

**MAYOR**  
Michael L Alvarez

**MAYOR PRO TEM**  
David L. Cohn

**INTERIM TOWN MANAGER**  
Scott J. Kaufhold



**TOWN COUNCIL**

Gordon B. Daniels

Gary M. Savoie

Amy R. Stanton

Mark A. Wireman

**Indian Trail Town Council  
Special Meeting  
Thursday, March 10, 2016  
Civic Building—6:30 PM**

**MINUTES**

The Indian Trail Town Council convened at 6:30 PM on Thursday, March 10, 2016 for a Special Town Council Meeting in the Council's Chambers at the Civic Building—100 Navajo Trail, Indian Trail, NC 28079.

**The following members of Council were present:**

Mayor Pro Tem David L. Cohn  
Council Member Gordon B. Daniels  
Council Member Mark A. Wireman

Council Member Amy R. Stanton  
Council Member Gary M. Savoie

**Mayor Michael Alvarez was absent.**

**The following members of Staff were present:**

Interim Town Manager/Director of Engineering Scott J. Kaufhold, Town Attorney Keith Merritt, Town Clerk Kelley Southward, Planning/Neighborhood Services Director Rox Burhans, Parks & Recreation Director Jason Tryon, Recreation Program Coordinator Katy Keller, Community Development Specialist Susan Didier and Communications Coordinator Mike Parks.

**1. CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Cohn called the meeting to order at 6:30 p.m. and led all in the Pledge of Allegiance.

Mayor Pro Tem Cohn would be facilitating the meeting in Mayor Alvarez's absence.

**2. AGENDA ADDITIONS/DELETIONS: none**

**3. MOTION TO APPROVE AGENDA**

*Council Member Stanton made a motion by to approve agenda. Motion unanimously approved.*

**4. PRESENTATIONS/INTRODUCTIONS**

**None**

**5. PUBLIC COMMENTS**

- **Ray Killough, 5125 Old Monroe Road, Indian Trail.** Mr. Killough had provided a copy of his comments to Town Clerk; his comments are attached hereto and made a part of these

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official minutes. Mr. Killough had concerns about traffic and safety for traffic patterns that would be implemented while the bridge reconstruction on Indian Trail Road will be taking place this year. He was concerned about Southfork Road traffic and intersections.

- **Helen Killough** – elected not to speak as her husband was able to get through everything she wanted to say.
- **Mr. Bob Green, Concord NC.** I am here to remind Council that we thought the Crooked Creek Park could be set aside for accessible wheelchair ball field for the children in Miracle League. We still have a strong need for that field in this community. I am excited about the fact that the Miracle Field will help Indian Trail move up in stature with other communities because there are no other Miracle League fields close by. My main goal is to have a place for the kids to play. Basically donating a million dollar facility to this Town.
- **Eugene Griggs, 1706 Cottage Creek,** Traywick subdivision. On Tuesday, there was supposed to be a Town meeting and I showed up and there were people waiting with me for 45 minutes. If the Council cancels a meeting, at least put it in the box out here so that everyone knows. Town Clerk said that notice was put up there on Friday, someone may have removed it.
- **Michael Faulkenberry, 519 Pickett Circle.** Many of you know me as the admin to Hornets Nest Facebook page. The continuing finger pointing, playing the victim, and name calling, is this a good image for the Town of Indian Trail for when potential businessmen google the Town of Indian Trail? Who pays the price for the juvenile postings by city council members? The same arguments are being made that you can't use the past. An accusation was written on Facebook by Sarah Southland, can the two Council members provide back-up to the accusation regarding a recent editorial written in local newspaper that Council members said was "fake"? If there is evidence, post it instead of looking like paranoid public officials. Also, regarding the comment made by a Council member during the Council Comments where the Council Member stated she would respond to emails only if it was Town business. I sent an email that addresses her behavior in a Town meeting; I did not receive a response. I still have not received an apology from the Mayor.

## 6. LAW ENFORCEMENT UPDATE

Lt. Coble: On Sunday March 6, there was an armed robbery at Murphy's Gas station, white male wearing a hoodie and a mask and was armed with a handgun. Detectives are still working the case, no arrest has been made. The following night, the Arby's was robbed by a black male with a handgun, also wearing a mask. K9 track did yield some evidence in the second robbery and we are conducting interviews now. There also was an unrelated arrest that occurred as a result of these robbery investigations.

Calvin Wayne Mullis retired today from local government under disability, he was a deputy assigned to Indian Trail in 2014. A good friend and co-worker of mine, I have been working with him for 20 years or so. From the year 2003 on he was in Indian Trail. Wayne was serving in our contract patrol most recently. He will be very much missed.

## 7. CONSENT AGENDA

- a) Budget Amendment #538
- b) Approve February 2016 Month-End Tax Report
- c) Approve Revised Donation Policy
- d) Approve Municipal Speed Limit Ordinance for Howey Bottoms Road from Duncan Road to Lawyers Road

*Council Member Wireman made a motion to approve Consent Agenda. Motion was approved unanimously.*

## 8. PUBLIC HEARINGS

NONE

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– Please adhere to the following guidelines:

- Proceed to the podium, and state your name and address clearly;
- Be concise; avoid repetition; limit comments to three (3) minutes or less;
- Designate a spokesperson for large groups

9. OLD BUSINESS ITEMS

NONE

10. NEW BUSINESS ITEMS

- a) **Crooked Creek Park Master Plan: Options to be presented by Woolpert Inc. Council to select an option for moving forward.**

**Mr. Jason Tryon:** This process began with a Public Meeting which was followed up by a Facebook and 4-question website survey of residents to get additional feedback, got 452 responses. Since then we met with Woolpert to review meeting and survey results and to come up with options. We are excited to have Woolpert here to present three design options. The options will include a variety of amenities and locations to choose from. Project team at Woolpert: Andrew Pack, Wayne Robinson & Mark Medahl. Woolpert has done a lot of master planning for parks all through the region.

Andrew Pack, Woolpert presentation, wanted to present options to engage Council based on what the constituents want in the community. I was part of the original team. I will be here to answer any questions but will be allowing Wayne and Mark to make the official presentation to Council this evening. Typically, we bring one concept to a Council for consideration but tonight we have brought three concepts and Council can choose one of the three concepts or combine elements of any of the concepts to come up with a different option. A copy of the 3 concepts plans passed out to Council is attached hereto and made a part of these official minutes.

**Wayne Robinson (Woolpert):**

The citizens of Indian Trail that came to the Public meeting and completed the survey to help inform us of what is needed at Crooked Creek Park.

This is a site suitability survey: the areas in red, are wetlands; areas in brown, next to wetlands, poor soil & steep slopes; gray areas are highly suitable for development; yellow are the areas that remain to be developed. We divided these areas into Area A, (baseball fields, back to east) Area B (area between V of two streams), and Area C (everything to the east beyond streams).

At the public meeting the PARTF Grant elements were presented: a splash pad, dog park, additional walking trails, and outdoor fitness park. Next, we separated into groups and talked about other amenities they wanted to see: walking trails, fishing pond, soccer fields, natural areas, useable open space, additional baseball/softball fields, outdoor classrooms, Miracle field, and ADA accessible playground.

The survey was put on line, and the ranking that came back on the specific 9 items: 1.) Walking/bike paths 2.) Rec center 3.) Playground.

During design process, took this information from the public to create design iterations, ended up with five concept plans; after which we met with Jay and Katie. We selected the three options we are looking at today.

**Concept #1**

Area A: An active recreation area. It extends the parking near the existing baseball fields. It allows for a space for Miracle Field; an accessible baseball field. To the south empty space, and planned disc golf.

Area B: Focuses on passive recreation and addition of a nature center and multiple passive trails. Parking.

Area C: Special events space and additional passive recreation. Added in additional parking and overflow parking, restroom facility. Open event space with bandshell. Boardwalks.

**Concept #2:** -

Area A: Larger parking area, miracle field and additional softball fields, accessible playground open space and disc golf.

Area B: is a nature center and passive recreation. Added in 3 half court basketball in a clover pattern.

Area C: with multi-use fields. Parking and overflow. Small playground area. Youth fields. Smaller special events space with band shell.

**Concept #3:**

Area A: Location for Miracle Field, near existing baseball facility. Passive trails, wooded area. Low impact area on the parking lot, find the best spot and create pervious parking (gravel). Nature trails and boardwalks out into the wetlands, and disc golf.

Area B: Recreation Center, which was a high priority item on survey. An expansion to playground property, and nature trails that connect to Area C.

Area C: Special events space. We developed two areas for multi-use fields, restrooms, concessions, parking, and the potential for a fish pond.

Woolpert asked Council to identify their preferences regarding option/concept on the handout pages. The highlighted areas on the handout are the items that Woolpert believes can be built with the current funding. If it is not highlighted, it falls out of your current funding. If Council has a concept that you prefer over the others, check it on the handout next to Concept. If Council has an area that they prefer from among the Concepts, circle those areas. Any additional comments can be written in also. The final master plan will have costs associated with it. Jay can send the PowerPoint presentation to Council and work with Mr. Kaufhold to gather comments from Council.

**Questions/Comments:**

**Councilman Daniels:** Asked Woolpert for additional time to take it with him to review it and contact Woolpert for any questions before turning his comments back in to Woolpert later. Councilman Savoie and Councilman Wireman both agreed that they needed additional time to review and digest it.

**Councilman Savoie:** Asked Woolpert to define Areas A, B, and C on the Concept Plans. Area A is to the west; Area B falls between the two storm corridors, V-shaped; Area C is everything else.

Q: Is there a way to look at what we could potentially look at from a Grant perspective?

A: On PARTF Grant, you can't apply for another until all the money that was awarded previously has been utilized. Once the fund is utilized, when the next cycle opens for PARTF, then Town can apply again.

**Councilman Wireman:** Asked Mr. Kaufhold if the renderings could be available online to capture public input and comment before a final decision is made by Council. He also requested to see from Mr. Kaufhold where we stand from a budgetary perspective, how much is actually remaining.

Is there a memorandum of understanding re: the Miracle Fields?

A: (Mr. Drehs from the audience): No, not until this part is finished. There is a unanimous resolution from the Town Council to make the land available. One of the things is the Bathrooms with 32” doorways next to Miracle Field.

Q: What are we anticipating as far as funding donation perspective ?

A: 18-24 months

**Councilman Cohn:**

Councilman Cohn said the Town’s part of the Miracle Fields is the bathrooms, (parking lot, lower storage also

Q: How big would the pond be?

A: There would have to be a feasibility study to determine that. We don’t have a large enough watershed to feed it, it will need a supplemental source. Site is very linear, so not a lot of watershed. A pond needs 8 feet to avoid algae blooms.

Q: How big is the band shell area? How many people?

A: (Woolpert) Small, 500 SF. It would be one soccer field in size, 1200 – 2000 people. Goal would be to double Crossing Path Park’s band shell.

Q: Rec Center in today’s world what is it? How much would it cost? Rec Center would be out of the picture right now based on cost shown of \$7-\$8 million, it would have to be a future consideration.

A: (Woolpert) A Recreation Center is like a YMCA, smallest would be 12,000 SF with gymnasium, meeting rooms, crafts. Defining a Recreation Center is not a one size fits all, it would be based on demographics, trends, and what people want. The Recreation Center was added based on the survey responses. The \$7M-\$8M estimate is for the entire phase/section, (amphitheater, basketball, playground expansion) not just the Recreation Center building itself; the Rec Center itself is probably half of that amount.

**Councilman Daniels:** Is there any insurance liability increase to the Town to having a pond?

A: (Woolpert) I would think it would be no different than anything else. It may result in changes in policy as to how you handle the pond. Need to ensure that aesthetically, from an operational standpoint, it needs to fit the area.

Woolpert will come up with final plan after they receive comments back from Council.

**b) Council consideration to approval of park budget transfer request.**

**Mr. Kaufhold:** FY 15/16 Council approved \$116,374 for a Parks & Recreation Capital Request that was described as “Playground Equipment” with no other supporting documentation. To date, the balance remains at the approved \$116,374.00.

The Town needs professional grade equipment to maintain current phase of parks.

Staff requests approval to transfer \$49,720.00 from Parks & Recreation Capital Request to purchase Parks & Recreation equipment and maintenance supplies.

**Councilman Daniels:**

Q: How many lawnmowers does the Town currently own? Are there any other budgets this could be pulled from without transferring? Are we transferring the full \$116,374 out or just enough for the lawnmower?

A: Mr. Kaufhold: I will get back to you, not sure off top of my head; there are many equipment types and the Public Works Superintendent can come in with detail if you would like. It is Staff’s recommendation that professional grade equipment is needed to maintain parks. This request comes out of Parks and Rec and it would make the most sense to pull from that budget. We will be transferring only the \$49,720 out of the account.

**Mr. Cohn:** Obviously we want to have a first class park operation. Mr. Kaufhold would not request this if it wasn't needed. Mr. Tryon are there any additional comments you want to make as to why we need it?

**Mr. Tryon:** I recommend that we update equipment, there are alternative piece of equipment out there. We need upgraded equipment. There are a lot of needs for the department with the upcoming fields coming on board.

**Councilman Wireman:** I agree. The residents voted on the park bonds, and we need to invest in the equipment to maintain this significant investment that the Town is making and that the residents approved.

**Councilman Savoie:** The next budget season is coming up, so if we transfer the money and there is a need that comes up for playground, we would be able to add it to the budget coming up.

**Mr. Kaufhold:** There are intended uses for it in conjunction with the PARTF Grant so some of the remaining funding will build a pump house for splash pad. We have reserved \$65,000 + for some items. We are in 3<sup>rd</sup> quarter of fiscal year, we may be in next budget before we are ready to start expending those funds.

*Councilman Wireman made a motion Council consideration to approve park budget transfer request. Motion approved 4-1, with Councilman Daniels opposing.*

c) **Council consideration to approve park equipment purchase.**

**Mr. Kaufhold:**

This is a follow-up to the funds that were appropriated in item b) above. This comes off of State purchase contract that has already been competitively bid for the mower.

*Councilman Wireman made a motion to approve park equipment purchase, as requested. Motion approved 4-1 with Councilman Daniels opposing.*

d) **Council consideration to direct staff/Planning Board to prepare a UDO text amendment to allow for flexibility in dumpster enclosure(s) materials in shopping centers. (Councilman Daniels)**

Councilman Daniels asked to adjust the Agenda item to include change of use facilities, not just shopping centers. Mr. Merritt relayed that Agenda cannot be changed since it is a Special Meeting. Councilman Daniels said he would stay with the current Agenda item.

Small businesses have to have dumpster enclosure, asking for there to be flexibility in the materials and for Council to consider a UDO text amendment to help small business and keep the aesthetics for the Town.

**Mr. Burhans:** The UDO currently states that a dumpster enclosure (brand new or change of use) must generally match up with the building. In instances where the building is brick, 25-30 years old, it can be a large expense to add the dumpster enclosure. Scenario: It's been retail or office for years and years, now someone wants to add a restaurant; the UDO states they have to bring the nonconforming items on site up to code. Nonconforming features (features that do not meet current code) are triggered by change of existing use in existing building or investment in the building. Will provide visual options if Council wants to pursue.

**Councilman Cohn:**

Q: How often does this happen? What does UDO say now?

A: (Mr. Burhans) Approximately 5 times per year. Generally speaking, there are nuances in the administration, i.e., you don't want to replicate with low quality materials. But generally a brick building being built today would have an expectation that the dumpster enclosure be matching brick.

**Councilman Wireman:**

Q: How many complaints have you had over the past couple of years? We don't want to add additional costs but we also don't want to remove the curb appeal; need to be careful about the materials used.

A: (Mr. Burhans) I don't have a number, but I have heard complaints that it can be expensive. If the enclosure has to be high grade it takes a hit on the business's budget. If the Council decides to move forward, we will come up with as many options as we can and see where it goes.

**Councilman Savoie:**

Agree with Councilman Wireman on the curb appeal item as well as with Councilman Daniels concerns with cost.

**Council Member Stanton:**

Dumpsters are not a pretty sight. When the enclosure looks like the building you don't know what you're looking at. I don't want to burden the businesses but want to make sure the curb appeal is maintained.

*Councilman Daniels made a motion to direct Staff to initiate a UDO Text Amendment for alternate options for dumpster enclosures and bring it back to Council. Motion approved unanimously.*

**11. DISCUSSION ITEMS**

**NONE**

**12. UPDATES**

**a) Manager's Update: Scott Kaufhold, Interim Town Manager**

Assistant Finance Director started on March 1st, Finance Director will start on March 21<sup>st</sup> and the HR Manager will start on April 1, 2016.

**b) Department Head Update: Parks & Recreation—Jason Tryon**

- Crooked Creek Park has 31 tournaments booked for the 2016 baseball/softball season. All deposits have been paid confirming the dates.
- Carmel Christian School has joined the calendar to use ball fields for games and practices. Metrolina Christian has returned for another year to utilize tennis courts.
- Grant from NCRPA & BCBS Play Prints. Ground markings that are painted on existing pavements.
- Sponsorships with local Businesses, a lot of opportunity and involvement in the community. In final stages of securing over \$21,000 in sponsorships from local and regional businesses.
- Staff will be installing new mile markers at Crooked Creek Park, finished next week. Also installing birdhouses at Chestnut Square Park which were painted by a former Sun Valley High School student.
- Part F Update: Outdoor fitness equipment has shipped. Staff has begun working on the layout for the disc golf course and splashpad.
- Finalized path for walking trail.
- Added two shelters at Crooked Creek. As of March 8<sup>th</sup>, 23 applications have come in for shelter rentals.

- Staff has created a monthly newsletter. Will review projects and provides a way for residents to get involved. Over 1,300 people received the email and it is also posted on the website. Community garden sold the last plots due to newsletter.
- As part of the master plan project for Crooked Creek Park, the staff created an online survey, taken by 462 people. The survey asked residents which program, from list designated, is most important to your household? Results in ranking were: #1 Special Events, #2 Adult fitness, and #3 Youth Sports.  
Looking into new events based on this list: **Youth Programs:** soccer camp for 5-10 year olds, Jump Bunch Olympics (elementary), gardening 101, 4-H classes, mini chefs, soccer shots (2-8 yr olds); **Adult Programs:** Couch 2 5K, UFC Bootcamp, Cards with Seniors, senior meet up at CCP, and yoga.
- Staff is working with local community groups for volunteer projects. Next up is a project with a local Girl Scout troop at Crooked Creek.
- First tournament weekend is March 12 -13, 1,500 park visitors to CCP this weekend.
- Dog Park: 161 residents (207 dogs); 25 nonresidents (31 dogs). Also installed park benches under the shade structure in Dog Park.
- Chestnut Square Park – 10 different organizations. Crooked Creek Park, 11 teams booked; 6 on waiting list. 31 tournaments booked.

**Mr. Tryon:** We have phenomenal staff, who are passionate about what they do for the Town.

**Councilman Wireman:** Reenactment groups are always looking for places to hold events.

**Councilman Cohn:** What does it cost for shelter?

A: (Mr. Tryon): Shelter 8:00 am-2 pm is \$30.00; 3:00 pm. - close is \$40.00.

### 13. COUNCIL COMMENTS

**Councilman Cohn:** Thanks for coming out tonight. Good meeting. Good job, Mr. Tryon, Ms. Keller, Ms. Didier, & Mr. Burhans.

**Council Member Stanton:** Thank the staff you are amazing. Council, it is wonderful working with you.

**Councilman Savoie:** Thanks everyone for coming out tonight. Staff - thanks for all your hard work putting together the presentations that lead up to these Council meetings.

**Councilman Daniels:** Good meeting. Thanks to everybody for coming out tonight. One side comment, I want to make, I was concerned about the Mayor and his situation, but I saw that he wrote an editorial on Sunday. I would like for the Mayor to write another editorial this Sunday and give the resident an apology.

**Councilman Wireman:** Council good discussion. Mr. Tryon, your presentation was spot on, a lot of good material. Thanks to Lt. Coble for a good update and keeping us safe. Thanks to residents for sticking around and I am looking forward to getting feedback on the park.

### 14. CLOSED SESSION

*Councilman Savoie made a motion to go into Closed Session pursuant to NCGS 143-318.11(a)(3) to protect the attorney-client privilege, to consider and give instructions concerning a potential or actual claim, administrative procedure or judicial review. Motion approved unanimously.*

*Motion made by Councilman Wireman to go back into open session. Motion approved unanimously.*

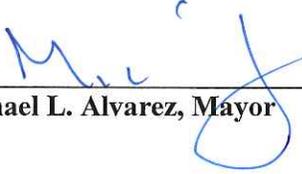
**15. POSSIBLE ACTION FOLLOWING CLOSED SESSION: none**

**16. ADJOURN**

*Motion by Councilman Daniels to adjourn the meeting. Motion approved unanimously.*

(SEAL)



  
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Michael L. Alvarez, Mayor

Attest:

  
\_\_\_\_\_  
Kelley Southward, Town Clerk