



**Town of Indian Trail**  
**Minutes of Town Council**  
**December 11, 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, Director of Community & Economic Development Kelly Barnhardt, Planning Director Shelley DeHart, Finance Director Marsha Sutton, Tax Collector Janice Cook, Director of Engineering and Public Works Scott Kaufhold , Director of Human Resources Miriam Lowery, Senior Planner Rox Burhans , and Events Coordinator Rebecca Carter.

**CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Alvarez called the meeting to order. Art Spurr led the prayer for our soldiers not able to get home for the holidays.

**ADDITIONS AND DELETIONS**

David Waddell made a motion to approve adding as item 8d Indian Trail Representative for Union County Economic Development Board.

Council voted unanimously in favor of the motion.

### **MOTION TO APPROVE AGENDA**

David Cohn made a motion to approve the Agenda.

Council voted unanimously in favor of the motion.

### **PRESENTATIONS**

a. Johnson-Hemby Insurance for joining the Business Hall of Fame plaque.

Ms. Barnhardt explained that to be in the Business Hall of Fame, 25 years of business is necessary. Ms. Barnhardt announced that Hemby Insurance Associates has achieved that goal, congratulated John Hemby and presented him with a certificate, advising the company name of Hemby Insurance Associates is now on the plaque located in the Civic building.

b. Annual Transportation Advisory Committee Report

Mr. Roland Geoffrey, the Chairman of the Transportation Advisory Committee presented to Council the completed projects of the Committee for the last year and their goals for the upcoming year. Council expressed their thanks and appreciation for the Committee's hard work.

### **PUBLIC COMMENTS**

Maureen McCarthy, 2001 Little Chapel Road, Indian Trail, NC expressed her concerns about not having a leash law providing examples of why it should be passed.

Michael Faulkenberry, 519 Picketts Circle, Indian Trail, NC expressed his appreciation to staff for the Christmas Parade and Christmas Tree Lighting Ceremony and his concern about people crossing the railroad tracks during events and it's danger. He recommended putting some netting along the tracks, a sample of which he purchased, brought with him and donated to the Town, suggesting the Town get enough to extend along the tracks.

### **CONSENT AGENDA**

- a. Approval November 13, 2012 draft Minutes
- b. Adoption of the 2013 Town Council regular meeting schedule **(COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES)**
- c. Annexation 134 - Oakwood Lane Parcels \* Resolution directing the Clerk to investigate Annexation Petition \* Certificate of Sufficiency \* Resolution fixing the date of the Public Hearing for Annexation 134 **(COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES)**
- d. Approval of Month End Tax Report for November **(COPY ATTACHED HERETO**

**AND MADE A PART OF THE MINUTES)**

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

**PUBLIC HEARINGS**

*None*

**BUSINESS ITEMS**

- a. Consider approval of agreement for Wayfinding and Gateway Signage Program.

Kelly Barnhardt explained what wayfinding signs are, how they benefit the community and the procedure involved in getting proposals and ultimately staff's recommendation of Bizzell Design Company. Ms. Barnhardt provided a brief history of Mr. Bizzell's accomplishments and the process of the project. Council had a brief discussion about this item.

Mr. Bizzell explained that the procedure includes his company to measure traffic determining popular and future destinations, they find a way to graphically express the feeling of the town. Then the technical areas of NCDOT which is generally not an issue with his company.

Robert Allen made a motion to approve agreement for Bizzell Design Company proposal for the Wayfinding and Gateway Signage Program. **(COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES)**

Council voted unanimously in favor of the motion.

- b. Consider the establishment of a future Special Council meeting to review current Law Enforcement Agreement and to hear a presentation from Union County Sherriff's Office.

Mr. Fivas explained that an in depth discussion and attention on the Town's needs for Law Enforcement is required, suggesting that Council schedule a Special Meeting for this item. All Council members agreed and feel it should be done as soon as possible.

Darlene Luther made a motion to approve having the meeting within the next week or two.

Council had a discussion about the attendance of Lt. Coble, who suggested that Council meet and discuss amongst themselves initially. There was a conversation about when to have the meeting regarding personal schedules, Mr. Fivas suggested that Council check their calendars, attempt to have the meeting on December 19th or 20th, since no decision was made, Ms. Luther withdrew her motion.

- c. Consideration of Animal Control Ordinance - this matter was requested by Council Member Darlene Luther

Ms. Luther explained that all of the Council Members have been contacted by residents requesting that some action be taken for the safety of the citizens and animals. She stated she is very excited it is on the agenda.

Mr. Fivas thanked and congratulated the Public Safety Committee for working through this complex issue. Mr. Fivas stated that nothing is ever perfect and this is a building block to initiate the Ordinance which can be amended at any time to accommodate issues that might not have been considered. He requested that Council advise if the Committee and staff are headed in the right direction before reviewing the financial analysis. Mr. Fivas reviewed the document explaining that the Animal Control Ordinance is a comprehensive Town Ordinance which regulates all animals within Indian Trail to include community education, community safety programs and enforcement. Mr. Fivas explained our present ordinance and the County ordinance for this matter as well.

Mr. Houston, a member of the Public Safety Committee thanked Mr. Fivas and staff for their extensive research. He explained the process that the Public Safety Committee went through for this ordinance. He also advised that the Public Safety Committee will be presenting their annual report in the future to inform Council on what they have done and future issues they hope to address.

Council had a lengthy discussion on this Ordinance, topics included: 6 dogs/cats per acre, County acceptance of animals to the shelter, appeals, County obligation to enforce Municipal Code and conflicts with UDO.

Darlene Luther made a motion to approve adopting the proposed Animal Enforcement Ordinance.

Mr. Merritt requested it not be adopted this evening as he would like the opportunity to review it as there are a couple of items in question.

Ms. Luther withdrew her motion.

Mr. Cohn recommended we have a Public Hearing on this Ordinance so the residents can voice their concerns.

David Waddell made a motion to table and place on the agenda for January 8th meeting, and providing an opportunity for residents to come and voice their thoughts.

Mr. Waddell withdrew his motion.

David Cohn made a motion returning revisions to Animal Control Ordinance to Council on Dec. 20th, place Ordinance on the agenda for January 8th meeting for possible adoption and have a public comment period for the Ordinance at the January 8th meeting. Council voted unanimously in favor of the motion.

d. Union County Economic Development Board Representative

*This item was added as a result of a motion made in Additions & Deletions.*

Mr. Fivas explained that Monroe and Union County have developed an Economic Development Board within the County with Monroe and Union County each having eight appointees, with eight efficacious appointees. Six of the eight County appointees are available for local government to participate in for a fee of \$7,500 as a contribution toward the program. Mr. Fivas advised that the County Manager requested that the communities respond by January 7th for her to take to the committee. Mr. Fivas explained that we have three options: say no, say yes and pay the \$7,500 fee - or say yes and indicate that we already have an Economic Development Department and request the fee be waived. He requested direction from Council on how to respond.

Darlene Luther made a motion to approve we would like to be a part of Union County Economic Development Board as a representative with an exemption of the fee.  
Council voted unanimously in favor of the motion.

**DISCUSSION ITEMS**

*None*

**MANAGERS REPORT**

Mr. Fivas announced staff will be scheduling the ribbon cutting for new sidewalk on Chestnut Lane. He reminded everyone that as the holidays approach we have special solid waste services, additional solid waste should be put next to the can and it will be removed, along with live Christmas trees, leave them out at the curb on your regular yard waste day, please refer to your schedule.

**COUNCIL COMMENTS**

Ms. Luther is looking forward to the Animal Enforcement Ordinance being passed next month. She thanked the Public Safety Committee, it's a great Ordinance.

Mr. Waddell thanked everyone for the year we have served, it's been an interesting experience, and he wished everyone happy holidays and explained Chanukah. He encouraged residents that the town plan is being put together and now is the time to provide your inputs and show up to be a part of it.

Mayor Alvarez wished everyone happy holidays and New Year, he thanked staff for the Christmas Parade and tree lighting, along with Christina & Kilah for their participation.

Mr. Allen encouraged people to go out and commit random acts of kindness, suggesting they go to local organizations.

Mr. King suggested playing the lottery tomorrow is 12/12/12.

Mr. Cohn wished everyone a Merry Christmas, Happy Holidays; he thanked the Public Safety Committee and all the people who work for all our committees for their hard work. Porter Ridge Football Team almost won State Championship 39-38. He commented about statements made by UNNC Football Coach pertaining to the Porter Ridge Football Team, stating it speaks a lot for coach and kids they are winners we all should be very proud of them.

**CLOSED SESSION**

Christopher King made a motion NCGS 143-318.11 (a) (3) Consult with the attorney to protect the attorney-client privilege

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

Council voted unanimously in favor of the motion.

Christopher King made a motion to approve coming out of Closed Session.

Council voted unanimously in favor of the motion.

**ADJOURN**

Christopher King made a motion to adjourn

Council voted unanimously in favor of the motion.

APPROVED:

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Michael L. Alvarez , Mayor

Attest:

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Peggy Piontek, Town Clerk

