



Town of Indian Trail
Minutes of Town Council
February 28, 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 introduced Peyton Mills with Girl Scout Troop 48 to lead the Pledge of Allegiance. Mayor Alvarez also announced the celebration of Town of Indian Trail's 105th birthday to be held in Crossing Paths Park on March 6 from 5-6 pm; in case of adverse weather it will be held at the Civic Building. He also announced that Mr. King will be late.

ADDITIONS AND DELETIONS

There were no additions or deletions.

MOTION TO APPROVE AGENDA

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

PRESENTATIONS

a. Proclamation for Girl Scout Appreciation Month

Mayor Alvarez read and presented the Certificate of Recognition to the Girl Scouts.

Council took and returned from a brief recess.

b. Update from Indian Trail Arts & Historical Society

David Collins provided the background and facts of the Indian Trail Arts and Historical Society. He went on to explain projects that have been accomplished and projects planned for the future by the Society, such as a Walk Through History in Crossing Paths Park using plaques placed throughout the park to represent a timeline of the development of the Town. Mr. Collins briefly outlined some of the goals of the Society in working with local schools to enhance students' education of the Town's history. Mr. Collins requested a donation of a log cabin or help in identifying someone in the community who may donate a log cabin. Donations of artifacts are requested so they can create a village and museum as a cultural attraction as well as archive Indian Trail's history. The Society is requesting financial contribution from the Town and volunteers and membership support from the community. Mr. Cohn and Ms. Luther complimented the Society for their beneficial historical research.

Council Member King entered the meeting during the presentation.

c. Indian Trail Elementary School

Ms. Chisum, a fifth grade teacher at Indian Trail Elementary School, asked for Council support in assisting with the purchase 25 Dell Notebooks for use in their classroom. Several students from her class briefly explained the benefits of the use of these notebooks would have for them. Council Members complimented the students on their presentations.

d. Union West Rotary

Chad Hannon, President of the Union West Rotary provided those present with information on the club and gave a brief overview of the projects they participate in within the county, regionally, as well as international projects. He requested that the Town support their organization by permitting them to utilize the Town banner display sites, providing a link to the Rotary website on the Town's facebook page for their annual John Munn Classic Golf Tournament, and allow them to leave tournament brochures in the Civic Building. All proceeds from this fundraiser stay within the community.

Darlene Luther made a motion to discuss putting the banners up.

Mr. Fivas asked what dates the Rotary would want to use the banner sites. Mr. Hannon stated they would like to use from the end of March until the tournament date, April 30th. Mr. Fivas explained that since the Rotary does not need an answer tonight, Council will discuss later.

Ms. Luther withdrew her motion.

PUBLIC COMMENTS

Gail Mecurio, 3411 Brooktree Lane, Indian Trail, President of Brookstone HOA, advised that Brookstone will be 20 years old; their streets are in disrepair with little or no assistance from NCDOT. She referred to Powell Bill funding, and has requested that the Town use those funds to repave the streets in her subdivision.

Jonathan Baer, 5517 Rogers Road, informed the Council of the dire condition of our Nation and Union County, advising that a precautionary step would be to support the Sheriff's Department. Long term extension of their contract would assist in preserving the freedoms we enjoy. They are sworn to protect the citizens of the town as their first duty.

Dr. Sonny Gotro, 13803 Indian Blvd., a local business owner, advised that he is here to support the Indian Trail Business Association. He provided some background on himself; he feels the media has not been fair or justified in their report on ITBA. He feels that keeping open communication between the businesses and the Town is beneficial; the business owners feel they can have an avenue to voice their concerns.

David Waddell, 2101 Waxhaw Indian Trail Road, referred to Thomas Jefferson's inaugural address. He encouraged Council to reflect and ask themselves where does Law Enforcement/public safety fall.

Mr. Fivas informed the Brookstone residents that staff would be in contact with them to address their concerns regarding the streets.

CONSENT AGENDA

- a. Approval of February 14, 2012 minutes
- b. Tax refunds over \$500
- c. Resolution directing the Clerk to Investigate the Sufficiency of the Petition for Annexation #130 Brandon Oaks Subdivision. **(Copy attached hereto and made a part of these minutes)**
- d. Certificate of Sufficiency for Annexation #130 **(Copy attached hereto and made a part of these minutes)**
- e. Resolution fixing date of Public Hearing for Annexation #130 **(Copy attached hereto and made a part of these minutes)**
- f. Curb Replacement Contract **(Copy of the contract can be found on file with the Engineering Department and is incorporated herein by reference.)**

Christopher King made a motion to approve the Consent Agenda.

Mr. Fivas pointed out the additional information included with items on the Consent Agenda.

Council voted unanimously in favor of the motion.

PUBLIC HEARINGS

None

BUSINESS ITEMS

a. Consider Approval of the 2012 Stormwater Maintenance Contract

Mr. Fivas advised several of these contracts have been done over the past few years and that it allows us to clean up stormwater projects as they present themselves.

Christopher King made a motion to approve the 2012 Stormwater Maintenance Contract.

Council voted unanimously in favor of the motion.

DISCUSSION ITEMS

a. Council Discussion of Time Frame for Improvements of Old Monroe Road - continuation from the last meeting.

Ms. Luther stated that the continuation was to get more information as a result of options given to the Council at the last meeting. This was to enable staff to get more information from NCDOT for Council to make informed decisions.

Council took and returned from a short break.

Mr. Fivas explained the direction given by Council at the last meeting was to come up for some ideas for options on this matter and advised how staff prepared to provide Council with the last 6-7 years of transportation needs in Indian Trail, talk about our overall system not just Old Monroe Road (OMR). He advised that OMR has always been a strong priority. He said that our hope was to be able to sit down with NCDOT but we have not been able to arrange to have a strong discussion on options. The presentation tonight will inform Council that this is a much broader topic than a single road.

Mr. Kaufhold advised this will be a three part presentation; Overview of Transportation Planning, Comprehensive Plan, and Old Monroe Road History. He explained MUMPO, federally-mandated transportation agency and their primary charge is to coordinate transportation planning in the region through development of a Thoroughfare Plan, Long Range Transportation Plan and Transportation Improvement Plan.

Ms. DeHart explained the Transportation Element of the Comprehensive Plan, which identifies all the major and minor thoroughfares, and is used to determine right of way dedications and such for project development. She briefly touched on the anticipated roadway demands that will increase as our population increases and how this is incorporated into the Comprehensive Plan. Roadway planning considers capacity, connectivity, choices and complete streets. She displayed the anticipated road network that is based on transportation and growth patterns within the Town.

Mr. Kaufhold briefly reviewed the proposed OMR expansion: Segment A - Trade Street to I-485, Segment B - I-485 to Indian Trail Road, Segment C - Indian Trail Road to Wesley Chapel Stouts Road. He then presented an overview on the history of Council discussions/actions for Old Monroe Road since 2006. Mr. Kaufhold reminded Council that the 2011 DirectionFinder Survey performed for the Town indicated that traffic congestion and roadway improvements remain a top concern for our residents.

Council held a discussion of how to proceed. Mr. Fivas advised that staff can gather some options and determine what they predict will happen for the next four or five years. We would also need to consider what other roads, intersections that need serious improvements and talk about those as well.

Robert Allen made a motion direct staff to work in concert with our MUMPO and NCDOT representatives and provide an update on options for Council at the first meeting in April.

Council voted unanimously in favor of the motion.

**b. Council Discussion of Public-Private Partnership Development
Options for Town Owned 51-acre Parcel**

Ms. Luther requested to hear Council's ideas for the 51 acre parcel park.

Ms. Barnhardt provides timeline of discussions and history of Carolina Courts and the park. After the Park Bond Referendum did not pass by less than 100 votes, Carolina Courts expressed that they are still committed to staying in Indian Trail, however, they have questions about timeline, funding, and overall process. Carolina Courts should receive their buy-out number from the Turnpike Authority within the next few weeks. This buy-out number will tell how quickly the Town will need to move to make a decision on an official agreement with Carolina Courts. We will be able to discuss options after Carolina Courts has given us a build-out timeline that they have for the relocation and create a Master Plan development for them within the Town. The options are to do nothing and wait for more information, find alternative funding sources, and keep them in Indian Trail or do another Park Bond Referendum and keep them in Indian Trail.

Mr. Cohn asked how a new bond referendum would insure that they stay in Indian Trail. Ms. Barnhardt answered there is no guarantee. She explained that if the bond referendum passes, it can be used for a variety of parks, not just this park. It would be a facilitated funding source that

would be used for the common place areas; Carolina Courts would be investing in their own building and site work as well.

Mr. Waddell asked if a joint effort for sports facilities could be ventured with the Town of Stallings. Ms. Barnhardt replied that this effort was for Carolina Courts specifically, not a sportsplex discussion. There could be a possibility of doing something larger with Stallings in terms of more sports groups to make a sports development park. Typically sports themed parks are larger than our 51 acre parcel; for example, Stallings is looking at 80+ acres; Matthews has 200+/- acres available.

Mr. King questioned how much acreage Carolina Courts would need. Ms. Barnhardt stated that the planned facility would account for about three acres, 55,000 square feet plus additional space for parking. Mr. Fivas explained that the concept discussed previously was for Carolina Courts to take roughly three acres and the Town would build a public park around their facility; parking lot, restrooms etc. would be needed. They would be responsible for their build out; they were also willing to donate 20 hours a week for any Indian Trail resident to use their facilities.

Mr. King stated that his approach is contingent on a commitment from Carolina Courts; the whole dynamics of that area will change if they decide not to stay here. There was additional discussion amongst Council and staff regarding the potential of development of other economic venues, such as hotels/hospitality, sports retail, etc., if an agreement/commitment with Carolina Courts can be reached.

Mayor Alvarez questioned whether we have a plan in place on how far Indian Trail can go should Carolina Courts commit to staying in Town. Ms. Barnhardt stated that the two parties do have a Letter of Intent, abet it is not a binding commitment. Mr. Fivas informed Council that within the general budget, we do not have the resources to contribute to the development although there are funding alternatives out there in assisting in getting the infrastructure. Council will need to consider all options so that a decision can be made when the the final information is in from Carolina Courts.

MANAGERS REPORT

Mr. Fivas informed the Council that at the last Planning Board meeting, they set up a subcommittee on Monroe Bypass. If the Council has any special issues, questions or projects for them, please let him know. He also stated that the Mayor's Tree Education initiative is starting up and they will be planning several events which he briefly outlined.

COUNCIL COMMENTS

David Cohn had no comments.

David Waddell had no comments.

Christopher King had no comments.

Robert Allen stated that he appreciates that the Council is gelling and suggested Council should not discount the citizens' surveys as they make the Council's job easier by referencing them and going back to them it's laid out very simple. He also advised that if you don't have an agenda you've got a plan to fail and if you fail to plan you do plan to fail. We've got the agenda provided to us by the survey and he thinks it's important that we run with that. Another thing he finds interesting is that tonight we had the Girl Scouts, Indian Trail Arts and Historical Society, Indian Trail Elementary School and Union West Rotary, there's a lot of opportunities to have a positive impact in your town. So get involved and make a positive difference and try to do something for your community that you can be proud of.

Darlene Luther had no comments.

Mayor Alvarez agreed with Mr. Allen we had the Girl Scouts an organization rich in history and teaching young ladies about many different opportunities. Our future, Indian Trail Elementary School was here and it made his day to see the two organizations here. The Indian Trail Arts and Historical Society it's imperative we all learn about our history and our past for many reasons. It's very important to who we are and who we will become later in life and the discussions with the Council on Carolina Courts, the roads and all positive it was informative. I appreciate all of you making my job easier during the meetings as well. Thank you and like Mr. Allen said, please get involved.

CLOSED SESSION

Robert Allen made a motion to enter closed session pursuant to NCGS 143-318.11(a)(1) To prevent the disclose of information that is privileged or confidential pursuant to the law of this State or of the US or not considered a public record within the meaning of Chapter 132 of the General Statutes.
and

NCGS 143-318.11(a)(3) To protect the attorney client privilege. To consider and give instruction concerning a judicial action titled Sage Croft vs. Indian Trail.
and

NCGS 143-318.11(a)(6) To consider the qualifications, competence, performance, condition of a public officer or employee or perspective public officer or employee.
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.

ADJOURN

Robert Allen made a motion to adjourn

Council voted unanimously in favor of the motion.

APPROVED:

Michael L. Alvarez

Attest:

Peggy Piontek, Town Clerk