



Town of Indian Trail
Minutes of Town Council
August 14, 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, and Darlene Luther.

Absent Members: David Waddell. Director of Human Resources Miriam Lowery.

Staff Members: Town Manager Joe Fivas, Town Clerk Peggy Piontek, Town Attorney Keith Merritt, Director of Community & Economic Development Kelly Barnhardt, Planning Director Shelley DeHart, Finance Director Marsha Sutton, Tax Collector Janice Cook, and Director of Engineering and Public Works Scott Kaufhold .

CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

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

ADDITIONS AND DELETIONS

None

MOTION TO APPROVE AGENDA

David Cohn made a motion to approve the agenda
Council voted unanimously in favor of the motion.

Mayor Alvarez announced that Council Member Waddell will be absent this evening.

PRESENTATIONS

- a. Porter Ridge Softball Team

Mayor Alvarez read the Certificate of Recognition and congratulated the team on their accomplishments.

- b. Presbyterian Hospital in Matthews update

Representatives from the hospital informed the Council and audience of their accomplishments in the previous year.

- c. VFW Presentation

Brian Boze, Commander of Indian Trail VFW Post 2423 thanked Council for their support on the Vietnam Moving Wall and presented to them several statistics and successes of that event.

- d. Town of Stallings presentation to support Kilah's Law and present RAD Kids Golf Tournament - this item was requested by Mayor Alvarez

Mayor Pro Tem Reid of the Town of Stallings and Chief Pryler of Stallings Police Department explained the RAD Kids program advising a golf tournament is being held to fund this program.

Jeff Gerber, founder of the Justice for All Coalition, explained the program and the unfortunate incident involving Kilah Davenport expressing how important it is for Kilah's Law to get passed and introduced the family describing their commitment to each other and Kilah. The Resolution in support of Kilah's Law which is on the Consent Agenda was read for the Council and audience.

CONSENT AGENDA

- a. Approval of July 10, 12, 19, 2012 minutes
- b. Tax report for yearend 2011 and month end July 2012
- c. Approval of Kilah's Law Resolution **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- d. Annandale Subdivision Street Acceptance, Maps 1 & 2
- e. Approval of Hearing Impaired Policy **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- f. Release of Surety
- g. Budget Amendments
- h. LGC 203 Report

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

ABC BOARD INTERVIEW AND APPOINTMENT

a. Robert Laatz

Council asked Mr. Laatz several questions to which Mr. Laatz responded.

Mr. King nominated Gary D’Onofrio for appointment to the ABC Board and the Council unanimously agreed. Council thanked Mr. Brown for his service.

PLANNING BOARD INTERVIEWS AND APPOINTMENTS

a. Alan Rosenberg

Council asked Mr. Rosenberg several questions to which Mr. Rosenberg responded.

b. Timothy Rogers

Council asked Mr. Rogers several questions to which he responded.

BOARD OF ADJUSTMENT INTERVIEWS AND APPOINTMENTS

a. Tripp Melton

Council asked Mr. Melton several questions to which he responded.

Council took and returned from a brief break.

b. Andrew Morrison

Council asked Mr. Morrison several questions to which he responded

Mr. King nominated Alan Rosenberg for the Alternate Planning Board position, Council unanimously agreed.

Mr. Allen nominated Mr. Rogers as an Alternate for the Board of Adjustment, Council unanimously agreed.

Ms. Luther nominated Mr. Melton for the Regular seat on the Board of Adjustment, Council unanimously agreed.

Mr. Allen nominated Mr. Morrison for the Regular seat on the Board of Adjustment, Council unanimously agreed.

PUBLIC COMMENTS

Jerry Wigen, 10004 Fenwick Drive, Indian Trail, spoke in support of Kilah's Law and commended the Council on the Resolution passed this evening. Mr. Wigen spoke specifically about the safety of people attending the Council meetings advising that there is a potential for violence. He has no objection to undergoing a security check at the door to include a second screening if you leave the building. Many other communities have endured disasters, let's not be one of them.

Sandy Moore, 4900 Pioneer Lane, Indian Trail appreciates the Council Members and Mayor to be involved and passing this resolution reflecting that the Mayor is an encouraging role model and the Council Members for seeing the value of investing in our future. Ms. Moore also expressed concern over the behavior of certain individuals, referencing comments, stalking and the disclosure of Closed Session minutes where personnel matters are concerned. She advised that Council should take action against those that broke the confidentiality of Closed Session and personnel matters. Ms. Moore inquired if the individuals who comment on anti-government and the wrath of God seem cult like in nature have been identified by authorities as possibly being sovereign citizens. Ms. Moore requested that Council consider covering the door and windows of this building with materials that enables a one way view and a metal detector at the door, advising with the bizarre behavior exhibited thus far it's uncertain if it will escalate into something else, suggesting that Council be proactive and not reactive.

Steven Chip Long, 1012 Cranston Crossing, Indian Trail, NC referred to the new sidewalks being installed, road repairs in Beacon Hills, advising that although the challenges for our town are many, infrastructure is number one for all of us. Mr. Long listed the challenges and tasks of the town boards and committees, his pride in the town's upcoming Cultural Arts Center, the 51 acre park stating that there are citizens that are eradicating the negative to accentuate the positive and the present good is uncommonly good and hopefully the past will find its deserving peace. Mr. Long stated there are move ahead goals by move ahead people and not the ones that are wishing to visit the past and rub our noses in things that belong over. Mr. Long said to the Mayor, Council and staff to keep up the good work.

Jan Brown, Longnook Lane, Indian Trail expressed sincere thanks for moving the Town of Indian Trail forward and is happy with the direction they are taking this town. He thanked the Mayor for bringing civility back to the Town Council meetings, although criticized for your editorials; they were truthful which is a welcome pleasure after the upbringing of the past that a small group wishes to pontificate. The previous and present Council are moving Indian Trail forward into the 21st Century and listed some examples.

PUBLIC HEARINGS

- a. MCA 2012-001 Burning of Yard Waste

This matter was posted in the Enquirer Journal on August 3, 2012
A request to amend the Indian Trail Code of Ordinance establishing Chapter
93 Open Burning of Yard Debris in the Town of Indian Trail.
Applicant: Town of Indian Trail; Location: Town wide

Mr. Fivas advised that the Public Safety Committee was tasked with this and unanimously approved the ordinance before you tonight. It's based off of the Stallings Ordinance they worked closely with Fire Departments on how to regulate this ordinance. It's an education program. This is strictly for yard waste.

Mayor Alvarez opened and closed public comments portion of the hearing as no one had signed up to speak.

Robert Allen made a motion to approve MCA 2012-001 Burning of Yard Waste **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
Council voted unanimously in favor of the motion.

BUSINESS ITEMS

a. Pathways 2 Progress Initiative

Mr. Fivas requested that we put this item on the next agenda in the interest of time.

Robert Allen made a motion to table Pathways 2 Progress Initiative to the next meeting.
Council voted unanimously in favor of the motion.

b. Approval of Old Monroe Feasibility Study

Mr. Fivas advised that staff has had dialogue with NCDOT about starting the process to widen the section from Wesley Chapel Stouts Road going west that our funds will permit. The feasibility study assess what types of right of way we will need, utility relocation, environmental impacts, congestion management, costs and does it conform with the state transportation plans. Although we don't like to do studies it's a good movement forward. This is one of the three roads that will create the Indian Trail Loop.

We are trying to accomplish to get this section of road completed so that when NCDOT begins construction from I485 to Indian Trail Road in 2017 we will have it done and this enables us to design the road to be multi mobile and a great transportation network for the town.

Robert Allen made a motion to approve proceeding with the feasibility study for the widening of Old Monroe Road. **(A COPY OF THE CONTRACT CAN BE FOUND IN THE ENGINEERING OR FINANCE OFFICE)**
Council voted unanimously in favor of the motion.

c. Approval of Chestnut Lane Sidewalk Contract

Mr. Fivas advised that this is the second highest rated sidewalk project in Indian Trail and will connect 5000 residents with one of our key business centers in Austin Village, addressing safety issues.

Christopher King made a motion to approve Chestnut Lane Sidewalk Contract **(A COPY OF THE CONTRACT CAN BE FOUND IN THE ENGINEERING OR FINANCE OFFICE)**

Council voted unanimously in favor of the motion.

d. Approval of Comprehensive Community Plan

Mr. Fivas advised that the Planning Board met with the vendors and unanimously selected this company which will provide a wonderful opportunity for the Council to put their fingerprints and have a dialogue with the community on what the 20 year vision is for Indian Trail. There are a number of events scheduled for the residents to let us know where we need to go and this is the process to engage their opinion in.

Christopher King made a motion to approve the Comprehensive Community Plan **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Council voted unanimously in favor of the motion.

e. Approval of Carolina Courts Agreement

Mr. Fivas advised this agreement outlines both parties commitments to the town. This will enable us to start the road that we know we need to develop. Mr. Fivas reviewed some of the highlights of the agreement stating that we hope there will be economic developments assets to follow.

Darlene Luther made a motion to approve the Carolina Courts Agreement **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Council voted unanimously in favor of the motion.

Ron Esser from Carolina Courts expressed his appreciation to the Council.

f. Approval of Chestnut Parkway & Land Design Fee Proposal

Mr. Fivas stated that this the second piece of the Carolina Courts approval and shows that we have heard the citizen's complaints about traffic and we take it seriously. This will improve the traffic and quality of life in Indian Trail.

Robert Allen made a motion to approve the Chestnut Parkway and Land Design Fee Proposal **(A COPY OF THE CONTRACT CAN BE FOUND IN THE ENGINEERING OR FINANCE OFFICE)**

Council voted unanimously in favor of the motion.

DISCUSSION ITEMS

a. Update on Park Design

Mr. Fivas advised that staff will be meeting with the consultants and would like feedback from the Council on what they are hearing from the residents and what they are feeling.

Ms. Luther stated as we move forward and update she hopes the next version will better display our intention and plans for the parks. If people are going to be making a decision on future parks whether they are for or against it, we need to provide accurate information to them. She would like the plans to be more specific. Mr. Fivas clarified that she would prefer it be more defined so residents can find the amenity that they want.

Mr. Cohn suggested that having a picture of the whole park and then show how small the ball fields are, providing citizens a picture of the park.

Mr. Fivas replied we will make sure that when shown we have a better idea of scale.

Mr. King said having a sub map highlighting different areas of the park, he feels it's important that we highlight other areas of the park that have nothing to do with ball fields. That area is large enough to have something for everyone, he agrees with his colleague's comments and suggests that we do not focus completely on the welcome mat of the park and give every part of the park its own due respect.

Mr. Allen stated that given our current technology, he would like to see the meets and bounds of the property. He likes the idea of having links that provide a visual of what is going to be there. We need to stress very strongly this is a work in progress and we want input.

Mr. Fivas summarized the Council's comments stating that the plan is not clear enough to show the walking trails, biking and off road trails. We will address this with the consultants that there are people who are not interested in playing baseball but are interested in having a fishing pond or walking trails that should be shown more prominently on the plans indicating these are parks for everyone to enjoy.

b. Discussion of Park Naming Process

Mr. Fivas inquired if Council wants to start the process of coming up with community names for the parks, as it's difficult to refer to them at the 51 or 147 acre park? Naming the parks might enable the residents to better connect with the ideas and get excited about what might be forthcoming in their neighborhood. Council had a lengthy discussion providing their thoughts and ideas directing staff to proceed with a naming process/contest. Mr. Fivas stated that the Park, Trees and Greenway Committee will be essential in making the decision on the names by filtering suggestions for Council approval. Mr. Cohn expressed he is superstitious and feels that if we name them then we might jinx the referendum passing.

Darlene Luther made a motion to approve directing town staff to work with the Parks, Trees & Greenway Committee to disseminate the information about the contest.

Motion Passed 3 - 1 with David Cohn opposing.

c. Discussion of Community Information Signs

Mr. Fivas advised that we had funds allocated for digital signs in the last budget and has been carried over to the 2012/2013 budget. Staff believes there's a cost benefit to consider having a pilot project

and getting some signs that can be controlled from a computer to provide law enforcement information or town information. Mr. Fivas inquired if Council wants us to go and research some of the digital signs and provide them with a presentation for consideration at a future meeting.

Robert Allen made a motion to approve researching digital Community information signs and provide Council with alternatives.

Council voted unanimously in favor of the motion.

MANAGERS REPORT

a. Update of Implementation of Solid Waste Services

Mr. Fivas advised that staff is working with Waste Pro on getting the residents information on the new solid waste services, reminding everyone that it is a new service, there will be growing pains and when questions arise we will be available to answer those questions. Mr. Fivas requested that Council assist staff in directing residents to call Town Hall with any questions. Mr. Fivas complimented Waste Pro on working through some of the issues. One of the issues that might be forthcoming is the changing of the carts, expressing concern that resident might be calling that their cart has been removed. The new carts will now have our branding on them and staff is requesting Council's assistance reminding the citizens that the new carts are coming and providing them with the hotline number that we will make available.

b. Update on Current Pedestrian Projects

Mr. Fivas advised Council and the audience that staff is working forward and are very close on getting approvals on Rogers Road and Unionville Indian Trail sidewalks, anticipating the work to being sometime in the fall. The Chestnut and Poplin Road projects are moving forward. Beacon Hills construction started today with the groundbreaking.

The newsletters were mailed out to residents and should be received within the next day or so, it is also available on line.

COUNCIL COMMENTS

Mr. Allen commented that this was a great meeting, we covered a lot of good data and stuff done and he hopes to read about it in the paper. This should be the norm that we get through this stuff and get it done.

Mr. Cohn pointed out a Boy Scout in the audience, Evan Davis, who attended the meeting for the purpose of getting another badge. Mr. Cohn advised this is a fine young man whose goal is to be an Eagle Scout. Mr. Cohn observed him through the meeting and stated that he sat there very mannerly, listened and is a fine young man. He thanked everyone for coming out tonight, it was a long meeting and he appreciates their attendance.

Ms. Luther finds it amusing that Mr. Cohn finds this a long meeting after what has been the last couple of years.

Mr. King had no comments

Mayor Alvarez thanked everyone for coming; we covered a lot of stuff today. He thanked the Council for moving it forward in a constructive manner and looks forward to having the community more involved from this day forward in a positive manner, open up for good debate for things that people are for and against in a more adult productive like manner. He appreciates everyone here and in the town.

CLOSED SESSION

None

ADJOURN

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

APPROVED:

Michael L. Alvarez

Attest:

Peggy Piontek, Town Clerk