



Town of
INDIAN TRAIL
north carolina

Town of Indian Trail
Minutes of Regular Council Mtg.
June 23, 2009
Civic Building
6:00 P.M.

The following members of the governing body were present:

Mayor Pro Tem: Shirley Howe

Council Members: Gary D'Onofrio, Jeff Goodall, John Hullinger, Dan Schallenkamp

Absent: Mayor John Quinn

Staff Members: Interim Town Manager Peggy Piontek, Planning Director Shelley DeHart, Town Engineer Scott Kaufhold, Finance Officer Marsha Sutton, Tax Collector Janice Cook, Assistant to Town Manager Miriam Lowery, Interim Town Clerk Trena Sims, Planning Technician Hillary Pace, Adam McLamb Engineering, Town Attorney Keith Merritt.

Press/Media: Marty Mitchin of the Charlotte Observer.

CALL MEETING TO ORDER

Mayor Pro Tem Howe called the meeting to order and made the following announcements: 1) Mayor Quinn will not be attending the meeting tonight; 2) Jennifer Gardner, who won both Union County and North Carolina Teacher of the Year, sent a thank you note to the Town for their support; 3) Reminded everyone of the July 4th Parade; 4) 6:30 breakfast available at the United Methodist Church; 5) Festivities at Town Hall beginning at 9:30 am; 6) Special thanks to the Sherriff's Office for providing security during the parade; 7) Activities at the Scout Hut following the parade; 8) Grand Marshal selection is Charles R. Stine Sr., owner of the Indian Trail Pharmacy (celebrating their 40th year of business).

PRESENTATIONS

Swearing in of New Appointed Board and Committee Members

Interim Town Clerk Trena Sims swore in the following committee members: Kathy Broom, member of the Planning Board; Gary Vaughn, member of the Planning Board; Steven Ambrosio, member of the Board of Adjustment; John Eigenbrode, member of the Board of Adjustment and Lisa Kwahn, alternate member of the Public Safety Committee.

ADDITIONS AND DELETIONS

Councilmember Hullinger requested that Discussion of Park Land be added as Item 11b.

Councilmember Schallenkamp requested that the traditional Mayor's letter in the newsletter as Item 8d under New Business.

Jeff Goodall made a motion to approve additions and deletions to Agenda.

Council voted unanimously in favor of the motion.

MOTION TO APPROVE AGENDA

Dan Schallenkamp made a motion to approve Agenda.

Council voted unanimously in favor of the motion.

CONSENT AGENDA

- a. Open Deposit/Checking Acct for Employee Flex Spending Acct.
- b. Solicitation Policy for Sponsors (*This item was moved to 8e as a motion*)
- c. Budget Amendments (**COPIES OF ALL BUDGET AMENDMENTS CAN BE FOUND ON FILE IN THE FINANCE OFFICE.**)
 - a. Reallocate funds within Stormwater Department
 - b. Reallocate funds for Governing Body
 - c. Reallocate funds within Administration Department
 - d. Reallocate funds with Engineering Department
 - e. Reallocate funds within Events Department
 - f. Reallocate funds within Events Department
 - g. Reallocate funds within the Planning Department
 - h. Reallocate funds within Admin. Dept. and give more transparency
 - i. Reallocate funds within Administration Department
 - j. Reimburse Stormwater for Appropriation to General Fund

Councilmember Schallenkamp requested that Item 5b on the Consent Agenda be moved to 8e on the Agenda.

Gary D'Onofrio made a motion to approve Consent Agenda as modified.

Council voted unanimously in favor of the motion.

OLD BUSINESS

Public Relations

Mrs. DeHart stated this was a discussion to instead of purchasing a reader board to be placed on the Town Hall site; this proposal is to hire a Permanent part time public relations person. Staff is of the opinion that this position would be a better breach for events of the Town since the town is so spread out. The person in this position would be responsible for interaction with the media, outreach in the community, distributing information regarding our events, deliver welcome packets to new businesses, build relationships with HOAs and ensure the Town is on their website and newsletters, build relationships with our schools, local clubs. They could also take on the responsibility of the quarterly newsletter, keeping the website up to date on the initiatives and duties could also include planning events. The salary for a Public Relations Director is between \$70-80 thousand; the median for a Public Relations Specialist is about \$47,500. This person could also be a staff liaison to the Events Committee. According to the Employee Policy all permanent part time positions need to be authorized by the Town Council. Staff request Town Council approve this position and direct the Finance Director to re-allocate funds in the amount of \$30,000 for a street sign line item in the budget to a salary line item and to direct the Town Manager to work with Human Resources to fill the position as soon as possible.

Councilmember D'Onofrio asked how many hours a week are anticipated with this position. Ms. DeHart stated it was her understanding that permanent part time would work less than 1000 hours a year; if more hours are required then additional benefits would be required.

Councilmember D'Onofrio feels that some of these duties could be incorporated into the Town Manager job description. Council continued with general discussion of this proposed position.

Dan Schallenkamp made a motion to table until some future time.

Motion Passed 4 - 1 with Jeff Goodall opposing.

DISCUSSION & POSSIBLE ACTION

Selection of Consulting Firm for Town Manager Search

Ms. Lowery recapped the consulting firms previously interviewed by Council: Mercer Group Inc., Young Associates, Developmental Associates, Centralina Council of Government, and Wilder Consulting. Council discussed the firms with each council member stating which firm they were leaning towards choosing.

Gary D'Onofrio made a motion authorize the Town Manager to contact the Mercer Group to represent the Town for the Town Manager search.

Council voted unanimously in favor of the motion.

Park Land Discussion

Councilmember Hullinger would like for Council to task staff with finding tracts of land, 50-100 acres, for the possibility of purchasing park land. He commented that Stallings had recently approved funds to upgrade their park and we still don't have a park.

Councilmember Schallenkamp stated that until an item is budgeted, in his experience it doesn't really happen; although the Town is now designating 1/2 cent towards park land. He feels we need to be working toward a funding mechanism. We now have a bond rating and we should look into what other steps are needed and if it is feasible to be put on the ballot this year.

Ms. Piontek has been in contact with the Town Attorney and confirmed that it will not make it in time for the next ballot in November.

After further discussion, the consensus of the Council was to have staff actively look for park land and bring back information regarding the bonding exercise.

NEW BUSINESS:

Town Hall Remodel

Mr. McLamb was asked to draw a model of Town Hall using information from department heads. He showed the design and explained what was included. The construction would begin after the Sheriff's office is complete; it is estimated to be complete in six weeks. He reviewed the cost of the remodel which was a total of \$132,000.00; \$150,000 was budgeted for the construction cost. Mr. McLamb requested to release funds in the new budget in the amount of \$150,000.00 with any money left over, if there is any, to be used to do some landscaping.

Councilmember Hullinger asked if estimates were received from any other companies. Mr. McLamb replied this is the only estimate; the contractor has performed work for the Town before and even worked on the Sheriff's office for free for a couple of days. Councilmember Hullinger would like to see at least two more bids to see if there are any cost differences.

There was continued discussion of specific changes that are proposed with any discussion of updating of alarms to be held in Closed Session.

Mr. Merritt entered the meeting.

Dan Schallenkamp made a motion table this item until the July meeting.

Motion Passed 4 - 1 with Gary D'Onofrio opposing.

Councilmember D'Onofrio questioned whether the Town would need to have an RFP. Mr. Merritt will check on the process and let the Town Manager know the requirements.

Indian Trail Charter Revision

Mr. Merritt stated that in reviewing the charter, there was a provision with respect to the election method and the reference that was included was to the runoff method of election rather than the plurality method of election. The charter is currently in the local government committee and the amendment can be made to reflect the current election method. He needs a vote from Council confirming the election method. This method is consistent with the original charter.

Dan Schallenkamp made a motion to approve the recommended revision to the charter.

Council voted unanimously in favor of the motion. **(COPY OF THE REVISED TOWN CHARTER IS ATTACHED HERETO AND MADE A PART OF THESE MINUTES)**

Streetlight Ranking

Mr. Kaufhold briefly presented history of Faith Church Road project at the 2/23/09 Town Council meeting. Street lighting was discussed in planning stage of project but never installed. At the 3/10/09 Town Council meeting staff was tasked with developing a ranking of streets for adding street lights. Staff has completed and presented the inventory of existing street lights on major thoroughfares to the TAC on 6/2/09. The TAC recommended presenting the findings to the Council and to request further direction in the matter. Staff approached this matter by conducting a field inventory of streetlights on 12 major roads in Town limits (local subdivision streets not included); researched existing policies/warrants regarding street lighting; gathered current cost data; developed ranking and finally presented to the TAC.

A map indicating the location of street lights has been included in the Council packets. The map shows that on some main thoroughfare roads it is continuous and on others it is sporadic. In researching this matter the following materials were used: 1) Town of Indian Trail UDO; 2) USDOT Roadway Lighting Handbook; 3) AASHTO Roadway Lighting Design Guide; 4) IESNA Guideline for Security Lighting.

In gathering current cost data, the current FY09/10 Town budget for streetlights is \$250,000. Wood poles from Duke Power typically come at not cost, the monthly power bill per pole is approximately \$10 per pole. However, the powerline installation is extra. Non-wood poles cost currently varies from \$3,000-\$5,000 per pole and these will be escalating in the near future. On state roads, the estimated cost to light would currently be \$70 per foot of roadway. Duke Power is proposing a government lighting rate increase; for new poles the cost will be 45-50% higher. A proposed 15% increase in existing street lighting cost would be \$287,500.00.

In developing the ranking, the following information was considered from the research materials: (1) "Wood Poles are not permitted" UDO pg.13-11; (2) "The justification of roadway lighting is not completely rational" UDSOT pg. 12; "...the joint task force...did not choose to be specific in establishing warrants for lighting urban streets." USDOT pg.15; "In general, lighting should be considered where the respective governmental agencies concur that lighting will contribute substantially to the efficiency and safety and comfort of vehicular or pedestrian

traffic" USDOT pg. 16; "Improved safety is the primary goal of public lighting" AASHTO pg. 5; While there are no guarantees that improved lighting will cause a decrease in crime, there are circumstances in which lighting may be an effective crime countermeasure" IESNA pg. 2.

There are two major town roads; Brandon Oaks Parkway, which has street lights, and Faith Church Road. State roads are extremely expensive to add street lighting to; plans, specs, encroachment agreements.

When trying to justify the expense of public funds for street lights, consideration should be taken of vehicular safety and pedestrian safety. Vehicular safety on Faith Church Road - the problematic location is the intersection of Faith Church Road and Unionville Indian Trail Road. This is being addressed through federal stimulus funding of additional turn lanes and signaling the intersection. Street lights will obviously improve driver visibility. Pedestrian safety - crime in the Faith Church Road area is high due to the activities in the apartments. Adding street lights may or may not be an effective crime countermeasure. However, they will more than likely improve pedestrian comfort.

The estimated cost to add street lights on Faith Church Road adhering to the UDO and using metal poles would be \$49,000 minimum plus \$105 monthly power cost; if a state road using breakaway poles the costs increase. Wood poles, which would require an exemption from the UDO, cost would be \$16,000 minimum plus \$105 monthly power cost. Cost increases are being proposed by Duke Power. Staff request Council direction on this issue.

Councilmember D'Onofrio clarified that the proposed street light locations would be from the shopping center to the bridge on Faith Church Road. In that area he would like to know the frequency of accidents and amount of crime calls as compared to Brandon Oaks. Mr. Kaufhold supplied that the crash data is for the intersection not the roadway; so along the roadway there is little to no data. The crime in the area is specific to the apartment complex, not necessarily along the sidewalk where the roadway is. Sgt. Coble reiterated the information and also stated there have been no complaints on the roadway.

Councilmember Goodall questioned which subdivision would benefit from having the lights; he was answered Traewyck Subdivision. He asked who paid for the street lights in Brandon Oaks. Ms. DeHart stated that she was not here during the development, but within a subdivision it has been the requirement of the developer to have street lights installed.

Council continued discussion as to the feasibility of the installation of the street lights.

Dan Schallenkamp made a motion accept research findings but take no action.

Council voted unanimously in favor of the motion.

Storm Drainage System Inventory

Mr. McLamb stated that this is the second phase of the Pilot Drainage Project which included taking inventory the area south of Old Monroe Road (approximately 1/3 of the Town) the

southern third of the town. This information will be tied to GIS where the criteria can be accessed quickly. Staff will continue working with S&ME to locate and identify the remaining drainage infrastructure within the Town. The inventory will potentially be used to design stormwater projects, watershed master planning and assist in daily operations. The pilot basin inventory cost was budgeted for \$114,000, that was for 1/3 of the town; the remaining portion of the Town is estimated to cost \$110,000.

The Stormwater Advisory Committee is requesting that Council approve the completion of the Closed Storm Drainage System Inventory and direct staff to present a formal contract for execution at the Council meeting on July 14, 2009. Mr. McLamb confirmed that stormwater funds would be used for this contract.

Councilmember Schallenkamp confirmed that the Engineering Department is able to maintain this inventory as new projects come along.

Dan Schallenkamp made a motion barring any legal reasons why we may have to bid it out; approve expenditure of \$110,000 to finish Phase II of the Storm Drainage System Inventory.

Council voted unanimously in favor of the motion.

Mayors Letter for Discussion

Councilmember Schallenkamp stated that traditionally the Mayor contributes a letter within the Town's newsletter. Council was provided a copy of the letter that the Mayor submitted. Council feels that the Mayor is the figurehead of the Town and his letter should include the positive aspects of the Town; if he cannot include positive information regarding the Town in his writings, then perhaps it should not be included in the newsletter or on the website. After further discussion it was suggested that the Town Manager write the introduction to be included in the newsletter.

Dan Schallenkamp made a motion to remove Mayor's comment section from future Newsletters and future website changes.

Motion Passed 4 - 1 with John Hullinger opposing.

Dan Schallenkamp made a motion direct the Interim Town Manager to write the introduction to the newsletter.

Council voted unanimously in favor of the motion.

Solicitation Policy

Councilmember Schallenkamp pointed out a "typo"; last paragraph under 1.0: objections should be changed to objectives and on page 2 in the decision blocks under 4.0, either change or delete what is in the brackets. After a brief discussion, Council feels this policy should be labeled "Solicitation and Sponsorship Policy".

Dan Schallenkamp made a motion to approve the new Solicitation and Sponsorship Policy; replacing objections with objectives as discussed and delete information within the brackets on page 2.

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

MANAGERS REPORT

Ms. Piontek confirmed with Council that their computers and any accessories or programs are working properly; and if not to let her know. She would like to get a preference from Council about the e-mail and if Outlook is chosen by Council additional licenses (terminal service access license and a server user client access license) would need to be purchased for a total cost of \$500.00. Additional discussion ensued: Council wants to be sure that what ever equipment/programs are purchased will actually fix any problems that are occurring.

Councilmember Hullinger asked about the ability to change passwords and it was suggested that perhaps have certain rules to set up the passwords.

Ms. Piontek has had a couple of request for an update to Council's contact list with it being suggested that IT maintain an updated contact distribution list for the Council and the council members maintain their personal contact list. She gave a brief run down of information for those who will be riding the Council float in the July 4th parade. Ms. Piontek has received one check for the David Lawrence Fund. NC Spin - Carolina Broadcasting will be showcasing the Town and will give us at least a week notice so we can be sure to watch.

Ms. Piontek announced that Indian Trail has been selected as one of Family Circle's Top Ten Cities and read the e-mail notification she received. They will be sending out information to us in the next few days to use as a press release.

PLANNING REPORT

Ms. DeHart stated that there will be a vacancy on the Board of Adjustment on June 30th with the expiration of the term of Larry Watts. Mr. Evans, who was recently appointed to the Transportation Committee, has declined the appointment. As it stands, there are vacancies on the Board of Adjustment as an Alternate and on the Transportation Committee as an alternate; these positions will be advertised in the paper and on the website.

The planning staff has been working on a policy to maximize the street pole banner displays that the Town currently has within the Downtown area. Information on the banner flags will remind residents of the events going on within the Town. She updated Council on other items that will be used to promote events.

Councilmember Schallenkamp suggested putting a banner on the Town float to remind citizens of the Farmer's Market.

Ms. DeHart stated that during research for Town's use of promotion of banners, she found a policy that allows for off site advertising on private property as long as permission is obtained from the property owner. They would be erected in a way so that the posts are removable so that it would only be used for town sponsored events.

Councilmember Hullinger asked about the life expectancy of the banners. There was no definite answer as it depends on the material.

Councilmember Goodall commented on the license plates and asked if they were available to the public. The plates may be purchased at the Farmer's Market on Saturdays or at Town Hall; this information can be featured in the Town newsletter also. He would like to have the new seal shown on the float at the parade. He also pointed out that Indian Trail's welcome signs have our old seals on them and suggested having the Town signs updated. He would also like to see Tree City USA signs up. There was continued discussion about updating signs and other structures with the Town's new logo/branding information.

ENGINEERS REPORT

Mr. Kaufhold gave an update on Clearwater Drive. They have completed the downstream improvements last week and that should conclude the matter. He will pursue the sign issue again with NCDOT; although they have tried numerous times.

COUNCIL COMMENTS

Councilmember D'Onofrio stated that he is having inquiries regarding the postal zip codes within the Town. It seems to be problematic for our citizens and for our schools. A change requested from the post master before has been denied before, but perhaps the Town could inquire again to see what avenues can be pursued.

Councilmember Howe suggested inviting the Indian Trail Postmaster to one of our Council meetings.

Councilmember Goodall feels that when people drive into town there should be a sign showing that we're a Tree City or Top Ten Town.

Councilmember Hullinger stated that Mr. Humphries had been looking into beautification along Hwy. 74 and it was his understanding that DOT would put it in if the Town would maintain it; he did not know the status since Mr. Humphries departure. Ms. Piontek stated that the grass is high on Hwy. 74 and NCDOT has cut funds for mowing the median and allowing taller grass.

Councilmember Schallenkamp had no comments.

CLOSED SESSION

Gary D'Onofrio made a motion enter into Closed Session pursuant to NCGS 143-318.11(a)(1) - Prevent the disclosure of privileged information; NCGS 143-318-318.11(a)(5) - To establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property; and NCGS 143-318.11 (a)(6) - To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.

Council voted unanimously in favor of the motion.

Dan Schallenkamp made a motion enter into Open Session.

Council voted unanimously in favor of the motion.

ADJOURN

Dan Schallenkamp made a motion Adjourn.

Council voted unanimously in favor of the motion.

APPROVED:

Shirley Howe, Mayor Pro Tem

Attest:

Trena Sims, Interim Town Clerk