

MAYOR
Michael L. Alvarez

MAYOR PRO TEM
David L. Cohn

TOWN MANAGER
Scott J. Kaufhold, P.E.



TOWN COUNCIL

Gordon B. Daniels
Gary M. Savoie
Amy R. Stanton
Mark A. Wireman

**Indian Trail Town Council
Regular Meeting
Tuesday, May 10, 2016
Civic Building—6:30 PM**

MINUTES

The following members of Town Council were present:

Mayor Michael Alvarez
Council Member Gordon Daniels
Council Member Amy R. Stanton
Council Member Gary Savoie
Council Member Mark Wireman

The following members of Town Council were absent:

Mayor Pro Tem David Cohn

The following members of staff were present:

Town Manager Scott Kaufhold P.E., Town Attorney Keith Merritt, Town Clerk Kelley Southward, Director of Planning and Neighborhood Services Rox Burhans, Director Parks and Recreation Jason Tryon, Director of Finance Jim Wojtowicz, Director of Human Resources Tihisha Sharif, Contract Analyst/Executive Administrative Assistant Vicky Watts and Senior Planner Gretchen Coperine.

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.

2. AGENDA ADDITIONS & DELETIONS

Councilman Daniels asked to move new business item #10 to 4c; Approved unanimously.

3. MOTION TO APPROVE AGENDA

Councilman Wireman made a motion to approve the amended Agenda. The motion was approved unanimously.

4. PRESENTATIONS/INTRODUCTIONS

a) National Police Week Proclamation

Mayor Alvarez read the Proclamation. The Proclamation calls for all citizens to observe May 15, 2016 as "Peace Officers Observation Day" and the week of May 15th through May 21st as "National Police Week" in Indian Trail to commemorate all law enforcement officers who have rendered a dedicated service to their communities. A signed/framed copy of the Proclamation was presented to Union County Deputies.

b) Presentation by Mr. David Drehs regarding the proposed Miracle League Field

Mr. Drehs, President of Miracle League of Indian Trail presenting:

Miracle League is a field that is fully rubberized and completely flat. There are 275 other Miracle Fields; the closest field to Indian Trail is in Charlotte's university area YMCA.

Miracle League was created in 1999 and is a 501(c)3. Our goal is to get a Miracle League Field as close to other fields as we could get so that the children would be included and around other children. The one in Charlotte is only 100 feet, which is good for the little kids but a 200 foot field is the general size for adults. Also, the bathroom doors at this field, while meeting ADA accessibility guidelines (30") they are not wide enough to accommodate the sports wheelchairs which need 32" in clearance. The other closest field for adults is in Mauldin SC or Wilmington NC.

The Miracle League has \$350,000 pledged so far; we need \$1 million. We are gifting the Town with the field and the playground. The town has committed to the bathroom facilities, adequate parking and 100 foot storage shed on the back of bathroom facility.

Before we can do a Memorandum of Understanding with the Town, and begin approaching donors, the Miracle League field has to be on the Master Plan. The donors worry that we would put a field there and end up without bathrooms and with a gravel parking lot. So this needs to be a joint coordinated effort between the Town of Indian Trail and the Miracle League.

Video Presentation shown. Brochures and contact information made available to Council.

Comments and Q & A

Councilman Daniels: Yankee stadium is 210 feet, I'd love to see them play and hit that ball over the fence. Good job on presentation.

Q: Is there any part of the plan that could be factored in another fiscal year's budget?

A: (Mr. Drehs) We would not want to build a field without the bathroom facilities. We could put in the playground later but that won't help the Town budget.

Councilman Savoie: One of the tough jobs we have on Town Council is to separate emotion from public/private partnerships and fully consider the economic considerations. Carolina Courts was one such partnership that has not been fully realized for the Town. I would need to understand the true financial impact and would like to see you and Mr. Kaufhold work together on costs, and the possibility of tapping into a grant for building handicapped facilities in a public area. Excellent presentation, Mr. Drehs.

Mr. Drehs, have you talked with Mr. Kaufhold about costs or plans for the bathroom facilities, utilities, maintenance of field etc? Was there an existing resolution with prior Council?

A: (Mr. Drehs) Yes, there was a resolution that the Town would make the land available, and limited time for staff to work on it. Facilities and the parking lot were not specifically mentioned at the time because those are "10 mile view" items, and they were still looking at it from 100

miles. Mr. Cohn is very supportive of this project. Mr. Cohn mentioned discussing the Resolution at the next meeting.

Do you have a specific plan that you prefer?

A: Yes, we emailed the Town with our preference, we liked the one where there was another field next to us. The reality is that the Town doesn't have enough money for that plan. The latest concept drawing from Woolpert would have the backstop about 25 feet from the walkway that goes around. We want the kids to know the field was built for them. The outdoor gym is 200 feet from it and four of the apparatuses are wheelchair accessible.

Mr. Kaufhold said he can provide some good numbers at the next meeting, not based on engineered plans, but they will be good estimates of the costs for the bathrooms, parking lot and storage.

c.) Council consideration of the Town funding \$5,000 to the Council on Aging in Union County for the Fiscal Year 2016-17 budget. This organization provides needed services for senior citizens in the Town of Indian Trail (Councilman Daniels)

Presenter, Linda Smosky, Council on Aging in Union County

Our mission at the Council on Aging is to help people in Indian Trail to stay in their own homes for as long as possible. We provide the following programs:

- Information and options counseling program; sends volunteers to help seniors in their home.
- Provide referrals to other agencies; (Seniors Health Insurance Program "SHIP") to help people make good decisions about Medicare options. In Medicare 2006 things have changed quite a bit with prescriptions and the doughnut holes etc. During open enrollment last October 15 – Dec 7th, met individually with 539 individuals and saved them over \$476,000.

There is a newsletter that goes out by mail and email the "Senior Voice", www.coaunion.org, received 2,200 visits/per month to our website.

Senior Law, help with wills and power of attorney. Of the 9 counties in our region, Union County uses this program more than the other counties.

- In Home Aid Services, 13 aids who go into the homes and help them do things they can no longer do, changing linens, cooking meals, shopping and errands for them. Chores, personal care assistance and respite. We will get groceries for them but will not drive them anywhere.
- Senior Outreach program – we have many seniors who are isolated and cannot drive. We take the services to them. We offer classes and partner with the community like churches.

Once a year we hold a senior wellness expo, just celebrated our 10th anniversary. Seniors can attend for free screenings and information. We offer senior day trips to prevent isolation of seniors.

- Family Caregiver Support Program. You need a break when you are caring for someone 24/7. Respite care is available for caregivers. Also provide support for grandparents raising grandchildren.

Alzheimer's disease is the most common form of dementia; it affects 1 in 7 North Carolinians. It is terminal illness and the fifth leading cause of death in NC. Union County has the highest incidence in Alzheimers in the state of NC.

By the year 2018, over 90 of the 100 counties in NC will have more people 60 and older than in the 17 and younger age bracket. 412 residents of Indian Trail received assistance through the information and counseling resources last year. In home services program has 14 in-home clients, 19 from Indian Trail on the waiting list. Last year, the family caregiver support program served 28 residents in Indian Trail.

Councilman Daniels: SHIP program is tremendous and I am glad to see that Indian Trail residents are getting benefits from the Council on Aging.

Councilman Wireman: I would be supportive of a \$3,000 donation; I think \$5,000 would require changes to policy.

Councilman Daniels asked if the donations policy could be relaxed to award the Council on aging \$5,000; Councilman Daniels thought he recalled the Artist's Guild getting \$5,000 at a prior meeting. Mayor Alvarez reminded Councilman Daniels that the previous policy was a \$2,000 donation and Council approved an amendment to the policy to increase the donation amount to \$3,000; not \$5,000.

Councilman Daniels made a motion to award the Council on Aging of Union County a \$3,000 donation. All in favor and it was unanimously approved.

5. PUBLIC COMMENTS

- **Mr. Arthur Spurr, 4100 Wood Creek Court** in Ashe Croft subdivision. First, I highly support the Miracle League and The Council on Aging.

In 2012, almost 99% of all the things they found in Indian Trail had to do with flooding. Indian Trail wanted to administer a creek cleanout program, completed in 2005; thick coverage, completed in 2004; sediment and erosion control for the 25-year storm, completed in 2005; increase minimum lot size for development, lower density, completed in 2005. All of it is talking about flooding. All of it said that Indian Trail has done these things. I highly recommend that Council take a look at this document that you have adopted. Also on that same evening you adopted to be partners on the Union County emergency management plan. I have not seen anything happen.

- **Shirley Howe, 6205 Clearwater Drive**, I would like to address some comments on the minutes for the Council meeting held on April 26, 2016. For the record, Council and staff held two budget meetings, the first on March 5, which Councilman Daniels left early at noon and the second on April 16th, which was not attended by Councilman Daniels. In the meeting two weeks ago, Councilman Daniels listed under new business reduction of taxes and the cupola on the new Town Hall. The other Council Members reminded him that these items were discussions for the budget meetings. After time Councilman Daniels took offense. Councilman Daniels missed the April budget meeting to attend the Union County Democratic national convention in Monroe as a guest speaker. Statements were made by Councilman Daniels that were inappropriate to Mayor Alvarez. I see these comments as threatening and grandstanding. By not attending the budget meetings Councilman Daniels you are neglecting your responsibilities. I remind you that you ran for office and made commitments to the Town of Indian Trail. Are your actions being used for a higher office? You have been in office for 2 years and had the opportunity to suggest tax reductions especially being part of the Council majority. In my opinion, you wanted to be

removed from the meeting to make the front page of the Charlotte Observer and free exposure at the expense of Indian Trail. Thanks to Lt. Coble for diffusing the situation.

- **Mayor Taylor, Mayor of Matthews** I am impressed with the Miracle League Field, if it is not supported by your Town, we would be interested.

I am here to ask Council to take a step backwards and evaluate some things regarding your participation in the Four Town Alliance, (Matthews, Mint Hill, Stallings and Indian Trail) the Quad. The Quad goes back to 2011-12 when our Mayors and Boards got together to discuss working together. The alliance was awarded a \$25,000 Grant to help set up the foundation and none of our communities individually would have been eligible for this grant. I ask that you hold off to end your participation in the Quad we have conversation; my concern is that as a collective board do not have a full understanding. Indian Trail had been well represented in the alliance up until 2016. Indian Trail had the 2nd highest participation record up until 2016; in 2016, only one meeting was attended. How can you make an informed decision without having the facts and being engaged? If after the meeting, you still make the decision to leave the Quad, you will have at least made an informed decision.

- **Eugene Griggs**, I received a notice from the engineering department about an approved drainage study for Cottage Creek Road. This study will look at the area between the sewage treatment plant and Cottage Creek Road. It has been five years now that I've asked for assistance and now it will take four months to do the study. I cannot tell you how disappointed I am. I was told 4-5 years ago that no one should have to live like this. Take a look at these pictures. It does not take an engineering degree to fix this issue. It takes a backhoe and a concern for the citizens. What does it take for a citizen to get help? I know my neighborhood is not Bonterra but we care for our properties. Would you be celebrating this as a problem solved? I think not.
- **Michael Faulkenberry – 519 Pickett Circle** a written copy of his statements were supplied to the Clerk and are attached hereto and made a part of these official minutes. Congratulations to Lt. Coble for being promoted to Captain.
- **Andrea Matysek 7411 Conifer Circle**. Two years ago I discussed the Miracle League Field for kids with special needs. I come to you tonight because the need is still there. I teach at Sardis. Students throughout the entire county that do not get to play with their peers and enjoy the same sports that their peers do. My son was one of them, being in a wheelchair or with a walker, he cannot participate in outdoor activities because there is not a field or a playground. I don't want to see other kids and adults go through this. I highly urge you all to support the Miracle League. I know how expensive special needs equipment is, if I could find a way on a teacher's salary, I know the Town can do it, if we dig deep enough, we can find the money. It will be greatly appreciated for all children now and coming up through the ages.
- **David Drehs**, And now you understand why I did what I did. Thank you.

6. PUBLIC COMMENTS FOR FY 2016/2017 BUDGET DEVELOPMENT

Jerry Morris, 271 Unionville Indian Trail Road, resident 30 years. I saw in the budget where we are considering giving away \$15,000 to Porter Ridge Athletic Association and Indian Trail Athletic Association. There are a lot of worthy causes in Indian Trail, but when you start arbitrarily deciding which athletic association or underprivileged persons can't afford it, my heart breaks for that, but that is where charity steps in. What do we do when the Boy/Girl Scouts start coming here looking for money to help their organizations? I'm fiscally conservative but I believe in helping people out. Is the athletic association 501(c)? I think that is one of the qualifiers that should be in place. There is a vetting process that needs to happen. Are they a charity or for profit organization. I encourage you not to do this going forward. Thank you.

7. LAW ENFORCEMENT UPDATE

Lt. Coble:

- Handout to Council which shows a dashboard view of this year on the categories reported. Last month there were 105 motor vehicle collisions and 1,083 calls for service. Calls for service are steadily tracking up.
- On the 27th, 5006 Alexis Trail, we had a narcotics search warrant and resulted in arrest of 3 people in the home, two with possession of drug paraphernalia, one with intent to sell marijuana, possession of marijuana, and possession of drug paraphernalia.
- Training: Going through firearms recertification and intox training. All are preparing for active shooter/threat response and investigation training which comes up next month.
- Dual sport utility, moved forward with doing a second unit since it was working so well. Justin Marchon, deputy, is going to school with CMPD on the next bike patrol. Getting some good public comment and response times. Hopefully by summer we will have the training done.

8. DEPARTMENT UPDATES:

a) **Department Head Update: Jim Wojtowicz, Finance Director highlighting the Draft 2016/2017 FY Budget.**

The 2016/2017 budget is out and posted on the Town website and there are a few copies at the library. The tax rate will remain flat at 18.5 cents per \$100 of assessed valuation with no reduction in services. We look forward to working with you on it and Mr. Kaufhold and in and invite you to come in if you want to discuss.

Highlights:

- With Captain Coble's cooperation we were able to stagger the police department, which softened the blow. There will be a new lieutenant starting in Q2 2016.
 - Captain Coble updated that the Grant Specialist will not be looking to approve the grant or many of the new ones that were submitted this year, but instead will focus on investing in the grants that are already out there. Law enforcement will continue to search for avenues for funding to offset costs, Governor's Highway Safety is still a good opportunity invested in our community through the current grant running through the Sheriff's but are not investing in the new grant for a traffic position.
- Debt service capital project fund. Initiated in 2012, the transportation and park fund have been eliminated. 5 cents goes to the fund, projecting \$1.8 million. Debt service is \$1.526 million, which leaves about \$300,000 available for capital projects. There is healthy fund balance since 2012.
- We are looking forward to public hearing on May 24th.
- 2012 Street Bonds: The street and sidewalk bonds and parks streets and thoroughfare are being reviewed today, \$600,000 available in 2012 bond, and \$2,200,000 in 2013 bond, plus \$14 million that was authorized but not yet borrowed. Will be looking at strategy on that \$14 million.

- Monthly dashboard is posted to the website and will be posted every month.
- Upcoming development that will generate additional tax revenues include: Union Prep Academy, Zaxby's Restaurant, Christian Brothers Auto, Caliber Collision and the Shoppes at Hanfield Village.
- Moody's: Indian Trail is AA2, AA2 is second highest rating. Mr. Kaufhold, Mr. Burhans and I will be meeting with Moody's to share the Town's development and future plans. This rating plays a factor in getting the lowest interest rate possible when the Town seeks a loan; it is like a credit rating for local government entities.
- Chart that shows budget to actual, by department. Ensure that there are no surprises.
- Revenues, one shortfall on utility sales tax. One of the corporations was being taxed and shouldn't have been. This was corrected and budgeted accordingly in 2016/17.

Councilman Daniels: Asked Mr. Wojtowicz if he was the budget officer. Per State Statute 159-9 the county or the city manager is the budget officer. Wanted to know who to address his questions to, generally it is the person who prepared the budget or the budget officer. Mayor Alvarez responded that Mr. Wojtowicz is presenting his department update. Mr. Kaufhold will be covering the budget later in the agenda.

Councilman Daniels asked if there was a contract services line item. Mayor Alvarez relayed that Mr. Kaufhold will cover this in his budget presentation.

Councilwoman Stanton: Thank you Mr. Wojtowicz, you have been amazing. Keep up the wonderful job.

Councilman Wireman: I've been attending Council meeting for a few years and it is great to see this amount of information being presented at this meeting that dives down into the actual numbers and shows the residents exactly what we are looking at from a financial perspective. This is great, the monthly chart is great. Thanks for your leadership.

9. CONSENT AGENDA

- a) Approval Budget Amendments #555 - #556
- b) Approval of Month End Tax Report for April 2016
- c) Approval of refund in excess of \$500
- d) Approval of Draft Minutes April 26, 2016 Regular Town Council Meeting

Councilman Daniels: Would like to amend the minutes referenced in item d. Ms. Southward: Towards the end of the NCDOT presentation, when Mr. Cole/NCDOT was speaking, he made a closing remark to Council regarding the noise barrier wall. I would like to capture those comments from Granicus and amend the minutes.

Councilman Daniels has made the motion suspend the rules to remove item 9d and move it the next meeting.

Councilman Wireman made a motion to approve the amended consent agenda. All in favor, approved unanimously.

10. PUBLIC HEARINGS

Action

– *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*

- a) **ZT2016-002 and CPA2016-002: Light Industrial Uses in Village Center Overlays:** Proposed amendment to Unified Development Ordinance Chapters 530 and 630 and Comprehensive Plan Amendment to Chapter 3, to permit light industrial uses within the Village Center Overlay districts. Applicant: Moser Group.

Gretchen Coperine, Senior Planner:

A text amendment is a request to change or add to the text of the UDO, it essentially sets the development standards. It does not approve a site specific project. It is researched by staff and put together by staff, Planning Board hears it and makes a recommendation to Council.

This request was put forward by the Moser Group. The intent is to develop a light industrial park at a future date. This item before you is only to approve the text amendment and not to approve a site specific development.

Staff amended the original proposal and narrowed down the uses. The original proposal was a broad proposal. After Planning Board looked it at, this is a village specific amendment recommended by Planning Board. It does not approve any specific project it only requests a Text Amendment.

Staff level, are light industrial appropriate in village overlays. Yes, some uses are. The appropriate uses are those that less intense in nature and those that integrate within commercial and residential often found in the village center overlays. Examples of appropriate uses: office and associated, manufacturing and production, warehousing and wholesale. Examples of inappropriate uses: vehicle storage and towing, RV and boat storage.

Snapshot of uses and the process that would be allocated in order to allow:

- By Right, light industrial zoning, your use is allowed, you do have to come to town council and planning board. Manufacturing and limited industrial, office and machine repair. Inclusive list is in the backup.
- Special use permit, go through Board of adjustments. Examples of uses are Construction, sales services, vehicle sales, and major utilities.
- Any use that may need additional scrutiny, typically through conditional zoning. Additional landscaping and separation requirements for manufacturing and production uses.

Any future project unless it is light industrial within Old Hickory or Old Monroe Village must go through re-zoning. Any new light industrial zoning designation would have to come before planning board and town council in order to receive rezoning.

Following two areas have current light industrial land: Old Monroe Village Center or Old Hickory Village Center. This Amendment creates an exemption where those uses are grandfathered in.

Any uses with manufacturing producti0o or wholesale: Staff added language that there must be a minimum of 250 feet, can be lesser or greater depending on specific site and plans that come forth. Town Council would make determination at that time.

Outdoor storage: Additional landscaping requirements, screening from right of way and any residential area.

Radiator Specialty: the intent of the applicant is to develop a light industrial in the area before Radiator Specialty.

Sun Valley Village map shown where the subject area is located (map is attached hereto and made a part of these official minutes).

When preparing language, the Staff looked at it from a view of what they did not want to happen. An example of that was shown where a Charlotte neighborhood with residential and light industrial with no buffer between them. The additional standards are intended to avoid this type of scenario. Old Hickory Business Park is an example of a preferred development

CPA2016-002 Updates the comprehensive plan, the language states that areas that would be appropriate for light industrial would be determined at conditional zone stage.

The Planning Board heard this item at the April 19th meeting. They had general concerns about limiting the light industrial uses permitted to specific villages (Sun Valley, Old Monroe Village, and Old Hickory Villages) and not town-wide. They had additional concerns about noise, and access from light industrial through the neighborhoods. Staff added language to address noise concerns (any mechanical equipment must be in an enclosed structure, noise dampening equipment) and street access, there will be no access from light industrial using a residential street or drive serving a residential community.

Board voted unanimously to approve the Text Amendment with these modifications.

The following consistency statements were found:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:
 - **Land Use and Housing Goals #1, 4 and 5:** The proposed amendment is consistent with the Comprehensive Plan because it will enable diverse uses, and avoid potential land use incompatibilities, promote sustainable development through the use of smart growth principles and encourage high quality design.
 - **Economic Development Goals#1:** The propose amendment creates the opportunity for a balanced tax base by allowing the development of industrial within the village enter overlay district and by supporting varied employment opportunities.
2. This UDO ordinance amendment is in the best interest of the public because it seeks to concentrate more intense development within the village centers and protect the low density single-family areas as envisioned in the comprehensive plan.

Town Council Action: Ask Council to receive information in the public comments, make a motion to adopt resolution approving amendment 2016-002, and make two motions with regards to Text

Amendment to approve required consistency findings and make a final decision to approve, approve as modified by Council or disapprove the amendment.

Applicant is in audience to answer questions.

Councilman Wireman: Asked to see Sun Valley Overlay again. I attended the Planning board meeting and they did an excellent job. In the Sun Valley area, it is highly residential. This is really the targeting the Radiator Specialty Drive? What other areas would be impacted. The mixed use by Sun Valley High School, would that be a target as well? I'm just looking at the vacant property. Light industrial brings heavy traffic in a residential area. Also concerned with the impact on property values perspective, what would be the impact? I like doing something at Radiator Drive. But there is lot of sensitivity around the Sun Valley area.

Ms. Coperine: There are not many in that area that are undeveloped so it would be limited. If the Text Amendment is approved, it would apply to any land in Sun Valley, Old Monroe and Old Hickory. From a size perspective, the land by Sun Valley High School would probably not be big enough for an industrial park and would not be an appropriate area. I would have to get back to you on land value. Generally vacant land is less valuable than developed.

Councilman Daniels: I agree with Councilman Wireman. I would like to see what land is available in Sun Valley area that might be impacted. Sun Valley is residential and I am always concerned about land value.

Councilwoman Stanton: On the mixed use next to Sun Valley, isn't that where the Publix is going to go? Ms. Coperine identified the area on the presentation.

Ms. Coperine: The land is not zoned light industrial on that location so it would have to come through Planning Board. The applicant can discuss what the driver is but from an access point I don't think that would be appropriate for light industrial.

Councilman Savoie: Agree and concur with everyone, no one will build homes there and it would be the best use for Radiator Specialty is light industrial. I have reservations about the mixed use.

Councilman Wireman: Is it were possible to limit the scope to the site specific Radiator Drive area, leave Old Hickory and Old Monroe as light industrial as recommended by Planning Board. There is concern with the Sun Valley area. I heard Mr. Moser speak and I think the idea he had was a good one.

A: Mr. Burhans: Yes, we could come up with a narrow text amendment to alleviate concerns regarding Sun Valley Overlay. Please note that there are areas on that map that theoretically speaking are eligible for light industrial, but the benefit is there is nothing zoned light industrial in the Sun Valley area. From a planning perspective, there is no light industrial zoning within the Sun Valley that would at some point end up in front of Council. So site specific questions would have to be answered to Council's satisfaction before the zoning could be placed on that property and something could be built.

PUBLIC COMMENTS:

Jerry Morris, 271 Unionville Indian Trail Road. Regarding change to UDO and comprehensive plan. I would think that this is a good starting point for this discussion. Part of my concern is that right now it is restricted to 3 village centers. We have some existing light industrial that isn't being utilized so I don't think there is a real need to rush into this. I think the residents need to have some input on the plans. I like some things I heard about limiting site specific ideas. That is reassuring and tells me that you want the input of residents and businesses. I've lived here a while and am aware of

Monroe Road's light industrial eyesore. What if someone goes in and wants to purchase, do they need to update it to new UDO plan? I believe the end goal is mixed use. From my understanding of mixed use you can have 3-story buildings, one floor commercial, two floors for residential. Still creates traffic concerns. Last comment is that we have Two Council Members that were financially backed by employees of the Moser Group and they should recuse themselves from the vote because of a conflict of interest.

John Ross, Eagle Engineering, Indian Trail

Speaking on behalf of the petitioner; the petitioner is also in attendance. The request before council is for an amendment through which a project may be proposed, like Radiator Road. Any proposed development would still be subject to zoning process. The petitioner is in agreement with the changes. Mr. Chris Plate noticed several instances where startup business had no place to go, not enough light industrial in the area. The Text Amendment will allow town to receive for the areas.

Address a few questions that have come up. The specific site that the petitioner has in mind was identified. Grateful for Ms. Coperine's work and that the Planning Board supported.

Dennis Moser, The Moser Group, 231 Post Office Drive, Indian Trail.

I have the same questions as Council as to why we have to go through this text amendment process, no one else wants to put light industrial in Sun Valley corridor. The only place it is appropriate is the 47 acre site on Radiator Drive is all that was asked for, with the specific tax ID#. We have a potential client in Indian Trail that is in 3 buildings, they are looking at a portion of this site but are also looking at Monroe and Fort Mill. We have spent 120-180 days to get a text amendment and next step will be to come back before Council for the rezoning. I have already asked for an extension from the client; I'm not sure the client will approve the extension so this may have all been a waste. I'm on the front line, there is a huge deficiency and lack of sites to put these light industrial facilities. I'm asking that tonight, Council please move forward and recommend the text amendment specifying the 47 acres I asked for so that I can come back immediately on the rezoning issue. It is going to be a high quality industrial park and will keep the jobs here.

Councilman Wireman: Mr. Burhans can we make a motion to approve with just the Tax ID for the specific lot? Mr. Moser, I appreciate that you said you are just looking for 47 acres. Mr. Merritt opined can you limit it to the Radiator area can update it but a Text amendment for a specific parcel. Ms. Coperine suggested limiting acreage size.

Councilman Daniels: Mr. Moser if we went ahead and did an umbrella approval, if the perception gets out that Sun Valley is zoned light industrial that alone could hurt property values. That is what we are trying to avoid.

Mr. Moser said that creating jobs in the Sun Valley neighborhood, limits traffic.

Mr. Merritt relayed that he and Mr. Burhans discussed it and it would be a simple change to amend the suggested ordinance to added "secondary overlay" in front of Sun Valley, limits it to the smaller circle and eliminates the larger overlay circle.

Councilman Wireman made the motion to adopt the resolution approving amendment 2016-002. The motion passed unanimously.

Councilman Daniels made the motion to approve the required consistency findings as read into the record by Staff. Motion approved unanimously.

Councilman Wireman made the motion to recommend approval of ZT2016-002 with the modification to Section 630.050B to include the word 'secondary overlay' prior to Sun Valley Village Center. Motion approved unanimously.

Mr. Burhans wanted to clarify regarding some comments made about process. The amendment was a town-wide amendment and the planning board refined the proposed amendment submitted by the applicant. The application was submitted February 22, it hasn't taken 180 days. A text amendment to the UDO has the same process for every proposed amendment; even if the Town is the applicant.

11. OLD BUSINESS ITEMS

- a) **Schedule a Special Town Council Meeting for Monday, May 23, 2016 6:30 PM to 8:30 PM at South Piedmont Community College (SPCC)—Salon B located at 4209 Old Charlotte Highway, Monroe, NC 28110. The purpose for the Special Meeting is to hold a community meeting to receive input from residents and members of the business community regarding a proposed Unified Development Ordinance text Amendment to permit hotel/motel uses in the Sun Valley area.**

Mr. Burhans:

During the April 12 2016 Public Hearing for the UDO text amendment regarding hotels/motels as a permitted use in the General Business District/Village Overlay, Council directed staff to schedule a community meeting to provide additional information to and receive input from residents and the business community. Staff has sent a map out with boundaries; 2,377 notices will be mailed out. Due to the potential size of attendance, there were no available locations in which to hold the meeting in Indian Trail, the High School auditorium was booked. The above location was chosen in Monroe.

Ms. Southward's desire was to have this item added to the agenda in order to address Council's attendance at the meeting.

Councilman Wireman – Mr. Burhans, I appreciate you working diligently to get this meeting scheduled earlier than the June 1st date and to move up the time line.

Mayor Alvarez – Is this a Special Meeting?

Mr. Merritt – If you don't have a quorum of the council show up and it is a Special Meeting, it would have to be cancelled. So 3 of you would have to commit to being at the meeting. You could also do it as a meeting, but not be involved in the discussion. There are no formal minutes required for the meeting.

Councilman Wireman commented that the questions and comments should be captured, but Council is not planning to engage in any conversation or make a decision.

Mr. Burhans: Staff's understanding is that this is a community meeting which is facilitated by the applicant. The burden is on the applicant. Staff is there to answer process and UDO technical questions, but it is the applicant's meeting to share information. Council agreed with Mr. Burhans understanding.

Per Mayor Alvarez, it will be a community meeting but there is a possibility of a Council quorum in attendance. No action necessary; the Clerk will send out notice that a quorum of Council may attend the community meeting.

12. NEW BUSINESS ITEMS

a) Council consideration of awarding a contract for annual auditing services.

Jim Wojtowicz: We sent an RFP for annual auditing services and had six respondents, from which we narrowed it down to three. Staff interviewed three of those companies and was impressed with all three bidding companies. Potter and Company is being recommended based on their location and experience with municipalities. Mr. Kaufhold reviewed and agrees with the recommendation.

Councilwoman Stanton relayed that she thought the Town had used Potter and Company in the past. Council called up former Mayor Pro Tem Shirley Howe to get relevant information. Mrs. Howe said that the Town used Potter & Co and when they had a problem with the "Munn situation" Potter's response was that they did a light evaluation during the audit and they took no responsibility. Council can check the records in 2004-2005 for more information.

Councilman Daniels asked if the bidding companies were coming to Council. Mr. Kaufhold told Council that all bids are included in Council's packet for review.

Mr. Kaufhold told Council that all six bids are included in Council's packet for review. Councilman Savoie asked for a scorecard. Mr. Wojtowicz said he could prepare it and would look into the history also. Councilman Daniels asked for references, Mr. Wojtowicz said they have already done reference checks and he would add it to the scorecard.

Councilman Wireman asked if there were time constraints. Mr. Wojtowicz said there was time to consider the bids again.

Councilman Savoie says that staff should also be considered since it may have changed since 2004-2005.

Councilman Wireman made a motion to table this matter to request more information about all three companies that submitted information. Motion was approved unanimously. Mr. Wojtowicz said he and his staff would prepare a rating card for the three top companies.

b) Council consideration to exit from the Quad Alliance (Councilman Wireman)

There were some comments made and comments in different forms of media that may or may not be entirely accurate, and it is unfortunate we continue to have to deal with that. During the last budget workshop, it was decided that the Town was going to move in a different direction in regards to economic development. Chris Plate with Union County Monroe Economic Development came in and gave an excellent presentation. Indian Trail has been focused on community development, dropped 2% in business class and increased 2% in residential resulting in a net net loss of 4% in the business sector.

I remember when the Quad Alliance was originally and heavily discussed. I appreciate Mayor Taylor coming over and giving a presentation, but it's the first time we've seen someone from the Quad Alliance other than the representatives that come to Council to talk about the Quad Alliance. The Quad Alliance has not identified its own purpose. Indian Trail knows that we want to focus on economic development. Tonight was a perfect example, we need light industrial in this Town, let's work with the applicant to do it. There has been no benefit to Indian Trail being in the Quad Alliance. Mr. Kaufhold has done a wonderful job of building the relationships, opened a tremendous number of doors since December 8th, from County to State. It speaks to what the Council is doing. I spoke with Mr. Kaufhold and he had some concerns with the staff's time spent contributing to Quad Allowance, four staff members are assigned to positions on Quad Alliance. Even if they spent 1-2 hours a week, their workweek just went down to 32 hours. That reduces the time they can commit to Indian Trail.

Councilman Daniels: Asked Council to reconsider and meet with the Mayor of Matthews and at least find out what the Quad can offer to Indian Trail. The organization has only been in existence for a year, they are growing.

With the Monroe Union the only person that can terminate Mr. Plate' is the Monroe City Manager so we lose control. The Monroe Union was funded by the County with \$400,000. Indian Trail has to give them \$275,000? With the Quad, everything is equal. The personnel portion of the Quad is all volunteer; so a lot of people come on their lunch hour so it is not work time. Councilman Daniels asked that Council give the Quad a chance, and to consider having Indian Trail be active in both the Quad and Union. And if you are going with Monroe Union what are we really getting? Councilman Daniels said the tax base has been broken apart, they used to lump commercial, residential and commercial with utilities so it is not a fair comparison. Think of what is best for Indian Trail.

Councilman Daniels repeated his question about the \$275,000 and Councilman Wireman respectfully called point of order. The \$275,000 was discussed during the budget meeting, the topic is the Quad Alliance and that is outside the topic. Mayor Alvarez added that anything outside considering exiting the Quad is inappropriate.

Councilman Savoie: Mr. Plate' made a recommendation and we should invite the Quad over here and listen to their presentation so it can go on record and the Public can hear it.

Councilwoman Stanton: I believe the Quad has been asked to make a presentation in the past (Councilman Wireman agreed). My concern is for our employees, they should be here worried about their own work and not being pushed somewhere else. There are smiles on their faces and I want to keep that for them. Councilman Wireman and Mr. Kaufhold have both been to meetings and said that it is not what Indian Trail needs. Council puts Indian Trail first, the residents of Indian Trail and the Town employees; that is why this topic is on the agenda.

Councilman Wireman: The Quad Alliance was formed in 2011-2012, they became active in 2013. I reviewed their meeting minutes, there were no presentation by the Quad. To ask the Town to wait another year, we've already waited 3 years. There are cross-county planning and zoning requirements, different tax bases and perspectives. At end of the day, Indian Trail is moving in a different direction. I think it is a distraction to Staff and it does not benefit Indian Trail or its residents. Indian Trail is focusing on economic development.

Councilman Wireman made the motion for Council to exit the Quad Alliance.

Mayor Taylor of Matthews asked to address Council. Mayor Alvarez denied request due to motion already on the table and called a point of order as Mayor Taylor was attempting to convey his position.

Council Members Wireman and Stanton voted to exit the Quad; Council Members Savoie and Daniels voted not to exit the Quad. The vote resulted in a tie. Mayor Alvarez broke the tie by voting in favor of exiting the Quad. Councilman Wireman's motion passed by a vote of three (3) to two (2).

- c) **Council consideration of the Town funding \$5,000 to the Council on Aging in Union County for the Fiscal Year 2016-17 budget. This organization provides needed services for senior citizens in the Town of Indian Trail (Councilman Daniels)**

The item was moved to Presentations item c during Agenda Additions and Deletions.

- d) **Council consideration of the Town budgeting \$15,000 in Fiscal Year 2016-17 budget for each of the Indian Trail Athletic Association and the Porter Ridge Athletic Association for a total of \$30,000. These funds shall be used for only Indian Trail residents who have financial need, determined by associations, for membership fees and athletic equipment for those in need (Councilman Daniels)**

Councilman Daniels – The Indian Trail Athletic Association and the Porter Ridge Athletic Association both provide critical help for the children of Indian Trail. I believe these funds should assist families who have difficulty paying the cost for membership into these organizations and for these associations to purchase athletic equipment for residents with financial need.

Mayor Alvarez asked Councilman Daniels if he had spoken with the two Associations? Councilman Daniels said he spoke to Marcus McIntyre, Executive Director. Mayor Alvarez said he was not aware of the association ever turning away a child in financial need, they have money available for this particular item. You might want to turn it back to the associations to see what they need. Councilman Daniels did not indicate there was enough money; he was not able to talk with ITAA. Mayor Alvarez asked first, is this a non-profit? The request should be made by the organization themselves. Mayor Alvarez feels that this put them in the middle of a political mix since neither had asked for the money. I would make a suggestion to Council to table this and to let ITAA and Porter Ridge come to the Council if they see fit.

Councilman Wireman, spoke with Marcus and Joe (Presidents of Porter Ridge and ITAA). Councilman Wireman said they were both surprised by the agenda item. While they both said that they appreciated the attention, they worry since they are nonprofit organizations that it could be construed as being politically influenced and could have potential ramifications because they did not come to Council and ask for it. I asked them what their concerns were at this time: Porter Ridge is concerned with having fields for use, they were promised use and it was put aside. ITAA's biggest needs are the lighting situation and paving of the parking lot. I agree we need to table this and ask the particular organizations if they want to come in to Council and we could appropriately look at the situation. I understand the heart behind it.

Councilman Daniels made a motion to table the topic to the first meeting in June pending the organizations schedules. Motion was approved unanimously. Councilman Daniels said that he would reach out to the organizations.

- e) **Council consideration of the Town funding in the Fiscal Year 2016-17 budget the installation of stoplights at the intersections of Wesley Chapel-Stouts and Taylor Glen's neighborhood entrance and on Poplin Road at the Bonterra neighborhood entrance. These are historically dangerous intersections and the Council should be proactive in addressing these issues. I have heard a number of complaints about these intersections. (Councilman Daniels)**

Councilman Daniels proposed that the Town fund the installation of stoplights at above intersections due to resident concerns with safety. Having a stoplight will save lives. You cannot see traffic from the left or right due to hill and curve.

Councilman Savoie - I would need more information. I think NCDOT studied the areas; Mr. Kaufhold confirmed that the NCDOT had done studies on both locations. He also relayed that Taylor Glen's HOA is working to fix entrance issues and there are lighting improvements planned. Councilman Savoie asked for more information on stoplights and costs and NCDOT study. I would like to see more due diligence done.

Councilwoman Stanton - Spoke with NCDOT and got a copy of the studies for both locations. In January we spoke when Taylor Glen's HOA came in to speak with Council and we discussed them moving the fence back and removing trees. They were planning to move on those items. Once that is done, the lighting is going in now, once Taylor Glen's HOA moves, it will be a whole new area. Also spoke with Taylor Glen's homeowners and they think a traffic light would give a false sense of security to young drivers.

On Poplin, most congestion is during school hours. The DOT has changed the right of way so during school hours, they can only turn right. Traffic will go to roundabout to return, the DOT believes that will take care of traffic calming.

Councilman Wireman – Captain Coble, we went to a heated meeting at Bonterra on this topic and NCDOT reps were there. There have been traffic improvements made.

Captain Coble added that the roundabout is a little down the road, and it was the fix that the group came up with. Peak time it was a problem, rest of the day it was not. DOT was not willing to move on that. In his opinion he has concerns that traffic will not use it and turnaround in the neighborhoods. Coble is more concerned with roundabout, the congestion at Poplin was more a nuisance, than a high crash area. Sometimes the crash data doesn't support the request for traffic light.

Captain Coble: There is a process and goal in place for these neighborhoods, as far as the next step.

Mr. Kaufhold: Cost estimates would be \$150,000 for two traffic signals. They are state maintained roads and it would still require State's approval regardless of who pays and NCDOT says neither intersection meets a warrant for a traffic signal. From the information we have received it doesn't appear the DOT would do it until it meets the warrant.

Mayor Alvarez: He had requested that of Raleigh in regards to Poplin and NCDOT said that even if the Town would pay the answer would be no.

No action on this agenda item.

13. DISCUSSION ITEMS: none

14. UPDATES

- a) Manager's Update: Scott Kaufhold, Town Manager
- Roger's Road project is underway, put down 300' of sidewalk today.
 - Taylor Glen traffic calming has begun -- 13 speed tables to be installed. Once it is completed, data will be measured, they will measure the data in six months. Re-surfacing project will begin shortly. Councilwoman Stanton said the residents are ecstatic. They have been waiting years for it.
 - Engineering and Public Works - advertising and interviewing for the position.

15. COUNCIL COMMENTS

Councilman Daniels – comments made by a resident that said two of the council members had received money from the developers. It's a shame when rumors that get out there are untrue. Go to my financial statements and see it is not true. The second resident said I was grandstanding; I have been the only Councilmember that has been threatened to be thrown out of a meeting. Before I decided to further my political expectations. Grandstanding is not in my nature. I care about people and Indian Trail, not personal. I live here also. Thanks for coming and get home safely.

Councilman Wireman – I want to thank Council. The meeting tonight exemplifies what we are trying to do, good points and counterpoints. Staff and Mr. Burhans and Ms. Coperine, thank you. Residents thanks for the support and for asking for clarification on information they may see on social media. Amy thanks for the traffic study and information. Thanks to the law enforcement folks.

Mayor Alvarez, I appreciate your heart. Mr. Kaufhold, is it possible to clarify for Mr. Griggs to see if there is anything we can do to expedite. Whatever the process is we need to clarify it. Mr. Kaufhold responded that the key point is there is a physical survey, and it does take an engineering degree to get options. Thank you for town staff to making the park available on the national day of prayer on May 5th. It was overwhelming and humbling. Tomorrow is graduation day for SPCC. The Artists Music Guild held its first Carolina Voice competition. Mayor Kigore and I were humbled to be judges. Sam Cox with Indian Trail won the scholarship. He had a lot of talent. Thank you to Council for promoting arts in the schools. Reminder to everyone about Peace Officers Memorial Day and National Police Appreciation Week, if you see a law enforcement person, and if you have the funds available, offer to buy them lunch, coffee and show them the appreciation they deserve.

Councilwoman Stanton – It is an honor sitting up here with Council and getting things done for the residents. Like Councilman Wireman said, if you have questions about what you see in the media, let us know. We are here for you guys, we are human, and we're trying to do our best. Everyone is available to answer questions, call email, we're here for you. Staff, thanks I truly believe we have the best staff ever. Ms. Coperine I know we ask a lot of questions, I'm learning, so that's the reason I'm asking. Ms. Southward, good to see a big smile on your face again. Mr. Kaufhold, thank you for everything. Hope all mothers had a wonderful mother's day. Thanks Captain Coble, Council, residents and staff.

Councilman Savoie – Thanks for all residents for coming out tonight. Ms. Coperine and Mr. Wojtowicz, great presentations. Thank you to staff. Thanks to Captain Coble. Have a good evening.

16. CLOSED SESSION

Councilman Wireman moved that Council enter Closed Session at this time pursuant to N.C.G.S. 143-318.11(a)(3) to consult with the Town Attorney to protect the attorney-client privilege; and pursuant to N.C.G.S. 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;

Upon returning from Closed Session, Councilman Wireman moved that Council enter Regular Session and the motion carried unanimously.

17. POSSIBLE ACTION FOLLOWING CLOSED SESSION

Councilman Daniels made a motion to suspend the rules to add approval of Town Manager Contract.

Councilman Daniels made the motion to approve the Town Manager's Contract with Mr. Kaufhold, as reviewed in Closed Session. Motion approved unanimously.

18. ADJOURN

Councilman Savoie made the motion to adjourn. Motion approved unanimously.

(SEAL)



[Signature]

Michael L. Alvarez, Mayor

Attest:

[Signature]

Kelley Southward, Town Clerk