Town of Indian Trail
Minutes of Town Council
February 22, 2011
Civic Building
6:30 P.M.

The following members of the governing body were present:

Mayor: John J. Quinn

Council Members: Robert Allen, Gary D'Onofrio, Jeffrey Goodall, John Hullinger, and Darlene Luther.

Staff Members: Town Manager Joe Fivas, Town Attorney Keith Merritt, Town Clerk Peggy Piontek, Finance Director Marsha Sutton , Town Engineer Scott Kaufhold, Planning Director Shelley DeHart, Junior Planner Craig Thomas, Tax Collector Janice Cook, Economic Development Coordinator, Kelly Barnhart, and Assistant to Town Manager Miriam Lowery.

Press/Media: Jill Leamy of the Enquirer Journal.

CALL MEETING TO ORDER

Mayor Quinn called the meeting to order, read a statement from Ben Franklin and then lead the audience in the Pledge of allegiance.

PRESENTATIONS

a. **Union West Rotary Check Presentation**

Chad Hannon, incoming President along with representing the Union West Rotary presented a check in the amount of $10,000 towards
their $50,000 commitment to Crossing Paths Park Amphitheatre. Graham Wilson, Fund Raising Director for Union West Rotary presented a check in the amount of $7,500 as a result of a Grant issued by the Rotary District to be applied towards Union West Rotary's $50,000 commitment.

b. **Heritage Funeral Home Crossing Paths Park Donation**

Harris High and Robin McGrath, representing Heritage Funeral Home presented a check in the amount of $4,000 for a sitting area in Crossing Paths Park to be dedicated in honor of all the citizens of Indian Trail with the slogan remembering our Past and celebrating our Future.

COMMITTEE INTERVIEWS

a. **Transportation Advisory Committee Interview**

The Town Council asked Mr. Shelton and Mr. Rohleder the following questions:
1) What motivated you to submit your application to serve on a Board for the Town?
2) What non-profit, civic or government involvement do you have?
3) Do you have any private/public sector experience which could help you give input? to this committee?
4) What is your perspective on community economic development?
5) Do you have any ideas on how IT can improve its public participation?
6) Did you consider joining any other committee? If yes, why?

Mr. Shelton responded as follows:
1. He has lived in Union County and has been in Transportation for 30 years he provided Council his extensive professional history in transportation. He feels it's time to give back to his community
2 & 3. He has been on the Board of Directors for the North Carolina Manufactured Housing Association as a volunteer for 10 years. While volunteering, he served on the Convention Committee, Safety Committee and Transportation Committee.
4. He has seen the community grow and he feels it has a lot more growing to do. He expressed concern over the roads and their impact on economical development, advising that he feels if the roads are not opened up the businesses will relocate in other areas. It is his desire to volunteer his knowledge and contacts into helping this town grow and be more effective.
5. Public awareness must be preached on every corner stop, every church, neighbors, passersby, and children to get involved. Everyone you come in contact with have something positive to say if there's nothing positive say nothing at all.
6. No his expertise is in transportation and provided his history. This is something in his heart he wants to do and that's why he's here tonight.

Mayor Quinn asked what Mr. Shelton thought is our greatest single road issue that would need to be addressed first. Mr. Shelton replied he feels the main issue is Independence Boulevard being a nightmare. He would encourage everyone to dig deep and provide funds to widen Old Monroe Road and explained why.

Robert Allen made a motion to approve appointing John B. Shelton to Transportation Advisory Committee effective immediately.

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Council voted unanimously in favor of the motion.

b. **Parks, Tree & Greenway Committee Interview**

Mr. Rohleder responded as follows:
1. He believes it's an area in the community he can be helpful with and provided his professional background.
2&3. He is involved in the YMCA and is a Deacon at his church.
4. Town has grown a lot since he moved here 11 years ago. Roads are needed and the park system is needed to allow the community to evolve as a community for them to congregate.
5. The Park system will involve a lot of community involvement.
6. No, this is the area that would be a good start and enable him to be an asset to the town.

Gary D'Onofrio made a motion to approve appointing Michael Alex Rohleder for the Park Tree & Greenway Committee.
Council voted unanimously in favor of the motion.

ADDITIONS AND DELETIONS

Darlene Luther made a motion to approve adding as item 9d a Resolution supporting reallocating Department of Transportation Road funds from the widening of Indian Trail Road to Old Monroe Road.
Council voted unanimously in favor of the motion.

MOTION TO APPROVE AGENDA

Robert Allen made a motion to approve the agenda as modified
Council voted unanimously in favor of the motion.

PUBLIC COMMENTS

Victor Thomas, 3405 Hayes Road, Indian Trail, NC advised that logging activity is being done on the property owned by Hanson Brick. He filed a complaint with the Town which resulted in stop work for the present. It is his understanding that Hanson Brick plans to clear cut almost the entire lot, leaving a 50' buffer between property owners and 100' along Old Charlotte Highway. He explained that there is a lot of native vegetation and wildlife being destroyed as a result of the clear cutting and advised for that reason he is against the clearing of trees. Mr. Thomas advised that a representative from Hanson Brick informed him that they are exempt from the Heritage Tree Program and are allowed to clear cut the area. Mr. Thomas obtained a copy of a contract between the property owners and the town and advised his findings are as follows: the contract is not signed by both parties, he does not believe anyone has the ability to make an agreement such as this for future work and expansion, there has been no activity on this parcel of land and as a result he feels the contract is invalid, even if a permit were issued the lack of activity under terms with Union and Mecklenburg County's would deem the permit dead due to inactivity as both municipalities require activity to take place within one year after the permitting date and continue to work within the same time period to keep the permit active. Mr. Thomas advised he is in the

construction field and under no circumstances has he noted an exemption or exception to this rule. At the point the permit is dead; both municipalities require the property owner must go through the process of submitting plans for review and approval again. Regulations and Ordinances change to protect the public and to his knowledge there has never been any type of plan submitted to the Town for approval for action to work, the only item every discussed is the zoning and they are within their zoning rights. Mr. Thomas feels the fact is that Hanson Brick has cut all of the local and state authorities out of the communication to what is going on with the hopes of getting the property clear cut with anyone being notified. Once it is done it is done and feels if everyone else must follow the rules, Hanson should be no exception. He requested a complete investigation before any activity is allowed to continue. He expressed concern over the possibility of their wells going dry, close proximity of trucks, blasting etc. to their homes, the size of the buffers and the booms. Mr. Thomas said the North Carolina Department of Environmental Resources has not been notified of anything. Mr. Thomas requested that Council take a ride by the area he is referring to and see what an eyesore it truly is, there has been no attempt to improve the site and feels this is not all about rules and ordinances but pride in yourself and your community. Mr. Thomas stated that Indian Trail has worked hard to prevent people from doing anything they want without consideration to consequences and it would be a shame to go back to that again.

Steve Defore, 3624 Hayes Road, Indian Trail, NC advised that his property has been in the family for about 80 years and expressed concern for the safety of the neighborhood children as a result of Hanson Brick leaving the site a danger and requested that Council give this serious consideration.

Susan Thomas, 3405 Hayes Road, Indian Trail, NC expressed concern of clear cutting by Hanson Brick. She has concerns over the trees and wildlife there and requested a study be done to determine what is living there and how it will be affected.

Kathleen Beans, 3803 Hayes Road, Indian Trail, NC described the wildlife in her neighborhood and expressed concern over the clear cutting and the mining along with the snakes that will be prevalent as a result.

Linda Hayes Taylor, 3414 Hayes Road, Indian Trail, NC expressed concern over the clear cutting. If the intention is to clear cut the entire 200 acres it will have a negative effect of the residents surrounding the area. There is concern about contamination of well water and requested Council give it their full consideration for assistance.

Sarah Jedelsky, 3711 Hayes Road, Indian Trail, NC advised she has contacted the company several times with no success. They have concerns about the peaceful area being destroyed. She would like to know the intents of the bern and what their other intentions are and provided explicit issues.

Freddie ?????, 3717 Hayes Road, Indian Trail, NC is here to support the neighbors and speakers prior to him.

CONSENT AGENDA

a. Tax Report - Month end for January 2011
b. January 25, 2011 minutes
c. 2010 Delinquent Real Property Tax List to be Advertised

d. Action Garbage Contract Amendment
(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)
e. SP2007-009 Cook Out Interim Zoning Compliance
(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)
f. Adoption of Bo jangles @ Sun Valley Sidewalk Easement Agreement
(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)

Gary D'Onofrio made a motion to approve the Consent Agenda
Council voted unanimously in favor of the motion.

PUBLIC HEARINGS

a. ZM 2010-004 AL-HASSAN REZONE
A request to rezone 3 parcels totaling approximately 9.19 acres from Light Industrial (L-I) to General Business District (GBD). Applicant: Claudia Al-Hassan. Location: 1014 and 1016 Waxhaw Indian Trail Road

Craig Thomas, Junior Planner presented to Council that this rezone consists of three parcels going from Light Industrial (L-I) to General Business District (GBD) and that the Village Center Overlay Zone would remain unchanged. The intent of the GBD is to provide goods and services to the entire town, offer a wide variety of commercial uses, to service the area primarily for residents and create and maintain an appealing shopping environment for the community. The following were rezone considerations made by staff: are the uses identified within the proposed zone and if the GBD should be granted by right, Special Use Permit and is it consistent with the vision of Comprehensive Plan. This will provide the Village Center Land Use an opportunity to create a sense of place and fulfill the vision of the Comprehensive Plan and concentrate on commercial uses around the intersection. Mr. Thomas advised that the Planning Board heard this matter on January 18, 2011 and discussed the potential uses, village center, traffic and market study and were able to make the required findings: Goal 1.3.2 Land Use and that it is a reasonable request *(which were read into the record)* and transmits a recommendation to approve.

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

Robert Allen made a motion to concur with the findings and approve as presented.
Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

b. **ZM 2010-003 INDIAN TRAIL INDUSTRIAL PARK**
A request to reclassify approximately 46.84 acres in Indian Trail Industrial Park from Regional Business District (RBD) to Light Industrial (LI) zoning within the Highway 74 Business Corridor. Applicant: Town of Indian Trail. Location: Indian Trail Industrial Park.

Craig Thomas, Junior Planner presented to Council that this matter is a town initiated rezone designed to do the following: reclassify 47 acres of Indian Trail Industrial Park from Regional Business District (RBD) to Light Industrial

(LI) zoning. Achieve zoning compatibility for uses that are and have been light industrial in nature, along with promoting the spirit and intent of the Comprehensive Plan. Staff recognizes that Indian Trail Industrial Park remains a notable center of light industrial uses, and is of the opinion that the rezone would make this area's zoning compatible with the land uses already in existence and the developed industrial park, keeping with the Town Comprehensive Plan. It conforms to the plan as follows: it's located in the 74 Business Corridor, meets location criteria #6 of the Plan on the periphery, buffer area mitigates any negative impacts; proposed uses would also have to follow UDO requirements and the Land use base calculations are in compliance with the Plan. The Planning Board heard this on January 18, 2011 meeting and were able to make the required findings: ***Goal 1.3.2 Land Use****:* A mix of different types of land uses and the avoidance of potential land use conflicts between neighboring properties and surrounding municipalities.
Goal 1.3.2 Land Use*:* A more balanced tax base by promoting the development of office parks, businesses, retail centers, and industrial parks.
WHEREAS, the Planning Board further finds the request for this zoning reclassification is a reasonable request and is in the public interest because it promotes the goals of the adopted Comprehensive Plan in the area of Land Use and is consistent with the adopted plans within the Town. The Planning Board recommends Council approval.

Mayor Quinn opened and closed the Public Comments portion of the hearing as no one signed up to speak.

Darlene Luther made a motion concur with the findings and approve as presented.
Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

c. **ZT 2010-017 PUBLIC NOTICING REQUIREMENTS**
A request to amend Section 310.010 of the Unified Development Ordinance pertaining to public notice requirements in the Town. Applicant: Town of Indian Trail. Location: Town-wide.

Ms. DeHart presented to Council this request has been generated as a result of a Planning Board discussion. They directed staff to evaluate our public noticing for public meetings and hearings. When researching with other jurisdictions, staff discovered they simplified the information to include project number, contact phone number and a link to the municipality's website for more information. We also discovered that the signs were posted when an application was "complete". We recommended we only provided the following information: project number, type of application, contact phone number and website link. This matter was heard by the Planning Board on January 18th, 2011 where they were able to make the required findings: 1. The proposed UDO amendment is consistent with the following goals:
1.3.1 Of the Comprehensive Plan – Quality of Life; the proposed UDO amendment will help to make the UDO consistent with state and other regulatory standards for public noticing, and provide for the health, safety, and welfare of all Indian Trail citizens.
1.3.2 Of the Comprehensive Plan – Land Use; the proposed UDO amendment will help to promote a quality mix of different land uses while avoiding land use conflicts with neighboring properties and surrounding municipalities.
2. This UDO ordinance amendment is in the best interest of the public because it promotes a more efficient development system and review process, while providing a greater quality of life for all residents of the Town of Indian Trail.
The Planning Board transmits for approval.

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

Jeffrey Goodall made a motion to concur with the findings and approve as presented.
Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

d. **ZT 2010-016 MODULAR AND MANUFACTURED HOMES**
A request to amend/add various Sections of the Unified Development Ordinance pertaining to modular and manufactured homes as uses in the Town. Applicant: Town of Indian Trail. Location: Town-wide.

Ms. DeHart presented that the purpose of this matter is to modify Section 510.020 & 1610 of the UDO that pertains to the residential table of permissible uses as to how and where modular and manufactured homes are permitted and also cross-references "mobile home" definitions in the UDO. A modular home comes in sections (or modules) of a home pre-made; transported to property for final assembly on site, it looks like many if not all site-built homes and must meet state and federal building requirements.
First part of the request is to modify the residential permissible uses table as follows (sect. 520.010(G) to change mobile homes to manufactured homes. Manufactured Homes are
Class A by-right only in RSF and SF-1 (individual homes). Any other residential districts would be allowed only in designated manufactured Home Park overlay (OVMHP) districts or a manufactured home park.
Class B is the same as class A except no overlays are permitted and it also references UDO Section 1310.050 design standards
Second Part of the request is Modular home definition (sect 1610.060(K).
The Planning Board heard this matter on January 18, 2011 and requested the following 3 modifications:
1) Class A is SF-1 allowed by Special Use Permit
2) Staff is to notify manufactured home owners of modifications if adopted
3) They asked that it have a 5 year age restriction. The Town Attorney feels that this would not be allowed in North Carolina due in part to a 2009 NC Court of Appeals case.
They were able to make the required findings of: *Goal 1.3.1 Quality of Life:* A more sustainable quality of life to the residents of Indian Trail by establishing a greater sense of community and promotion a unique identity within the Town of Indian Trail for all residents.
1. The proposed UDO amendment is consistent with the following goals: 1.3.1 of the Comprehensive Plan – Quality of Life; the proposed UDO amendment will help to make the UDO consistent with state, federal and other regulatory standards for manufactured and modular homes, and provide for the health, safety, and welfare of all Indian Trail citizens. 1.3.2 Of the Comprehensive Plan – Land Use; the proposed UDO amendment will help to promote a quality mix of different land uses while avoiding land use conflicts with neighboring properties and surrounding municipalities. 2. This UDO ordinance amendment is in the best interest of the public because it promotes a more efficient development system and review process, while providing a greater quality of life for all residents of the Town of Indian Trail.
The Planning Board transmits for approval as modified by them.

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

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Jeffrey Goodall made a motion concur with the findings and approve as presented.
Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

e. **ZT 2010-010 INTEGRITY AND DESIGN STANDARDS**
A request to amend Chapter 1310 and 1320 of the Unified Development Ordinance regulating architectural standards within the town limits. Applicant: Town of Indian Trail. Location: Town-wide

Ms. DeHart advised this is the result of collaboration between the Council appointed Architectural Task Force and staff. The draft presented to Council outlines compliance within planned developments and expands, clarifies, adds criteria as it relates to building material and architectural features, relocates criteria related to non-residential building design. Ms. DeHart went onto explain the changes in the language to Council. The Planning Board heard this matter on January 18, 2011 and we able to make the required findings of

1. *The proposed UDO amendment is consistent with the following goals:*

1.3.1 of the Comprehensive Plan – Quality of Life because the proposed amendments will help to promote a diverse range of housing options; and

2. *This UDO ordinance amendment request is reasonable and in the best interest of the public because it strengthens the Town's architectural standards recognizes existing planned development design and clarifies requirements for development.*
The Planning Board transmits a recommendation to approve.

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

Mr. Hullinger advised that although some of the items in this amendment are improvements, he still feels that it is too big botherish. He believes it sounds like a HOA and does not like too much government interference. Some things are an improvement, like the shutters, but overall he can no support it as it feels like a HOA and that's not what the town should be.

Mr. D'Onofrio and Ms. DeHart had a conversation pertaining to extended garages and the size lots, advising that he would not support it because of the language on garages. He referred to a couple of homes in his neighborhood that he thinks look nice with the extended garages. Ms. Dehart informed Mr. D'Onofrio that the way it is measured is also proportionate to the overall size of the home. Generally 3 car garages are found on larger homes and therefore would probably still be allowed. Ms. Dehart referred to other language, such as three car garages turned or slightly angled, and informed Council that the group worked tirelessly on this. This is a living, breathing document so if we come across cases where we apply it and we're struggling too much we have the opportunity to go back and modify it. Mr. D'Onofrio and Ms. DeHart had further conversation as it pertains to size of garages as compared to homes proportionally.

Mayor Quinn inquired about Ms. DeHart indicating that "if they come across cases where they apply it and staff is struggling too much staff will have the opportunity to go back and modify the document", would staff be in a position to stop someone from going ahead and doing something that would be considered not appropriate until after that was done. If someone comes with a plan, do you say, let's go change it before we approve it? Ms. DeHart replied we always try to work with anyone who comes in to achieving compliance with the regulations and

sometimes it's just a modification on the front facade setting it back a little bit so we can get you there. What she was speaking to, it's not unusual to make regulations and the more you apply the more you recognize that its application isn't functional, it's not working. Then we would bring it back through the system where we would explain why we need to change it but we would not approve anything until the Ordinance was actually modified. Mayor Quinn asked if this is subjective as to what looks good and what doesn't? Ms. DeHart replied no, it's pretty spelled out in the Ordinance and they need to meet the criteria spelled out in the Ordinance. As planners we listen to what the residents or builders are saying and if there's a problem we bring the issue to the Planning Board and have a discussion to see if it's something they want to consider, it is a problem with the Ordinance or an individual problem.

Ms. Luther advised this pretty much started in Sheridan because a lot of the homes being sold in there were four sided brick, which was not a requirement of the SUP. That is how all this came about, our saying what can we do to protect property owners to be consistent with the architecture. Although she is happy with the way it is and can see where changes might need to be addressed in the future, she asked if this takes care of the original problem as far as it going to be what is currently in there that the builder was choosing to build or is it going to be based on what is currently in there as far as what is required to build.
Ms. DeHart replied to the best of its ability as it relates to law and what we have the ability to do. We put a lot of effort into this and feel this is as close as we could get in the eyes of the law.

Ms. Cathi Higgins, 3004 Clover Hill Road, Indian Trail, NC a co-chairman on the Architectural Task Force advised that they did look at this and felt that this is specifically what they were charged to do. She commented that in her subdivision, Sheridan, it would either be brick or size, whereas before they were getting nothing. She informed Council that the Task Force Members were happy with it; she feels that the she can speak for most of her community (Sheridan) that they were happy with it, it is a step forward and they do support it.

Mr. Allen stated that we have a decision that was supported by a unanimous vote. This is very much a living breathing document that we are fallible but also see that it will address "the garage with the attached living area". He believes this is a move in the right direction. He will support it as it is something that can be fixed if it doesn't work.

Robert Allen made a motion concur with the findings and approve as presented.
Motion Passed 4 - 1 with John Hullinger opposing. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Council took a short break

BUSINESS ITEMS

a. **Cash Management Policy**

Mr. Fivas explained that over the next 6-12 months staff will be writing policies we don't have and evaluating policies we do have to ensure they will assist us in getting to the direction the town is headed. He explained that this policy determines how the Town handles cash either by way of investments, transfers for consistency and guide.

Jeffrey Goodall made a motion to approve the Cash Management Policy.

Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

b. **Fund Balance Policy**

Mr. Fivas explained this is another one of the policies he referred to in the previous matter stating these policies are extremely important for Bond approval.

Jeffrey Goodall made a motion to approve the Fund Balance Policy as presented.
Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

c. **Resolution Opposing the 2012 Union County Property Revaluation**

Mr. Goodall advised that he generally does not get in the business of County affairs as we have enough to do here in Indian Trail without getting into the business of the County. The County has many challenges facing them with 200,000+ residents. Having said that, part of those residents are the 30,000+ that live here in Indian Trail which is why he is presenting this matter to the Council. It has been proposed by a former County Board of Commissioners that we hold a property revaluation next year in 2012 for Union County. The last one took place in 2008 and by State law we have until 2016 to do another one. Currently the proposal is that if something doesn't change or if they vote not to do it we will have one next year. His having spoken with the Tax Director and keeping up with the news his thoughts are to lean not to do that next year for various reasons. He's aware of the mixed opinions for and against as it pertains to the "real evaluation of the homes". Mr. Goodall read the resolution into the record. He informed everyone that the City of Monroe approved a similar resolution, Weddington voted to not have a revaluation as well. He advised that he generally does not prefer to react to other municipalities, but Monroe is the largest and is a County seat, and their voting against a revaluation says a lot to him. Mr. Goodall provided statistics on foreclosures, advising that the Tax Administrator expects a decline of 14 percent in the County real estate base, but feels that number may go higher because of the lack of sales and the numbers of foreclosures. Mr. Goodall referred to the extraordinary amount of appeals being submitted in Mecklenburg County as a result of their revaluation. The Tax Collector would have to raise the taxes 8 cents to be revenue neutral if Union County did a revaluation. This is just a recommendation to the Board of Commissioners, they may have to raise taxes anyway, but he would prefer they not raise them due to the revaluation results, when it can be avoided and possibly our economy can get better in 2-4 years. He believes property values will go up in time, but once taxes are raised they very rarely go down. The cost for the revaluation is approximately $250,000; those funds can be used for our schools or to purchase more sewer pipes. There is a concern that people will walk away from their homes if the value of them is lower than the mortgage they currently hold, creating more foreclosures along with the loss of the ability to use any equity on their homes for improvements, start businesses etc.

Mr. D'Onofrio related the situation to an experience he had at work about a presentation he conducted called Operational Excellence, stating the key to the presentation was how you go about an operating routine to get the results that you want out of it. In other words, how do you focus on your core functions so that you get the desired results that you're trying to get? The first section of the presentation was entitled "don't major in minor" which means that you should not spend the majority of your time focusing on small insignificant issues, you can very easily get side tracked and if you do you will not get the results that you want to get. He feels that is resolution falls under that category, he does not believe that anything good or bad may happen if the revaluation takes place, rates may go up, home values may go down, but the key phrase is "revenue neutral". He believes there is a lot of time and energy at the Commissioner level being focused on this matter and feels it is largely political in nature, if not entirely and there's enough blame to go around there for everybody on the Commissioners. The two Commissioners

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from the prior term that "stuck" the incoming Commissioners with this task of fulfilling the revaluation and the current majority that can simply vote not to do this. They have the vote and do not need a Resolution of support from a municipality, it's a show, and some may argue politics is a show, perhaps it is. In this case I think it's a waste of time, he doesn't really support the revaluation nor does he support the resolution opposing the revaluation for those reasons.

Mr. Hullinger advised that he agrees with some of the points Mr. D'Onofrio made. His biggest problem is the lack of information to make a solid decision. There are a lot of different points of thinking, a revaluation will lower the property value which could lower the tax liability for some, but at the same time we don't know if our area will drop less than another area. Hypothetically, if the revaluation drops a tax bill by $100, then the taxes get raised $100 to make it revenue neutral, increasing the bill by $200. He has no information to determine if a re-evaluation is good or bad, he wishes they just do it every eight years instead of four. He is unable to support it as he does not have enough information to determine if he should support or oppose it.

Mr. Allen feels he could make a valid argument on either side of this thing. Will it change anything, probably not, but the only thing he's drawing off from is over 30 years experience in the real estate business. Every time you get a mortgage you get an appraisal. He's watched it all through Florida where property values dropped, went back up, it cyclical. If we do the revaluation now, in three years it's going to turn around and it'll be ok but then you will be stuck with a tax bill that he promises, will not be reduced as quickly as the reevaluation is done. Therefore he is going to support it; he believes we do need to have a voice in this to send it further upstairs. They need to know what we're thinking and where we're coming from. We do represent 30,000 of the 200,000 and he will support it.

Ms. Luther advised that she 100% supports it. Although she understands what Mr. D'Onofrio said about it possibly being political but at the same time, whether it's true or not true, she thinks it's important to make a statement. She supports it because it is inevitable if the revaluations come in lower, which they will, then the taxes are going to go up, the property values will come back and the taxes will not go down. Without even considering anything else, foreclosures, etc, to her it's irrelevant. She feels it's safer for the taxpayer, looking towards the future to not to the revaluation now and hopefully avoid a tax increase that would be necessary to make up the difference, so she will support it.

Mayor Quinn advised that Indian Trails values went down approximately 11% compared to the some areas of the rest of the County which went down approximately 40-50%. This causes the County to determine who would be affected the most and the houses with less depreciation would end up paying more taxes. It's a balancing act that they would have to do. Mayor Quinn pointed out the sixth WHEREAS of the Resolution that state that an 8 cent increase in property tax would happen is inaccurate, it should read "a tax rate increase" not "increase in property tax". Mayor Quinn referred to the last WHEREAS which states that "the majority of the Town Council believes in lower taxes" and asked what that was about? He wanted to know who the majority is as two of the Council Members raised taxes in 2008, so he doesn't know if that statement is true and why would the Resolution state "majority". If the Town Council was passing a Resolution it would not include the word majority which would isolate a minority which could be two people. Mayor Quinn questioned the statement on the Resolution that "the majority of the Town Council believes in lower taxes not higher taxes on its citizens", stating that he does not see how that is the case. Therefore he will not sign the document as written.

Darlene Luther made a motion to approve supporting the Resolution opposing the 2012 Union County Property Revaluation

Motion Passed 3 - 2 with Gary D'Onofrio, and John Hullinger opposing. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

d. **Resolutions supporting widening Old Monroe Road**

This matter was added as a result of a motion made in Item 3 Additions and Deletions.

Mayor Quinn passed the gavel to Mayor Pro Tem Goodall and left the meeting.

Ms. Luther advised that this resolution to support the transfer of NCDOT funding from the widening of Indian Trail Road to the widening of Old Monroe Road was spurred because of Stallings position and the potential willingness of NCDOT to work with both towns in reallocating the funds from their original project. General conversation pursued.

Gary D'Onofrio made a motion to approve the Resolution supporting the reallocating of transportation funding from Indian Trail Road to Old Monroe Road.
Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

DISCUSSION ITEMS

a. **Meriwether HOA - Street Parking & Emergency Vehicle Access**

Alex Ortiz, President of the Meriwether HOA, Rob Ferguson HOA Secretary and Dr. Gloria Martinez representing the Management Company attended the meeting to speak to their community issues. He advised that the HOA and Management have implement parking regulations in their community because the streets are too narrow for emergency vehicles to get through if cars are parked on both sides of the street, requested the Town assist them in enforcing the regulations by permitting Union County Sherriff's office the authority to cite for parking regulations in the Meriwether Subdivision. They would also like the Town to take over their roads. Mr. Ortiz advised Council that the Meriwether Community owns 30 acres of land and would like to start discussions with the Town on donating the land to the Town's Parks and Recreation to utilize as well as maintain for a community park. Mr. Ortiz explained the parking regulations, the process they went through for notifying the citizens and what they currently do prior to towing a vehicle.

b. **Realignment of Efficiencies Initiative**

Mr. Fivas advised Council that in the next 6-12 months staff will be reevaluating the municipal code and policies to make it a more efficient organization.

c. **Spring and Summer Events Update**

Mr. Fivas provided dates for the Council of upcoming events.

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d. **Discuss Comprehensive Transportation Plan**

Mr. Fivas provided an explanation on what this includes: bikeways, parks, walkways, providing transportation through Matthews, Stallings and Indian Trail. There was an RFP process for the project providing a much better idea for the scope of work. Mr. Fivas explained that this discussion is just about ensuring Council has a clear understanding and to determine if they are interested in this at all. The project is funded by a $75,000 Grant from MUMPO and would require approximately a $25,000 match from each of the three communities. Council had a general discussion about this, Council Members Goodall, Luther, and Allen stated they do not support this Plan.

Mr. D'Onofrio added that caution should be taken and make sure that we indicate to our neighbors, that even if we are not in favor of this we are in favor of working with them on the projects that run through our common jurisdictions, outside of what's being talked about here.

Mr. Fivas stated that we are very much ahead of Stallings and Matthews in these things and should take pride in the fact that we do have a solid plan, which speaks to our Planning staff. Mr. Fivas asked Council if they would like staff to ask MUMPO if we can apply our $25,000 portion of the Grant towards Indian Trail needs. Council was unanimously in favor of that approach.

MANAGER'S REPORT

Joe advised that we will be having the Goals and Initiative Session on March 30th. April 12th the County Board of Commissioners will be here for a joint meeting. He requested topics from Council and requested they advise how they would like the meeting run. We can use this as a good opportunity to put our issues in front of them. ETC has reported that the survey is going well. We anticipate they will be coming in March to present to Council.

Mr. D'Onofrio suggested reducing the number of topics from 5 to 3 for the meeting with the Union County Commissioners and focus intently on those topics. Mr. Goodall agreed and feels that the survey results might be helpful for Council to determine what topics should be discussed. By a nod of the heads the rest of Council agreed to this format.

PLANNING REPORT

Ms. DeHart had nothing to report.

ENGINEERS REPORT

Mr. Kaufhold advised that the Waxhaw Indian Trail Road sidewalk will be advertised for bid this weekend. Mr. Goodall inquired how the Rogers Road sidewalk project is coming along. Mr. Kaufhold advised that staff is working on the permit with the State, the Encroachment Agreement and Grading Permit had some design issues which will to be resolved.

COUNCIL COMMENTS

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Council Member Luther had no comment.

Mayor Pro Tem Goodall expressed his happiness about Indian Trail POW WOW coming back to Indian Trail in September. Mr. Fivas is wrapping up his first year and congratulated him on a job well done.

Council Member D'Onofrio commented on Hanson Brick and expressed concern for the residents. He suggested that you understand where you live and what's next to you.

Council Member Allen advised he would like to see an updated seal on the Development Services Building. He would like to help the residents on the Hanson Brick and perhaps be proactive and be a broker a meeting between the residents and Hanson to assist them with these issues. He suggested that Planning explore the possibility of augmenting that Ordinance to require outdoor seating. He complimented Mr. Fivas on a job well done.

Council Member Hullinger would love to see a large fireworks show that is sponsored by a corporation for July 4th or New Years.

CLOSED SESSION

John Hullinger made a motion to enter closed session under [N.C.G.S. 143318.11(a)(4)] To discuss matters relating to the location or expansion of business in the area served by this body.
Council voted unanimously in favor of the motion.

John Hullinger made a motion to approve coming out of Closed Session.
Council voted unanimously in favor of the motion.

ADJOURN

John Hullinger made a motion to adjourn
Council voted unanimously in favor of the motion.

APPROVED: _____
John J. Quinn, Mayor

Attest: _____
Peggy Piontek, Town Clerk

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