [new] Town Hall [construction] and other major projects until results and review of the audit findings. (Councilman Wireman) This item was moved from item 9j during Agenda Additions and Deletions.**

Councilman Wireman noted the intention was to pause and not halt the new Town Hall due to the new Council and new ideas to be considered. He stated he felt everyone involved was comfortable with a slight pause on the construction to include new ideas and discussion of the direction of the building. He directed Staff to ensure there would be no additional fees accrued due to the slight pause of the construction.

Councilman Savoie questioned if the builder was present. Upon confirmation of the builders presence at the meeting Councilman Savoie asked the builder if a one day pause would be considered a breach of contract. Tim Clark with Edifice stated that any sort of pause was not considered a break of contract, but did represent a change to the contract which would be passed down to all of the trade contractors, presenting opportunities for the trade contractors to request changes. Councilman Savoie asked the amount that has already been paid to Edifice. Mark Carlista with Edifice stated through November is approximately \$1.4 million.

Councilman Wireman yielded the floor Mr. Kaufhold who stated when we talk pause it does not mean a written stop order. He stated the Town has essentially purchased a two story building with regards to the structural steel. He stated the point now is to buy some time to evaluate what is coming, what it looks like and see what is there with regards to the uses. He stated work is going to continue. Councilman Wireman clarified that the steel is coming; the crane is on the site; the concrete will be poured and the steel erected. The State mandates erosion control, so that plus the water/sewer to the new building will also be completed. Mr. Kaufhold stated this is a good time during the project to reassess the project as a whole internally and possibly externally. Mr. Merritt requested clarification on what exactly is being paused since the construction is continuing, he asked how long it would take to put up the structural steel. Mr. Clark responded that it would be roughly 8-10 weeks to complete the steel structure and concrete slab, depending on weather.

Mr. Merritt asked when the additional materials would be ordered, to which Mr. Clark they had already been ordered and were well in process. He said he did not understand the pause, he stated it would be passed on to the trade contractors, allowing them to request changes. Edifice would evaluate that in the Town's interest. Mr. Clark stated by contract, the work would need to stop or there would need to be a request to change the building, i.e. delete everything past the steel structure and slab, which would require rebidding of all contract labor.

Councilman Wireman expressed his concern regarding the 30 foot retaining wall built behind the building, which would be an eyesore. Mr. Kaufhold clarified the retaining wall it was the Chestnut Parkway retaining wall and a separate project. He stated the rendering did not include the projected retaining wall. Councilman Wireman expressed his concerns that the public has truly been educated on the project and expenses. He doesn't believe the building is putting us into a position to grow with the current design. He wants the public to have a chance to have input on the facility so that it can grow with the Town.

Councilman Cohn questioned Edifice representatives if there had been any requested changes, to which they replied no. Councilman Cohn asked can the interior designs be changed to make the building more practical and efficient without significant cost. Mr. Clark stated yes. Mr. Kaufhold added the changes should be considered during the 10-12 week

structural steel, concrete slab timeframe. Mr. Merritt clarified it appeared what is being requested is to direct Staff and Interim Town Manager to work and review on looking at the changes that can be made on the interior of the building. He stated while the shell of the building is being built there is still time to make changes before the interior work begins. They would not be stopping the work, but directing Staff to look into making interior changes. Councilman Wireman thanked Mr. Clark and Mr. Carlista for attending the meeting.

Councilman Wireman made the motion to direct Staff to review and recommend changes for the interior of the Town Hall; the motion carried by a unanimous vote.

10. DISCUSSION ITEMS

- a) **Add a "Council Corner" to the IT Factor to keep Residents informed. (Councilman Wireman)**
Councilman Wireman shared his desire to have a Council Corner to provide information to citizens from a Council perspective. Councilman Savoie stated he had no issues with that but wanted to ensure who would proof the content. Mr. Merritt stated he did not proof the IT Factor. Mr. Merritt defined that it was not a political or soap box column and that it should be informational only.

Councilman Wireman made the motion to add a "Council Corner" to the IT Factor; the motion carried by a unanimous vote.

- b) **A monthly "Town Hall" meeting. (Councilman Wireman)**
Councilman Wireman stated not all residents that would like to have the opportunity to attend the regular Council meetings. He suggested offering a Town Hall meeting in different locations to give additional residents the availability to attend.

Councilman Wireman made the motion to direct Staff to development a monthly Town Hall meeting agenda; the motion carried by a unanimous vote.

- c) **Allow for open dialogue during Public Comments. (Councilman Wireman)**
Councilwoman Stanton stated Council should be able to carry a dialogue with residents during Public Comments, for example if the resident were to ask a question. Councilman Savoie wanted to make sure it was only when the resident posed questions to Council and not the reverse. He also stated he wanted to make sure Council was as direct and concise as possible to ensure the resident could fully utilize their 3 minutes.

Councilman Wireman made the motion to direct Staff to revise the Public Comment Policy to allow for citizens to ask questions of Council; the motion carried by a unanimous vote.

- d) **Quarterly publication of IT Factor. (Councilman Wireman)**
Councilman Wireman asked Mike Parks if the current IT Factor was budgeted to be produced on a monthly basis. Ms. Barnhardt responded it was budgeted for monthly production. Councilman Wireman stated he wanted to pose to Council to perhaps produce the IT Factor on a quarterly basis, with the though being monthly was to frequent.

Councilman Savoie requested to try the IT Factor monthly to judge the receptiveness from citizens. Councilman Cohn queried the monthly cost, to which Mr. Parks responded roughly \$6000 monthly to print, fold and mail approximately 12,500 newsletters. He stated they had worked diligently to make sure as many residents as possible receive the IT Factor.

Councilman Cohn remarked that in the past it would be a year between receiving the newsletter. He asked if there was enough news to produce the newsletter monthly to which Mr. Parks responded with the addition of the "Council Corner" he felt there would be enough news to produce a monthly newsletter.

Councilwoman Stanton questioned the need for monthly newsletters since there would also be monthly Town Hall meetings. Councilman Savoie pointed out the number in attendance and remarked that the newsletter would reach far more citizens. He stated it is Council's discretion on the frequency of the newsletter and if there was a month where there was no news to report they could skip that month.

Councilman Wireman asked about the feedback from citizens with regards to the newsletter, to which Ms. Barnhardt responded they were receiving positive feedback and that there was also the availability of the Constant Contact email blast. She stated the newsletter is not the only form of communication available, she recommended doing some electronic options for the newsletter.

Councilman Wireman made the motion to produce a digital monthly publication of the IT Factor and a printed IT Factor on a quarterly basis; the motion carried by a unanimous vote.

e) Put Regular Meeting notices in Union Weekly. (Council Wireman)

Councilman Wireman stated he did not remember on a regular basis public meeting notices for Council meetings posted in various publications. Councilman Wireman was advised that regular meeting notices were not posted in the Union Weekly. He stated he was not aware of the cost if any, to which Councilwoman Stanton stated she did not believe there was a cost. Councilman Cohn asked Mr. Parks if there was a cost to place the notice in the Union County Weekly. Mr. Parks responded, if Council wanted to place a notice verbatim they would be charged but they could ask Union Weekly to include it, but it would be their own wording.

Councilman Cohn opined he felt it would be a waste of money and that it would not be effective. Ms. Barnhardt suggested posting the meeting notices on the Town's Facebook page, which is a free medium to share information with residents.

Council consensus to put Regular Meeting notices on the Town's Facebook page.

f) Text alerts sign-up on Indian Trail Website. (Councilman Wireman)

Councilman Wireman asked Ms. Barnhardt if text alerts was an available avenue to send out notifications to citizens. She stated they had ways to do email blasts and utilized social media but was not sure of the text alerts as it fell out of her expertise. Councilman Wireman stated he felt with all available mediums for contact that the text alerts was not necessary and asked to remove the item for discussion.

g) Approval of Professional Service Agreement with Woolpert North Carolina, PLLC to update the Crooked Creek Park Master Plan – Moved from the Consent Agenda 8c

Councilman Cohn requested clarification on this agenda item from staff. Mr. Tryon stated this was to update the Master Plan for Crooked Creek Park since the original master plan was created there had been several changes, including the approval of the Part F Grant and different land designated for the park as well as additional features like the dog park. In order to move forward with the next phase of the park, the master plan must be updated.

Councilman Cohn asked if Woolpert would update the plan and Mr. Tryon responded they would. Mr. Tryon stated there would be a fee for the update.

Councilman Wireman stated it was not communicated to the voters and asked how many phases there were for the park. Mr. Tryon answered there was no set number of phases and that currently they were not in any phase because there is not enough data planned to move forward to a new phase. He stated to move forward to another plan, the master plan must be updated to create what the next phase contained. Councilman Wireman stated it appeared this update to the Master Plan would cost approximately \$16,000 to which Mr. Tryon responded that it was budgeted during the current budget year. Councilman Cohn questioned Mr. Tryon if the phases were discussed with him and he stated that since grand opening there have not been discussions for additional phases.

Councilman Cohn made the motion to approve the Professional Service Agreement with Woolpert North Carolina, PLLC to update the Crooked Creek Park Master Plan; the motion tied two to two and Mayor Alvarez broke the tie with an affirmative vote, motion carried by vote of three (3) to two(2) with Councilman Wireman and Councilwoman in the opposition.

11. COUNCIL COMMENTS

Councilman Cohn: thanked everyone for attending the meeting, stated it was a special night. He stated this Council was going to be different: employees were going to be treated better and were welcomed at meetings. He recognized the concerns with the EDAC committee. He opined that the citizens were not happy about the Town Hall project because it was never discussed. He stated Council was the people's government and that they worked for the people. He stated this Council was going to work with and for the citizens. He stated it's just easy to do the right thing. He stated although this was a long meeting, it was necessary because there were a lot of agenda items to be covered. He discussed the stormwater fee and how it had been eighteen months (18) since those funds had been used to assist citizens, instead the funds had been spent on capital projects. He stated these were the kinds of things that were going to change in the Town and that the Town needed to start going in a different direction for the people. He urged citizens to hold Council accountable.

Councilman Wireman: agreed with Councilman Cohn's remarks. He stated the Town Hall and the roads are the items with which the residents were unhappy. He stated citizens would no longer be ignored and that the focus and priority is going to be shifted to reflect what the citizens truly want. To staff, he pledge his 110% support and expressed his gratitude for Staff's attendance at the meeting. To the Sheriff's Department he also pledged his 110% support and expressed his gratitude for their work in the Town and said he looked forward to continuing to build the relationship. Councilman Wireman thanked the residents for their support and for their attendance at them meeting.

Councilwoman Stanton: thanked the citizens in attendance and the Staff for their hard work and attendance at the Council meeting. She pledged her support to Staff and welcomed them to attend future Council meetings. She stated during her campaign she pledged to citizen to be their voice for the next four years. She thanked the deputies in attendance. She said she was looking forward to the next four years because it was going to be done as an Indian Trail family. Wished all in attendance a happy Holiday season and welcomed them back in January.

Mayor Alvarez: thanked everyone for staying for the duration of the meeting. He expressed to Staff that they were always welcome at meetings and welcomed the new members of Council and said he

was looking forward to working with them. He stated fear did not win the election and that it was a step in the right direction. He said this Council was going to move the Town in the right direction; respecting the people's money and respecting the people's wishes. He echoed Councilman Cohn in welcoming everyone. He wished everyone a happy Holiday season.

Councilman Savoie: congratulated all newly elected officials and stated he looked forward to working with them. He thanked Staff for their continued efforts and the residents for attending the meeting. He wished everyone a happy Holiday Season.

12. CLOSED SESSION

Action

Council addressed all closed session matters between Business Items 9f and 9m.

13. COUNCIL ACTION THAT MAY BE REQUIRED IN OPEN SESSION AS A RESULT OF ANY CLOSED SESSION DISCUSSIONS. Previously addressed.

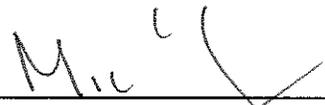
14. ADJOURN

Councilman Cohn made the motion to adjourn; the motion carried by a unanimous vote.

(SEAL)



APPROVED:



Mayor Michael L. Alvarez

Attest:



Kelley Southward, Town Clerk