



Town of
INDIAN TRAIL
north carolina

Town of Indian Trail
Minutes of Regular Council Mtg.
April 27, 2010
Civic Building
6:00 P.M.

The following members of the governing body were present:

Mayor: John J. Quinn

Council Members: Jeff Goodall, John Hullinger, Robert W. Allen, and Darlene Luther.

Absent Members: Gary D'Onofrio

Staff Members: Town Manager Joe Fivas, Town Attorney Keith Merritt, Planning Director Shelley DeHart, Town Engineer Scott Kaufhold, Finance Officer Marsha Sutton, Tax Collector Janice Cook, Senior Planner Katie Reeves, Assistant to Town Manager Miriam Lowery, and Deputy Clerk Trena Sims.

CALL MEETING TO ORDER

Mayor Quinn called the meeting to order.

PRESENTATIONS

Arbor Day Proclamation

Mayor Quinn read the Arbor Day Proclamation, which proclaims April 30th as Arbor Day in the Town of Indian Trail. (Copy attached hereto and made a part of these minutes.)

Recognition of 2010 Arbor Day Poetry Contest Winners

(The winners were not present.)

ADDITIONS AND DELETIONS

There were no additions or deletions presented.

MOTION TO APPROVE AGENDA

John Hullinger made a motion to approve Agenda.

Council voted unanimously in favor of the motion.

Mayor Quinn noted that Councilmember D'Onofrio will be absent tonight.

PUBLIC COMMENTS

Ken Chapman, 125 Scaleybark Road, Charlotte, addressed the economic funding for the proposed Indian Trail Fairview Road project. He is the master developer for Old Hickory and Austin Village. As NCDOT does have some available funds for this area, he feels it would be a discredit to not use the funds, as it may go away. Improving the road will help businesses. He assured Council that they will do their part in contributing. He also addressed the sewer capacity that will be coming available.

Maureen Mulhall, 533 Raintree Drive, General Manager of Xtreme Ice Center on Indian Trail-Fairview Road, stated that they have been here for four years and is happy to be here. She voiced her support for the proposed road improvements to Indian Trail-Fairview Road. She recited to Council all of their community activities and how the facility was beneficial in bringing in revenue for the Town as well. She also indicated that they always use as many Indian Trail businesses and personnel as possible.

Dan Schallenkamp, 408 Raintree Drive, informed Council that the speaker from the last meeting endorsing the Resolution Opposing the Sale of CMC-Union works in a capacity as a campaign manager for a local commissioner candidate who is basing their theme on saving the hospital. He feels that Council does not recognize this as a purely political issue or that they do and played along with it. Governing Boards go into closed session to discuss items of this nature; he doesn't feel it is necessary for this Council to pass judgment on things they don't know about. If the county chooses to sale, it will still be a hospital; basically this boils down to whether you want to save the name of the hospital.

PUBLIC HEARINGS

There were no items under Public Hearings.

CONSENT AGENDA

- a. Minutes for February 24, 2010.

Councilmember Goodall noted that the minutes of February 24, 2010 should be corrected to reflect that Mayor Quinn was not in attendance.

Jeff Goodall made a motion approve minutes of February 24, 2010 with the noted correction.

Council voted unanimously in favor of the motion.

BUSINESS ITEMS

Indian Trail Road Economic Development Project Funding

Mr. Fivas addressed the outline of the details of the project included in the packet. NCDOT has indicated they would like the project to move forward or they will substantially decrease their contribution amount. What has been discussed is that in widening the road they would use their portion of funds to widen the first part of the road from the entrance of Old Hickory and on past Xtreme Ice and any contribution the Town makes would be used to extend the improvements further. In the plans for the by-pass the NCTA will be bringing down a four lane divided highway into this area and when they build that, there will be a merger of the two projects and as the other part is built, it could be attached. This is a proactive move in the Town's infrastructure development. When private funds and state funds are combined it is beneficial to the project. Staff has been in communications with the parties about the proposal. There are three options: 1) to contribute up to \$150,000 toward the project that will take the project down the line; 2) contribute \$200,000 to move the project even closer to the connector road; and 3) decline to participate. NCDOT will still do some level of project there, but it would be bare minimum without our participation.

Councilmember Hullinger asked if the "Town street fund" referred to in the memo means Powell Bill funds. Mr. Fivas replied that it does not; it is the dedicated road fund money within the general fund. Powell Bill funds cannot be used for state economic development projects.

Councilmember Goodall asked about the proposed project time line. Mr. Kaufhold indicated that with confirmed Town participation it will begin during this construction season; perhaps by fall. After a brief discussion, it was determined that after the close of this fiscal year there would be approximately \$2 million in the designated road fund. After continued discussion, the following motion was made.

John Hullinger made a motion to approve Option 2 as presented.

Council voted unanimously in favor of the motion.

Award Contract - Development Services Building Roof Replacement

Mr. Kaufhold passed out the bid tab with the single bid. He explained the bid process, which was formally advertised although not required. The bid received is close to staff estimates and does include a five year warranty. Council discussed the roof leak, which started about six months after purchase of the property, and asked if there were any other problems with the building. Mr. Kaufhold indicated that the plumbing isn't great, but Bill Rowell, Public Works Superintendent, can take care of that problem by installing additional vents at the same time the roof is repaired. Mr. Fivas noted that consideration of funding is needed. He recommends using an appropriation of fund balance to get the project done now, or if Council chooses, the

project can wait until next fiscal year and include in the budget. There was additional discussion as to why only one company submitted a bid.

Jeff Goodall made a motion to approve \$32,000 contract to LCM Builders

Council voted unanimously in favor of the motion. **(Copy of the contract can be found on file in the Finance Office.)**

Mayor Quinn recognized Captain Mike Easley who was in attendance.

DISCUSSION ITEMS

There were no items under Discussion Items.

MANAGER'S REPORT

Mr. Fivas expressed his appreciation of vendor participation on Earth Day/Arbor Day; staff did a great job; there are photos on the website. He indicated the budget is being worked on and a draft will be delivered to Council on Monday for inspection and review; working within the guidelines of the goals and initiative session. He reminded Council of the budget meeting scheduled for next Thursday (May 6) at 6:00 pm. It is anticipated there will be increases in expenditures while keeping the revenues flat as to be expected in this economy.

PLANNING REPORT

Ms. DeHart thanked the sponsors for the Earth Day/Arbor Day event: Compunet World provided some funding to help with advertisement; Lowe's provided three eastern red bud trees; Wal-Mart for the donation of the bikes; UPS for free printing of posters; and Xtreme Ice donated skate passes to the poetry winners. Efforts are being made to coordinate the tree planting at Antioch and Sun Valley Elementary schools. The winners of the poetry contest will be picking up their bikes this week.

ENGINEERS REPORT

Mr. Kaufhold announced that the resurfacing of Brandon Oaks Parkway was set back a few days because of mess at the entrance; had to do undercutting, but should be completed in ten days.

Mayor Quinn indicated that he wanted to speak with Mr. Fivas privately about a matter; council comments continued

COUNCIL COMMENTS

Councilmember Goodall commented that Indian Trail is at 83% for the census rate; which is really good news. He mentioned that Monroe's rate is at 74% and North Carolina average is about 73%. He feels Indian Trail will reach 35,000 population and thanked staff for pushing the census efforts.

Councilmember Luther thanked Xtreme Ice for their incredible community involvement and expressed her pleasure at the Indian Trail Fairview Road improvements proposal having passed unanimously.

Councilmember Hullinger had no comments.

Councilmember Allen mentioned the great Arbor Day celebration. He also believes the sooner we can move forward with the project on Indian Trail Fairview Road, the better so as not to lose the funding. He also asked, if possible, to receive the agenda packets seven to ten days before the meeting.

Mayor Quinn commented that he received a flyer from a candidate that is misrepresenting our former Town Manager Fern Shubert. He feels she did a good job while here and is inspired by her ethics and honesty; taxes were raised during her tenure to provide better police protection. He requested to call a closed session. After discussion, the following motion was made.

John Hullinger made a motion suspend rules and add a Closed Session.

Council voted unanimously in favor of the motion.

CLOSED SESSION

John Hullinger made a motion go into Closed Session pursuant to NCGS 143-318.11(a)(3) - To protect the attorney-client privilege; and NCGS 143-318.11(3) - To consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action; and NCGS 143-318.11 (a)(6) To consider the qualifications, competence, performance, condition or appointment of a public officer or employee or prospective public officer or employee. Council voted unanimously in favor of the motion.

Jeff Goodall made a motion enter into Open Session.

Council voted unanimously in favor of the motion.

ADJOURN

John Hullinger made a motion to Adjourn.

Motion Passed 3 - 1 with Jeff Goodall opposing.

APPROVED:

John J. Quinn, Mayor

Attest:

Peggy Piontek, Town Clerk