



Town of Indian Trail
Minutes of Town Council
April 24, 2012
Civic Building
6:30 P.M.

The following members of the governing body were present:

Mayor: Michael L. Alvarez

Council Members: Robert Allen, David Cohn, Christopher King, Darlene Luther, and David Waddell.

Staff Members: Town Manager Joe Fivas, Town Clerk Peggy Piontek, Town Attorney Keith Merritt, Planning Director Shelley DeHart, Finance Director Marsha Sutton, Town Engineer Scott Kaufhold, Tax Collector Janice Cook, and Human Resources Miriam Lowery.

CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Alvarez called the meeting to order and lead in the Pledge of Allegiance.

ADDITIONS AND DELETIONS

David Waddell made a motion to approve adding setting up an organizational meeting for Public Safety Committee as item 8a.

Ms. Luther advised that an email went out this afternoon asking the appointees to provide a convenient day for them to meet.

As a result of this information Mr. Waddell retracted his motion.

MOTION TO APPROVE AGENDA

Christopher King made a motion to approve the agenda.
Council voted unanimously in favor of the motion.

PRESENTATIONS

a. **Arbor Day Proclamation**

Mayor Alvarez read the Proclamation.

PUBLIC COMMENTS

Mr. Jonathan Baer, 5517 Rogers Road, Indian Trail stood silently for the 3 minute period.

Michael Faulkenberry, 519 Pickett Circle, Indian Trail, NC advised that a child put his hand through his fence and referred to the leash law being considered. He suggested that the children be taught that every dog can be mean.

Art Spurr, 4100 Wood Creek Court, Indian Trail, NC advised that the website needs to be updated. He referred to items that should not be on the website. He advised that his point is if you want people in IT to support the town and be active in the committees the website be revisited. The website is also a source of information for new businesses and residents as well.

Mr. Fivas informed the audience that staff has recently updated the website and suggested clicking on the refresh button will provide you with the up to date information.

CONSENT AGENDA

- a. Approval of April 10, 2012 minutes
- b. Approval of Rural Center Grant Agreement (**COPY ATTACHED HERETO AND MADE A PART OF THE RECORD**)

Robert Allen made a motion to approve the Consent Agenda.
Council voted unanimously in favor of the motion.

PUBLIC HEARINGS

None

BUSINESS ITEMS

None

DISCUSSION ITEMS

- a. **Discussion of Bond Referendum process.**

Mr. Fivas explained that the Council has been presented with the schedule for General Obligation Bond Referendum and the process can start no later than May 22nd. He explained that staff needs to get a consensus on doing a bond, come up with a bond question including amount to be taken to the voters. All of the items on the schedule must be hit on those dates for it to be a legal process. May 22nd is a drop dead date but staff would like to start the process earlier.

Mr. Fivas advised that staff had the Bond Counsel put together three questions pertaining to Parks and Recreation Bond. The first one is very general and can be applied more easily. The second question is more specific and the third question provides more certainty where the projects are going to be.

By consensus Council agreed on the third question. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Mr. Fivas advised there may be some legal questions, with very clear direction if we have concerns we will come back to you. We need ownership and a legal description of a second piece of property if that should come forth.

Mr. Fivas presented some amount options; he referred to the issues of the last referendum. He advised that the following figures with reference to the cost to the homeowners are approximate and an average.

A \$5,500,000 referendum would cost about an average over a 20 year period is 1.4 cents - he explained the process of bonds pertaining to selling and the decrease of funds. This size bond would cost a resident owning a \$150,000 household approximately \$21 per year, or \$1.75 monthly

A \$6,500,000 referendum would cost approximately an average of 1.58 cents, this size bond would cost a resident owning a \$150,000 household \$23.70 per year, or \$1.97 monthly

A \$7,500,000 referendum would cost approximately an average of 1.76 cents, this size bond would cost a resident owning a \$150,000 household \$26.40 per year, or \$2.20 monthly.

A \$8,500,000 referendum would cost approximately an average of 1.94 cents, this size bond would cost a resident owning a \$150,000 household \$29.14 per year, or \$2.43 monthly.

Mr. Fivas reminded Council that all of these figures are based on a \$150,000 household.

Council had a lengthy discussion about the matter, topics included: hiring a park consultant to design the facilities, asking for the higher bond amount, do it right the first time, Indian Trail's current debt, ensuring that the public is well informed, taxes will not increase until bonds are sold. Mr. Fivas clarified that a majority of the Council are looking at presenting a referendum for \$8,500,000 and asked if they wanted another amount or stay there. By consensus Council choose to present a referendum for at least \$8,500,000.

b. Discussion regarding the Sign Ordinance

Mr. Waddell explained that he received a lot of feedback from citizens during his campaign about the sign ordinance. He believes there has been a loosening of regulations on the ordinance and feels there is more that can be done. He would like to see the Business Owners Advisory Committee get up and running and have a broad business owners survey conducted.

Mr. King agreed with Mr. Waddell. Ms. Luther agreed as well and once we are done with the budget we should get the committee up and running to get a good overall view of what we need to do for the businesses.

Mr. Fivas advised that the sign ordinance has been amended several times in the last couple of years, it's a revolving ordinance, it's in the UDO and must go thru the Planning Board to be amended. He then explained that last year the Council formed an adhoc committee as a result of architectural disagreements on homes. He explained the committee, its task and that it was a huge success. Mr. Fivas expressed concern of starting it immediately providing a list of current projects that staff is working on. Mr. Fivas feels this type of project should be started in the summer to enable the staff to complete their current projects. Mr. Fivas invited Mr. Waddell to work with staff on coming up with the framework to make it successful.

MANAGERS REPORT

Mr. Fivas informed everyone how successful the Earth Day event was last week. Mr. Fivas reminded everyone that Saturday is our clean up day which will be held in the Food Lion parking lot on Highway 74, from 9am -12 pm, advising we need volunteers.

COUNCIL COMMENTS

Mr. Cohn advised he will be there Saturday at 9 am. Mr. Cohn asked anyone in the Town that wants to discuss parks please call him; he'd like to know how you feel. Mr. Cohn thanked Samantha Towns who sent something to him in regards to the Public Safety Committee stating that its people like you who take the time to think about the Town. Mr. Cohn also thanked Shirley Howe for her assistance and encouraged all citizens to please talk to him about their thoughts or concerns.

Mr. King thanked everyone for coming out tonight and appreciates the new deputy sitting at the door. Mr. King followed what Mr. Cohn said; feel free to reach out to him about the park.

Mr. Waddell had no comments.

Mr. Allen stated to be sure to get out there this Saturday. He advised that parks are an investment, all of us want to create an atmosphere to promote employment, and amenities are a draw for corporations.

Mr. Luther stated that last year trash day was a lot of fun. Mr. Luther advised that she just read an Enquirer Journal article that was talking about the possibility of the County Commissioners phasing out the Partnership for Progress. She believes that this matter is something that Indian Trail should have a say in.

Mayor Alvarez thanked staff for their hard work on the Mayor's Tree Initiative Program with the school children, it was a lot of fun. Mayor Alvarez has received feedback that all the schools enjoyed it, we should continue to work with the children as they are our future. Mayor Alvarez thanked Mr. and Mrs. Jacobson for coming out and helping with it. Mayor Alvarez stated that the two of them are amazing within a community, showing up for the good and the bad, he admires them for it and he thanked everyone for coming out.

CLOSED SESSION

David Cohn made a motion to enter closed session NCGS 143-318.11(a)(3) - to protect the attorney client privilege.

NCGS 143-318.11(a)(5) - to establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property located at Oakwood Lane.

NCGS 143-318.11(a)(6) To consider the qualifications, competence, performance, condition and appointment of a public officer or employee or prospective public officer or employee. To hear or investigate a complaint, charge or grievance by or against a public officer or employee.

NCGS 143-318.11(a)(7) to plan, conduct or hear reports concerning investigations of alleged criminal conduct.

Council voted unanimously in favor of the motion.

Robert Allen made a motion to approve coming out of Closed Session.

Council voted unanimously in favor of the motion.

Robert Allen made a motion to approve suspending the rules to discuss a possible property purchase of 145 acres located at Oakwood Lane.

Motion Passed 4 - 1 with David Waddell opposing.

Mr. Fivas clarified for the public that the Town entered into a purchase agreement with the potential to purchase 145 acres, after a due diligence process to determine all the aspects of the property. Mr. Fivas stated that we will probably continue to discuss the issue, do our due diligence and make sure we know everything about the property before the sale is finalized at a later date.

Christopher King made a motion to approve authorizing the Town Manager to enter into a contract agreement with Tyson Center LLC, Tyson realty and 3 Star Investors in the amount of 1,250,000.

Motion Passed 4 - 1 with David Waddell opposing. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE MINUTES)**

ADJOURN

Christopher King made a motion to adjourn
Motion Passed 4 - 1 with David Waddell opposing.

APPROVED:

Michael L. Alvarez , Mayor

Attest:

Peggy Piontek, Town Clerk