



**Town of Indian Trail**  
**Minutes of Regular Council Meeting**  
**July 13, 2010**  
**Civic Building**  
**6:00 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, Planning Director Shelley DeHart, Town Engineer Scott Kaufhold, Tax Collector Janice Cook, Senior Planner Katie Reeves, and Adam McLamb Engineering.

Absent Members: Assistant to Town Manager Miriam Lowery, and Junior Planner Jonathon Edwards.

Press/Media: Marty Mitchen of the Charlotte Observer.

**CALL MEETING TO ORDER**

*Mayor Quinn called the meeting to order.*

**INTERVIEWS OF BOARD AND COMMITTEE APPLICANTS**

All of the applicants were asked the following questions: 1) What motivated you to submit your application to serve on a Board for the Town? 2) What qualifications, experiences or perspective could you bring to the Board that you believe will benefit the Town? 3) What do you believe the Town has

done well and what issues do you believe still need to be addressed? 4) Would you consider serving on another board, other than the one you have applied for? 5) If you could change one thing in Indian Trail, what would it be? 6) Would you consider serving as an alternate? Their replies are as follows:

Cathi Higgins responded as follows:

1. Only a resident for just over a year, she was involved in last community, friends suggested she get involved to make friends and learn about your town. When inquiring about the budget and showing interest in the UDO she was asked if she wanted to apply for a Board.
2. She was very involved in her previous community which included the PTA, zoning and development issues in her town, along with her Homeowners Association.
3. She stated she is impressed on how staff welcomed her and answered her questions promptly and completely by the Finance Officer and Town Manager. She is also impressed with the Planning Department and Ms. Didier who assisted her with her trash matters. She has read the UDO and believes it is a fine document.
4. Yes.
5. The roads need paving other than that she has no suggestions, but believes Indian Trail is on the right track with planning and development, communication with residents, the website is awesome and provides much information which is updated daily.
6. Yes she applied for an Alternate position, because she is still learning and feels it is a good way to learn and also contribute.

Mayor Quinn invited Ms. Higgins to make any additional statements. Ms. Higgins advised that whether she is selected or not, she will be an active citizen and looks forward to working with all of the staff and Council.

Larry Miller introduced himself, advising he is a lifetime resident of Indian Trail and provided some professional history of himself. He started out in 1996 on the Board of Adjustments from the beginning and also with the Planning Board for several years and provided his history on those Boards as well. He is currently an Alternate and shared his desire to help the Town and represent everyone, is not afraid to speak his mind and feels he has a lot to contribute. He enjoys being on the Planning Board and would prefer not to be appointed on the Board of Adjustment.

Mr. Goodall advised that he appreciates Mr. Miller's service over the years.

Dan Jenka responded as follows:

1. He is a new homeowner, wants to get involved to make it a better place to live and the Transportation Committee might be a good place to start.
2. He has no previous experience being on a Town Board, but feels he has some ideas that might assist the Town.
3. He believes the town is doing the right thing with the bike plan and starting up the park and recreation program. Making it easier for people to go out and enjoy themselves without bearing the fear of being on the roads.
4. Absolutely.
5. Reduce traffic.
6. Yes.

Mayor Quinn invited Mr. Jenka to make any additional statements. Mr. Jenka said is excited to be living here and looking forward to getting on one of the Boards and hopefully make a difference.

Ken Pack responded as follows:

1. He has recently been involved with a dispute with the developer of his sub division and feels it might be interesting to get involved.
2. Senior Vice President of Sun Trust Mortgage, he deals with mortgage lending, development, appraisal information and feels this would be a good follow up.

Mr. D'Onofrio asked him to expound on his comment about the issue with the developer. He advised that the subdivision has had issues with the developer following through on what he is supposed to do and as a result has been working closely with the Planning Department.

3. Control the growth to establish the parameters for development. He feels it's hard to get people to respond and thinks it something that needs to improve.
4. He would consider it, but it should be something of interest and feels his background would assist in his being on the Planning Board so probably not.
5. The response time when citizens have an issue and try to get people to work with them. He feels that sometimes the homeowner who is paying taxes here are forgotten. We do have a voice and it should be heard.
6. Sure, not a problem.

Mayor Quinn invited Mr. Pack to make any additional statements. Mr. Pack replied he would be glad to serve in any way that the Town might need.

Mr. Goodall inquired about the responsiveness and if his community has an established Homeowners Association. He advised that it has not been established yet.

Danny Takah responded as follows:

1. He believes he has unique experiences and feels that one should help his community and be a vital asset. He believes all citizens should contribute to their community.
2. He spent 8 years on the Zoning Hearing Board in Washington, PA, which consisted of variances and requires being analytical, listen to all parties involved and following the advice of the attorney.
3. The police force does a wonderful job; he sees them all the time and feels it makes a difference. There are too many red lights.
4. Yes, all boards are important.
5. Red lights.
6. Yes

He appreciates the opportunity to serve the community if Council should see fit.

Patti Cowan provided some history, advising that she currently serves on the Indian Trail Planning Board and has served since 2004. She has a passion for the Town, Council and staff. She believes it's everyone's civic duty to serve in some capacity. She and her husband both work in the community and has nothing bad to say about Indian Trail.

Roger Fish provided his history, advising that he moved here 5 years ago and his family has followed him down. He has served on the Homeowner's Association of his community and became involved in the Union County Leadership Forum. His profession experience has been in the education field, has been a consultant around the country. He became involved to be aware of what is going on. He currently serves on the Board of Adjustment, Parks Trees and Greenway Committee and the Downtown subcommittee.

Vincent Howard advised he has lived in Indian Trail for 5 years. His main purpose for being on the Planning Board and the Traffic Advisory Committee is because he felt there were issues that needed addressing. He feels his experience serves him well to be on the Board. He contributed to creating the UDO and feels that changes need to be made and feels he can contribute to doing that.

Sidney Sandy provided his history, advising that he is retired from NCDOT as a surveyor. He was instrumental with the UDO, has served on the Stormwater Committee.

Mr. Goodall asked if Mr. Sandy has a preference for the Planning Board or Board of Adjustment. He has served on the Planning Board and feels his experience relies with them.

Discussion pursued on voting procedures. The Town Clerk passed out voting ballot sheets for the Council to select Board and committee members.

The votes were tallied by the Clerk and Planning Director. The results were as follows:

Planning Board Regular seats: Larry Miller, Sidney Sandy and Patricia Cowan were reappointed.

Planning Board Alternate seats: Kenneth Pack and Cathi Higgins were appointed.

Board of Adjustment regular seat: Daniel Takah was appointed.

Board of Adjustment Alternate seats: Roger Fish and Sidney Sandy were reappointed.

Transportation Advisory Committee: There were not ballots for this committee, as only one applicant had applied. Dan Jenka was appointed as the result of the motion below.

***SIGNED COPIES OF THE BALLOTS AND TALLY SHEETS CAN BE FOUND IN THE CLERK'S OFFICE.***

Gary D'Onofrio made a motion to approve appointing Dan Jenka as a regular seat on the Transportation Advisory Committee.

Council voted unanimously in favor of the motion.

### **PRESENTATIONS**

\* Advisory Board meeting for the Armed Forces Museum and Archives of the Carolinas

Carol Aljet presented to Council about the Armed Forces Museum & Archives of the Carolinas, advising that it is our responsibility to preserve the history, words, images, artifacts and deeds of those who have sacrificed for our freedom. She provided drawings of what the museum would look like, where it's location would be and requested the Council consider a donation to support the efforts of the Armed Forces Museum & Archives of the Carolinas.

\*Lyme Disease Proclamation

Mayor Quinn read the proclamation.

### **ADDITIONS AND DELETIONS**

Mayor Quinn requested a motion for Mayor Paxton to speak to the Council

John Hullinger made a motion to approve add comments from Mayor Paxton to address the Council as item 6b.

Council voted unanimously in favor of the motion.

Mr. D'Onofrio requested that we recite the Pledge of Allegiance. Mayor Quinn thanked Mr. D'Onofrio for reminding him and suggested we do that after we complete the Additions and Deletions portion of the agenda.

Mr. Allen expressed his concern that question presented during public comments are not answered until the end of the meeting. He suggested that Council Comments be moved to immediately after public comments, so that should a Council member choose to address an issue presented they can do so at that time and have closing comments by the Council at the end of the meeting. Discussion pursued amongst Council about this.

Robert Allen made a motion to approve adding this matter, discussion of having Council Comments immediately following Public Comments on the agenda, as item 10c to the agenda.  
Motion Passed 4 - 1 with John Hullinger opposing.

The Pledge of Allegiance was conducted.

#### **MOTION TO APPROVE AGENDA**

Gary D'Onofrio made a motion to approve the agenda as modified.  
Council voted unanimously in favor of the motion.

#### **PUBLIC COMMENTS**

Danny Figeroa, 6717 Third Avenue, Indian Trail, NC advised that he has over 800 signed petitions of registered voters supporting the contract with Union County Sheriff's office. He advised that they have had face to face contact with about 400 - 500 people and feels there's overwhelming support for the Sheriff's office and not a Police Department. He feels that business community overwhelming supports this. He advised that if we are trying to be business friendly we should listen to their wants and needs. Extending the contract would be the most fiscally responsible thing to do at this time. He read the petition.

Samantha Townes, 104 Pine Lake Drive, Monroe, NC expressed that a government for the people by the people and she feels that Council is not doing it. She feels the residents should have some say with regard to the actions that will affect them. If Council blatantly disregarded the fact that they wanted input into the fiscal budget, fine. But moving forward, she believes that some people should have input into some of the planning that goes on with this budget, such as the economic development. What is it, there's no water and sewer and we don't need another fast food chain. She feels that we need jobs for people, perhaps using the vacated Bi-Lo as a conference center. She suggested that since North Carolina is the 5th most corrupt state in the United States and actions are displaying the fact why we are so corrupt. She hopes that Council takes into consideration that the citizens do have a voice and she

thanked Mr. Hullinger for being the only one who stands with the citizens of this County and the Sheriff's Office for all of the support they provide the citizens in the County and thanked all the volunteers that are on all of the committees here.

b. Mayor Paxton discussed the Resolution pertaining to the design of the Monroe Bypass, advising that the original design was attractive. She advised that in February the Turnpike Authority introduced that a wall design might not be viable, but a pylon bridge is being discussed and asked the Indian Trail Council to support this Resolution.

Mayor Paxton discussed the Chestnut extension. She suggested that Stallings has 14 million dollars of DOT funds designated for this and thought some intersection improvements could be done as well. Mayor Paxton informed Council that Mr. Moose has asked for a joint resolution from our two towns stating that we are in agreement with pooling the funds, building a new road and addressing the intersection improvements.

Mayor Paxton provided some history on the availability of water and sewer in Union County, suggesting that expediting a treatment plant on Poplin Road.

She advised that she, Mayor Long and Mayor Becker discussed this and one solution was to try and preserve some of the capacity. It is her understanding that there was about 600,000 gallons from the contract that the County has with the City of Monroe that is not promised. She suggested that some of that capacity be reserved and divided amongst the 13 towns would be approximately 50,000 gallons per town. She suggested an agreement amongst all the towns for sewer reservation. She said the County has contracts with the developers and Town of Wingate and perhaps they would be willing to contract with other towns for a more equitable allocation of sewer capacity. She provided Council with positive models used by other jurisdictions. A contract has been composed by the three Mayors and invites any other municipality who is interested in participating to sign on as well. This contract asks for reservation for commercial development or mixed use development with a ratio of 1,000 square feet of retail for any housing unit that is included or for senior housing that would not have impact on the schools. There is a preliminary agreement to apply funds to this contract, suggesting a \$10,000 bond to ensure the seriousness of the signing municipalities.

Mayor Quinn thanked Mayor Paxton, expressing his concern for equitability for all municipalities. Indian Trail is seeking economic development. Mayor Paxton replied there are 600,000 gallons and it's a start. However, in the future, a formula would have to be devised that would look at land mass, ratio of commercial development, population and some other variables. Since there is some urgency to the matter and wanted to get a commitment soon, they did not want to weigh themselves down to work out all the details, nor is it appropriate for them to do it alone, as input from all the towns would be necessary.

Mr. Goodall inquired if the timing will be based on the election, is it her desire to accomplish this before that. Mayor Paxton replied yes, as with every new Board there's a change in policy and it's assumed a contractual agreement will prevent it from getting thrown out.

Mr. D'Onofrio inquired if her Council has concerns about the Chestnut Connector original presentation of 4 lane road verses 2 lane road now being presented. Mayor Paxton recalled that it has always been presented from DOT that they would buy 4 lane right of way, but it would originally be a 2 lane road with the option to expand when the need arose.

Mayor Paxton advised that they are anxious to get this off the TIP because as long as it's on there DOT can come in and build it the way they want to build it and Stallings has a business that would be severely impacted by it. If it could be moved along quickly, the time table for the two projects will be minimally affected.

Mayor Quinn inquired if Mayor Paxton feels urgency about the wall on the Monroe Bypass? She replied yes it is a concern and would like to tell MUMPO that they have the Indian Trail support. Mayor Quinn would like some direction before the MUMPO meeting.

### **PUBLIC HEARINGS**

#### a. ZM 2010-001 Highway 74 Corridor Area Rezone

Ms. DeHart presented a request to rezone approximately 116 acres from General Business District to Regional Business District as a result of a direction by Council. It would make it consistent with existing zoning in 74 Business Corridor. Planning Board heard this on June 15th and had concern regarding comments from business owners and directed staff to forward the text amendment and they made the required findings: 1.3.2 Land Use and the Amendment is a reasonable request and transmits a recommendation to approve.

Mayor Quinn opened the public comments section of the hearing. No one signed up to speak; Mayor Quinn closed the public comments section.

Robert Allen made a motion concur with the findings and approve ZM 2010-001 Highway 74 Corridor Area Rezone as transmitted.

Council voted unanimously in favor of the motion.

### **(COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES)**

#### b. ZT2010-006 Commercial Use Table

Ms. DeHart presented a request to amend Section 520.020(G) Commercial Use Table to allow Wholesale Distribution within the Regional Business District (RBD). It would be allowed by a Special Use Permit. This is a direction to staff from Council based upon the previous amendment. Research discovered that the UDO currently allows use only in the Industrial District, historical records showed that it was a previously allowed use in 74 Business Corridor. The Planning Board did consider the potential impacts in the area of adjacent land uses, hours of operation, noise and transportation. They made the required findings: It is consistent with 1.3.2 of the Comprehensive Plan - Land Use; the proposed ordinance amendment allows various land uses promotion economic development while considering potential

land use conflicts. This ordinance amendment is a reasonable requested and is in the best interest of the public because it supports and promotes economic development within the appropriate zoning district.

The Planning Board recommends approval of the text amendment.

Mayor Quinn opened the public comments section of the hearing. No one signed up to speak, Mayor Quinn closed the public comments section

Mayor Quinn inquired that the noise and other factors mentioned would be considered during the Special Use Permit process. Ms. Dehart replied he was correct.

Gary D'Onofrio made a motion to concur with the findings and approve ZT2010-006 Commercial Use Table as transmitted.

Council voted unanimously in favor of the motion.

**(COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES)**

#### **CONSENT AGENDA**

- a. Tax Report - Month end tax Report for June 2010
- b. Powell Bill Map 2009-2010
- c. Budget Amendments

Jeffrey Goodall made a motion to approve adding the June 22, 2010 minutes to the Consent Agenda, modified to include the list of closed session minutes that were approved at that meeting. Council voted unanimously in favor of the motion.

Jeffrey Goodall made a motion to approve the consent agenda as modified. Council voted unanimously in favor of the motion.

#### **BUSINESS ITEMS**

- a. ABC Board Power change application

Ms. DeHart presented the history of Council actions pertaining to the zoning and establishment of an ABC store. It is in section 7190-020 which states that when the Planning Department receives an application to establish an ABC store they are required to bring it before Council. Staff is notifying the Council they received an application on July 2, 2010 for a Power Name Change which verifies that it is in the right zoning district. The Council is required to consider the location and any possible objections this Council may have to the proposed location. Should there be an objection Council staff would file that objection with the ABC Commission after it has gone through a Special Use Permit process. Ms. DeHart briefly explained the process: the location is proposed for the Union Towne Center on Highway 74 Corridor, within 2 suites, the zoning in that area is Regional Business District and the Comprehensive Plan identifies it as the Highway 74 Business Corridor, it is consistent with the zoning regulations and the

intent of the Comprehensive Plan. Ms. DeHart requested that Council consider the location and motion to support or object to the proposed location.

John Hullinger inquired if this meets all of the regulations about distance from schools, churches etc. Ms. DeHart replied that the regulations associated with ABC stores and the distance is something the ABC Commission regulates. The Indian Trail ABC Board is currently going through the process with the Commission. Our regulations stipulate that in order to establish they are required to get all the local State and Federal permits, they need to go through this process so we may consider it locally but we do not enforce any distance requirements.

Mayor Quinn confirmed that any Town Ordinance with regard to where a facility like this is in relation to a church. Ms. DeHart replied that's correct, it's strictly regulated by the ABC Commission.

Jeffrey Goodall made a motion to support the location.  
Council voted unanimously in favor of the motion.

#### b. Event Park Update

Mr. Fivas presented a history of the process in creating this proposed park, provided and explained drawings of the park to include park furniture, signage, parking options, marketing, financing, bidding, and other options. He advised that the preexisting park fund will pay for most of the hard costs but that staff may have to approach Council again for direction if additional funds are required. Mr. Fivas stated that we will not know the exact costs until the bids come in.

Mr. Goodall confirmed that all the furniture meets the Downtown Subcommittees recommendations. Mr. Fivas replied yes. Mr. Goodall inquired what the maximum crowd anticipation is. Mr. Fivas replied that staff's best guess is 800-1,000 people. Mr. Goodall inquired if the slope promotes visibility. Mr. Fivas replied yes.

Mr. D'Onofrio inquired about the lighting (lampposts). Mr. Fivas explained about the lighting.

Mayor Quinn inquired if the large fall event will be held here? Mr. Fivas advised that there is a meeting scheduled for tomorrow morning with staff to discuss this event.

Mr. D'Onofrio is excited and feels it's what the citizens and Council wants. He inquired about the parking, asking what areas of streets are conducive to street parking for events. Mr. Fivas advised in order to meet all of our Ordinance and common sense requirements is that there are a number of spots located in the Downtown area, with the intent of installing sidewalks so people can walk to the park.

Mr. Goodall inquired about the parking cost estimates and the possibility of phasing the improvements in. General conversation pursued.

Mr. Fivas requested Council approval directing staff to move forward with what has been presented to them tonight. Assuring Council that staff would continue to update them on the process and Council would maintain creative control.

Mr. Hullinger inquired what the cost estimate of the concept presenting tonight would be. Mr. Fivas replied the park itself will cost approximately \$200,000 without the extra things that would be brought back to Council. Mr. Hullinger inquired if it could be done cheaper. Mr. Fivas advised that we will do what Council directs. He also advised that this estimate does not include the solicitation of sponsors and is optimistic they will be forthcoming.

Jeffrey Goodall made a motion to approve the entire conceptual design as presented tonight and instruct the staff to go forward and approve the name. Council voted unanimously in favor of the motion.

Mr. Fivas credited staff with their responsibilities, explaining the amount of work and time spent on this to be able to present to Council as expeditiously as possible, advising he is proud of the staff and hopes Council is as well. Mr. Goodall replied we are and commented that a fantastic job was done on the July 4th parade by staff as well.

#### **DISCUSSION ITEMS**

a. Historical overview of the Chestnut Connector

John Hullinger made a motion to table the Historical overview of the Chestnut Connector. Motion Passed 4 - 1 with Darlene Luther opposing.

b. Mayors communication with staff concerning Genwove property and Council Resolution banning same.

Mayor Quinn provided the history of Council approval for staff to negotiate the purchase of the Genwove property.

He advised when he visited the site there was a crew cleaning it up. While walking around he observed some containment areas that looked contaminated, had discussions with the workers and spoke with the owner. He was advised that the worker was uncomfortable filling in below ground area with the material found on the premises. Mayor Quinn did not feel comfortable with this, received the workers contact information and called Mr. Fivas who was unavailable. He then called the Engineering Dept. He never received a call back from Mr. Fivas or Engineering and provided the information to Ms. Watts. He received an email from Mr. Fivas requesting that Mayor Quinn direct all information to him and not contact staff.

Then he called North Carolina Department Environmental Natural Resources (NCDENR) and reported the situation. Mayor Quinn had pictures which showed material that was put into the containment areas. Mayor Quinn stated that these areas had nothing in them when he first viewed the site. He

spoke with DENR who took action, consisting of soil samples and shut down the operation until the test results are received. Mayor Quinn read an email sent out by Mr. Fivas to Council. Mayor Quinn advised his concerns were for the Town and residents. Mayor Quinn provided DENR's recommendation. He spoke with DENR who took action, consisting of soil samples and shut down the operation until the test results are received. Mayor Quinn provided DENR's recommendation.

Mayor Quinn read an email sent out by Mr. Fivas to Council. Mayor Quinn advised his concerns were for the Town and residents.

Council Resolution:

Mayor Quinn feels communication is quite important, advising that he was elected to represent the people and he feels they expect professionalism, communication and cooperation. Mayor Quinn stated that he believes the people expect that elected officials will have full access to municipal resources to protect their interests, open communication, cooperation and sharing of information. He believes that if this does not exist it erodes public confidence and trust in local government, undermines the advocacy role (Code of Ethics). He feels the Resolution/atmosphere places staff in an uncomfortable position. He advised that the United States and NC State Constitution guarantee equal protection of the law and due process rights. He played a recording from a past meeting.

He suggested a referendum of the people of the Town of Indian Trail to say something to the effect that "do you approve of the Town Council's actions to \_\_\_\_ (fill in the blank), but suggested "banning the current Mayor from talking to staff and so on and so forth without due process". He advised that referendums can be done and he would be more than happy to find out what the folks have to say about this. He also suggested a referendum for policing, suggesting it read "do you want a police department?" and let the educational campaign begin.

c. Discussion of Council comments following public comments.

Mr. Allen expressed concerns over the delay in response to citizens comments made at Council meetings. He advised that many times they have the information to provide the citizens but are not given the opportunity to do so until late in the meeting and said this is an attempt to correct that. Mr. Allen said that it's not an attempt to debate with the public, merely a chance to either correct information or disseminate information they find helpful. He asked the Town Manager if this is something that might be considered inappropriate or normal.

Mr. Fivas clarified that Mr. Allen was referring to moving the Council Comments on the agenda to immediately follow the Public Comments item. He advised that it is what the Council wishes to do, he does not believe there is any guidelines that prevent it. From his past experience, his last Board opted to do it that way, provided a hypothetical situation and said from an Administrative standpoint it's helpful getting an answer or disposing of it so people don't have to wait around to get the information.

Mayor Quinn advised that in the past when there were questions, staff has stepped up to, as necessary, we've referred it over to staff and I know that at times, Shelley and others have engaged in

conversations with folks right after that. It depends on the nature of the question. Certainly technical question, there's no, certainly nothing wrong with getting them that information if it's available to them that night. His concern is, getting in a debate or rebutting a resident's statement, he thinks it's a mistake. However if Council wants to do that, he thinks it's a mistake to get in the position of "well, you know, I don't, you know". This comes with the territory, you're on the stage and people have an opinion, they have a right to express it without being identified later or that kind of thing. He thinks it's a mistake and as long as it doesn't go there, he thinks we have a process in place and we've used it to hook people up with the right folks to get questions answered. But if it's a rebuttal over something that someone says or it's an opinion, he thinks it's a mistake.

Ms. Luther agreed that if it's an opinion it is a mistake. One of the benefits she believes would be to provide accurate information to a citizen that is commenting on inaccurate information. It would be nice to make those corrections at the end of public comments, for things that are fact and not an opinion to ensure clarification of facts not opinions.

Mayor Quinn inquired what Politician doesn't embellish the, does anyone here believe that politicians or government doesn't say things that end up not being true.

Ms. Luther advised she came for years to Town Council meetings, sitting out there just because she was interested and was involved in what was going on and if she stood up and made a statement, then wait 3 hours to get a comment to your statement. Personally, she as a resident, like to have the feedback on something she presented. She doesn't believe Mr. Allen is referring to opinions; it's about having that satisfaction of the resident to have that feedback.

Mr. Hullinger said that he believes for the most part the Council's have done that, addressed peoples questions and referred to a specific matter that Council had addressed. He doesn't think it's so much of an issue and feels that when people raise a question he feels it's addressed rather rapidly. If it's a question, he doesn't understand why we can't just answer it.

Mr. D'Onofrio suggested that a statement at the top of the sign in sheet that reads "if your question requires follow up, please include your email address" or "if you would like follow up, please include your email address or phone number so that Council and staff may contact you". Then after the meeting it could be distributed to us for follow up with that individual, which would prevent the aspect that could be somewhat problematic. He also believes it provides an opportunity for each individual to interact with the person if they want follow up.

Mr. Merritt informed the Council that there is a Town of Indian Trail Town Council Public Comment Policy and some of these items are addressed within that policy. He feels it might be helpful for Council to be provided with a copy of it to review what a previous Council put in place with respect to dealing with Public Comment. He said that some of the issues being discussed tonight are addressed in this document. He suggested Council familiarize themselves with the document and then amend, modify or leave as they are.

## **MANAGER'S REPORT**

Mr. Fivas advised the State budget has been passed, municipalities did well and suggested the elected officials should acknowledge the support.

He thanked the Park, Trees and Greenway Committee on Saturday event for the youngsters to come in and learn about trees, their importance and how they work in an Urban environment.

If Council has comments or thoughts on the issues presented the Mayor tonight, he encourages them to read the email sent by the Town Attorney on this issue. He feels that will answer many questions that are in place.

Mr. Fivas advised that staff has been in contact with the owners of the Genwove property, they are very well aware of their environmental responsibilities. He advised that a more thorough discussion will be had, but it does not necessarily mean we inherit all the environmental risks but it is certainly something that we will have to do significant due diligence. We are well aware of that and it is acknowledged before moving forward.

Mayor made requests for emails, he has them, the Town Attorney has signed off on them this afternoon and he will deliver them this evening. He brings it up now to ensure that everyone has the same information and provide an opportunity for any Council Member who may want to go through all of them. They will be made available upon request.

He thanked Council and staff is excited about carrying out the communities and Council's interest in the park. Staff will go full speed ahead until the job is completed.

## **PLANNING REPORT**

Ms. DeHart spoke about Saturday event, she thanked the Union County Master Gardeners for donating 30 trees to give away, and she recognized and thanked David Grant, Union County Urban Forrester for helping to produce the class. There are great photos and a press release will be sent out about its success.

Ms. DeHart reminded the Council that there are four Carolina Thread Trail listening sessions scheduled throughout the County. Indian Trail's is scheduled for July 21st at our local library from 5:00 - 7:00 p.m. Mayor Quinn will attend to give the opening introduction. Mayor Quinn advised that the request was for an elected official and he has a meeting that he must attend. It might be a good opportunity for another Council Member to get up to speed on this. Ms. DeHart requested if another Council Member would do the opening remarks. The four sessions are in different jurisdictions and they all have an elected official opening the session.

## **ENGINEERS REPORT**

Mr. Kaufhold advised that CSX Railroad will be fixing Wesley Chapel Stouts Road crossing tomorrow and it will be back open on Thursday.

Mr. Fivas amended his report and thanked Scott & Adam for expanding the capacity on Indian Trail Road. He also advised that Mayor Quinn's emails are an ongoing project and if we find any more we will get them to Mayor Quinn and make them available for anyone else who wants to review them.

### **COUNCIL COMMENTS**

Mr. Hullinger advised he had the opportunity on Saturday to go out with two deputies to ride along with them for two hours and found it to be informative, as well as a great experience. He thanked Lieutenant Coble for arranging it.

Mr. D'Onofrio complimented the Independence Day Parade and staff, expressing that it's bigger and better every year and thanked the staff for their hard work. It's a wonderful event and feels it fits nicely with our Town's image. He looks forward to next year at having the festivities at our new park. He thanked Lt. Coble for suggesting a kid ride in his car in the parade.

Mr. Allen thanked the staff, keep up the good work and not let the distractions take you off your project.

Mr. Goodall commented on the parade. It was a wonderful event and wanted to thank the staff for their hard work and a great job. He doesn't think the staff gets enough credit publically. He feels the attendance is getting bigger and better and we still need more candy. He expressed excitement about the Crossing Paths Park for Indian Trail. He acknowledged that we are trying to see the fruition of the previous Council's hard work and dreams. He reminded the public that July 21st is the deadline for the two new positions. He thanked Ms. Lowery for putting the positions on career builder and other advertising venues. He advised that there have been issues in the paper lately and he, personally, has no desire to turn the Town of Indian Trail into a European style city.

Mayor Quinn acknowledged the tree meeting and thanked staff & David Grant.

Comments on the town:

The idea that Indian Trail is a substandard town if it's not urbanized and has a downtown he feels is a huge mistake. What makes it a great place and why people came here are the low taxes and quality of life and the great people who have engaged with each other, volunteer and are involved with their community and their kids lives and education. We have received National and even Global recognition without any of these things having to compete with other towns. He expressed concern about trains coming through Indian Trail. He feels it's a great thing to have parks but a mistake to focus on the downtown area.

He played a recording of Council Member Goodall comments about taxes, expressing that he doesn't

understand the comments and proceeded to explain his confusion. He stated that it is his understanding, based on this year's budget, that all of our revenue is used up based on our taxes on programs. He went onto express his concerns, questioning the strategy, advising we don't need to be urbanized that we are a great town just like we are.

Ms. Luther advised that we did not raise taxes and she believes that two years ago Mr. Goodall participated in actually lowering taxes one half cent. She's excited about the park, thinks it fantastic and did not expect to have renderings in the short two weeks afterwards. They are beautiful and staff did a great job. As far as the Genwove property is concerned, whether or not we purchase it she has faith in the Town Manager and Town staff that they will do their due diligence to ensure this is a good property and complete believes in them that they are going to handle it appropriately.

**CLOSED SESSION**

*there were no closed session items to discuss*

**ADJOURN**

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

APPROVED:

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John J. Quinn, Mayor

Attest:

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Peggy Piontek, Town Clerk